

# Resettlement Planning Document

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Resettlement Plan (NR 56 and NR 68-B)  
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## Cambodia: Greater Mekong Subregion: Northwestern Provincial Road Improvement Project

The Resettlement Plan is a document of the borrower. The views expressed herein do not necessarily represent those of the ADB Board of Directors, Management, or staff, and may be preliminary in nature.

## **CURRENCY EQUIVALENTS**

(as of March 2009)

Currency Unit	-	Riel (KHR)
	-	US Dollar (\$)
KHR 4,000.00	=	\$1.00

## **ABBREVIATIONS**

ADB	-	Asian Development Bank
AP/AH	-	affected person/affected household
COI	-	corridor of impact
DBST	-	double bituminous surface treatment
DOL	-	Department of Land
DMS	-	detailed measurement survey
EA	-	executing agency
EMA	-	external monitoring agency
EMDP	-	ethnic minority development plan
IOL	-	inventory of losses
IRC	-	Inter-ministerial Resettlement Committee
IRC-RD	-	IRC Resettlement Department
MEF	-	Ministry of Economy and Finance
MPWT	-	Ministry of Public Works and Transport
NR	-	national road
NTP	-	notice to proceed
PIU	-	Project Implementation Unit
PRSC	-	Provincial Resettlement Sub-Committee
PRSC-WG	-	Provincial Resettlement Sub-Committee Working Group
RCS	-	replacement cost study
ROW	-	right-of-way
RP	-	resettlement plan
RU	-	resettlement unit
SES	-	socio-economic survey

## **WEIGHTS AND MEASURES**

ha	-	hectare
kg	-	kilogram
km	-	kilometer
lm	-	linear meter
m	-	meter

## DEFINITION OF TERMS

- Affected person (AP) / - Refers to any person or persons, household, firm, private or  
Affected Household - public institution that, on account of changes resulting from the  
(AH) Project, will have its (i) standard of living adversely affected; (ii)  
right, title or interest in any house, land (including residential,  
commercial, agricultural, forest and/or grazing land), water  
resources or any other moveable or fixed assets acquired,  
possessed, restricted or otherwise adversely affected, in full or in  
part, permanently or temporarily; and/or (iii) business,  
occupation, place of work or residence or habitat adversely  
affected, with or without displacement.
- In the case of affected household (AH), it includes all members  
residing under one roof and operating as a single economic unit,  
who are adversely affected by a project or any of its  
components.
- Compensation - This is payment given in cash or in kind to APs at replacement  
cost for assets, resources or income acquired or adversely  
affected by the project
- Corridor of impact (COI) - It is the area which is impacted by the road works or by the need  
to retain sites for future use for construction or for repair and  
maintenance, and is important in two particular respects:
1. Legally as the area within which APs will be entitled to  
compensation and other measures (in general coming under  
the heading of resettlement) for any loss of land, structures  
or land use and occupation and of livelihoods; and
  2. Operationally as the agreed and demarcated area within  
which the road and related works will take place.
- Cut-off date - This refers to the date prior to which the occupation or use of the  
project area makes residents/users of the same eligible to be  
categorized as AP. For **NR 56**, the cut-off date coincides with the  
period the census of affected persons and the inventory of  
losses (IOL) thereat were conducted; i.e., **June 27 – July 12,  
2008**. Persons not covered in the census are not eligible for  
compensation and other entitlements, unless they can show  
proof that (i) they have been inadvertently missed out during the  
census and the IOL; or (ii) they have lawfully acquired the  
affected assets following completion of the census and the IOL  
and prior to the conduct of the detailed measurement survey  
(DMS).
- Detailed Measurement - With the use of approved detailed engineering drawings, this  
Survey (DMS) activity involves the finalization and/or validation of the results of  
the inventory of losses (IOL), severity of impacts, and list of APs  
earlier done during RP preparation. The final cost of resettlement  
will be determined after the DMS.
- Entitlement - Refers to a range of measures, such as compensation, income  
restoration support, transfer assistance, livelihood substitution,  
relocation support, etc., which are provided the APs or AHs  
depending on the type and severity of their losses to restore their  
economic and social base.
- Income restoration - This is involves re-establishing sources of income and livelihood  
of APs or AHs.

- Inventory of Losses (IOL) - This is the process where all fixed assets (i.e., land used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; standing crops and trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the AP are determined.
- Involuntary Resettlement - It is the displacement of people from their homes, assets, sources of income and employment on account of development projects undertaken by the Government and the private sector, such as the improvement of NR 56 Project. Involuntary resettlement may result in any or a combination of the following: loss of abode, loss of fixed assets, loss of income and/or employment, relocation, separation of family members, disintegration of communities, etc. Unless appropriate and adequate mitigation measures are carried out, involuntary resettlement will result to further hardship and impoverishment among the APs, especially the marginal sectors of society. These adverse social impacts of development projects are often borne by APs not of their own volition but involuntarily.
- Land acquisition - Refers to the process whereby an individual, household, firm or private institution is compelled by the government through the Project's Executing Agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purpose in return for compensation at replacement cost.
- Rehabilitation - This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement compensation received for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
- Relocation - This is the physical relocation of an AP from his/her pre-project place of residence and/or business.
- Replacement cost - This is the amount calculated before displacement which is needed to replace an affected asset without deductions for taxes, and/or costs of transaction as described below:
- (i) Productive land (Agricultural, fishpond, garden, forest) based on market prices that reflect recent land sales, and in the absence of such recent sales, based on productive value;
  - (ii) Residential land based on market prices that reflect recent land sales, and in the absence of such recent land sales, based on similar location attributes;
  - (iii) Houses and other related structures based on current market prices of materials and labor without depreciation nor deductions for salvaged building materials;
  - (iv) Standing crops based current market value of the crop at the time of compensation;
  - (v) Perennial crops and trees, cash compensation equivalent to current market value given the type, age and productive value (future production) at the time of compensation.

		(vi) Timber trees, based on diameter at breast height at current market prices.
Replacement Study	Cost	- This involves the conduct of empirical research to determine the replacement costs of affected assets.
Resettlement		- Refers to various measures provided to APs or AHs to mitigate any and all adverse social impacts, including compensation, relocation (where relevant), and rehabilitation as needed.
Resettlement Plan		- This is a time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, and resettlement monitoring and evaluation.
Right-of-way (ROW)		- Right-of-Way is the area, owned or still to be acquired, reserved for public use or for a government project, such as a road. Government Order ( <i>Prakas</i> ) No. 6, dated 27 September 1999 has set a right-of-way (ROW) of 50 meters for national roads (NR) with a one-digit number (i.e. NR Nos. 2, 3, 6, and 7), with the exception of NR Nos. 1, 4, and 5, which have a ROW of 60 meters. Similarly, national roads 11, 22, 64, 56, 68, and 78 have a ROW of 50 meters. Urban areas traversed by the aforementioned roads may have narrower ROW to be determined and approved by competent Government agencies.
Severely affected households		- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.
Vulnerable groups		- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) households headed by women with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, (vi) indigenous people or ethnic minorities.

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## EXECUTIVE SUMMARY

### A. Scope of land acquisition and resettlement impacts

1. The Ministry of Public Works and Transport (MPWT), through its Project Management Unit 3 (PMU 3) and with assistance from the Asian Development Bank (ADB), is studying the economic, technical, social, and environmental feasibility of the Transport Infrastructure Development and Maintenance Project for possible funding by the ADB. Proposed for inclusion in the Project is the rehabilitation of National Road (NR) 56, found in the Provinces of Banteay Meanchey and Otdar Meanchey.

2. The approximately 112.0 km long NR 56 takes off from a junction with NR 6 in the District of Srei Sophon (also known as Sisophon), Province of Banteay Meanchey. The road runs basically to the north for about 68 km before turning sharply to the west where it ends at the intersection with NR 68 in the District of Samraong, Province of Otdar Meanchey. NR 56 crosses the Districts of Sisophon, Svay Chek, and Thma Puok in Banteay Meanchey before crossing the districts of Banteay Ampil and Samraong in Otdar Meanchey. Commune and village centers traversed by NR 56, where resettlement issues are expected to be significant in terms of magnitude and severity of impacts, are Phniet, Ou Preal, Kouk Mon, Banteay Chhmar, Kumru, Thmar Puok, Roluos, Sisophon, Ou Rumdol, Makak, Olok, Pongro, Slokram, Tapaen, Treas, and Kouk Khpos. The areas traversed by NR 56 are known to be contaminated with land mines and unexploded ordnances (UXOs).

3. The major works to be carried out in the upgrading and rehabilitation of NR 56 include the raising by about 1.0 m of sections of the road in flood-prone areas; the widening of the roadway to 11 m, consisting of a 7 m DBST (double bituminous surface treatment) carriageway (i.e., 3.5 m from the centerline) and a 1.5 m bitumen-sealed shoulder plus a 0.5 m gravel curve on each side of the carriageway. Cross-border facilities at the end of NR 68 in Ou Smach will likewise be constructed under the Project. Moreover, since the present NR 56 crosses the ancient temple of Banteay Chhmar in the commune of Banteay Chhmar, District of Thma Puok, a by-pass road to avoid this landmark will be constructed. Said ancient temple is protected by a Royal Decree which lays down three zones of protection. These are an inner core zone, a buffer zone and an outer support zone. The proposed by-pass will take off from approximately STA 53+200, skirting around the support zone on the eastern boundaries of the temple complex, before rejoining NR 56 at approximately STA 64+300.

4. The inventory of losses (IOL) and census of affected persons (APs) and affected households (AHs) that were conducted on 27 June 27–12 July 2008 estimated that approximately 856,233.39 m<sup>2</sup> of land in NR 56. Around 56, 301,233.39 m<sup>2</sup> of the required land are inside the ROW, of which 169,400.00 m<sup>2</sup> are public forest land and bush land, and another 108,900.00 m<sup>2</sup> cultivated land, mostly to rice. The remaining 555,000.00 m<sup>2</sup> are public land with land mines and UXO and some private agricultural land which will have to be acquired for the bypass road.

5. In addition, a total of 310 main structures will be adversely affected by the project. Of this number, 12 are dwelling units; 31 are house-and-stores; 178 are regular shops; 88 are temporary stores and stalls; and 1 government building. A total of 163 of these structures are entirely affected.

6. Not including the private agricultural lands that will be acquired for the by-pass road, since a cadastral survey during the detailed measurement survey (DMS) will need to be conducted to determine parcels of land to be acquired in addition to the identities of their owners, It is estimated that 412 affected households (AHs), or approximately 2,060 persons based on an average household size of 5, will lose entirely or partly their main structures and/or sources of livelihood. Actual figures will be determined after completion of the detailed measurement survey.

## **B. Legal and policy framework**

7. The Project resettlement policy has been developed taking into account the types, characteristics, and severity of Project impacts on assets and living conditions of the affected population, guided by the Constitution of the Kingdom of Cambodia, prevailing legal and government procedures and policies, not to mention resettlement policies adopted by the government for specific development projects that have been funded by multi-lateral and bi-lateral development partners, such as the ADB.

8. Since Cambodia has yet to have a law to address involuntary resettlement, the government has been adopting, as a stop-gap measure, project-specific resettlement policies that are patterned after those of development partners. Projects funded by such development partners are governed by the resettlement policies of these agencies and relevant laws and government regulations not consistent with the same are waived.

## **C. Project entitlements**

9. One key objective of the Project resettlement policy is to avoid or minimize impacts on people's sources of livelihood. Since majority of the main structures that the Project will adversely affect are used for business, the Project resettlement policy puts much emphasis on ensuring that the affected people (APs) are able to continue with their livelihood during and after construction with minimal, or no, disruption in their business operation. Moreover, assets and incomes that will be inadvertently affected will be replaced or compensated at replacement cost. The ultimate goal of the Project resettlement policy is to help ensure that APs are as well off or even better without the improvement of NR 56.

## **D. Ethnicity, vulnerability, and gender issues**

10. With the exception of one person in Kampong Svay commune, an immigrant from the Lao People's Democratic Republic (Lao PDR), the rest of the 412 affected households and their members surveyed on 27 June 27–12 July 2008 were Khmer. Provisionally, the RP has identified, 110 households headed by women; 4 AHs that are headed by a disabled persons; and 5 AHs headed by persons within the retirement age bracket of the Government (i.e., 60 years and older). Additional measures are incorporated in the resettlement plan (RP) to help ensure that these AHs, who are considered particularly vulnerable, are not further disadvantaged and that, along with the other AHs, they will equally benefit from the Project. Monitoring indicators for the purpose have been incorporated in the RP.

## **E. Participation and Grievance Redress**

11. Consultations, public meetings and village discussions with the AHs and the local governments have been done before and during the conduct of the IOL as part of the resettlement planning process. A total of 8 such meetings were held. These activities will continue during the updating and implementation of the RP, consistent with the Project's participatory approach. Grievance mechanism has been designed to ensure that the concerns and complaints of the AHs are readily addressed at the village level in a timely and satisfactory manner. The AHs will be made fully aware of their rights through verbal and written means during resettlement planning, updating, and implementation.

## **F. Resettlement strategy**

12. The core resettlement strategy of the Project is geared towards ensuring that the AHs will have a place to rebuild their homes and, more importantly, that they are able to continue with their present livelihood activities. The Ministry of Public Works and Transport (MPWT), through its Project Implementation Unit 3 (PIU3) and the Resettlement Department of the Inter-ministerial Resettlement Committee (IRC), will ensure that this resettlement strategy is carried through diligently.

13. In line with the aforementioned, the Inter-ministerial Resettlement Committee Working Group (IRC-WG) in collaboration with Provincial Resettlement Subcommittee (PRSC) will look for a replacement residential plot by giving location options for AP representative to choose from. A replacement residential plot which is also suitable to re-establish their shops and businesses, outside of the ROW is an area of not less than 105 m<sup>2</sup>, and with secure tenure (i.e., full title to land) for the 23 landless AHs in NR 56 whose dwelling units or house-and-stores are entirely affected. If the residential plots are not suitable to re-establish the businesses of house-cum-shop owners, these owners will also be allocated a suitable location to re-establish their shops which will cater mostly to road users and at the same time not far from the residential plots to be allocated to them. Moreover, the livelihood activities of all shop owners will not be disrupted. The Provincial Resettlement Subcommittee Working Group (PRSC-WG) will consult with male and female representatives from the affected households in each commune, during the DMS in connection with the updating of the resettlement plan (RP). Through the PRSC-WG, the local population and shop owners will be informed about the start of civil works in a specific section of NR 56 at least 3 months in advance. Within that period, the PRSC-WG will look for a place on the residual area of the 50 m ROW where relocating shop owners could continue operating their businesses.

14. The shops owners will be provided ample time and latitude in gradually dismantling and setting up their shops in the new location and in a way that will allow them to gradually phase out their operation in their present place of business and gradually begin their operation in the new site. Under this arrangement, the shop owners, whose businesses cater mostly to road users, will not experience any stoppage in their operation. Therefore, the livelihood of these shop owners will not be severely affected by the Project.

15. In a similar token, people (their identities will be determined during the updating of the RP when detailed measurement survey is carried out) with standing crops inside the ROW will be informed about the start of civil works in a particular location of the Project road and they will be provided the opportunity to harvest their crops. In addition,

these people will be provided cash compensation for loss of land use equivalent to the area lost multiplied by \$0.45 (based on the following assumptions: yield of 0.3kg/m<sup>2</sup> un-milled rice x \$.15/kg un-milled rice x 10 years). Standing perennial trees and timber trees will be allowed to be cut and harvested by their owners and the felled trees will be compensated at prevailing market rates. On the other hand, private agricultural lands that will be acquired for the by-pass road at Banteay Chhmar, including fixed assets found thereat, will be compensated at replacement cost.

### **G. Implementation arrangements**

16. The MPWT, through its Project Implementation Unit 3 (PIU3) and its Social and Environmental Unit (SEU), and in close collaboration with the Resettlement Department of the Inter-ministerial Resettlement Committee (IRC), is overall responsible for planning and implementing all aspects of resettlement. A Working Group will be set-up at the Provincial Resettlement Sub-committee (PRSC) which will collaborate closely with IRC-WG to carry out detailed measurement survey, determine levels of compensation and entitlements as per the Project resettlement policy, implement the Project resettlement strategy, and serve as the main vehicle for ensuring that APs are consulted and their grievances heard and resolved.

17. Consultant specialists will be engaged to assist the MPWT during the updating and implementation of the RP to ensure that social safeguard measures laid out in the RP are complied with. These consultants will provide the needed training and capacity-building inputs on a full-time basis. For this purpose, these consultants will have on its team one international social development/resettlement specialist, one domestic resettlement specialist, and one domestic gender specialist.

### **H. Monitoring, RP budget, and implementation schedule**

18. The Resettlement Department of the IRC, in close collaboration with the SEU of MPWT, will serve as the Project's internal monitor. The PIU is responsible for submitting to MPWT and the ADB Project progress reports that also includes updates on the progress of resettlement. Moreover, the IRC will hire an external monitoring agency (EMA) one month after the start of the updating of the RP. The EMA will submit an inception report soon after mobilization and, subsequently, quarterly reports on the progress of the updating and implementation of the RP. In its monitoring reports, copies of which will be submitted to the IRC, the MPWT, and the ADB, the EMA will suggest remedial measures to solve any resettlement issue that is identified. The EMA will likewise conduct a Post-Resettlement Implementation Evaluation Study 6 months after the completion of resettlement activities.

19. The total cost of resettlement for NR 56 is estimated at **\$1.131 million**. This amount includes compensation and other entitlements to be provided to eligible AP/AHs, acquisition and/or preparation of replacement plots for the houses and shops, operational/administrative expenses, external monitoring, and contingencies. The MPWT and the IRC will ensure the timely availability of funds for resettlement, including unforeseen costs in excess of resettlement budget estimates in order to satisfy the Project resettlement objectives. A replacement cost survey (RCS) will be carried out in parallel with the DMS. MPWT and IRC will be assisted by the project supervision consultants in the conduct of RCS.

20. The RP will be updated by the PIU3, in close collaboration with the Resettlement Department of the IRC and with assistance from consultant specialists, after the detailed engineering designs have been completed. The updated RP will be submitted to ADB for review and approval. The schedule of civil works in a particular section of NR 56 will be planned out with consideration of the APs to ensure that construction works are synchronized with the relocation of affected structures and the harvesting of crops and trees. MPWT will not allow construction activities in a specific section to commence until the APs have been relocated in accordance with the Project resettlement policy and that the specific section of the road is free of all obstructions.

**Table ES-1: Resettlement Schedule**

<b>Activities</b>	<b>Schedule</b>
RP Preparation	June 2008–March 2009
ADB Approval of Draft RP	March 2009
RP Updating following detailed design	April–June 2010
Submission and ADB approval of updated RP	July 2010
Implementation of the approved updated RP	July–December 2010
Internal Monitoring (Submission of Quarterly Progress Reports)	April–December 2010
External Monitoring (intermittent)	May–December 2010
Start of Civil Works*	April 2010

\* For sections where there are no resettlement impacts.

#### **I. Disclosure of resettlement planning and monitoring documents**

21. Distribution of project information leaflets written in Khmer were carried out in May 2009.

## I. INTRODUCTION

### A. Background

1. The Ministry of Public Works and Transport (MPWT), through the Project Management Unit 3 (PMU 3) and with assistance from the Asian Development Bank (ADB), is studying the economic, technical, social, and environmental feasibility of the Transport Infrastructure Development and Maintenance Project for possible funding by the ADB. Proposed for inclusion in the Project is the rehabilitation of National Road (NR) 56, found in the Provinces of Banteay Meanchey and Otdar Meanchey.

2. This resettlement plan (RP) contains the measures to be carried out by MPWT and the Inter-ministerial Resettlement Committee (IRC) to avoid and/or minimize impacts on the affected people (APs), particularly on their sources of livelihood, and for the purpose of improving or at least restoring their standards of living to pre-project level consistent with ADB's Social Safeguards Policy on *Involuntary Resettlement* (1995), guided by *Operations Manual (OM/F2)* (September 2006).

### B. Project location and impact areas

3. The approximately 112.0 km long NR 56 starts at the junction with NR 6 in the District of Srei Sophon (aka Sisophon), Province of Banteay Meanchey. The road runs basically to the north for about 68 km before it turns sharply to the west where it ends at the intersection with NR 68 in the District of Samraong, Province of Otdar Meanchey. NR 56 crosses the Districts of Sisophon, Svay Chek, and Thma Puok in Banteay Meanchey before crossing the districts of Banteay Ampil and Samraong in Otdar Meanchey. Commune and village centers traversed by NR 56, where resettlement issues are expected to be significant in terms of magnitude and severity of impacts, are Phniet, Ou Preal, Kouk Mon, Banteay Chhmar, Kumru, Thmar Puok, Roluos, Sisophon, Ou Rumdol, Makak, Olok, Pongro, Slokram, Tapaen, Treas, and Kouk Khpos (see Figure 1 for the Project Location Map).

4. Areas traversed by NR 56 are known to be contaminated with land mines and unexploded ordnances (UXOs).

### C. Civil works to be undertaken

5. The major works to be carried out in the upgrading and rehabilitation of NR 56 include the raising by about 1.0 m of sections of the road in flood-prone areas; the widening of the roadway to 11 m, consisting of a 7 m DBST (double bituminous surface treatment) carriageway (i.e., 3.5 m from the centerline) and a 1.5 m bitumen-sealed shoulder plus a 0.5 m gravel curve on each side of the carriageway (see Figure 2 for the Typical Cross Section of the Project road).

**Table 1-1 Districts, Communes, and Villages Traversed by NR 56**

Province	District	Commune	Village
<b>NR 56</b>			
<b>Banteay Meanchey</b>			
	Srei Sophon Svay Chek	Sisophon Mkak Sla Kram	Svay, Pongro, Kang Va, Spean, Doun Lei, Ta Ma Akhivoat, Khlaeng Poar, Kamnab, Kakaon, Sla Kram
	Thma Puok	Ta Baen Roluos  Kumru Banteay Chhmar	Ou Veaeng, Kouk Roka Stueng, Ponsay Tboung, Ta Ong Kaeut, Kouk Khvav, Treas Aekapheap, Svay Chrum Thmar Dekes
<b>Otdar Meanchey</b>			
	Banteay Ampil	Kouk Mon	Trab, Sopheap, Ovlaok, Cham, Siliem Trapeang Ampil, Tolueng Thngai, Reaksmei Sophi, Ou Rumduol, Tonle Sa, Ou Preal*
	Samraong	Samraong	Phniet

6. Since the present NR 56 crosses the ancient temple of Banteay Chhmar in the commune of Banteay Chhmar, District of Thma Puok, a 11.1 km long by-pass road to avoid this landmark will be constructed. Said ancient temple is protected by a Royal Decree which lays down three zones of protection. These are an inner core zone, a buffer zone and an outer support zone. The proposed by-pass will take off from approximately STA 52+500, skirting around the support zone on the eastern boundaries of the temple complex, before rejoining NR 56 at approximately STA 64+300 (see Figure 3 for the 3 alternative alignments reviewed during the Project feasibility study. The approximately 11.1 km alternative 3 is the preferred alignment).

7. Moreover, at the end of NR 68 in Ou Smach, cross-border facilities will be constructed. Detailed plans for said cross-border facilities have yet to be prepared, however. During the updating of the RP, and following completion of the detailed engineering design of the Project, a detailed measurement survey (DMS) will be conducted at Ou Smach to determine whether additional assets outside of the ROW will be required.

#### **D. Measures to minimize impacts**

8. Government claims a road right-of-way (ROW) of 25 m measured from the road centerline. None of the households covered by the census of affected people (APs) on 27 June–12 July 2008, had any recognized or legalizable proof of ownership over pieces of land that they occupy inside the ROW. Government claim over the ROW is buttressed by *Prakas* (Government Order) No. 6, dated 27 September 1999 and entitled “Measures to Crack Down on Anarchic Land Grabbing and Encroachments”. The *Prakas* sets a ROW of 50 m for national roads 2, 3, 6, and 7; and a ROW of 60 m for national roads 1, 4, 5, 11, 22, 64, and 78.

9. Notwithstanding *Prakas* No. 6, however, MPWT is contemplating on clearing only a corridor (also referred to as the corridor of impact or COI) of 16.0 m (or 8.0 m either way from the road centerline) in the urban communities of Srei Sophon and Samraong, and a COI of 20.0 m (or 10.0 m either way from the road center line) in all other places traversed by the Project road.

10. Since most of the affected structures are shops and stores, emphasis is given to ensuring that their owners will not experience any stoppage in their operation, allowing them to continue with their roadside livelihood. For this purpose, the Provincial Resettlement Sub-Committee Working Group (PRSC-WG), to be composed of representatives from various provincial government agencies, including a male and female AP representative each in a particular commune, will be set up at the on-set of RP updating.

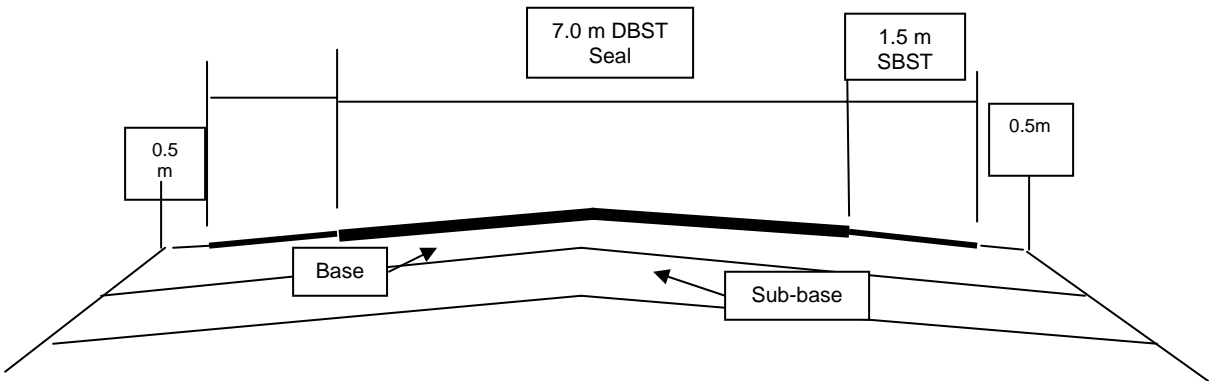
11. The PSCC-WG will coordinate closely with the Project supervision consultant and the civil works contractor on the section-by-section schedule of the start of civil works. Under such arrangement, the PSCC-WG and the APs will be able to plan out a schedule, including procedures, for the timely and orderly transfer of the shops and other structures. More specifically, the APs will be given at least 3 months advance notice of the start of civil works in their locality, thereby providing the affected people and the PRSC-WG ample time to look for replacement plots and for shop owners to systematically transfer their business operation in a manner that will minimize, if not avoid, income loss that may result from the disruption of business operation.

12. All standing annual crops, including privately-owned trees will be allowed to be harvested before the start of civil works in a particular section of the Project road.

13. The APs and local government officials have been advised during public meetings held in June and July 2008 not to introduce new immovable structures within the ROW and/or widen and further develop structures that have already been documented during the inventory of losses (IOL) of 27 June–12 July 2008. A Project information leaflet has been distributed to the AHs in September 2008, providing brief information on Project impacts, entitlements, and policy on cut-off date for eligibility, among others. Moreover, the APs and local government officials will be reminded about this matter through continuing consultations.

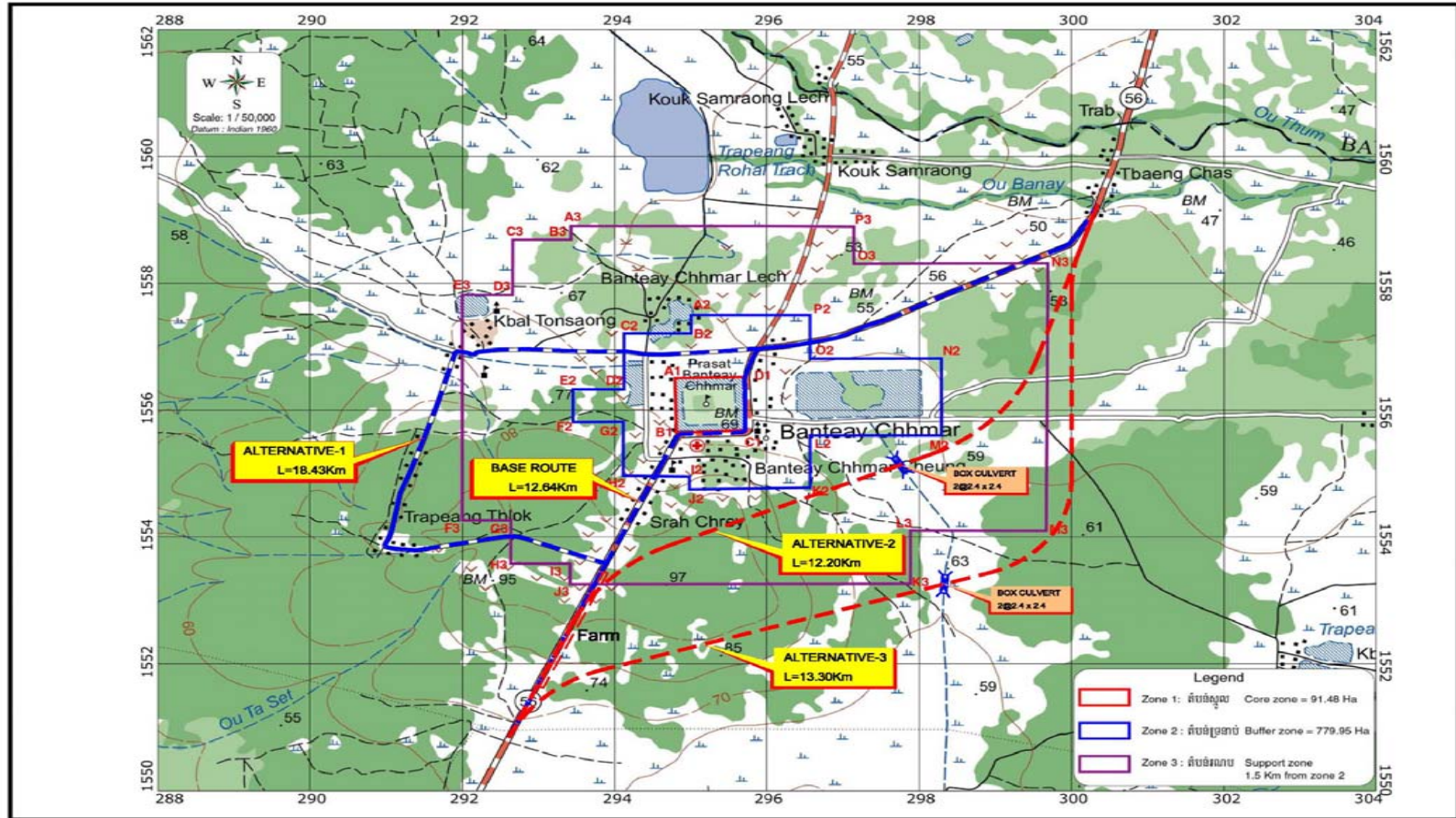
Figure 1: Project Location Map





**Figure 2: Typical Road Cross Section**

Figure 3: Alternative Alignments for Banteay Chhmar



## II. LEGAL AND POLICY FRAMEWORK

14. Public development projects undertaken by both the Cambodian Government and the private sector are for public interest. However, these projects often come with social costs -- people are displaced from homes, sources of livelihood, and other fixed assets. In addition, these social costs are often borne by the APs not on their own accord but involuntarily.

15. The adverse social impacts of development affect both the poor and the rich, although, it is often those who have less in life, such as the poor and the marginal sectors of society (e.g., households headed by women, household heads with disabilities, indigenous people, etc.), that suffer the impoverishing effects of involuntary resettlement.

16. Cambodia, however, has yet to have a law or national policy that could address involuntary resettlement in a comprehensive way. In the meantime, involuntary resettlement is addressed by the Government on a project-to-project basis, depending on the requirements of the development partner or funding agency. Locally funded development projects are not required by law to come up with plans on how to comprehensively mitigate the adverse social impacts of development projects. In contrast, projects funded by multilateral and bilateral development partners are required to have resettlement plans that set out the objectives, strategies, and entitlements, including responsibilities and time-bound activities and targets, that are all aimed at ensuring that the APs are not worse off on account of the Project.

### A. Relevant laws and orders

17. The State is vested with the confiscatory power of eminent domain. Article 44 of the 1993 Constitution grants the government the “right to confiscate properties from any person... in the public interest as provided by law and (which) shall require fair and just compensation in advance”. This constitutional provision is buttressed by at least 2 other legal instruments, notably the Land Law of 2001 and *Prakas* (Government Order) No. 6, dated 27 September 1999.

18. Article 5 of the Land Law of 2001 specifies the basic conditions within which government can exercise its confiscatory power, namely, (i) the action is for public purpose, meaning, it serves the common good; (ii) fair and just compensation is paid to the owner; and (iii) payment is given ahead of confiscation. Other provisions of the Land Law of 2001 that are relevant to involuntary resettlement are the following:

- a. Legal possession as defined by the Law is the sole basis for ownership. (Article 6);
- b. Persons that illegally occupy, possess, or claim title to State public land cannot claim any compensation. This includes lands that have been established by government as right-of-way (ROW) for roads and railways. (Article 19);
- c. Persons with legally valid possession of land for five years (at the time the law came into effect) are allowed to be registered as the owner of the land (Article 30). Persons who (at the time the law came into effect) held legal possession but had not yet completed the five years may remain in

possession of the same until they become eligible to be registered as the owner. (Article 31);

- d. Temporary possession claims made by persons after the law came into effect will not be recognized, rescinding a previous right under the 1992 Land Law for acquiring land by possession. (Articles 29, 34); and
- e. Landless people may apply for land for residence and for subsistence farming at no cost as part of a social land concessions scheme. The concessionaire may obtain ownership of this land after fulfilling the conditions set out in a separate Sub-Decree on Social Land Concessions. (Articles 50, 51).

19. *Prakas* No. 6, entitled “Measures to Crack Down on Anarchic Land Grabbing and Encroachments”, sets a ROW of 50 m for national road (NR) Nos. 2, 3, 6, and 7, and a ROW of 60 m for NR Nos. 1, 4, 5, 11, 22, 64, and 78. Exceptions are made for urban areas traversed by these national roads, where the ROW can be reduced, subject to the decision of the Government. In support of this *Prakas*, the Ministry of Economy and Finance (MEF) on 6 April 2000 issued Decree No. 961 prohibiting compensation for structures and other assets located in the road ROW.

20. *Prakas* No. 6 must have been prompted by the influx of people inside the road ROW following the ouster from power of the Khmer Rouge in 1979 after a reign of four years. During that short period, private property was abolished and all land records destroyed. The years that followed after 1979 until the restoration of private property in 1989 were very disorderly, often chaotic, exacerbated by more armed conflicts. Returning people who were forced to do manual farm labor during the Khmer Regime occupied any vacant or empty property they could find along the road and in town centers. To make the re-occupation of abandoned properties and the distribution of land more systematic, the post-1979 government introduced usufruct rights, organizing families in rural areas into groups that collectively owned land and assets. Each group of families had a head, and land was distributed to individual families according to fertility.

21. Private property was finally re-introduced in 1989. This was later codified in the Land Law of 1992, but which, for obvious reasons, does not recognize claims to land that date before the ouster of the Khmer Rouge in 1979. People have started applying for land titles to perfect their claim over the properties they have been occupying, sometimes including areas of the road ROW. But, the issuance of a land title by the Land Titles Department is a lengthy and costly process, resulting in a serious backlog of applications. In many instances, people presume that the application receipts issued to them are good as title deeds.

22. It is therefore common to find people, including landless households, using and occupying parts of the road right-of-way (ROW) for dwelling, business, farming, etc. They prefer staying in the ROW for reasons of accessibility and mobility, not to mention the business potentials that living close to the roads offers. However, people occupying areas of the ROW can never have security of tenure. It is in fact illegal to appropriate any part of the ROW for personal use.

## **B. Coping with the resettlement policies of development partners**

23. Since Cambodia has no law to address involuntary resettlement, the Government has adapted on a project-to-project basis the resettlement policies of development partner agencies. Thus, starting in 1999 with the ADB-assisted Phnom Penh to Ho Chi Minh City Highway Improvement Project (Loan 1659-CAM), projects funded by such development partner agencies are governed by the resettlement policies of these agencies and relevant laws and government regulations not consistent with the same are waived.

## **C. ADB safeguards policies**

24. The aim of ADB's Policy on Involuntary Resettlement is to avoid or minimize the impacts on people, households, businesses and others affected by the acquisition of land and other assets, including livelihood and income, for projects assisted by the Bank. Where resettlement is not avoidable, the overall goal of the ADB policy is to help restore the living standards of the AHs to at least their pre-Project levels through the provision of compensation at replacement cost for lost assets, including other forms of assistance, as needed.

25. The main objectives and principles of ADB's policy on involuntary resettlement are as follows:

- a. Involuntary resettlement should be avoided where feasible.
- b. Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
- c. All compensation is based on the principle of replacement cost.
- d. Each involuntary resettlement is conceived and executed as part of project or program development.
- e. Affected persons (APs) should be fully informed and consulted on compensation and/or resettlement options.
- f. Institutions of the APs, and, where relevant, of their hosts, are to be protected and supported. APs are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- g. The absence of a formal legal title to land is not a bar to ADB policy on entitlements.
- h. APs people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advance of such benefits.
- i. Particular attention must be paid to the needs of the poorest AHs and other vulnerable groups that are at high risk of impoverishment. This may include AHs without legal title to land or other assets, households headed by women, the elderly or disabled, and ethnic minority peoples. Appropriate assistance must be provided to help them improve their socio-economic status.

- j. The full costs of resettlement and compensation should be included in the calculation of project costs and benefits.
- k. Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure the timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation.

26. ADB's Policy on Indigenous Peoples defines "indigenous peoples" as "those with a social or cultural identity distinct from the dominant or mainstream society". "Indigenous peoples" is a generic concept that includes cultural minorities, ethnic minorities, indigenous cultural communities, tribal people, natives, and aboriginals. The Policy recognizes the potential vulnerability of ethnic minorities in the development process; that ethnic minorities must be afforded opportunities to participate in and benefit from development equally with other segments of society; and, have a role and be able to participate in the design of development interventions that affect them.

27. The policy on indigenous peoples is "designed to promote the participation of indigenous peoples in project preparation and implementation, to ensure that they benefit from development interventions that would affect them, and to provide effective safeguards against any adverse impacts". In any ADB interventions, the approaches to be used are as follows: (i) to achieve the greatest possible reduction of poverty among the affected indigenous peoples; (ii) when negative impacts are unavoidable, they should be minimized as much as possible, and appropriate measures will be taken to mitigate the adverse impacts; (iii) in enhancing the benefits of a development intervention for indigenous peoples or reducing negative impacts of a development intervention, clear mechanisms for accurate and objective analysis of their circumstances will be prepared; and (iv) the mechanisms for any intervention must be transparent and should ensure accountability.

28. ADB's Policy on Gender and Development adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process. For projects that have the potential to have substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project.

29. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (March 2005) and OM Section L3/BP (September 2005), and (ii) Accountability Mechanism (OM Section L1/BP, dated 29 October 2003).

**Table 2-1 ADB's Resettlement Policy and Its Application in Cambodia  
Resettlement Work**

ADB Policy	ADB Policy Application in Cambodia \ Resettlement Work
<p>Involuntary Resettlement Policy is applied to all development projects resulting in (i) loss of productive assets, including land, income and livelihood; (ii) lost of housing, possibly entire community structure, systems, and service; (iii) loss of other assets; loss of community resources, habitat, cultural sites, and goods.</p>	<p>ADB's Involuntary Resettlement Policy is being applied to ADB-financed projects in Cambodia.</p>
<p>Involuntary resettlement should be avoided where feasible.</p>	<p>Involuntary resettlement has been avoided through consideration of alternative project locations and narrowing ROWs to a designated corridor of impact (COI) and realigning the COI, and permitting resettlers to relocate within the remaining ROW outside of the COI, with acknowledgement by the resettlers that they would not be entitled to future compensation if required to move out of the remaining ROW in the future. However, recognizing that this leaves resettlers in a vulnerable situation within the remaining ROW, on recent projects, affected people are given the option of either (i) moving completely out of the ROW immediately with full compensation, (ii) moving out of the COI into the remaining ROW immediately and being compensated for COI losses and being entitled to full compensation in accordance with the project entitlements if required to clear the remaining ROW later. However, households accept the fact that they will in the future be removed by the Government entirely from the ROW in accordance with the Government's legal framework.</p>
<p>Where population displacement is unavoidable, all viable project options should be explored to minimize displacement.</p>	<p>Various project options (e.g. bypass road design) have been explored to minimize displacement to as few households as possible.</p>
<p>People unavoidably affected should be compensated and assisted so that their economic and social future would be generally as favorable as it would have been in the absence of the project.</p>	<p>Land-for-land is offered in some cases, though not all affected persons who lost land have been allocated a relocation site. Cash compensation for affected house, trees and other structures and privately owned land. Additional assistance is given to households headed by women, disabled, elderly, and very poor households, and cost of removal and transport of salvage materials. Some rehabilitation assistance has been given but not enough to cover to pre-project level. Future job opportunities at relocation sites have not generally been considered, with some exceptions. Compensation paid does not ensure income restoration and living standards, with a few exceptions.</p>
<p>Existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible, and resettlers should be integrated economically and socially into host communities.</p>	<p>The existing social and economic situations of the affected persons and their hosts have, in some cases, been supported, but not consistently applied.</p>
<p>The full cost of resettlement and compensation should be included in the presentation of project costs and benefits.</p>	<p>Compensation costs are budgeted in projects funded by the counterpart fund.</p>
<p>The absence of a formal legal title to land by some affected groups should not be a bar to compensation; particular attention should be paid to households headed by women and other vulnerable groups, such as ethnic minorities, and appropriate assistance provided to help improve their status.</p>	<p>Absence of legal title to land has not been a determining factor in compensation payments, as long as the APs are outside of the ROW. It is against the law to compensate for ROW land; however, compensation has been paid on some ADB-financed projects. In the case of Loan 1945-CAM, compensation has been paid for loss of land use in the ROW. Similarly for the proposed Cambodia Railway Improvement Project, compensation will be paid for loss of land use in the ROW; however, recognizing that APs make their livelihood from doing business within the ROW, such APs will have the option of moving outside of the ROW with</p>

ADB Policy	ADB Policy Application in Cambodia \ Resettlement Work
	<p>full compensation for loss of land use, or, if they prefer, will be allowed to stay within the remaining ROW outside of the COI, but only with the agreement that they will in the future be removed by the Government entirely from the ROW in accordance with the Government's legal framework or project resettlement plan if it is an ADB-financed project.</p> <p>The assistance needed by vulnerable groups was limited to a small cash allowance and no efforts were made to improve their status. In recent ADB-financed projects, assistance to vulnerable households has improved: they are now given cash equivalent of rice during the transition period, and access to an income restoration program to assist them to improve their situations. Vulnerable groups are generally not identified or specially assisted in domestically funded projects.</p>

### III. PROJECT RESETTLEMENT POLICY

30. The Project resettlement policy has been developed taking into account the types, characteristics, and severity of Project impacts on assets and living conditions of the affected population, guided by the Constitution of the Kingdom of Cambodia, prevailing legal and government procedures and policies, not to mention resettlement policies adopted by the government for specific development projects funded by the ADB.

#### A. Objectives

31. The paramount objective of the Project Resettlement Policy is to ensure that APs are not worse off because of the Project. The Project should provide an opportunity for the local population to derive benefits from it, and it should likewise serve as an occasion for the local population to participate in its planning and implementation, thereby engendering a sense of ownership over the same.

#### B. Key Principles

32. Cognizant of the aforementioned, the Royal Government of Cambodia commits itself to the following principles in the implementation of the Project road:

- a. Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operational and engineering solutions that have the least impact on the population.
- b. No site clearing will be done inside the ROW until and after the RP has been updated and approved both by Royal Government of Cambodia and the ADB, and until and after all entitlements due to the APs as provided for in this resettlement policy have been delivered.
- c. Shop owners will be assisted in gradually dismantling and setting up their shops in a new location to be agreed with the PRSC-WG in the residual area of the ROW and in a way that will allow them to gradually phase out their operation in their present location place and gradually begin their operation in their new place. Under this arrangement, the shop owners, whose business caters largely to road users, will not experience any stoppage in their operation, thereby averting severe impact on the APs' livelihood.
- d. People presently cultivating plots inside the ROW will be allowed to continue cultivating the residual area of their cultivated plots in the ROW, if there is any. If during RP updating it is determined that the loss of these farmers is equivalent to 10% or more of their total livelihood or income from various sources, the IRC-WG in collaboration with PRSC will assist in finding an affordable replacement land with similar productive attributes for the farmers to lease. In addition, the Project will provide said farmer with farm seeds.

- e. Project stakeholders, especially APs, will be consulted and given the opportunity to participate in matters that will have adverse impacts on their lives during the design, implementation and operation of the Project.
- f. Any acquisition of, or restriction on access to, resources owned or managed by the APs as a common property, e.g., communal forest, communal farm, will be mitigated by arrangements that will ensure access of those APs to equivalent resources on a continuing basis. Similarly, temporarily affected land and communal infrastructure will be restored to pre-Project conditions.
- g. Plans for the acquisition of land and other assets will be carried out in consultation with the APs who will receive prior information of the compensation, relocation and other assistance available to them.
- h. There shall be an effective mechanism for hearing and resolving grievances during the planning, updating and implementation of the RP.
- i. Existing cultural and religious practices shall be respected and, to the extent possible, preserved.
- j. Special measures will be incorporated in the RP to protect socially and economically vulnerable groups who face greater risk of further hardship. These vulnerable groups include ethnic minorities, households headed by women, disabled-headed households, landless households, children and elderly people without support structures, and people living in poverty. Appropriate assistance will be provided to help AHs belonging to any of these vulnerable groups improve their socio-economic status.
- k. Adequate resources will be identified and committed during the preparation of the RP. This includes sufficient budgetary support that is fully committed and made available to cover resettlement costs within the agreed implementation period; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- l. Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system.
- m. The RP or its summary will be translated in Khmer and placed in district and commune offices for the information of the APs as well as other interested groups.
- n. Civil works contractors will not be issued notice of possession or notice to proceed (NTP) for any section or segment of the Project road until (i) assistance has been satisfactorily completed for that area; (ii) agreed rehabilitation measures are in place; and (iii) the area is free from all encumbrances. The schedule of the start of civil works in any section or segment of the Project road will be coordinated and planned with the Inter-ministerial Resettlement Committee (IRC) and the Provincial Resettlement Sub-committee (PRSC) in consultation with male and female representatives of the APs.

### C. Entitlements

33. The cut-off date of the project coincides with the date of completion of the census of affected persons and the inventory of losses (IOL) in a given location of NR 56, which was between June 27 and July 12, 2008. Only those APs (i.e., person or persons, households, a firm, or a private or public institution) found to be residing in, doing business, or cultivating land, or having rights over resources within the COI as of the cut-off date are eligible to compensation for lost assets and for other assistance as provided for in this RP.

34. Based on the impacts identified during the IOL, the corresponding entitlements to be provided to the APs are presented in the entitlement matrix below. It should be noted that these entitlements may be enhanced, as necessary, following the conduct of detailed measurement survey (DMS) during RP updating and in consultation with the APs to ensure that their livelihoods are restored, if not improved

**Table 3-1 Entitlement Matrix**

Type of Loss/Impacts	Application	Eligible Persons	Entitlements
<p><b>Loss of Land (all kinds) OUTSIDE of the ROW</b></p>	<p><b>Partial loss;</b> i.e., only a portion of the land of the AP is acquired by the Project and the residual unaffected is <b>STILL VIABLE</b> for continued use.</p> <p>(Identities of the APs will be determined during DMS and RP updating)</p>	<p>All APs with recognized proof of ownership who will be affected by the construction of a bypass road in Banteay Chhmar Commune (NR 56), in addition to APs who may be affected by the construction of the cross-border facilities at Ou Smach.</p>	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• For the affected portion of the land: cash compensation at replacement cost (based on recent land sales in the locality; in case there is no active market in the locality, based on productive capacity or attributes; without deduction for taxes and transaction costs)</li> <li>• To the extent possible, APs will be <b>allowed to harvest</b> their annual and perennial crops and timber products prior to construction.</li> <li>• If AP belongs to any of the <b>vulnerable groups</b>, see entitlements for vulnerable APs below.</li> </ul>
	<p><b>Entire land is lost;</b> i.e., the whole land is affected by the Project, or the residual unaffected is <b>NO LONGER VIABLE</b> for continued use and, therefore, the entire land will have to be acquired by the Project.</p> <p>(Identities of the APs will be determined during DMS and RP updating)</p>	<p>All APs with recognized proof of ownership who will be affected by the construction of a bypass road in Banteay Chhmar Commune (NR 56), in addition to APs who may be affected by the construction of the cross-border facilities at Ou Smach.</p>	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• For the entire land: <b>cash compensation at replacement cost</b> (based on recent land sales in the locality; in case there is no active market in the locality, based on productive capacity or attributes; without deduction for taxes and transaction costs)</li> <li>• APs will be <b>allowed to harvest</b> their annual and perennial crops and timber products prior to construction.</li> <li>• If during RP updating, farmer APs are found to be <b>severely affected</b> (i.e., the loss is equivalent to 10%</li> </ul>

Type of Loss/Impacts	Application	Eligible Persons	Entitlements
	updating)		<p>or more of their total income capacity), the AP will be provided (i) <b>rehabilitation assistance</b> in the form of farm inputs (e.g. seeds/seedlings) and technical advice to help increase production; and (ii) <b>living allowance</b> of 83 kg of milled rice, which is the estimated consumption of a household of 5 members, multiplied by 6 months multiplied by \$0.40/kg (or \$200).</p> <ul style="list-style-type: none"> <li>• If AP belongs to any of the <b>vulnerable groups</b>, see entitlements for vulnerable APs below.</li> </ul>
<p><b>Loss of use of Productive Land <u>INSIDE</u> the ROW</b></p>	<p><b>Partial loss;</b> i.e., only a portion of the land cultivated by the AP within the COI is affected.</p> <p>(Identities of the APs will be determined during DMS and RP updating)</p>	<p>All APs utilizing ROW land for productive use</p>	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• APs will be <b>allowed to harvest</b> their crops prior to construction.</li> <li>• APs will be <b>tolerated to cultivate</b> the residual area of the ROW.</li> <li>• For the affected portion, <b>cash assistance for loss of land use</b> equivalent to the area lost multiplied by \$0.45 (based on the following assumption: yield of 0.3kg/m<sup>2</sup> of un-milled rice x \$.15/kg un-milled rice x 10 years).</li> <li>• If during RP updating, said farmers are found to be <b>severely affected</b> (i.e., the loss is equivalent to 10% or more of their total income capacity), the AP will (i) be assisted by the IRC-WG in collaboration with PRSC in <b>finding affordable replacement land</b> with similar productive attributes for these farmers to <b>lease</b>; (ii) be provided <b>rehabilitation assistance</b> in the form of farm inputs (e.g. seeds/seedlings) and technical advice to help increase production; and (iii) be provided <b>living allowance</b> of 83 kg of milled rice, which is the estimated consumption of a household of 5 members, multiplied by 6 months multiplied by \$0.40/kg (or \$200).</li> <li>• If AP belongs to any of the <b>vulnerable groups</b>, see entitlements for vulnerable APs below.</li> </ul>

Type of Loss/Impacts	Application	Eligible Persons	Entitlements
House, House-and-shop; Shop/Store	<p>Partial loss of house, house-and-shop; shop or store; i.e., only a portion of the main structure of the house, house-and-shop, or shop/store is affected and the remaining unaffected portion is <b>STILL VIABLE</b> for use.</p>	<p>Owners with or without acceptable proof of ownership over the land; with or without building permit</p>	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• For the affected portion, <b>cash compensation at replacement cost</b> (i.e., present cost of construction materials in the locality, plus cost of labor and repair [i.e., 20% of the cost of labor and materials] of the unaffected portion, but minus re-usable salvaged materials which will be determined during DMS). APs to get cash <b>compensation at least 3 months ahead of civil works</b> in the locality to allow the AP sufficient time to <b>gradually re-organize the house and/or shop</b>, thereby avoiding any disruption in the livelihood of the same.</li> <li>• If AP belongs to any of the <b>vulnerable groups</b>, see entitlements for vulnerable APs below.</li> </ul>
		<p>Renters of said structures</p>	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• <b>No other entitlements</b> if not relocating and if business operation is not disrupted.</li> </ul>
	<p><b>Entire house, house-and-shop, store/shop is lost;</b> i.e., entire main structure is affected, or the unaffected portion of the main structure is <b>NO LONGER VIABLE</b> for continued use.</p>	<p>Owners with or without acceptable proof of ownership over the land; with or without building permit</p>	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• <b>Cash compensation at replacement cost</b> for the entire house (i.e., present cost of construction materials and labor in the locality, but minus re-usable salvaged materials which will be determined during DMS). APs to get cash <b>compensation at least 3 months ahead of civil works</b> in the locality to allow the AP sufficient time to <b>gradually re-organize the house and/or shop</b>, thereby avoiding any disruption in the livelihood of the same.</li> <li>• <b>Living allowance</b> as follows: <ul style="list-style-type: none"> <li>➢ Houses and regular shops (i.e., can be closed with four walls) that will <b>move back in residual area of the ROW</b>: <ul style="list-style-type: none"> <li>(i) 83 kg of milled rice for 3 months (or \$100.00) for affected house; and (ii) 83 kg of milled rice for 1 month (or \$33.20) for the affected regular store).</li> </ul> </li> </ul> </li> </ul>

Type of Loss/Impacts	Application	Eligible Persons	Entitlements
			<ul style="list-style-type: none"> <li>➤ Houses and regular shops that will <b>relocate outside the ROW</b>: (i) 83 kg of milled rice for 6 months (or \$200) for affected house; and (ii) 83 kg of milled rice for 3 months (or \$100) for the affected regular store).</li> <li>• <b>Transportation (moving) allowance</b> as follows: <ul style="list-style-type: none"> <li>➤ Shops and stalls made of light and temporary materials: \$20</li> <li>➤ Regular shops and houses moving into the residual area of the ROW: \$40</li> <li>➤ Regular shops and houses relocating within the same village outside of the ROW: \$60</li> <li>➤ Houses relocating in another village outside of the ROW: \$70</li> </ul> </li> <li>• If <b>landless</b>, to be provided free of charge with <b>substitute plot</b> with an area of at <b>least 105 m<sup>2</sup></b> outside of the ROW and in a location acceptable to the AP, with secure tenure (full title to land), accessible, with or close to source of potable water, and with latrine. The plot will also be suitable for these landless households to re-establish their businesses.</li> <li>• If AP belongs to any of the <b>vulnerable groups</b>, see entitlements for vulnerable APs below.</li> </ul>
		Renters of entirely affected house and house-and-shop	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• <b>Transportation (moving) allowance</b> of \$40</li> <li>• <b>Living allowance</b> of 83 kg of milled rice for 1 month (or \$33.20) for relocating tenants of affected regular shop and house.</li> <li>• <b>Rental allowance</b> equivalent to 2 months rent of a similar building in the locality.</li> <li>• If AP belongs to any of the <b>vulnerable groups</b>, see entitlements for vulnerable APs below.</li> </ul>
Miscellaneous/other structures (porch, extended eaves, spirit house, fence, etc.)	Loss of, or damage to, assets	Owners of the structures with or without acceptable proof of ownership over the land; with or	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months</b> in advance of the start of civil works in the locality.</li> <li>• <b>Cash compensation at replacement cost</b> for the affected</li> </ul>

Type of Loss/Impacts	Application	Eligible Persons	Entitlements
		without building permit	assets (i.e., present cost of construction materials and labor in the locality, but minus re-usable salvaged materials which will be determined during DMS).
Crops and trees	Loss of, or damage to, assets	Owners regardless of tenure status	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months in advance</b> of the start of civil works in the locality.</li> <li>• To the extent possible, APs will be <b>allowed to harvest</b> their annual and perennial crops prior to construction.</li> <li>• Perennial and timber trees will be compensated in cash as per replacement cost study.</li> </ul>
Public Facilities (Government-owned structures)	Loss of, or damage to, assets	Institutions that own the affected assets	<ul style="list-style-type: none"> <li>• APs to be <b>notified at least 3 months in advance</b> of the start of civil works in the locality.</li> <li>• To be reconstructed, restored and/or relocated by the civil works contractor</li> </ul>
Higher risks of hardship due to project impacts	Loss of house and shops, paddy land within the ROW	<b>Vulnerable Groups:</b> AP households belonging to one or more of the following vulnerable groups: (i) “poor”, as officially defined; (ii) households headed by women; and (iii) households that are headed by persons with disabilities and with no other gainfully employed or earning members of the household.	<ul style="list-style-type: none"> <li>• If <b>affected by partial loss of asset: living allowance</b> of 83 kg of milled rice per month for 3 months (or \$100 per household)</li> <li>• If <b>affected by the entire loss</b> of an asset (e.g., house, shop, farm): <b>living allowance</b> of 83 kg of milled rice per month for 6 months (or \$200).</li> </ul>
Impacts during Construction			<ul style="list-style-type: none"> <li>• Contractors will be responsible for paying rental in cash for land outside the ROW which will be no less than the net income that would have been derived from the affected property during disruption.</li> <li>• Restoration of land within 3 months after use.</li> <li>• Non-land assets within the residual area of the ROW and/or outside of the ROW that are adversely impacted by construction activities will be compensated at replacement cost by the civil works contractor.</li> </ul>

## IV. PROJECT IMPACTS

### A. Methodology used in the inventory of losses

35. The succeeding sections describe the processes and methods employed in the survey of the adverse social impacts of improving NR 56. The impact survey involved the conduct of inventory of losses (IOL) where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; miscellaneous structures, such as fences, tombs, wells; trees with commercial value; etc.) located inside the corridor of impact (COI) were identified, tagged, measured, their owners identified, their exact location pinpointed, and their replacement values calculated. Likewise, the severity of impact on the affected assets and the severity of impact to the livelihood and productive capacity of APs were determined. Photographs of the affected assets along with the APs had been taken. Also, information on the members of the affected households (AHs), sources of livelihood, income level, and ownership of productive assets had been gathered. The impacts survey and census of APs were conducted in June and July 2008.

#### 1. Data Gathering Instrument

36. The basic tool used in the IOL and census of AHs was the survey questionnaire. Detailed socio-economic information on AHs whose main structures (i.e., houses and shops but excluding government buildings) stand to be partially or entirely affected was obtained with the use of a survey questionnaire in Khmer. The questionnaire was divided into 2 major sections. The first section dealt on affected assets and income and relocation options, in addition to basic information on the household head, such as gender, age, educational attainment, and primary source of income. The second section covered concerns on the socio-economic condition of the affected household (see Appendix 1 for a copy of the impact survey questionnaire).

#### 2. The survey team

37. Other than an international consultant (i.e., social/resettlement specialist), a team of 14 local research assistants that included a survey coordinator, field survey team leader, 8 enumerators, 2 computer data encoders, 1 statistician, and 1 replacement cost (market rates) researcher was organized to help prepare this RP. Except for the statistician and the replacement cost study (RCS) researcher, the rest of the local research assistants were based in the field. Field data gathering in NR 56 commenced on 27 June and was completed on 12 July 2008. The research team was accompanied by commune or village officials in their data gathering activities.

#### 3. Setting of the cut-off date

38. The IOL and census of APs were preceded by a public consultation-meeting in populated district or commune centers along NR 56. Among others, the purpose of said public meetings was to brief the local population about the activities of the team, the policy of ADB on Involuntary Resettlement, including the policy requirement on cut-off date. The local people were informed that said cut-off date coincided with the holding of the IOL and census of the APs, which was June 27 to July 12, 2008.

#### 4. Basis of unit costs used in the RP

39. About the same time that the IOL was being conducted, a replacement cost study (RCS) of affected assets in the Project area was carried out by the research team. The objective of the RCS was to come up with the unit costs to use in calculating the compensation for affected fixed assets (land, structures, trees and crops) based on current market rates. The methodology employed in the RCS included the following activities:

- a. Bill of materials and bill of quantities survey of typical structures, coupled by a canvass of construction materials, in the Project area;
- b. Interview of contractors and builders to determine the current cost of labor in the construction sector;
- c. Discussion with government officials involved in resettlement preparation and implementation in the ongoing ADB-assisted Loan 1945-CAM: GMS Cambodia Road Improvement Project to gain better understanding of the methodology employed in setting the compensation rates used in said project
- d. Meeting with vendors and agriculture specialists, including officials of the Ministry of Agriculture, to establish the current market rates of perennial and annual crops; and
- e. Interview of local (commune and village) officials, including residents, to find out the current market rates of fixed assets, especially land, in the Project area as per record of recent sale transactions.

##### 4.a Unit costs of land

40. Per results of the RCS, the unit costs of land covered with recognized proofs of ownership, structures, crops, perennials, and timber trees in districts and communes traversed by the Project road are provided below (for the complete RCS report, see Appendix 2).

**Table 4-1 Unit Costs of Land**

<b>Category</b>	<b>Average Unit Price (\$/m<sup>2</sup>)</b>
Agricultural land along existing road	2.2
Agricultural land at by-pass road	0.97
Residential	7.2
Resident-cum-commercial	19
Commercial	62.5

41. With the exception of the approximately 11.1 km by-pass road at Banteay Chhmar and the cross-border facilities at Ou Smach, civil works for the improvement of NR 56 will be confined within the existing ROW. Despite the fact that certain individuals have been cultivating portions of the ROW adjacent to the present roadway without legal cover, Government recognizes that recovery of said portions of the ROW for the Project will result to permanent loss of the same for the productive benefit of the concerned APs. It is in this context that the Project resettlement policy grants cash assistance for loss of

land use equivalent to the area lost multiplied by \$0.45 (derived from the following assumptions: yield of 0.3kg/m<sup>2</sup> of un-milled rice x \$.15/kg un-milled rice x 10 years).

#### 4.b Unit costs of main structures

**Table 4-2 Unit Costs of Structures**

Type	Wall	Column	Floor	No. of Floor	Unit Cost 2008 (\$/m <sup>2</sup> )	Unit Cost 2009 (\$/m <sup>2</sup> )	
I Thatch/ Leaves/ Plastic	1A	No	Pole	Soil	Single	6.70	6.80
	1B	No	Pole/ Wood	Wood	Single	12.00	12.20
	1C	Thatch/ Leaves/ Rough Wood/Plastic	Pole/ Wood	Soil	Single	13.80	13.90
	1D	Thatch/ Leaves/ Rough Wood/ Plastic	Pole/ Wood	Wood/Lean Concrete	Single	17.00	17.6
II Metal Sheet/ Fiber cement	2A	No	Pole/ Wood	Soil	Single	15.10	14.20
	2B	No	Pole/ Wood	Wood/ Bamboo/ Lean Concrete	Single	22.80	22.00
	2C	Thatch/ Leaves/ Rough Wood	Pole/ Wood	Soil	Single	26.90	26.30
	2D	Metal/ Fiber Cement	Pole/ Wood	Soil	Single	31.50	30.10
	2E	Metal/ Fiber Cement	Pole/ Wood	Wood/ Lean Concrete	Single	34.00	33.80
	2F	Thatch/ Leaves/ Rough Wood	Pole/ Wood	Wood/ Lean Concrete	Single	35.00	34.40
	2G	Wood	Wood	Lean Concrete/ Wood	Single	60.70	60.00
	2H	Brick	Wood/ Concrete	Concrete/ Tile	Single	64.25	62.80
	2I	Wood	Wood/ Concrete	Wood	House on still	120.80	117.50
	2J	Brick/Wood	Wood/ Concrete	Wood/ Concrete/ Tile	Ground Floor and First floor	147.55	146.50
III Tile	3A	Wood/ Brick	Wood/ Concrete	Wood/ Concrete/ Tile	Single	126.40	116.00

Type	Wall	Column	Floor	No. of Floor	Unit Cost 2008 (\$/m2)	Unit Cost 2009 (\$/m2)	
	3B	Wood	Wood/ Concrete	Wood	House on stilt	128.65	122.70
	3C	Wood/ Brick	Wood/ Concrete	Wood/ Concrete/ Tile	Brick for ground floor and Wood for first floor	159.20	153.30
	3D	Brick	Concrete	Concrete/ Tile and concrete slab	Brick ground floor and brick first floor	179.35	175.00
IV Concrete	4A	Brick	Concrete	Concrete/ Tile	Single	184.90	176.5
	4B	Brick	Concrete	Concrete/ Tile	Ground Floor, First Floor and Second Floor or more than 2 stories	193.45 For every affected floor	190.00 For every affected floor

#### 4.c Unit cost of other structures

**Table 4-3 Unit Costs of Other Structures**

No.	Other Structures	Unit of Measurement	Cost (\$)
1.	Dug well (800 mm diameter and 6 ~ 10 m deep)	1	120.00
2.	Dug well (earth, no concrete pipe)	1	80.00
3.	Pump well	1	320.00
4.	Grave (earthen)	1	100.00
5.	Grave (concrete)	1	2,350.00
6.	Chedey/Stupa (grand grave, 2 m X 2 m)	1	3,600.00
7.	Concrete patio / forecourt	m <sup>2</sup>	8.50
8.	Concrete block / terracotta	m <sup>2</sup>	6.50
9.	Culvert (600 mm diameter)	1	32.50
10.	Culvert (800 mm diameter)	1	42.50
11.	Dug pond	m <sup>2</sup>	12.00
12.	Front metal roof	m <sup>2</sup>	15.00
<b>Fence and Gate</b>			
1.	week fence / Loose fence (bamboo or wood)	LM	0.22
2.	Bamboo / round wood post with bamboo bar	LM	1.00
3.	Wooden post with wire or bamboo bar/wooden bar	LM	1.25
4.	Wooden post with no bar (less than 1 m space in between)	LM	2.60
5.	Wooden post with no bar (less than 1 ~ 2 m space in between)	LM	1.20
6.	Wooden post with no bar (more than 2 m space in between)	LM	0.25
7.	Wooden post with wooden bar and grille or bamboo grille	LM	3.25
8.	Concrete post with wire bar	LM	3.50
9.	Brick of 100 mm; concrete/brick column; wooden grille	LM	9.20
10.	Brick of 100 or 200 mm; concrete/brick column; steel grille	LM	16.30
11.	Metal sheet/wooden plank	LM	7.15
12.	Brick of 100 mm; plastering on both sides	LM	21.00
13.	Pagoda fence	LM	29.00
14.	Gate with brick column and steel doors	set	68.00
<b>Cost of Labor to Move Structures</b>			
1.	Wooden passage into house	Lump Sum	2.50
2.	Wooden bridge (3 ~ 5 m wide)	Lump Sum	97.50
3.	Stalls away from COI	Lump Sum	15.00
4.	House from COI (less than 10 m)	Lump Sum	120.00
5.	House from COI (more than 10 m)	Lump Sum	195.00
6.	Gate (wooden, steel)	Lump Sum	10.00

#### 4.a Crops and Trees

42. The market rates for crops and trees have been calculated based on the yield and the period the tree and crops mature as confirmed with the horticulture department and agricultural department of Otdar Meanchey Province. The formula used for fruit trees is as follows: Yield x Number of times it will produce x Market price x Number of years to become mature. Table overleaf gives a rundown of the unit costs for various crops and trees found along NR 56.

**Table 4-4 Unit Costs of Crops and Trees**

No.	Crop Type	Unit of Measurement	Cost (\$)
1.	Rice	m <sup>2</sup>	0.08
2.	Lemongrass	Clump	0.87
3.	Pumpkin	m <sup>2</sup>	0.90
4.	Mint / Basil	m <sup>2</sup>	0.10
<b>Tree Species</b>			
1.	Mango	Tree	45.00
2.	Coconut	Tree	32.00
3.	Tamarind	Tree	28.00
4.	Jackfruit	Tree	30.00
5.	Custard apple	Tree	6.00
6.	Sugar cane	Tree	0.03
7.	Palm tree	Tree	45.00
8.	Teuk Doh Kor	Tree	32.00
9.	Papaya	Tree	3.00
10.	Banana	Tree	0.90
11.	Guava	Tree	5.00
12.	Plum	Tree	12.00
13.	Cashew	Tree	11.00
14.	Bamboo	Thicket	15.00
15.	Eucalyptus / Acacia	Tree	8.00
16.	Ampil Teuk	Tree	7.50
17.	Chan Kiri	Tree	18.00
18.	Krasang	Tree	16.00
19.	Kantuort	Tree	3.00
20.	Roluos	Tree	1.50
21.	Kgnork	Tree	4.00
22.	Trasek	Tree	1.50
23.	Jujube	Tree	4.00
24.	Thkov	Tree	9.00
25.	Kapok	Tree	1.50
26.	Rum chek	Clump	0.43
27.	Others	Tree	5.00

43. Trees listed above are aged 5 years or more. All things considered, the compensation for each kind of tree listed above will be determined based on the following formula:

- a. 1 ~ 3 years old: compensated at 1/3 its full price (as it can be re-planted)<sup>1</sup>
- b. 3 ~ 5 years old: compensated at 2/3 its full price
- c. More than 5 years old: full amount of compensation.

<sup>1</sup> The compensation will cover for the cost of labor and materials in balling the plants/trees.

## B. Inventory of affected assets

### 1. Land

44. The inventory of affected land in NR 56 was basically confined to measuring the areas of land within the COI on each side of the present roadway that were **visibly** occupied, and determining their use (i.e., for agriculture, residence, commerce, both for residence and commerce). It was impossible for the team to determine the identities of the land occupants or users, with the exception of ROW land with houses and shops that were attended to when the survey team conducted the IOL and census of APs. It was likewise impossible for the survey team to determine the boundaries, and therefore the areas, of cultivated or built-on plots of ROW land in open swathes of land adjacent to the roadway because said occupied lands are not demarcated and there are no cadastral or parcellary plans available. Therefore, even for plots of ROW land that had structures on them, the names and gender of the users or occupants of said plots of ROW land could not be determined if the houses and shops thereat were locked or unattended to during the survey.

45. In view thereof, the survey team could only estimate the area of cultivated land (i.e., farmland) and woodlands (i.e., degraded public forest with naturally growing tree species) within the COI. Also, the survey team could only estimate the area of ROW land used for residence and commerce that had structures on them (i.e., footprint of the structures) and those that are fenced in. These estimates will be validated and corrected as necessary during the updating of the RP, with the assistance of commune officials who will also sit as members of the Provincial Resettlement Sub-committee-Working Group (PRSC-WG), the main resettlement body that is tasked to carry out the detailed measurement survey (DMS).

46. A total of 301,233.39 m<sup>2</sup> of ROW land in NR 56 is being occupied or used by local residents will be cleared for the Project. Of these, 36.15% (108,900 m<sup>2</sup>) in NR 56 is used for growing rice. As per Project resettlement policy, the users/occupants of said cultivated ROW land are entitled to receive a cash assistance of \$0.45/m<sup>2</sup> to help them recover from the permanent loss of use of said productive land. Thus, those farming the cultivated ROW land are entitled to receive a cash assistance of \$49,005<sup>2</sup>.

47. Public degraded forests account for 56.24% of affected land in NR 56, while ROW land used purely for residence accounts for 7.59% of affected land in NR 56.

**Table 4-5 Occupied ROW Land in NR 56 According to Use**

<i>District</i>	<i>Residential land</i>	<i>Farmland</i>	<i>Commercial land</i>	<i>Residential-commercial</i>	<i>Woodland</i>	<i>Total</i>
<b>NR 56</b>						
Serey sophon	9,569.07	-	72.55	12.10	-	9,653.72
Thmar Pouk	3,214.41	69,200.00	-	-	16,000.00	88,414.41
Svay chek	6,750.56	2,800.00	-	-	-	9,550.56
Banteay Ampil	3,077.66	36,900.00	-	-	80,600.00	120,577.66
Samraong	237.04	-	-	-	72,800.00	73,037.04
<b>Total</b>	<b>22,848.74</b>	<b>108,900.00</b>	<b>72.55</b>	<b>12.10</b>	<b>169,400.00</b>	<b>301,233.39</b>

NOTE: Data on number of plots could not be obtained during the IOL.

<sup>2</sup> The unit amount of \$0.45/m<sup>2</sup> has been derived based on the assumption that a hectare of land in the locality has an annual yield of 3,000 kg of un-milled rice, multiplied by \$0.15/kg, the cost of un-milled rice, and multiplied by 10 years.

48. NR 56 crosses the ancient temple of Banteay Chhmar in the commune of Banteay Chhmar, district of Thma Puok. Said ancient temple is protected by a Royal Decree which lays down three zones of protection. These are an inner core zone, a buffer zone and an outer support zone. It is for this reason that a by-pass road will be constructed to avoid impacting this ancient cultural heritage. The proposed by-pass will take off from approximately STA 53+200, skirting around the support zone on the eastern boundaries of the temple complex, before rejoining NR 56 at approximately STA 64+300. With a standard ROW of 50 m, the by-pass road will require the acquisition of around 555,000.00 m<sup>2</sup> of un-inhabited private agricultural land and public forest land.

49. Land within 100 m from the points the by-pass road takes off from and rejoins NR 56 have a market rate of \$2.2/m<sup>2</sup>, while land found beyond these points has a market rate of \$0.97/m<sup>2</sup>. Thus, the 10,000 m<sup>2</sup> of land at the beginning and end of the by-pass road has a replacement cost of \$22,000, while the 545,000 m<sup>2</sup> of land located farther from the present ROW has a replacement cost of \$528,650. These amounts do not include the cost of trees that might be found in the affected property. The proposed alignment of the by-pass has to be demarcated and a cadastral survey carried out before any detailed measurement survey (DMS) could be undertaken thereat.

**Table 4-6 Replacement Cost of Land for the By-pass**

Location of the Land	Area (m <sup>2</sup> )	Unit Cost (\$/m <sup>2</sup> )	Total Cost (\$)
Within 100 meters from beginning and end of by-pass road	10,000.00	2.2	22,000.00
Interior area of by-pass road	545,000.00	0.97	528,650.00
<b>Total</b>	<b>555,000.00</b>	<b>-</b>	<b>550,650.00</b>

## 2. Main structures

50. A total of 310 main structures in NR 56 will be adversely affected by the Project. In NR 56, some 57.42% of the affected main structures are regular shops (i.e., fixed on the ground with walls and roofs to completely close the shops), while 28.39% are temporary stores/stalls (i.e., mostly seasonal structures with posts but no four walls and made of light and/or temporary or recycled materials). Houses with stores in them make up 10.00% of the affected main structures in NR 56, while structures used purely for residence account for 3.87%.

51. **Gender of households with affected main structures.** Households headed by men own 200 of the affected main structures in NR 56. On the other hand, households headed by women own 110 of the affected main structures in NR 56.

52. **Severity of impact of affected main structures.** In NR 56, of the 200 impacted main structures owned by households headed by men, 101 are entirely affected, 53 of which are regular shops and 13 houses with stores. 1 house and 34 temporary stores/stalls are also entirely affected.

**Table 4-7 Number of Affected Main Structures according to Use**

<i>Commune</i>	<i>House</i>	<i>Regular Shop</i>	<i>Temporary Store/Stall</i>	<i>House and store</i>	<i>Gov't office</i>
<b>NR 56</b>					
Kampong Svay	2	47	16	8	-
Mkak	2	17	7	5	-
Banteay Chhmar	-	9	9	4	-
Thma Puok	1	8	1	-	-
Kumru	-	19	3	1	-
Sla Kram	1	9	7	2	1
Ta Baen	1	9	3	-	-
Treas	-	2	1	3	-
Roluos	-	16	3	2	-
Ampil	1	7	12	2	-
Beng	1	2	1	-	-
Kouk Khpos	-	2	-	2	-
Kouk Mon	2	22	23	2	-
Bos Sbov	-	2	-	-	-
Samraong	1	7	2	-	-
<b>Total</b>	<b>12</b>	<b>178</b>	<b>88</b>	<b>31</b>	<b>1</b>

**Table 4-8 Affected Main Structures by Severity of Loss (Owned by HHs headed by Men)**

<i>Commune</i>	<i>House</i>		<i>Regular Shop</i>		<i>Temporary Store/Stall</i>		<i>House-and-store</i>		<i>Total</i>	
	<i>partial</i>	<i>Entire</i>	<i>partial</i>	<i>Entire</i>	<i>partial</i>	<i>Entire</i>	<i>partial</i>	<i>Entire</i>	<i>partial</i>	<i>Entire</i>
<b>NR 56</b>										
Kampong Svay	1	-	9	13	3	7	3	3	16	23
Mkak	2	-	5	6	1	2	1	2	9	10
Banteay Chhmar	-	-	3	2	-	8	-	1	3	11
Thma Puok	-	1	4	2	-	-	-	-	4	3
Kumru	-	-	7	6	2	-	-	1	9	7
Sla Kram*	-	-	4	2	3	4	1	-	9	6
Ta Baen	1	-	1	5	2	-	-	-	4	5
Treas	-	-	-	2	-	-	-	2	-	4
Roluos	-	-	9	3	1	1	1	-	11	4
Ampil	-	-	2	3	7	1	-	2	9	6
Beng	1	-	-	-	-	1	-	-	1	1
Kouk Khpos	-	-	-	1	-	-	-	1	-	2
Kouk Mon	1	-	12	4	10	8	-	1	23	13
Bos Sbov	-	-	-	1	-	-	-	-	-	1
Samraong	-	-	1	3	-	2	-	-	1	5
<b>Total</b>	<b>6</b>	<b>1</b>	<b>57</b>	<b>53</b>	<b>29</b>	<b>34</b>	<b>6</b>	<b>13</b>	<b>99</b>	<b>101</b>

\*Not included in the Table is 1 government office in Sla Kram commune that is partially affected.

53. In NR 56, of the 110 affected main structures that households headed by women own, 62 are entirely affected, 36 of which are regular shops, 17 temporary shops/stalls, 8 houses with stores, and 1 dwelling unit.

**Table 4-9 Affected Main Structures by Severity of Loss (Owned by HH headed by women)**

Commune	House		Regular Shop		Temporary Store/Stall		House-and-store		Total	
	partial	Entire	partial	Entire	partial	Entire	partial	Entire	partial	Entire
NR 56										
Kampong Svay	1	-	12	13	1	5	1	1	15	19
Mkak	-	-	3	3	2	2	1	1	6	6
Banteay Chhmar	-	-	2	2	-	1	-	3	2	6
Thma Puok	-	-	2	-	-	1	-	-	2	1
Kumru	-	-	2	4	1	-	-	-	3	4
Sla Kram	1	-	2	1	-	-	-	1	3	2
Ta Baen	-	-	2	1	-	1	-	-	2	2
Treas	-	-	-	-	-	1	1	-	1	1
Roluos	-	-	4	-	-	1	1	-	5	1
Ampil	-	1	1	1	2	2	-	-	3	4
Beng	-	-	1	1	-	-	-	-	1	1
Kouk Khpos	-	-	-	1	-	-	-	1	0	2
Kouk Mon	1	-	1	5	2	3	-	1	4	9
Bos Sbov	-	-	-	1	-	-	-	-	0	1
Samraong	1	-	-	3	-	-	-	-	1	3
<b>Total</b>	<b>4</b>	<b>1</b>	<b>32</b>	<b>36</b>	<b>8</b>	<b>17</b>	<b>4</b>	<b>8</b>	<b>48</b>	<b>62</b>

54. Two entirely affected houses and all 21 entirely affected house-and-stores will have to relocate outside of the ROW. The owners of said entirely affected main structures are all landless and, therefore, will have to be provided with substitute plots by the Project.

55. **Main structures rented.** 30 of the affected main structures in NR 56 are occupied by tenants (renters), paying a monthly rent of \$25 or less. 15 of the rented main structures are regular shops, 9 houses with stores, and 6 temporary stores/stalls. All of the rented main structures are entirely affected, and the tenants have to look for another place to rent.

**Table 4-10 Rented Affected Main Structures and Range of Monthly Rent**

Main Structure	Total Number of Rented Structure	Count of Rented Main Structures by Monthly Rent	
		\$25 or less	\$26 - \$50
Regular Shop	15	15	-
House-and-store	9	9	-
Temporary Store	6	6	-
<b>Total</b>	<b>30</b>	<b>30</b>	<b>-</b>

56. **Floor area of main structures affected entirely.** Entirely affected main structures in NR 56 have an aggregate floor area of 1,476.88 m<sup>2</sup>. 22.03% of these are classified under 1A construction (i.e., with poles as columns but without walls and flooring); 16.01% 2E construction classification (i.e., wooden columns, metal or concrete walls, and wooden or lean pavement for flooring); 12.98% 1B construction classification (i.e., with poles as columns and wood for flooring but without walls); 11.25% 1D construction classification (i.e., with poles as columns, lean pavement for flooring, and leaves or plastic for walls); and 8.86% 1C construction classification (i.e., with poles as columns, no flooring, and leaves or plastic for walls).

57. **Replacement cost of main structures affected entirely.** The replacement cost of entirely affected main structures for the Project road is \$30,662.89

58. **Floor area of main structures affected partially.** Main structures in NR 56 that are partially affected have an aggregate floor area of 1,160.07 m<sup>2</sup>, of which 30.91% are classified under 1A construction category, 19.92% classified under 2E construction, and 11.05% classified under 2C construction.

59. **Replacement cost of main structures affected partially.** The replacement cost of partially affected main structures for the Project road is estimated \$26,024.05. An additional amount of \$5,204.81, representing 20% of the estimated replacement cost, is added to the budget for partially affected main structures to cover for labor cost for repair of said structures.

### **3. Secondary (miscellaneous) structures**

60. There are a total of 832 affected secondary structures in NR 56, of which 534 (64.18%) are fences of various construction classifications. There are also 189 affected concrete patio or porches, and 70 extended house eaves or awnings.

61. The replacement cost of the affected secondary structures in the Project road \$62,066.84.

### **4. Affected crops and trees**

62. As mentioned in previous sections, the start of civil works and the cropping schedule of APs cultivating portions of the ROW will be synchronized to allow the smooth transition between the harvesting of standing crops and the start of road construction in a particular section of the Project road.

63. With regard to fruit trees and timber trees, a total of 3,031 trees of various species and age in NR 56 have been counted during the IOL. These trees are not commercially grown, meaning, they are sporadically planted inside the ROW. Nonetheless, said trees will be compensated at replacement cost based on their age, productive capacity, and/or market value and according to the formula below:

- a. 1 ~ 3 years old: compensated at 1/3 its full price (as it can be re-planted)
- b. 3 ~ 5 years old: compensated at 2/3 its full price
- c. More than 5 years old: full amount of compensation

64. The replacement cost of fruit and timber trees on the affected ROW land is estimated to cost \$41,443. During DMS, the owners of these affected trees will be ascertained with the help of commune and village officials. (See Table 4-17 for the details).

## **C. Summary of impacts**

65. Table 4-18 gives a rundown of the adverse social impacts of the Project. (See **Appendix 3** for the master list of AP/AHs)

**Table 4-11 Floor Area (in m<sup>2</sup>) of Entirely Affected Main Structures by Classification**

Affected Main Structure	Classification of Main Structure												Total	
	1A	1B	1C	1D	2A	2B	2C	2D	2E	2F	2G	2I		3A
NR 56														
House	.	.	.	30.18	.	.	.	.	.	.	1.62	.	.	31.80
Storage	195.02	37.77	80.53	94.90	52.10	18.85	79.00	83.01	175.04	33.00	6.25	9.00	.	864.47
Store/Shop	130.28	154.00	50.26	15.10	12.00	28.18	.	5.00	5.75	.	.	.	.	400.57
House and store	.	.	.	26.00	.	.	.	16.65	17.80	55.67	42.00	16.60	5.32	180.04
<b>Total</b>	<b>325.30</b>	<b>191.77</b>	<b>130.79</b>	<b>166.18</b>	<b>64.10</b>	<b>47.03</b>	<b>95.65</b>	<b>105.81</b>	<b>236.46</b>	<b>75.00</b>	<b>24.47</b>	<b>14.32</b>	.	<b>1,476.88</b>

**Table 4-12 Replacement Cost (in \$) of Entirely Affected Main Structures by Classification**

Section	Classification of Main Structure													Total Replacement Cost
	1A (\$6.80/m <sup>2</sup> )	1B (\$12.20/m <sup>2</sup> )	1C (\$13.90/m <sup>2</sup> )	1D (\$17.60/m <sup>2</sup> )	2A (\$14.20/m <sup>2</sup> )	2B (\$22.00/m <sup>2</sup> )	2C (\$26.30/m <sup>2</sup> )	2D (\$30.10/m <sup>2</sup> )	2E (\$33.80/m <sup>2</sup> )	2F (\$34.40/m <sup>2</sup> )	2G (\$60.00/m <sup>2</sup> )	2I (\$117.50/m <sup>2</sup> )	3A (\$116.00/m <sup>2</sup> )	
<b>NR 56</b>	2,212.04	2,339.59	1,817.98	2,924.77	910.22	1,034.66	2,515.60	3,184.88	7,992.35	2,580.00	1,468.20	1,682.60	0	<b>30,662.89</b>

**Table 4-13 Floor Area (in m<sup>2</sup>) of Partially Affected Main Structures by Grade**

Affected Main Structure	Classification of Main Structure												Total
	1A	1B	1C	1D	2A	2B	2C	2D	2E	2F	2G	2I	
NR 56													
House	.	.	.	.	.	.	6.00	.	20.38	33.32	26.25	15.00	100.95
Storage	240.56	10.50	48.10	8.00	51.25	28.38	94.79	81.56	157.98	3.75	18.96	.	743.83
Store/Shop	118.07	54.58	8.91	.	13.57	.	18.00	8.73	5.44	.	.	.	227.30
House and store	.	.	3.50	.	15.33	.	9.40	7.50	47.26	.	.	.	82.99
Gov't office	.	.	.	.	.	.	.	.	.	5.00	.	.	5.00
<b>Total</b>	<b>358.63</b>	<b>65.08</b>	<b>60.51</b>	<b>8.00</b>	<b>80.15</b>	<b>28.38</b>	<b>128.19</b>	<b>97.79</b>	<b>231.06</b>	<b>42.07</b>	<b>45.21</b>	<b>15.00</b>	<b>1160.07</b>

**Table 4-14 Replacement Cost (in \$) of Partially Affected Main Structures by Classification**

Section	Classification of Main Structure											Total Replacement Cost	
	1A (\$6.80/ m <sup>2</sup> )	1B (\$12.20/ m <sup>2</sup> )	1C (\$13.90/m <sup>2</sup> )	1D (\$17.60/ m <sup>2</sup> )	2A (\$14.20/ m <sup>2</sup> )	2B (\$22.00/ m <sup>2</sup> )	2C (\$26.30/ m <sup>2</sup> )	2D (\$30.10/ m <sup>2</sup> )	2E (\$33.80/ m <sup>2</sup> )	2F (\$34.40/ m <sup>2</sup> )	2G (\$60.00/ m <sup>2</sup> )		2I (\$117.50/ m <sup>2</sup> )
<b>NR 56</b>	2,438.68	793.98	841.09	140.80	1138.13	624.36	3,371.40	2,943.48	7,809.83	1,447.21	2,712.60	1,762.50	<b>26024.051</b>

**Table 4-15 Count of Affected Secondary Structures**

Commune	House eaves	Fence	Well	Culvert	Concrete Patio	Wooden Bridge	Concrete Bridge	Gate	Business Signage	Pond	Spirit House	Concrete Terracotta	Chedey*	Total
<b>NR 56</b>														
Kampong Svay	27	30	-	8	163	3	4	2	1	-	-	3	1	242
Mkak	6	116	4	-	1	1	-	-	-	-	1	-	-	129
Banteay Chhmar	4	66	-	-	-	-	-	-	-	1	-	-	-	71
Thma Puok	7	5	-	-	3	-	-	-	-	-	-	-	-	15
Kumru	8	5	-	-	4	-	-	-	-	-	-	-	-	17
Sla Kram	3	81	-	-	1	-	-	-	-	5	-	-	-	90
Ta Baen	2	97	-	-	1	-	-	-	-	1	-	-	-	101
Treas	1	9	-	-	-	-	-	-	-	-	-	-	-	10
Roluos	8	33	-	-	9	-	-	-	-	1	-	-	-	51
Ampil	-	28	1	-	-	-	-	-	-	-	-	-	-	29
Beng	-	20	-	-	-	-	-	-	-	-	-	-	-	20
Kouk Khpos	1	13	-	-	1	-	-	-	-	-	-	-	-	15
Kouk Mon	2	25	-	-	3	-	-	-	-	-	-	-	-	30
Bos Sbov	-	1	-	-	-	-	-	-	-	-	-	-	-	1
Samraong	1	5	2	-	3	-	-	-	-	-	-	-	-	11
<b>Total</b>	<b>70</b>	<b>534</b>	<b>7</b>	<b>8</b>	<b>189</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>8</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>832</b>

\*Concrete masonry for storing bones of dead kins.

**Table 4-16 Replacement Cost of Affected Secondary Structures**

Type of other Structure	Unit of Measure	Unit Cost (\$)	NR 56	
			Quantities	Replacement Cost (\$)
Concrete Bridge	m <sup>2</sup>	17	220.00	3,740.00
Business signage (cost of transferring)	no.	1s	1.00	100.00
Spirit House (cost of transferring)	no.	1s	1.00	20.00
Wooden Bridge	m <sup>2</sup>	15	38.20	573.00
Dug well (diameter of 800 mm and 6 ~ 10 m deep)	no.	120	6.00	720.00
Pump well	no.	320	1.00	320.00
Chedey grave (4 m <sup>2</sup> )	no.	3,600	1.00	3,600.00
Concrete block / terracotta	m <sup>2</sup>	6.50	13.63	88.60
Culvert, 600 mm diameter	lm	32.00	36.40	1,164.80
Concrete patio (189 units)	m <sup>2</sup>	8.00	2,526.31	2,0210.48
Dug pond	m <sup>2</sup>	12	123.00	1,476.00
Extended house eaves	m <sup>2</sup>	2	690.09	1,380.18
Fence: Weak/ loose bamboo or wood	lm	0.22	4601.60	1,012.35
Fence: bamboo / round wood post with bamboo bar	lm	1	2348.90	2,348.90
Fence: wooden post with wire or bamboo bar/wooden bar	lm	1.25	2215.60	2,769.50
Fence: wooden post with no bar, less than 1 m space in between	lm	2.60	1375.80	3,577.08
Fence: wooden post with no bar, less than 1 ~ 2 m space in between	lm	1.20	826.20	991.44
Fence: wooden post with no bar, more than 2 m space in between	lm	0.25	455.00	113.75
Fence: wooden post with wooden bar and grille or bamboo grille	lm	3.25	3861.68	12,550.46
Fence: concrete post with wire bar	lm	3.50	152.60	534.10
Fence: brick of 100 mm, concrete/brick column, wooden grille	lm	9.20	23.00	211.60
Fence: brick of 100 or 200 mm, concrete/brick column, steel grille	lm	16.30	59.00	961.70
Fence: metal sheet/wooden plank	lm	7.15	42.70	305.31
Fence: brick of 100 mm, plastering on both sides	lm	21	110.40	2,318.40
Gate: with brick column and steel doors	lm	68	14.40	979.20
<b>Total</b>	-	-	-	<b>62,066.84</b>

**Table 4-17 Quantities of Perennials on Affected Land**

Trees	Full Cost	NR 56						
		Total Count	Count	Cost (\$)	Count	Cost (\$)	Count	Cost (\$)
Mango	45.00	133	27	405	2	60	104	4680
Coconut	32.00	244	51	544	5	107	188	6016
Tamarind	28.00	107	16	149.33	15	280	76	2128
Jackfruit	30.00	38	16	160	1	23	21	630
Custard apple	6.00	613	120	240	92	368	401	2406
Palm tree	45.00	303	53	795	2	60	248	11160
Milk	32.00	75	19	202.70	-	-	56	1792
Papaya	3.00	55	55	55	-	-	-	-
Banana	0.90	188	188	56	-	-	-	-
Guava	5.00	63	10	17	11	37	42	210
Pring	5.00	41	1	2	5	17	35	175
Cashew	11.00	22	3	11	1	4	18	198
Bamboo (thicket)	07.00	73	1	5	9	90	63	945
Eucalyptus/Acacia	8.00	218	11	29	31	165	176	1408
Ampil Teuk	7.50	197	7	18	14	70	176	1320
Chankiri	18.00	101	5	30	2	24	94	1692
Krasang	16.00	35	10	53	1	11	24	384
Chhat	5.00	8	-	-	-	-	8	40
Kngork	4.00	81	8	11	10	27	63	252
Trasek	1.50	7	-	-	2	2	5	8
Jujube	4.00	29	2	3	-	-	27	108
Thkov	9.00	5	-	-	-	-	5	45
Kor	5.00	120	11	18	4	13	105	525
Reach	5.00	8	-	-	-	-	8	40

Trees	Full Cost	NR 56						
		1 ~ 3 yrs			3 ~ 5 yrs		> 5 yrs	
		Total Count	Count	Cost (\$)	Count	Cost (\$)	Count	Cost (\$)
Other	5.00	4	2	3	2	7	-	-
Soursop	5.00	3	1	2	2	7	-	-
Nhour	5.00	4	2	3	-	-	2	10
Ounh Mounh	5.00	1	-	-	-	-	1	5
Thngan	5.00	2	-	-	-	-	2	10
Krakhob	5.00	12	-	-	-	-	12	60
Mkak	5.00	5	3	5	-	-	2	10
Toteum	5.00	4	2	3	2	7	-	-
Angkea Dei	5.00	3	1	2	-	-	2	10
Sav Mav	5.00	2	1	2	-	-	1	5
Chroy	5.00	3	-	-	-	-	3	15
Chompei	5.00	6	-	-	-	-	6	30
Khveth	5.00	2	-	-	-	-	2	10
Longan	5.00	4	-	-	-	-	4	20
Lmout	5.00	2	1	2	-	-	1	5
Orange	5.00	2	1	2	-	-	1	5
Timber(no name)	5.00	130	-	-	-	-	130	650
Ampil Prey	5.00	7	-	-	-	-	7	35
Chring	5.00	15	15	25	-	-	-	-
Deurm Angkeabos	5.00	1	1	2	-	-	-	-
Deurm Kokoh	5.00	4	3	5	-	-	1	5
Deurm Por	5.00	1	-	-	-	-	1	5
Deurm Thnoung	5.00	18	-	-	15	50	3	15
Sa Om	5.00	5	5	8	-	-	-	-
Sdao	5.00	19	13	22	-	-	6	30
Srol	5.00	2	-	-	-	-	2	10
Thnang	5.00	4	1	2	3	5	-	-
Thov	5.00	2	-	-	-	-	2	10
Chrey Krim	5.00	-	-	-	-	-	-	-
Trach	5.00	-	-	-	-	-	-	-
Cheu Teal	5.00	-	-	-	-	-	-	-
<b>Total</b>		<b>3031</b>	<b>666</b>	<b>\$2,892</b>	<b>231</b>	<b>\$1434</b>	<b>2134</b>	<b>\$37117</b>
	<b>Total Costs</b>				<b>\$41,443</b>			

Table 4-18 Summary of Impacts

Items	Unit/ Quantity	NR 56
<b>LAND</b>	<b>m<sup>2</sup></b>	<b>856,233.39</b>
<i>Existing National Road</i>		
Farmland	m <sup>2</sup>	108,900.00
Woodland/bush land	m <sup>2</sup>	169,400.00
Residential	m <sup>2</sup>	22,848.74
Residential/Commercial	m <sup>2</sup>	12.10
Commercial	m <sup>2</sup>	72.55
<i>By-pass Road (11.1 km long with 50 m ROW)</i>	m <sup>2</sup>	555,000.00
<b>MAIN STRUCTURES (by construction classification)</b>	<b>m<sup>2</sup></b>	<b>2,636.95</b>
1A	m <sup>2</sup>	683.93
1B	m <sup>2</sup>	256.85
1C	m <sup>2</sup>	191.30
1D	m <sup>2</sup>	174.18
2A	m <sup>2</sup>	144.25
2B	m <sup>2</sup>	75.41
2C	m <sup>2</sup>	223.84
2D	m <sup>2</sup>	203.60
2E	m <sup>2</sup>	467.52
2F	m <sup>2</sup>	117.07
2G	m <sup>2</sup>	69.68
2I	m <sup>2</sup>	29.32
3A	m <sup>2</sup>	-
<b>Count of affected main structures</b>	<b>no.</b>	<b>310</b>
Totally affected house	no.	2
Partially affected house	no.	10
Totally affected house-and-store	no.	21
Partially affected house-and-store	no.	10
Totally affected temporary stores/stalls	no.	51
Partially affected temporary stores/stalls	no.	37
Totally affected regular shops	no.	89
Partially affected regular shops	no.	89
Partially affected government building	no.	1
<b>SECONDARY STRUCTURES</b>		
Fence	lm	16,072.48
Extended house eaves	m <sup>2</sup>	690.09
Dug well (800 mm diameter and 6 ~ 10 m deep)	no.	6.00
Pump well	no.	1.00
Concrete culvert (600 mm diameter)	no.	8.00
Concrete patio (189 units)	m <sup>2</sup>	2,526.31
Wooden bridge over canal into the house	m <sup>2</sup>	38.20
Concrete bridge over canal into the house	m <sup>2</sup>	220.00
Gate	m <sup>2</sup>	14.40
Business signage	m <sup>2</sup>	15.00
Dug pond	no.	123.00
Concrete terracotta	m <sup>2</sup>	13.63
Chedey/stupa (4 m <sup>2</sup> )	no.	1.00
Spirit house	no.	1.00
<b>TREES</b>		
Perennial Trees (various species)	no.	1,891
Timber trees (various species)	no.	1,140

Items	Unit/ Quantity	NR 56
<b>PUBLIC FACILITIES</b>	-	-
<b>RELOCATING HOUSES AND BUSINESSES</b>		
Relocating houses	no.	2
Relocating regular shops	no.	89
Relocating temporary shops	no.	51
Relocating house-and-stores	no.	21
Relocating renter of house-and-stores	no.	9
Relocating renter of regular shops	no.	15
Relocating renter of temporary stores/stalls	no.	6
Losing 10% or more of productive assets	no.	-
<b>VULNERABLE HOUSEHOLDS</b>		
Households headed by women	no.	110
Household head with disability	no.	4
Landless households required to relocate their houses and house with shops	no.	23
Poor ethnic minority household	no.	1
Elderly household heads	no.	5

## V. SOCIO-ECONOMIC PROFILE OF THE AHS

66. In addition to the IOL, the survey team on June 27 – July 12, 2008 conducted a socio-economic survey of affected households (AHs) losing partially or entirely their main structures for the purpose of gaining more information on their situation and present living standards. This activity was carried out in aid of preparing a more responsive resettlement plan for people and households affected by the Project. Since there were instances when the affected main structures were locked or unattended to during the survey, only 95 AHs in NR 56 have been interviewed. The number of AHs interviewed represented 30.65% of households losing partly or entirely their main structures.

### A. Gender of AH heads and years of occupation of ROW land

67. Of the 95 AHs covered in the survey, 64 (67.37%) were households headed by men, while 31 (32.63%) were households headed by women. Majority of the male household heads (68.75%) and the households headed by women (67.74%) claimed to have been occupying portions of the ROW for more than 9 years already.

**Table 5-1 Distribution of AH Heads by Gender and Years in Occupation of ROW**

Commune	< 1 yr	1 - 2	3 - 4	5 - 9	> 9	< 1 yr	1 - 2	3 - 4	5 - 9	> 9
	yrs	yrs	yrs	yrs	yrs	yrs	yrs	yrs	yrs	yrs
NR 56										
Male (64)					Female (31)					
Kampong Svay	3	3	2	3	14	1	-	1	1	6
Mkak	-	-	-	-	6	-	-	-	-	6
Banteay Chhmar	-	-	-	-	5	-	-	-	-	3
Thma Puok	-	-	-	1	2	1	-	-	-	-
Kumru	1	-	-	-	-	1	-	-	-	-
Sla Kram	-	-	-	-	4	-	1	-	-	3
Ta Baen	-	-	-	-	2	-	-	-	-	1
Treas	-	-	1	1	2	-	-	-	-	-
Roluos	1	-	1	2	2	-	-	2	-	-
Ampil	-	-	-	-	2	-	1	-	-	1
Kouk Khpos	-	-	-	-	1	-	-	-	-	-
Kouk Mon	-	-	-	1	2	-	-	-	-	1
Samraong	-	-	-	-	2	-	-	-	1	-
<b>Total</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>8</b>	<b>44</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>21</b>
<b>%</b>	<b>7.81</b>	<b>4.69</b>	<b>6.25</b>	<b>12.50</b>	<b>68.75</b>	<b>9.68</b>	<b>6.45</b>	<b>9.68</b>	<b>6.45</b>	<b>67.74</b>

### B. Age, physical condition, and ethnic affiliation of the AH heads

68. Most households headed by men and women (90.63% and 90.32%, respectively) were less than 60 years of age. There were 4 household headed by men with disabilities while there was none among the households headed by women. Moreover, with the exception of 1 male household head who claimed to be an immigrant from Laos, the rest of the male and female household heads were Khmer.

**Table 5-2 Distribution of AH Heads by Gender, Physical Condition and Age**

Commune	Male				Female			
	<60 yrs		>60 yrs & older		<60 yrs		>60 yrs & older	
	Normal	Disabled	Normal	Disabled	Normal	Disabled	Normal	Disabled
	NR 56							
Kampong Svay	22	3	-	-	9	-	-	-
Mkak	5	-	1	-	4	-	2	-
Banteay	5	-	-	-	2	-	1	-
Chhmar								
Thma Puok	2	-	1	-	1	-	-	-
Kumru	1	-	-	-	1	-	-	-
Sla Kram	4	-	-	-	4	-	-	-
Ta Baen	2	-	-	-	1	-	-	-
Treas	4	-	-	-	-	-	-	-
Roluos	6	-	-	-	2	-	-	-
Ampil	1	1	-	-	2	-	-	-
Kouk Khpos	1	-	-	-	-	-	-	-
Kouk Mon	3	-	-	-	1	-	-	-
Samraong	2	-	-	-	1	-	-	-
<b>Total</b>	<b>58</b>	<b>4</b>	<b>2</b>	<b>-</b>	<b>28</b>	<b>-</b>	<b>3</b>	<b>-</b>
<b>%</b>	<b>90.63</b>	<b>6.25</b>	<b>3.13</b>	<b>-</b>	<b>90.32</b>	<b>-</b>	<b>9.68</b>	<b>-</b>

**C. Educational attainment of the Heads of Affected Households**

69. Among the 64 male household heads surveyed, a majority of 46.88% (30 persons) only finished primary education, and only 29.69% (19 persons) finished elementary education. There were 8 (12.50%) male household heads who finished high school, while 3 male household heads did not go to school at all.

70. Most (67.74%) of the 31 female household heads in NR 56 only finished primary education, while 22.58% (7 persons) did not even go to school. 2 (6.45%) of the female household heads in NR 56 finished high school, though.

**Table 5-3 Educational Attainment of Male Head of AHs**

Commune	None	Primary	Finished elementary	Not finished high school	Finished high school	Vocational
	NR 56 (64 Males)					
Kampong Svay	-	11	6	2	6	-
Mkak	-	3	3	-	-	-
Banteay Chhmar	-	2	2	-	1	-
Thma Puok	-	1	1	-	-	1
Kumru	-	-	1	-	-	-
Sla Kram	1	2	1	-	-	-
Ta Baen	-	1	-	1	-	-
Treas	-	3	1	-	-	-
Roluos	-	4	1	-	1	-
Ampil	1	1	-	-	-	-
Kouk Khpos	1	-	-	-	-	-
Kouk Mon	-	2	1	-	-	-
Samraong	-	-	2	-	-	-
<b>Total</b>	<b>3</b>	<b>30</b>	<b>19</b>	<b>3</b>	<b>8</b>	<b>1</b>
<b>%</b>	<b>4.69</b>	<b>46.88</b>	<b>29.69</b>	<b>4.69</b>	<b>12.50</b>	<b>1.56</b>

**Table 5-4 Educational Attainment of Female Household Head**

<i>Commune</i>	<i>None</i>	<i>Primary</i>	<i>Finished elementary</i>	<i>Not finished high school</i>	<i>Finished high school</i>	<i>Vocational</i>
<b>NR 56 (31 Females)</b>						
Kampong Svay	1	5	1	-	2	-
Mkak	2	4	-	-	-	-
Banteay Chhmar	1	2	-	-	-	-
Thma Puok	-	1	-	-	-	-
Kumru	-	1	-	-	-	-
Sla Kram	1	3	-	-	-	-
Ta Baen	1	-	-	-	-	-
Treas	-	-	-	-	-	-
Roluos	-	2	-	-	-	-
Ampil	-	2	-	-	-	-
Kouk Khpos	-	-	-	-	-	-
Kouk Mon	1	-	-	-	-	-
Samraong	-	1	-	-	-	-
<b>Total</b>	<b>7</b>	<b>21</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>-</b>
<b>%</b>	<b>22.58</b>	<b>67.74</b>	<b>3.23</b>	<b>-</b>	<b>6.45</b>	<b>-</b>

**D. Household size and number of persons earning a living**

71. There were 486 persons in the 95 AHs, 52.88% of whom were females. The average household size was 5.

**Table 5-5 Number of Persons in the Affected Households (AHs)**

<i>Commune</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>No. of HH</i>	<i>Average/HH</i>
<b>NR 56</b>					
Kampong Svay	93	99	192	34	6
Mkak	27	34	61	12	5
Banteay Chhmar	12	18	30	8	4
Thma Puok	8	11	19	4	5
Kumru	4	2	6	2	3
Sla Kram	26	26	52	8	7
Ta Baen	7	9	16	3	5
Treas	7	11	18	4	5
Roluos	19	21	40	8	5
Ampil	9	10	19	4	5
Kouk Khpos	2	2	4	1	4
Kouk Mon	7	8	15	4	4
Samraong	8	6	14	3	5
<b>Total</b>	<b>229</b>	<b>257</b>	<b>486</b>	<b>95</b>	
<b>%</b>	<b>47.12</b>	<b>52.88</b>	<b>100.00</b>		

72. Only 26.54% of the male members and 28.60% of the female member of the AHs were earning a living.

**Table 5-6 Number of Gainfully Employed Persons in the AHs**

<i>Commune</i>	<i>Male</i>		<i>Female</i>	
	<i>Total count</i>	<i>Employed</i>	<i>Total count</i>	<i>Employed</i>
<b>NR 56</b>				
Kampong Svay	93	52	99	48
Mkak	27	14	34	17
Banteay Chhmar	12	8	18	13
Thma Puok	8	5	11	4
Kumru	4	1	2	2

Commune	Male		Female	
	Total count	Employed	Total count	Employed
Sla Kram	26	14	26	15
Ta Baen	7	3	9	4
Treas	7	5	11	6
Roluos	19	12	21	15
Ampil	9	5	10	5
Kouk Khpos	2	1	2	1
Kouk Mon	7	6	8	6
Samraong	8	3	6	3
<b>Total</b>	<b>229</b>	<b>129</b>	<b>257</b>	<b>139</b>
<b>%</b>	<b>47.12</b>	<b>26.54</b>	<b>52.88</b>	<b>28.60</b>

### E. Primary occupation of the AH heads and household income

73. A sizeable number of male household heads surveyed (15 persons or 23.44% and 14 persons or 21.88%, respectively) were engaged in farming and selling goods as their primary occupation. Another 14.06% (9 persons) were working with the government.

**Table 5-7 Main Occupation of Male Heads of the Household**

Commune	None	Farm	Selling goods	Eatery	Farm laborer	Gov't staff	Private employee	Transport operator	Motor Repair	Other*
					NR 56					
Kampong Svay	2	5	6	-	-	6	-	-	1	4
Mkak	-	3	2	-	-	-	-	-	-	1
Banteay Chmar	-	3	-	-	-	1	-	-	1	1
Thma Puok	-	-	2	-	-	-	1	-	-	-
Kumru	1	-	-	-	-	-	-	-	-	-
Sla Kram	-	2	1	-	1	-	-	-	-	-
Ta Baen	-	-	1	-	-	1	-	-	-	-
Treas	-	1	-	-	-	1	-	-	2	-
Roluos	-	-	-	1	-	-	-	-	2	3
Ampil	-	-	2	-	-	-	-	-	-	-
Kouk Khpos	-	-	-	-	-	-	-	-	1	-
Kouk Mon	-	1	-	-	-	-	-	-	1	1
Samraong	-	-	-	-	-	-	-	1	1	-
<b>Total</b>	<b>3</b>	<b>15</b>	<b>14</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>18</b>
<b>%</b>	<b>4.69</b>	<b>23.44</b>	<b>21.88</b>	<b>1.56</b>	<b>1.56</b>	<b>14.06</b>	<b>1.56</b>	<b>1.56</b>	<b>14.06</b>	<b>15.63</b>

\*Others: In NR 56: NGO's staff=1, motor repair=9, blacksmith=1, goldsmith=1, construction worker=1, radio/TV repair=2, carpenter=1, beauty salon=2, photographer=1; driver = 1.

74. Selling goods was the main occupation of most (74.19%) of the 31 female household heads surveyed.

75. A significant number (24 persons or 37.50%) of male household heads reported to be earning a monthly income of \$500 ~ \$999. Another 14 (21.88%) male household heads reported a monthly income of \$1,000 or higher. None of the male household heads reported to earn less than \$50 a month.

76. Likewise, a significant number of female household heads (9 persons or 29.03%) reported to be earning a monthly income of \$500 ~ \$999 a month while 8 (25.81%)

others reported a monthly income of \$1,000 or higher. No female household head reported to earn less than \$50 a month.

**Table 5-8 Main Occupation of Female Heads of the Households**

<i>Commune</i>	<i>None</i>	<i>Farm</i>	<i>Raising livestock</i>	<i>Selling goods</i>	<i>eatery</i>	<i>Gov't staff</i>	<i>worker*</i>	<i>Tailor</i>
NR 56								
Kampong Svay	-	1	-	4	1	1	1	1
Mkak	1	1	-	4	-	-	-	-
Banteay Chmar	-	-	-	3	-	-	-	-
Thma Puok	-	-	-	1	-	-	-	-
Kumru	-	-	-	1	-	-	-	-
Sla Kram	-	-	-	4	-	-	-	-
Ta Baen	-	-	-	1	-	-	-	-
Treas	-	-	-	-	-	-	-	-
Roluos	-	-	-	2	-	-	-	-
Ampil	-	-	-	2	-	-	-	-
Kouk Khpos	-	-	-	-	-	-	-	-
Kouk Mon	-	-	-	1	-	-	-	-
Samraong	-	-	1	-	-	-	-	-
<b>Total</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>23</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>%</b>	<b>3.23</b>	<b>6.45</b>	<b>3.23</b>	<b>74.19</b>	<b>3.23</b>	<b>3.23</b>	<b>3.23</b>	<b>3.23</b>

\*1 construction worker in Kampong Svay; 1 factory worker in Koun Kriel

**Table 5-9 Monthly Income of Male-headed AHs (in \$)**

<i>Commune</i>	<i>50-99</i>	<i>100-149</i>	<i>150-199</i>	<i>200-249</i>	<i>250-299</i>	<i>300-349</i>	<i>350-399</i>	<i>400-449</i>	<i>250-499</i>	<i>500-999</i>	<i>1000-higher</i>
NR 56											
Kampong Svay	3	1	1	2	1	2	2	-	-	8	5
Mkak	-	-	-	-	-	-	-	-	2	3	1
Banteay Chhmar	-	-	-	-	-	3	-	-	-	-	2
Thma Puok	-	1	-	1	-	-	-	-	-	1	-
Kumru	1	-	-	-	-	-	-	-	-	-	-
Sla Kram	-	-	-	-	-	-	-	-	-	2	2
Ta Baen	-	-	-	-	-	-	-	-	-	-	2
Treas	-	1	-	-	-	-	-	-	-	3	-
Roluos	-	-	1	-	-	1	-	1	-	1	2
Ampil	-	-	-	-	-	-	-	-	-	2	-
Kouk Khpos	-	-	-	-	-	-	-	-	-	1	-
Kouk Mon	-	-	-	1	-	1	-	-	-	1	-
Samraong	-	-	-	-	-	-	-	-	-	2	-
<b>Total</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>24</b>	<b>14</b>
<b>%</b>	<b>6.25</b>	<b>4.69</b>	<b>3.13</b>	<b>6.25</b>	<b>1.56</b>	<b>10.94</b>	<b>3.13</b>	<b>1.56</b>	<b>3.13</b>	<b>37.50</b>	<b>21.88</b>

**Table 5-10 Monthly Income of Households Headed by Women (in \$)**

<i>Commune</i>	<i>50-99</i>	<i>100-149</i>	<i>150-199</i>	<i>200-249</i>	<i>300-349</i>	<i>350-399</i>	<i>400-449</i>	<i>500-999</i>	<i>1000-higher</i>
NR 56									
Kampong Svay	-	-	1	1	-	1	-	3	3
Mkak	-	3	-	-	-	-	-	2	1
Banteay Chhmar	1	-	-	-	1	-	-	-	1
Thma Puok	-	-	-	-	-	-	-	1	-
Kumru	-	-	-	-	-	-	-	-	1
Sla Kram	-	-	-	-	-	1	1	1	1

<i>Commune</i>	<i>50-99</i>	<i>100-149</i>	<i>150-199</i>	<i>200-249</i>	<i>300-349</i>	<i>350-399</i>	<i>400-449</i>	<i>500-999</i>	<i>1000-higher</i>
Ta Baen	-	-	-	-	-	1	-	-	-
Treas	-	-	-	-	-	-	-	-	-
Roluos	-	-	-	-	-	-	-	2	-
Ampil	-	-	-	1	-	-	-	-	1
Kouk Khpos	-	-	-	-	-	-	-	-	-
Kouk Mon	-	-	-	-	-	1	-	-	-
Samraong	-	-	1	-	-	-	-	-	-
<b>Total</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>9</b>	<b>8</b>
<b>%</b>	<b>3.23</b>	<b>9.68</b>	<b>6.45</b>	<b>6.45</b>	<b>3.23</b>	<b>12.90</b>	<b>3.23</b>	<b>29.03</b>	<b>25.81</b>

## F. Sanitation

### 1. Drinking water

77. The pond was the source of drinking water for the majority (44.21% or 42 AHs) of the 95 AHs surveyed, while 12 AHs (12.63%) bought their drinking water from retailers. 10 (10.53%) other AHs were getting their drinking water from public taps (see Table 5-11 for the details).

### 2. Water for washing

78. The pond was also the source of water for washing for majority (46.32% or 44 households) of the AHs.

### 3. Toilet facilities

79. Majority of the AHs (51.58%) did not have any sanitary toilet facilities. A significant number of AHs (43 AHs) reported to have water-sealed (squat type) toilet facilities, however. (see Table 5-13 for the details).

**Table 5-11 Main Source of Potable Water of the AHs**

<i>Commune</i>	<i>Own well</i>	<i>Public well</i>	<i>Public faucet</i>	<i>Own faucet</i>	<i>Buy</i>	<i>Rain</i>	<i>Pond</i>	<i>River</i>	<i>Neighbor's well</i>	<i>Well at rice field</i>
<b>NR 56 (95 AHs)</b>										
Kampong Svay	2	-	10	2	6	1	13	-	-	-
Mkak	2	2	-	-	1	2	2	-	2	1
Banteay Chhmar	-	-	-	-	-	3	5	-	-	-
Thma Puok	-	-	-	2	-	-	2	-	-	-
Kumru	-	-	-	1	1	-	-	-	-	-
Sla Kram	-	2	-	-	-	-	5	-	-	1
Ta Baen	-	-	-	-	-	-	3	-	-	-
Treas	-	-	-	-	1	-	3	-	-	-
Roluos	-	-	-	1	3	-	3	1	-	-
Ampil	-	-	-	-	-	-	4	-	-	-
Kouk Khpos	-	1	-	-	-	-	-	-	-	-
Kouk Mon	-	2	-	-	-	-	2	-	-	-
Samraong	-	-	-	-	-	3	-	-	-	-
<b>Total</b>	<b>4</b>	<b>7</b>	<b>10</b>	<b>6</b>	<b>12</b>	<b>9</b>	<b>42</b>	<b>1</b>	<b>2</b>	<b>2</b>
<b>%</b>	<b>4.21</b>	<b>7.37</b>	<b>10.53</b>	<b>6.32</b>	<b>12.63</b>	<b>9.47</b>	<b>44.21</b>	<b>1.05</b>	<b>2.11</b>	<b>2.11</b>

Table 5-12 Main Source of Water for Washing

<i>Commune</i>	<i>Own well</i>	<i>Public well</i>	<i>Public faucet</i>	<i>Own faucet</i>	<i>Buy</i>	<i>Rain</i>	<i>Pond</i>	<i>River</i>	<i>Neighbor's well</i>	<i>Well at rice field</i>
NR 56										
Kampong Svay	6	3	8	3	4	-	10	-	-	-
Mkak	3	3	-	-	-	-	3	-	2	1
Banteay Chhmar	-	-	-	-	-	1	7	-	-	-
Thma Puok	-	-	-	2	-	-	2	-	-	-
Kumru	-	-	-	1	-	-	1	-	-	-
Sla Kram	-	2	-	-	-	-	5	-	-	1
Ta Baen	-	-	-	-	-	-	3	-	-	-
Treas	1	-	-	-	1	-	2	-	-	-
Roluos	1	-	-	1	2	-	3	1	-	-
Ampil	-	-	-	-	-	-	4	-	-	-
Kouk Khpos	-	-	-	-	-	-	1	-	-	-
Kouk Mon	-	2	-	-	-	-	2	-	-	-
Samraong	2	-	-	-	-	-	1	-	-	-
<b>Total</b>	<b>13</b>	<b>10</b>	<b>8</b>	<b>7</b>	<b>7</b>	<b>1</b>	<b>44</b>	<b>1</b>	<b>2</b>	<b>2</b>
<b>%</b>	<b>13.68</b>	<b>10.53</b>	<b>8.42</b>	<b>7.37</b>	<b>7.37</b>	<b>1.05</b>	<b>46.32</b>	<b>1.05</b>	<b>2.11</b>	<b>2.11</b>

Table 5-13 Toilet Facilities Used by the AHs

<i>Commune</i>	<i>None</i>	<i>Water-sealed</i>	<i>Flush</i>	<i>Closed pit</i>	<i>Public toilet</i>
NR 56					
Kampong Svay	9	22	1	1	1
Mkak	7	5	-	-	-
Banteay Chhmar	5	3	-	-	-
Thma Puok	2	2	-	-	-
Kumru	1	1	-	-	-
Sla Kram	7	1	-	-	-
Ta Baen	-	3	-	-	-
Treas	4	-	-	-	-
Roluos	5	3	-	-	-
Ampil	3	1	-	-	-
Kouk Khpos	1	-	-	-	-
Kouk Mon	3	1	-	-	-
Samraong	2	1	-	-	-
<b>Total</b>	<b>49</b>	<b>43</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>%</b>	<b>51.58</b>	<b>45.26</b>	<b>1.05</b>	<b>1.05</b>	<b>1.05</b>

#### 4. Bathing facilities

80. Similar to toilet facilities, most of the AHs surveyed (80.00%) reported not to have their own bathroom. A minority of 18 AHs claimed to have their own bathrooms.

**Table 5-14 Bathing Facilities Used by the AHs**

<i>Commune</i>	<i>None</i>	<i>Own bathroom</i>	<i>Public bath</i>
		<b>NR 56</b>	
Kampong Svay	21	12	1
Mkak	12	-	-
Banteay Chhmar	8	-	-
Thma Puok	2	2	-
Kumru	2	-	-
Sla Kram	8	-	-
Ta Baen	3	-	-
Treas	4	-	-
Roluos	6	2	-
Ampil	3	1	-
Kouk Khpos	1	-	-
Kouk Mon	3	1	-
Samraong	3	-	-
<b>Total</b>	<b>76</b>	<b>18</b>	<b>1</b>
<b>%</b>	<b>80.00</b>	<b>18.95</b>	<b>1.05</b>

### 5. Garbage disposal

81. Most of the AHs surveyed (89.47%) burned or buried their garbage.

**Table 5-15 Garbage Disposal Used by the AHs**

<i>Commune</i>	<i>Collected</i>	<i>Burned/buried by AH</i>	<i>Dumped by AH on wasteland</i>	<i>Other</i>
		<b>NR 56</b>		
Kampong Svay	3	29	1	1
Mkak	-	12	-	-
Banteay Chhmar	-	8	-	-
Thma Puok	-	4	-	-
Kumru	-	2	-	-
Sla Kram	-	8	-	-
Ta Baen	-	2	-	1
Treas	-	4	-	-
Roluos	-	7	1	-
Ampil	-	4	-	-
Kouk Khpos	-	1	-	-
Kouk Mon	-	3	-	1
Samraong	-	1	-	2
<b>Total</b>	<b>3</b>	<b>85</b>	<b>2</b>	<b>5</b>
<b>%</b>	<b>3.16</b>	<b>89.47</b>	<b>2.11</b>	<b>5.26</b>

\*Other: throw in canal or dug well

### G. Power for lighting

82. Forty percent of the surveyed AHs claimed to use rechargeable car batteries for lighting. Moreover, 28 AHs were connected to the local power company. (See Table 5-16 for the details).

### H. Household appliances

83. The television was the most common household appliance among the AHs surveyed, with 68 households (71.58%) reporting to own one. Next was the hand phone (62 AHs or 65.26%). (See Table 5-17 for the details).

## I. Transportation

84. The bicycle is the most common means of transportation for AHs in NR 56, with 67 of them (70.53%) claiming to own one. The motorbike is likewise common, with 59 AHs (62.11%) owning one (see Table 5-18 for the details).

**Table 5-16 Main Source of Power for Lighting**

<i>Commune</i>	<i>Electricity from Power Company</i>	<i>Own electric generator</i>	<i>Rechargeable battery</i>	<i>Kerosene</i>
<b>NR 56</b>				
Kampong Svay	13	2	11	8
Mkak	-	-	7	5
Banteay Chhmar	-	-	5	3
Thma Puok	2	-	1	1
Kumru	-	-	2	-
Sla Kram	1	-	3	4
Ta Baen	1	-	1	1
Treas	-	-	2	2
Roluos	5	1	2	-
Ampil	1	-	2	1
Kouk Khpos	-	-	-	1
Kouk Mon	2	-	2	-
Samraong	3	-	-	-
<b>Total</b>	<b>28</b>	<b>3</b>	<b>38</b>	<b>26</b>
<b>%</b>	<b>29.47</b>	<b>3.16</b>	<b>40.00</b>	<b>27.37</b>

**Table 5-17 Household Appliances**

<i>Commune</i>	<i>TV</i>	<i>Oven/stove</i>	<i>Radio/cassette</i>	<i>Phone</i>	<i>Electric fan</i>	<i>Fridge</i>	<i>DVD/CD Player</i>	<i>Computer</i>	<i>Air con</i>	<i>None of above</i>
<b>NR 56</b>										
Kampong Svay	30	1	15	25	20	1	15	2	1	1
Mkak	7	-	7	6	1	-	2	-	-	1
Banteay Chhmar	2	-	5	3	3	2	-	1	-	-
Thma Puok	2	1	4	4	2	1	1	-	-	-
Kumru	-	-	-	-	-	-	-	-	-	2
Sla Kram	7	-	5	6	-	-	2	-	-	-
Ta Baen	2	-	1	3	2	-	1	-	-	-
Treas	2	-	2	2	-	-	-	-	-	2
Roluos	8	-	4	4	3	1	5	1	-	-
Ampil	1	-	2	1	-	-	-	-	-	2
Kouk Khpos	1	-	1	1	-	-	1	-	-	-
Kouk Mon	4	1	2	4	1	1	2	-	-	-
Samraong	2	-	1	3	2	-	1	-	-	-
<b>Total</b>	<b>68</b>	<b>3</b>	<b>49</b>	<b>62</b>	<b>34</b>	<b>6</b>	<b>30</b>	<b>4</b>	<b>1</b>	<b>8</b>
<b>%</b>	<b>71.58</b>	<b>3.16</b>	<b>51.58</b>	<b>65.26</b>	<b>35.79</b>	<b>6.32</b>	<b>31.58</b>	<b>4.21</b>	<b>1.05</b>	<b>8.42</b>

**Table 5-18 Ownership of Transportation**

<i>Commune</i>	<i>Bicycle</i>	<i>Car</i>	<i>Motorbike</i>	<i>Truck</i>	<i>Koyoun*</i>	<i>None</i>
			NR 56			
Kampong Svay	23	2	27	2	1	2
Mkak	11	-	6	2	3	-
Banteay Chhmar	3	4	-	4	-	-
Thma Puok	3	-	3	-	-	-
Kumru	2	-	-	-	-	-
Sla Kram	7	-	5	-	-	-
Ta Baen	2	-	3	-	-	-
Treas	2	-	1	-	-	2
Roluos	6	-	6	-	1	1
Ampil	1	-	2	-	-	1
Kouk Khpos	1	-	1	-	-	-
Kouk Mon	4	-	3	-	1	-
Samraong	2	1	2	-	1	-
<b>Total</b>	<b>67</b>	<b>7</b>	<b>59</b>	<b>8</b>	<b>7</b>	<b>6</b>
<b>%</b>	<b>70.53</b>	<b>7.37</b>	<b>62.11</b>	<b>8.42</b>	<b>7.37</b>	<b>6.32</b>

\*Hand farm tractor with a trailer for ferrying passengers and goods.

**J. Ownership of residential land outside of the ROW**

85. Majority of the AHs (69.47%) do not have their own land for residence other than what they presently occupy in the ROW. 22 other AHs (or 23.16%) occupy plots outside of the ROW that belong to other people (see Table 5-19 for the details).

**Table 5-19 Ownership of Residential Land outside of the ROW**

<i>Commune</i>	<i>Title/Land Certificate</i>	<i>Certificate under application</i>	<i>Occupying with permission</i>	<i>Occupying without permission</i>	<i>None</i>
			NR 56		
Kampong Svay	2	1	7	-	25
Mkak	-	-	-	-	12
Banteay Chhmar	-	-	2	-	6
Thma Puok	-	-	1	-	3
Kumru	1	-	1	-	-
Sla Kram	1	1	1	2	3
Ta Baen	-	-	-	-	3
Treas	-	-	1	-	3
Roluos	1	-	3	-	4
Ampil	-	1	1	-	2
Kouk Khpos	-	-	-	-	1
Kouk Mon	-	-	3	-	1
Samraong	-	-	-	-	3
<b>Total</b>	<b>5</b>	<b>3</b>	<b>20</b>	<b>2</b>	<b>66</b>
<b>%</b>	<b>5.26</b>	<b>3.16</b>	<b>21.05</b>	<b>2.11</b>	<b>69.47</b>

## **VI. RP UPDATING AND IMPLEMENTATION**

86. Following completion of detailed engineering design, the updating of the RP will be undertaken. Resettlement implementation (i.e., land clearing and relocation of APs) can only commence once the updated RP has been reviewed and approved by ADB.

87. Consultations with the APs will be carried out on a continuing basis, paying particular attention to the vulnerable and severely affected households (AHs).

### **A. Setting-up the Provincial Resettlement Sub-committee Working Group**

88. The Resettlement Department of the Inter-ministerial Resettlement Committee (IRC) will convene the Provincial Resettlement Sub-committee which in turn will work for the establishment of its Working Group (PRSC-WG). Headed by the Director (or a representative) of the Provincial Department of Public Works and Transport (PDPWT), the regular members (i.e., not changing within the province) of the PRSC-WG come from the Provincial Government, and other provincial departments such as the Provincial Department of Economy and Finance (MDEF) and the Provincial Department of the Interior. The PRSC-WG will coordinate closely with IRC-WG, the Project supervision consultant (PSC), the civil works contractor, the local government, and the APs to ensure the smooth and orchestrated updating and implementation of the RP.

### **B. Consultation and disclosure activities**

89. Consultation with APs will continue during RP updating up to implementation. Particular attention will be given to the poor and other vulnerable APs. All consultation and disclosure activities will be properly documented; minutes of meetings, photos, and attendance sheets will be prepared and recorded.

90. MPWT, in collaboration with, IRC will distribute copies of public information booklet to APs on or before 27 April 2009. The key information in the draft RP finalized during appraisal mission will be translated into Khmer language and will be placed in village and commune offices. During loan implementation and following detailed design, the (i) draft and final updated RPs approved by both the Government (MPWT and IRC) and the ADB, and (ii) any revisions to the updated RP as a result of changes in scope or design layout will be disclosed to the APs. Key information in the updated RP to be disclosed to the APs include (i) relocation and rehabilitation options, (ii) DMS results (iii) entitlements, (iv) grievance procedures, (vi) schedule of delivery of assistance and (vii) displacement schedule. The information will be made publicly available at MPWT, district, and commune offices and will be provided to the APs or AHs in the form of a project information leaflet. Social monitoring reports will also be made available to the APs and will be uploaded on the ADB website.

### **C. Detailed measurement survey and updated census of APs**

91. Following final design and staking of the corridor of impact (COI), a detailed measurement survey (DMS) and updated census of APs will be carried out by the IRC-WG in close collaboration with PRSC-WG with assistance from the Project supervision consultants (PSC). The procedures of the DMS are similar to those of the IOL, i.e., detailed recording of all users of land and owners of other assets.

92. A new socioeconomic survey will be carried out if RP updating does not commence within two years as demographic and socio-economic factors may change significantly within that period. It will cover at least 20% of severely affected households and at least 10% of other affected households.

#### **D. Income Restoration**

93. As mentioned in preceding sections, the livelihood of the affected shop owners will not be severely impacted. Much thought and preparation will be put in the planning and execution of the re-organization and/transfer of shops so as not to compromise the shop owners' livelihood. Therefore, the necessary transition / moving allowances will be provided to shop owners and that there is no compelling reason for an income restoration program. Payment of such assistance will only be given once the site (residual or outside ROW) that these shop owners will move to is ready to ensure that the cash assistance provided will not be used for other purposes.

94. For households with farms inside the COI, the Project will ensure that they will be able to harvest their crops prior to construction. These AHs will be allowed to continue cultivating the residual area of their farm inside the ROW. Moreover, during the updating of the RP, the socio-economic condition of these AHs will be determined, and if it is found out that their loss to the Project is equivalent to 10% or more of their source of livelihood or income, they will be assisted by the IRC-WG and PRSC-WG in finding a replacement land outside of the ROW with similar productive capacity which the AH could lease. In addition, the PRSC will provide assistance in cash or in kind (such as seedlings/farm inputs) to said AHs to improve productivity of replacement land.

95. APs in the by-pass road at Banteay Chhmar will be compensated at replacement cost for their losses; i.e., land, perennial and timber trees, etc. If any of them will be severely impacted with the loss of 10% or more of their total productive assets, rehabilitation assistance in the form of farm inputs (e.g. seeds/ seedlings) and technical advice will be provided to help them increase production. In the event that said severely affected APs will need to change livelihood, the Project will help design and implement an appropriate livelihood restoration program with said APs.

#### **E. Relocation Strategy**

96. The IRC-WG and PRSC-WG will ensure that the livelihood activities of the owners of 297 independent shops and house-and-stores in NR 56 are not disrupted. Through the PRSC-WG the shop owners will be informed regarding the schedule of civil works in a specific section of NR 56 at least 3 months in advance.

97. All 2 AHs losing entire houses and all 21 AHs losing entire house-and-stores are landless. Each of these AHs will be provided replacement plots of 105 m<sup>2</sup> in area and with secure tenure (full title to land) and latrine in a location in the commune. During the conduct of the detailed measurement survey (DMS), the IRC-WG and PRSC-WG along with its District counterpart will consult with the aforementioned AHs in the selection, development, and arrangements for the orderly transfer of the AHs to the relocation sites. The plots to be provided will also be suitable for households to re-establish their shops. Similar to the approach for shop-owners, much thought and preparation will be put in the planning and execution of the re-organization and/transfer of shops so as not to compromise the shop owners' livelihood. If the residential plots are not suitable to re-

establish the businesses of house-cum-shop owners, these owners will also be allocated a suitable location to re-establish their shops (to cater mostly to road users). The separate plot for shops will not be far from the residential plots to be allocated to them.

98. APs with entirely affected regular shops and temporary stores/stalls will be provided a place in the residual area of the ROW, if the residual area of the ROW land that they presently occupy is insufficient. The IRC-WG and PRSC-WG in consultation and with the active participation of the AHs will look for a place in the residual area of the ROW for this purpose. The location in the residual area of the ROW where the regular shops and temporary stores/stall will transfer will be mutually acceptable to the AHs and the Government. Moreover, the transfer of said shops and stores will be done in a way that will allow the APs to gradually phase out their operation in their present location and gradually begin their operation in their new place. Under this arrangement, the shop owners, whose business caters greatly to road users, will not experience any stoppage in their operation. Therefore, the livelihood of these shop owners will not be severely affected by the Project road.

#### **F. Temporary Impacts**

99. To ensure that temporary impacts during construction will be avoided, if not minimized, the contract for civil works will include the following provisions: (i) contractor to pay rent for any land required for construction work space outside the ROW; (ii) to the extent possible, only idle land will be used as construction work space to avoid disruption to households and business establishments; and (iii) temporary use of land will be restored or improved to its pre-Project condition. The PIU3, assisted by the PSC, will review any written agreement with the APs, payment records, and disbursement of payment to ensure proper monitoring and compliance with the Project resettlement policy. Said monitoring will be included in the quarterly progress reports of the PIU3 to be submitted to MPWT and the ADB.

#### **G. Unforeseen Impacts**

100. If during the DMS, additional adverse social impacts are identified and/or additional AHs and APs are found, these persons and households are entitled to receive Project entitlements as the others on condition that it can be ascertained that they have actually been in the Project ROW even before July 15, 2008, the cut-off date for eligibility. New APs that will emerge due to changes in Project design or alignment prior to or even during construction works are likewise entitled to the same entitlements as those of the other APs.

#### **H. Strategy to address gender issues**

101. The Project includes the following specific actions to address gender issues in the Project:

- a. A male representative and a female representative of the AHs in each commune will attend the consultation meetings.
- b. In conducting the DMS, consultations on resettlement activities and relocation options, both women and men will participate in the discussions.

- c. Sensitization training on gender and on the Project resettlement policy will be provided to concerned personnel of the PIU3, the Social and Environmental Unit (SEU) of MPWT, and the PRSC-WG.
- d. Special measures will be taken in the relocation of elderly, disabled and households headed by women in terms of location of new sites for affected shops and houses.
- e. Disaggregated monitoring indicators by gender will be developed for monitoring social benefits, economic opportunities, livelihood, and resettlement activities.

**I. Strategy to assist vulnerable households**

102. A total of 62 households in NR 56 losing entire main structures are headed by women while an additional 48 households headed by women are affected by the partial loss of their main structures.<sup>3</sup> (see Table 6-1 for the details).

103. As mentioned earlier, all AHs losing entire houses and house-and-stores will need to relocate, but they are landless. The Project, through the PRSC/DRSC and in consultation with said AHs, will choose, develop, and allocate substitute plots with secure tenure (full title to land) for each of these landless AHs. On the other hand, the entirely affected regular shops and temporary stores/stalls will be provided a space in the residual area of the ROW and in a location mutually acceptable to the AHs and the Government. The transfer of these commercial structures will be done in a way that will allow the APs to gradually phase out their operation in their present location and gradually begin their operation in their new place; thus, precluding any severe impact to their livelihood.

104. On top of the living allowance that the AHs will receive for their losses as provided in the entitlement matrix, each household headed by women will receive an additional living allowance of \$200 (for those losing entire main structures or farm) or \$100 (for those affected by partial loss of main structures or farm).

**Table 6-1 Affected Main Structures Owned by Household Headed by Women**

Main Structure Affected	NR 56	
	Entire	Partial
House	1	4
House-and-store	8	4
Regular Shop	36	32
Temporary stall/store	17	8
<b>Total</b>	<b>62</b>	<b>48</b>

105. There are 4 other AHs that are headed by persons with physical disabilities, all of which are found in NR 56. There are also 5 AHs that are headed by the elderly in NR 56. On top of what they will receive for their losses, each of these AHs will likewise receive an additional living allowance of \$200 (for those losing entire main structures or farm) or \$100 (for those affected by partial loss of main structures or farm).

<sup>3</sup> The socioeconomic survey conducted on households affected by the partial/entire loss of their main structures covered 30.65% in NR. This explains why only 31 households headed by women in NR 56.

## VII. ORGANIZATIONAL FRAMEWORK

106. The owner of the project is the Executing Agency; therefore, it has over-all responsibility for the successful implementation of the RP. The EA will be assisted by a number of offices within and outside of MPWT, starting with the Project Implementing Unit 3 (PIU3) that is tasked with undertaking the Project. With assistance from the SEU of MPWT, the PIU3 will work closely with the Resettlement Department of the Inter-ministerial Resettlement Committee (IRC) relative to the preparation, updating, and implementation of the resettlement plan.

### A. The Social and Environmental Unit

107. The Social and Environmental Unit (SEU) of MPWT will be the lead arm of PIU3 in the preparation and implementation of the RP. It will work closely with the IRC and its Resettlement Department. Its tasks include the following:

- a. Secure the approval of the RP by the IRC;
- b. Secure prior approval by IRC and the ADB for any variations in the approved RP;
- c. Secure the data base of affected persons and assets that will be gathered during the preparation and updating of the RP;
- d. Prepare progress reports on RP implementation for submission to the MPWT and PIU3.

### B. IRC and the Resettlement Department

108. The IRC is a collegial body composed of representatives from concerned line ministries, such as the Ministry of Interior; the Ministry of Public Works and Transportation; Ministry of Land Management, Urban Planning and Construction; Ministry of Economy and Finance and the Ministry of Agriculture, Forestry and Fisheries, including representatives of the Municipality of Phnom Penh, the Governor and Deputy Governor of provinces traversed by the Project road. Created by the Prime Minister through Decision No. 13, dated 18 March 1997, in connection with the resettlement of APs in the Highway 1 Project (Loan 1659-CAM), it has since been involved in other foreign-assisted government infrastructure projects with involuntary resettlement.

109. The IRC will assume the function of a quasi-regulatory body, ensuring that funds for resettlement are spent properly and that the RP is carried out as intended. The technical arm of the IRC is its Resettlement Department (IRC-RD). It will assist IRC in the following tasks:

- a. Reviewing and approving the RP, ensuring that the RP is consistent with ADB's Policy on Involuntary Resettlement and, later, the loan agreement;
- b. Endorsing the approved RP to ADB;
- c. Establishing or convening the Provincial Resettlement Committee (PRSC) and its Working Group (WG);
- d. Orienting, as needed, the PRSC and its working group (PRSC-WG) on their tasks relative to RP updating and implementation;

- e. Securing from the national treasury the budget for carrying out the RP, ensuring that funds are available in a timely manner and in sufficient amounts;
- f. Approving all disbursements connected with the implementation of the RP, such as payment of compensation and other entitlements, acquisition and preparation of replacement plots, operational expenses of personnel, etc.;
- g. Ensuring that funds for resettlement are spent judiciously; and
- h. Monitoring the implementation of the RP, ensuring that this is carried out in compliance with the Project resettlement policy and with the loan agreement.

### **C. Provincial Resettlement Sub-committee**

110. The Provincial Resettlement Sub-Committee (PRSC) is a collegial body at the provincial level. Headed by the Provincial Governor or Provincial Deputy Governor, the members of the PRSC are provincial department directors of line ministries represented in the IRC, and also the chiefs of the districts and communes traversed by the Project road.

111. The technical arm of the PRSC is the Working Group (PRSC-WG). The PRSC-WG is headed by the Director (or a representative) of the Provincial Department of Public Works and Transport (PDPWT). The regular members of the PRSC-WG come from the Provincial Government, Provincial Department of Economy and Finance (MDEF), and the Ministry of Interior.

112. In an effort to make the whole process of resettlement effective, participatory and transparent, the chiefs of the affected communes and villages in affected communes will seat in the PRSC-WG in matters concerning their respective areas of jurisdiction.

113. The PRSC, through the PRSC-WG, will have the following functions:

- a. Facilitate a sustained public information campaign, ensuring that the public, especially the APs, are updated on any developments regarding the Project and resettlement activities;
- b. Spearhead the detailed measurement survey (DMS) and updated census of APs, including the determination of amount of compensation and other entitlements as per the Project resettlement policy;
- c. Spearhead the selection, acquisition, and preparation of replacement plots, including the preparation of a coordinated schedule of delivery of compensation and other entitlements, the relocation of people, harvesting of standing crops, and the start of civil works in a particular section of NR 56;
- d. Spearhead the delivery of compensation and other entitlements to the APs;
- e. Receive and act on the complaints and grievances of APs in accordance with the Project resettlement policy; and

- f. Maintain a record of all public meetings, grievances, and actions taken to address complaints and grievances.

#### D. Project Supervision Consultants

114. The Project Supervision Consultants (PSC), together with the SEU and the PRSC-WG, will spearhead the updating of the RP through the conduct of the DMS in a participatory and transparent way and consistent with the Project resettlement policy. The PSC will also assist in the conduct of replacement cost survey. Once approved by the IRC and MPWT and concurred in by ADB, the PSC will provide technical advice in the implementation of the approved RP. The PSC will likewise provide capacity-building orientation and skills training, as needed, to concerned personnel of the PIU3, the SEU, and the PRSC-WG.

115. Together with the PIU3 and SEU, the PSC will supervise civil works activities to ensure that the contractors adhere with the terms of their contract relative to avoiding and/or minimizing resettlement impacts, in addition to ensuring that contractors provide the necessary compensation and/or assistance to the APs prior to and/or during construction activities.

116. The PSC will have one international resettlement specialist (6 months, intermittent), a national resettlement specialist (12 months, intermittent), and a national gender specialist (3 months, intermittent).

#### E. Indicative implementation schedule of the RP

117. Table 7.1 summarizes the various inter-related activities connected with the updating and implementation of the RP.

**Table 7-1 Indicative Schedule of Resettlement Activities**

Activities	Schedule
RP Preparation	June 2008 – February 2009
ADB Approval of Draft RP	March 2009
RP Updating	April – June 2010
Detailed measurement survey, replacement cost survey	April – June 2010
Consultation	April – 2011
Finalization of Relocation Strategy	May - June 2010
Design of Income Restoration Program	May - June 2010
Disclosure of Draft Updated RP to APs	June 2010
Submission and ADB approval of updated RP	July 2010
Implementation of the approved updated RP	July 2010 – December 2011
Disbursement of Compensation to APs	July – Sep 2010
Construction of Relocation Sites for Landless households	July – Sep 2010
Relocation of affected households	October 2010 to June 2011
Implementation of Income Restoration Program	July 2010 – December 2011
Internal Monitoring (Submission of Quarterly Progress Reports)	April – December 2011
External Monitoring (intermittent)	May –2009 – 2011
Civil Works Construction*	April 2010 - onwards

\* Civil works construction will only start for section where there are no resettlement impacts

## VIII. PUBLIC PARTICIPATION AND CONSULTATION

118. Participation provides for the occasion and the process by which stakeholders influence and become co-responsible for development initiatives and decisions that affect them. Through participation, the needs and priorities of the local population are ventilated; the adverse social impacts of the Project, including the corresponding mitigating measures, are collectively identified; and the commitment and feeling of ownership over the Project is engendered among the APs.

### A. Participatory activities in RP planning and implementation

119. The public, especially the APs, the local governments and road users will be consulted and their opinions solicited, and will in fact participate in the preparation, updating, and implementation of the RP. Table 8.1 below summarizes the roles and responsibilities of the Executing Agency, the local governments, and the APs in the preparation, updating, and implementation of the RP.

**Table 8-1 Roles and Responsibilities of Key Stakeholders in the RP**

Project Process Stage	Participatory Activities and Participants	Responsible Institution
<b>Preparation</b>  <i>Pre-feasibility/ Feasibility</i>	<p>Briefing of the provincial, district, commune, and village officials; PDWT; and stakeholders about the Project TA, the resettlement policy, and the activities of the consultants</p> <p>Conduct of IOL, census of APs, social impact assessment, and replacement cost study (RCS)</p> <p>Discussion/consultation with IRC-RD and SEU about the proposed Project resettlement policy</p> <p>Initial disclosure meeting with APs to discuss the results of the IOL and gather suggestions on how to minimize and mitigate impacts, and discuss about relocation options.</p> <p>Drafting of the RP and project information leaflet<sup>1</sup> and submission to PIU3, IRC-RD, and ADB for review and approval.</p> <p>Distribution of information leaflets to APs, posting of summary RP at district and sub-district local government offices</p> <p>Posting on the ADB website</p>	<p>Consultants</p> <p>Consultants, assisted by commune/village officials</p> <p>Consultants</p> <p>Consultants, assisted by commune/village officials DOH assisted by consultants</p> <p>Consultants</p> <p>PIU3 and SEU</p> <p>ADB</p>
<b>Updating and Implementation</b>  <i>Drafting/Finalization of Technical</i>	<p>Set-up resettlement coordinating committee</p>	<p>IRC-RD</p>

<sup>1</sup> The Project information leaflet, written in Khmer, contains the following brief information: (i) Project background, specifically about the civil works to be done; (ii) results of the IOL; (iii) entitlements due to the APs/AHs; (iv) bases for computing compensation for affected assets; (v) schedule of delivery of entitlements and displacement; (vi) grievance redress mechanism; and (vii) contact persons at PIU3 (see Appendix 4 for the draft leaflet).

Project Process Stage	Participatory Activities and Participants	Responsible Institution
<i>Design</i>	Detailed Measurement Survey (DMS), updating unit costs (as necessary)	PRSC-WG, assisted by Consultants
	Second disclosure meeting/consultation with APs to discuss results of DMS and discuss the resettlement policy, entitlements and relocation options	PRSC-WG, assisted by Consultants
	Updating/revision of the RP and the project information leaflet	SEU, assisted by Consultants
	Submission of updated RP and project information leaflet to IRC and PIU3 for approval and endorsement to ADB	SEU, assisted by Consultants
	Distribution of the updated information leaflets to the APs and posting of summary updated RP at district and commune offices	SEU, assisted by PRSC-WG
	Implementation of Updated RP	IRC-WG
	Monitoring of RP implementation	IRC-RD and external monitoring agency
	Posting of Updated RP on ADB website	ADB

## B. Public consultations during RP preparation

120. A day before the IOL commenced on June 27, 2008, the first of a series of public meetings with stakeholders (e.g., road users, residents of traversed communities, transport operators, government agencies, civil society, etc.) was held in Srei Sophon by the survey team for the purpose of discussing the:

- a. Project TA background and objectives;
- b. Main activities of the research team (i.e., conduct of socio-economic household survey, IOL, replacement cost study, and public consultations);
- c. ADB's policy on Involuntary Resettlement; and
- d. Probable positive and adverse impacts of the Project, and recommendations on how to avoid and mitigate negative impacts.

121. While the survey team was conducting the IOL in the first village at NR 56, the survey coordinator held public meetings with stakeholders in the next populated commune, and so on.

**Table 8-2 Public Meetings Held in NR 56 in June-July 2008**

Province	Commune / (Villages)	Venue	Date	Participants
Banteay Meanchey	Kampong Svay (Pir, Pongro, and Kampong Svay)	Srei Sophon District Office	June 27	44
	Makak (Donley and Tama)	Makak pagoda	June 27	11
	Slokram (Kokoh and Komnob)	Kakoh Primary School	July 1	25
	Tapen (Tapen)	AP residence	July 1	15
	Rolous (Rolous)	Rolous Health Center	July 2	16
	Koum Rou and Thmar Pouk (Kum Ru and Kaksen)	AP residence	July 4	15
Otdar Meanchey	Banteay Chhmar (Thmar Dekkes)	AP residence	July 7	23
	Kok Khpous (Tonle Sar)	AP residence	July 9	11
	Samraong (Kandek and Chambok)	AP residence	July 12	22
<b>Total Participants</b>				<b>182</b>

122. Key points raised and discussed during the pre-IOL public meetings are presented below (see Appendix 5 for the names of the participants in said public consultation-meetings).

**Table 8-3 Key Points Raised/Discussed in Public Meetings in June-July 2008**

Commune	Points Raised/Discussed
Kampong Svay	<ul style="list-style-type: none"> <li>In 1983 the local authorities reportedly decided that the ROW for NR 69 (now NR 56) was only 13 meters from the center line. The people were wondering why the ROW is now 25 m from the center line.</li> <li>From STA 0+000 to STA 1+000, the left hand side of the present roadway is wider than the right hand side. The center line should be shifted to the left to avoid affecting the business establishments on the right hand side.</li> <li>They welcome the project as a big relief to them in light of the present poor condition of the road. They wonder how soon the project could be started</li> </ul>
Makak	<ul style="list-style-type: none"> <li>They welcome the project as a big relief to them in light of the present poor condition of the road. They wonder how soon the project could be started</li> </ul>
Slokram	<ul style="list-style-type: none"> <li>People were very eager to know the salient points of the Project resettlement policy and, specifically, what their entitlements were.</li> <li>They welcome the project as a big relief to them in light of the present poor condition of the road. They wonder how soon the project could be started</li> </ul>
Tapen	<ul style="list-style-type: none"> <li>No questions; the people could hardly wait for the start of road construction.</li> </ul>
Rolous	<ul style="list-style-type: none"> <li>People were very eager to know the salient points of the Project resettlement policy and, specifically, what their entitlements were.</li> </ul>
Koum Rou	<ul style="list-style-type: none"> <li>People expressed hope that the proposed Project would not end into false expectations. They could hardly wait for the start of road construction.</li> </ul>
Banteay Chhmar	<ul style="list-style-type: none"> <li>No questions about the resettlement policy and entitlements.</li> <li>The people raised concerns about the road getting flooded.</li> <li>The people welcome the Project.</li> </ul>
Samraong	<ul style="list-style-type: none"> <li>No questions about the resettlement policy and entitlements.</li> <li>The people were not in favor of using the residual areas of the ROW as borrow pit for construction materials.</li> <li>The people are eager to see the Project push through.</li> </ul>

123. It should be pointed out that in the course of the preparation of the first RPs for NR 56 in 2006, similar public consultations were also held with stakeholders and the APs. Prior to the start of the IOL in populated communes and villages, consultations were held with the local population and local governments. A total of 14 public meetings in NR 56 were held in May and June 2006. Following completion of the IOL, 6 more public meetings in NR 56 were held in the latter part of June and early July 2006, principally to present the results of the impact survey and to discuss resettlement options with the APs. The participants in said

meetings were unanimous in their support for the proposed rehabilitation of NR 56; grateful also to know of the Project resettlement policy.

**Table 8-4 Public Meetings Held in NR 56 in 2006**

Commune/Village	Before the IOL		After the IOL	
	Date	Participants	Date	Participants
	<b>NR 56</b>			
Phniet	May 16	42	July 1	9
Ou Preal	May 16	16	-	-
Kouk Mon	May 17	20	July 1	14
Banteay Chhmar	May 17	17	June 30	13
Kumru and Thmar Puok	May 18	19	-	-
Roluos	May 18	11	June 30	7
Sisophon	May 20	28	-	-
Totoeng Thngai (Beng) and Ou Rumdol	May 20	42	-	-
Makak	June 5	26	-	-
Kouk Oloak	June 3	30	-	-
Pongro	June 5	85	June 29	18
Slokram	June 4	45	-	-
Tapaen	June 4	16	-	-
Treas	June 3	25	-	-
Kouk Khpos (Tonle Sar)	-	0	July 1	19
<b>Total Participants</b>		<b>422</b>		<b>80</b>

124. Public meetings and consultations with the APs will continue throughout the preparation, updating, and implementation of the RP. Copies of public information booklet translated into Khmer language were distributed to the APs in May 2009.

## **IX. GRIEVANCE REDRESS**

125. Grievances of APs in connection with the implementation of the RP will be handled through negotiation with the aim of achieving consensus. Complaints will pass through three stages before they may be elevated to a court of law as a last resort. MPWT will shoulder all administrative and legal fees that will be incurred in the resolution of grievances and complaints.

### **A. First Stage, Commune Level**

126. An aggrieved AP may bring his/her complaint to the commune leader. The commune leader together with the representative/s of the PRSC-WG coming from the district offices will call for a meeting of the Group to decide on a course of action to resolve the complaint within 15 days following the lodging of the complaint by the aggrieved AP. The commune leader is responsible for documenting and keeping file of all complaints that are coursed through it.

### **B. Second Stage, Provincial Resettlement Sub-committee Working Group**

127. If after 15 days the aggrieved AP does not hear from the commune leader, or if the AP is not satisfied with the decision taken by the commune and district officials, the complaint can be brought to the office of the PRSC-WG (provincial level), either in writing or verbally. It is incumbent upon said member of the PRSC-WG to notify the other members of the Group. The Team Leader of the PRSC-WG will call for a meeting of the Group to decide on a course of action to resolve the complaint within 15 days following the lodging of the complaint by the aggrieved AP. The PRSC-WG is responsible for documenting and keeping file of all complaints that are coursed through it.

### **C. Third Stage, Inter-ministerial Resettlement Committee**

128. If after 15 days the aggrieved AP does not hear from the PRSC-WG, or if the AP is not satisfied with the decision taken by the PRSC-WG, the complaint may be brought to the office of the IRC, through the IRC-RD, either in writing or verbally. The IRC has 15 days within which to resolve the complaint to the satisfaction of all concerned. The IRC is responsible for documenting and keeping file of all complaints that reaches it.

### **D. Final Stage, Court of Law**

129. If after 15 days following the lodging of the complaint the aggrieved AP is not satisfied with the decision taken by the IRC, or if the AP does not hear from the IRC, the complaint may be brought to a court of law for adjudication. The rules of court will be followed in the resolution of the complaint.

## **X. MONITORING AND EVALUATION**

130. The MPWT-SEU and IRC, through its Resettlement Department (IRC-RD), will conduct a joint regular monitoring and evaluation of the updating and implementation of the RP. Said monitoring and evaluation is intended to help ensure that the RP is prepared according to the resettlement policy and that it is implemented as planned. The joint MPWT-IRC quarterly progress reports will be prepared by MPWT and submitted to ADB.

### **A. Indicators for internal monitoring**

131. The following indicators will be monitored periodically by MPWT and IRC-RD:

- a. Compensation and entitlements are computed at rates and procedures as provided in the approved RP;
- b. APs are paid as per agreement with Project authorities;
- c. Public information, public consultation and grievance redress procedures are followed as described in the approved RP;
- d. Public facilities and infrastructure affected by the Project are restored promptly; and,
- e. The transition between resettlement and civil works is smooth.

### **B. External monitoring agency**

132. The IRC will hire an independent institution or group to carry out external monitoring and post-implementation evaluation. The IRC will prepare the terms of reference (TOR) for the engagement of the external monitoring agency (EMA). The TOR for the EMA and the selection of the monitor will require the prior consent of ADB. The EMA will provide MPWT/PIU3, IRC, and ADB a copy of its semi-annual monitoring reports. The EMA will likewise conduct a Post-RP Implementation Evaluation Study one (1) year following the completion of resettlement.

133. The monitoring and evaluation consultant will address specific issues such as the following:

- a) Field check/site visits coordinated with the resettlement activities that are taking place based on the approved Resettlement Plan: (i) compensation payments, participatory design of relocation and rehabilitation options, relocation; (ii) random review of DMS forms for correct inventory of assets and entitlements; and (iii) random review of entitlement and compensation documents to ensure that the assessment of compensation is based on the agreed compensation matrix and that all entitlements have been accurately applied;
- b) Public consultation and awareness of resettlement policy and entitlements;
- c) Coordination of resettlement activities with construction schedule;
- d) Land acquisition and transfer procedures;
- e) Construction/rebuilding of replacement houses and structures on residual land or to new relocation sites;
- f) Level of satisfaction of APs with the provisions and implementation of the RP;

- g) Grievance redress mechanism (documentation, process, resolution);
- h) Effectiveness, impact and sustainability of entitlements and rehabilitation measures and the need for further improvement, as required;
- i) Gender impacts and strategy;
- j) Capacity of APs to restore/re-establish livelihoods and living standards. Special attention provided or to be provided to severely affected and vulnerable households;
- k) Resettlement impacts caused during construction activities;
- l) Participation of APs in RP updating and implementation;
- m) Institutional capacity, internal monitoring and reporting.

## **XI. COSTS AND BUDGET**

134. Funds for the implementation of the RP are part of the Project budget. Costs have been estimated based on results of the IOL and the prevailing rates as of March 2009.

### **A. Procedures for flow of funds**

135. The IRC will request the MEF for the funds to implement the RP. The funds will be forwarded to the Provincial Department of Finance. Payment vouchers will be prepared at the IRC-RD for submission to and approval by the IRC. Funds for compensation and other entitlements will be forwarded by the Provincial Department of Finance to the PRSC for disbursement. Payment of compensation and other entitlements, except for land-for-land arrangements, will be in cash and will be distributed in commune offices. The APs will be notified through the village chiefs of the schedule of payment of compensation and other entitlements.

### **B. Cost estimates and inflation adjustment**

136. The MPWT and the IRC, in consultation with relevant agencies, will determine the annual inflation rate and will ensure that adjustments are made to compensation rates and to other cash entitlements to reflect current market rates. A replacement cost survey (RCS) will be carried out in parallel with the DMS. MPWT and IRC will be assisted by the project supervision consultants in the conduct of RCS.

### **C. Implementation, administration and contingency costs**

137. Implementation costs cover payment of allowances and per diem of concerned personnel involved in the updating and implementation of the RP, including members of the PRSC-WG. Administrative costs and contingencies amounting to 15% each have been added on top of the cost of resettlement. MPWT and IRC will ensure that adequate funds are made available as and when necessary for the efficient and timely implementation of resettlement.

### **D. Estimated Costs of Resettlement**

138. The estimated cost of resettlement for the improvement of NR 56 is US\$1.131 million, inclusive of the cost of hiring an external monitoring agency. Table 9.1 provides a breakdown of these costs.

**Table 11-1 Summary of Resettlement Costs**

Items	Unit	Quantity	Rate (\$/Unit)	AMOUNT (US\$)
		<b>NR 56</b>		
<b>AGRICULTURAL LAND</b>				<b>599,655.00</b>
By-pass Road (beginning and end)	m <sup>2</sup>	10,000.00	2.2	22,000.00
By-pass Road (interior)	m <sup>2</sup>	545,000.00	0.97	528,650.00
Existing ROW (loss of land use)	m <sup>2</sup>	108,900.00	0.45	49,005.00
<b>MAIN STRUCTURES (by classification)</b>				<b>56,686.94</b>
1A	m2	683.93	6.8	4,650.72
1B	m2	256.85	12.2	3,133.57
1C	m2	191.3	13.9	2,659.07
1D	m2	174.18	17.6	3,065.57
2A	m2	144.25	14.2	2,048.35
2B	m2	75.41	22	1,659.02
2C	m2	223.84	26.3	5,886.99
2D	m2	203.6	30.1	6,128.36
2E	m2	467.52	33.8	15,802.18
2F	m2	117.07	34.4	4,027.21
2G	m2	69.68	60	4,180.80
2I	m2	29.32	117.5	3,445.10
<b>Main Structures (Repair Cost)</b>		\$26,425.59	20%	<b>5,285.12</b>
<b>SECONDARY STRUCTURES</b>				<b>62,066.85</b>
Concrete Bridge (access into the house)	m <sup>2</sup>	220	17	3,740.00
Business signage (cost of transferring)	no.	1	lump sum	100.00
Spirit House (cost of transferring)	no.	1	lump sum	20.00
Wooden Bridge (access into the house)	m <sup>2</sup>	38.2	15	573.00
Dug well (800 mm and 6 ~ 10 m deep)	no.	6	120	720.00
Pump well	no.	1	320	320.00
Chedey grave (4 m <sup>2</sup> )	no.	1	3,600.00	3,600.00
Concrete block / terracotta	m <sup>2</sup>	13.63	6.5	88.60
Culvert, 600 mm diameter	lm	36.4	32	1,164.80
Concrete patio (189 units)	m <sup>2</sup>	2,526.31	8	20,210.48
Dug pond	m <sup>2</sup>	123	12	1,476.00
Extended house eaves	m <sup>2</sup>	690.09	2	1,380.18

Items	Unit	Quantity	Rate (\$/Unit)	AMOUNT (US\$)
Fence: Weak/ loose bamboo or wood	lm	4601.6	0.22	1,012.35
Fence: bamboo/round wood post w/ bamboo bar	lm	2348.9	1	2,348.90
Fence: wooden post, w/ wire/bamboo/wooden bar	lm	2215.6	1.25	2,769.50
Fence: wooden post w/ no bar & <1 m interval	lm	1375.8	2.6	3,577.08
Fence: wooden post w/ no bar, 1 ~ 2 m interval	lm	826.2	1.2	991.44
Fence: wooden post w/ no bar, >2 m interval	lm	455	0.25	113.75
Fence: wooden post w/ wood/bamboo bar & grille	lm	3861.68	3.25	12,550.46
Fence: concrete post with wire bar	lm	152.6	3.5	534.10
Fence: 100 mm brick, concrete post, wood grille	lm	23	9.2	211.60
Fence: 100~200 mm brick, concrete post, steel grille	lm	59	16.3	961.70
Fence: metal sheet/wooden plank	lm	42.7	7.15	305.31
Fence: brick of 100 mm, plastering on both sides	lm	110.4	21	2,318.40
Gate: with brick column and steel doors	lm	14.4	68	979.20
<b>TREES (various species and ages)</b>		41,443		<b>41,790.00</b>
<b>Sub-Total 1</b>				<b>760,198.79</b>
<b>ALLOWANCES AND OTHER ENTITLEMENTS</b>				
Moving allowance for relocating house	no.	2	70	140.00
Moving allowance for relocating house-and-store	no.	21	70	1,470.00
Moving allowance for relocating regular shop	no.	89	40	3,560.00
Moving allowance for relocating temporary store/stall	no.	51	20	1,020.00
Moving allowance for relocating renters of house/store	no.	9	70	630.00
Moving allowance for relocating renters of regular shop	no.	15	70	1,050.00
Living allowance for relocating house	no.	2	200	400.00
Living allowance for relocating house-and-store	no.	21	200	4,200.00
Living allowance for relocating regular shop	no.	89	33.2	2,954.80
Living allowance for relocating renters of house/store	no.	9	33.2	298.80
Living allowance for relocating renters of regular shop	no.	15	33.2	498.00
Rental allowance for relocating renters of house/store	no.	9	25	225.00
Rental allowance for relocating renters of regular shop	no.	15	25	375.00
Replacement plots for landless relocating houses	no.	2	550	1,100.00
Replacement plots for landless relocating house-&-store	no.	21	550	11,550.00
Living allowance for partially affected households headed by women	no.	48	124.5	5,976.00
Living allowance for entirely affected households headed by women	no.	62	200	12,400.00
Living allowance for disabled AH heads	no.	4	200	800.00

Items	Unit	Quantity	Rate (\$/Unit)	AMOUNT (US\$)
Living allowance for elderly-headed AHs	no.	5	200	1,000.00
Rehabilitation assistance <sup>1</sup>	no.	-	lump sum	30,000.00
<b>Sub-Total 2</b>				<b>79,647.60</b>
External Monitoring/Evaluation <sup>2</sup>			Lump sum	30,000.00
<b>TOTAL DIRECT COSTS</b>				<b>869,846.39</b>
Administrative Cost (15%)				<b>130,476.96</b>
Costs contingencies (15%)				<b>130,476.96</b>
<b>GRAND TOTAL</b>				<b>1,130,800.30</b>

<sup>1</sup> No AH/AP has been identified during the IOL as severely affected with the loss of productive assets. A conditional amount of \$30,000 is being set aside for rehabilitation assistance, however, in the event that severely affected AHs/APs (such as those cultivating portions of the ROW) are found to be severely affected during the DMS. The amount is calculated based on the assumption that 100 AHs/APs are found to be severely affected multiplied by \$300.

<sup>2</sup> Assuming that there are 600 AHs, an amount of \$50 is allotted per AH/AP to cover the cost of external monitoring, including post-RP implementation.