

Basic Resettlement Plan

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Cambodia: Livable Cities Investment Project

Bavet

Prepared by the Ministry of Public Works and Transport with the assistance of Southeast Asia Urban Services Facility transaction technical assistance consultants under the guidance and direction of the General Department of Resettlement of the Ministry of Economy and Finance for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 2 September 2021)

Currency unit	–	riel (KR)
KR1.00	=	\$0.00024
\$1.00	=	KR4,086

ABBREVIATIONS

ADB	–	Asian Development Bank
AH	–	Affected Household
AHH	–	Affected Household Head
AP	–	Affected Person
BRP	–	Basic Resettlement Plan
COD	–	Cut-of-date
COI	–	Corridor of impact
DED	–	Detailed Engineering Design
DMS	–	Detailed Measurement Survey
DRP	–	Detailed Resettlement Plan
EMP	–	Environmental Management Plan
GDR	–	General Department of Resettlement
IOL	–	Inventory of Losses
IRC	–	Inter- Ministerial Resettlement Committee
IRP	–	Income Restoration Program
LAR	–	Land Acquisition and Involuntary Resettlement
MEF	–	Ministry of Economy and Finance
MoE	–	Ministry of Environment
MPWT	–	Ministry of Public Works and Transport
PGRC	–	Provincial Grievance Redress Committee
DCSC	–	Design and Construction Supervision Consultants
PRSC	–	Provincial Resettlement Sub-Committee
RG	–	Royal Government of Cambodia
RCS	–	Replacement Cost Study
RD2	–	Resettlement Department 2
ROW	–	Right of Way
SES	–	Socio-Economic Survey
SOP	–	Standard Operating Procedures
SWM	–	Solid Waste Management
WBWS	–	Willing Buyer Willing Seller
WG	–	Working Group
WWTP	–	Wastewater Treatment Plant

NOTE

In this report “\$” refers to US dollars.

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DEFINITION OF TERMS

Affected Household	<ul style="list-style-type: none">– In the case of an affected household (AH), it includes all displaced/affected persons residing under one roof and operating as a single economic unit, who are adversely affected by the Project or any of its components.
Affected Persons	<ul style="list-style-type: none">– In the context of involuntary resettlement, affected persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Compensation	<ul style="list-style-type: none">– Refers to payment in cash or in kind for an asset or resource that is acquired or affected by a Project at the time the asset needs to be replaced. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs. In applying this method of valuation, depreciation of structures and assets should not be considered.
Corridor of Impact	<ul style="list-style-type: none">– (i) Permanent. Is the area which is required to be permanently acquired by GDR for easement of the civil works and their unhindered operation & maintenance (O&M) in the future, and it is agreed and demarcated by the executing agency (EA). The exact location of the permanent boundaries of the easement may be required for formal confirmation of boundaries in the cadastral records.(ii) Temporary. Is the area within which the temporary construction activities and movements of equipment will take place during the Project implementation. The extent of the area is somewhat dependent on the types of construction method and machinery used by the contractor. Such impacts and associated remedial measures and costs are typically borne by the contractor at his own expenses depending on the contractual details.
Consultation	<ul style="list-style-type: none">– A process that (i) begins early in the Project preparation stage and is carried out at different stages of the Project and land acquisition and involuntary resettlement cycle; (ii) provides timely disclosure of relevant and adequate information in Khmer Language that is understandable and readily accessible to AP; (iii) is undertaken in an atmosphere free of intimidation or coercion with due regard to cultural norms; and (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; enables to consider the incorporation of all relevant views of affected people and other stakeholders into decision making, such as Project design, mitigation measures and implementation issues.
Cut-off date	<ul style="list-style-type: none">– This refers to the date after which people will not be eligible for compensation or assistance. Those persons occupying or using the Project prior to the identified date are eligible to be categorized as AHs and to receive compensation and/or assistance. 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 inventory of losses (IOL); or (ii) they have lawfully acquired the affected assets

subsequent to the completion of the census and the IOL and before the conduct of the detailed measurement survey (DMS).

Detailed Measurement Survey	<ul style="list-style-type: none"> With the aid of detailed engineering design, this activity involves the finalization of the inventory of losses, severity of losses, measurement of additional losses, and 100% coverage of Socio-economic Survey and 100% census of APs.
Displaced Persons (DPs)	<ul style="list-style-type: none"> In the context of involuntary resettlement, DPs are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. <p>The SPS uses the term ‘affected person’ (AP) in a broader sense in the context of consultations, disclosure, and grievance redress mechanism that includes persons not directly affected by an ADB Project. However, the EA understands and uses the term AP as what the SPS calls DP. Accordingly, the term AP is used in this BRP.</p>
Economic Displacement	<ul style="list-style-type: none"> Refers to loss of land, assets, access to assets, income sources, or means of livelihood because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Eligibility	<ul style="list-style-type: none"> Refers to any person or persons, household, firm, private or public institution who has settled in the Project area before the cut-off date, that (i) loss of shelter, (ii) loss of assets or ability to access such assets, permanently or temporary, or (iii) loss of income sources or mean of livelihood, regardless of relocation will be entitled to be compensation and/or assistance.
Entitlement	<ul style="list-style-type: none"> Refers to a range of measures comprising compensation, income restoration support, transfer assistance, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.
Grievance Redress Mechanism	<ul style="list-style-type: none"> Refers to an established mechanism to receive and facilitate the resolution of affected persons’ concerns and grievances/ complaints about physical and economic displacement and other Project impacts, paying particular attention to the impacts on vulnerable groups.
Income Restoration	<ul style="list-style-type: none"> Refers to re-establishing productive livelihood of the APs to enable income generation equal to or, if possible, better than that earned by the APs before the resettlement or of pre-Project levels.
Inventory of Losses	<ul style="list-style-type: none"> This is the process where all fixed assets (i.e. lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
Involuntary Resettlement	<ul style="list-style-type: none"> Refers to when displaced persons have no right to refuse land acquisition by the state that result in their displacement which occurs when land is acquired through (i) expropriation by invoking the

eminent domain power of the state, or (ii) land is acquired through negotiated settlement when the pricing is negotiated, and the failure will result in expropriation through invoking the eminent domain of power of the state.

Land Acquisition	<ul style="list-style-type: none"> Refers to the process whereby individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Major Impacts	<ul style="list-style-type: none"> Refers to AHs who will (i) lose 10% or more of their total productive land and/or assets; (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.
Negotiated Settlement	<ul style="list-style-type: none"> Negotiated settlements is used to avoid expropriation and eliminate the need to use involuntary resettlement. The Government can acquire land and other assets through a negotiated settlement, based on meaningful consultation with affected persons, including those without legal title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. The Government will ensure that any negotiations with displaced persons openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. For this purpose, the Government can engage an independent external party to document the negotiation and settlement processes.
Physical Displacement	<ul style="list-style-type: none"> Refers to relocation, loss of residential land, or loss of shelter because of (i) involuntary acquisition of land; or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Relocation	<ul style="list-style-type: none"> This is the physical relocation of a displaced person from their pre-Project place of residence and/or business.
Replacement Cost	<ul style="list-style-type: none"> Replacement cost involves replacing an asset at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. <p>Depreciation of assets and structures should not be taken into account for replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation cost.</p> <p>Where land market conditions are absent or in a formative stage, the APs and host populations will be consulted with to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the Project area and region, and other related information.</p>
Replacement Cost Study	<ul style="list-style-type: none"> This refers to the process involved in determining replacement costs of affected assets and land and performed by an independent qualified national consultant (firm or individual) with necessary expertise to carry out asset valuation.
Resettlement Plan	<ul style="list-style-type: none"> This is a time-bound action plan, with budget, setting out the resettlement objectives and strategies, entitlements the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and implementation schedule. The

outline Resettlement Plan is in Annex to Appendix 2 of the ADB Safeguard Policy Statement (2009).

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| Right-of-Way | – It is a government owned strip of land following a centerline (such as for roads, canals, etc.) providing an area of access. |
| Vulnerable Groups | – These are distinct groups of APs who are likely to be more adversely affected than others and who are likely to have limited ability to re-establish their livelihoods or improve their status and specifically include: <ul style="list-style-type: none">(i) all the household living below the national poverty rate established by the Government;¹(ii) female headed households with dependents living below the national poverty rate,(iii) disabled household heads with no other means of support,(iv) elderly households who are landless and with no other means of support,(v) landless poor living below the national poverty rate, and(vi) indigenous people or ethnic minorities (who often have traditional land rights but no formal titles). |
| Willing Buyer Willing Seller | – Process where the Government purchases a property from private owner with a fair market value, which a willing seller approves. In the arrangement neither party is being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts, and eminent domain is not used. |

¹ This includes squatters and those without land titles.

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EXECUTIVE SUMMARY

A. Project Scope

1. The proposed Livable Cities Investment Project (LCIP) will assist the government of the Cambodia to facilitate long-term sustainable and economic growth through improving the environment of secondary cities in Cambodia. The LCIP outputs include: (i) Output 1: policy and regulatory environment improved; (ii) Output 2: urban infrastructure improved; and (iii) Output 3: institutional effectiveness, and governance improved. The LCIP will focus on enhancing urban planning, building community resilience, and providing infrastructure. Only activities under output 2 will result in land acquisition and resettlement (LAR). Under output 2 of LCIP, two (2) subprojects are proposed to be implemented in Bavet. They included (i) Wastewater Treatment Plant and Conveyance Network and Stormwater Drainage Network Subproject and (ii) Solid Waste Management System Subproject. Table 1.1 summarizes the scope of major civil works of the two (2) subprojects.

Table 1.1: Summary of Scope of Major Works of the Subprojects

No.	Subproject Name	Component Descriptions
1	Wastewater Treatment Plant and Conveyance Network and Stormwater Drainage Network Subproject	The wastewater component will include the construction of: <ul style="list-style-type: none"> • Sewerage collection: 66.1 km, corridor of impact (COI) 2.4 - 3.3 m* • Force main: 9.5 km, COI 2.4 - 3.3 m • Pumping stations: 6 • Connection to the centralized system (after pre-treatment) for SEZs located in areas served by the sewer network.
		The component will cover villages of Bavet Leu, Bavet Kandal, Chrak Leav, Ta Boeb and Ta Pov in Sangkat Bavet.
		The WWTP component will include the construction of: <ul style="list-style-type: none"> • WWTP treatment capacity 3,930 m³/day using waste stabilization pond treatment (Anaerobic Ponds + Facultative Ponds + Maturation Ponds). Site size: 20 ha
		The WWTP will be located at Thnanh Village, Sangkat Bati, Bavet.
		The stormwater drainage network component will include the construction of: <ul style="list-style-type: none"> • Open channel: 6.8 km, COI 1.6 - 3.3 m** • Box culvert concrete pipelines: 1.9 km, COI 6.27 - 11.27 m • U-drains in the not yet built-up area: 1.0 km • Outfalls: 2 (no buffer zones required)
		The stormwater drainage network will cover Sangkat (Bavet)
2	Solid Waste Management System Subproject	The SWM system component will include the construction of: <ul style="list-style-type: none"> • Sorting plant, composting plant, controlled landfill (capacity 516,305 m³ - Site size: 15.5 ha) • Acquisition of 16 compacting trucks (capacity of five tons each): <ul style="list-style-type: none"> • Improvement of the door-to-door waste collection system in the urban area - acquisition of 13 compacting trucks; • Centralized collection system including eight collection points with 10-20 containers with a capacity of 660 L each and requiring two compacting trucks; • Biowaste collection system for the four identified markets – four collections points, with 10-20 containers with a capacity of 660 L each and requiring one compacting trucks. • Surfacing of 3.7 km of access road

		The SWM System Subproject will be located at Chrok Mates village, Sangkat Chrok Mates, Bavet
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* COI varies depending on width of pipe to be installed and installation depth, both which directly impact top width of working ditch.

** COI varies depending on design capacity required for storm water flow and possible depth of canal to maintain effective flow velocities. Existing width of open canals varies considerably depending on their current condition.

2. Efforts have been made to avoid or reduce the resettlement impacts during feasibility study outline design, especially the impact caused by the sewer and storm water drainage networks. The following alternatives have been considered to avoid or minimize resettlement: (i) re-align wastewater pipe alignments away from impacts on structures or privately owned land; (ii) change of flow direction of wastewater to allow removal of wastewater pipe crossing privately owned land, and (iii) construct wastewater and storm water networks and wastewater pumping stations as much as possible within the existing ROW of the roads and canals.

B. Scope of Impacts

3. Scope of impact of the Subproject, based on IOL survey (Table 1.2), will include overall impact on assets and/or economic displacement of 73 affected households (AHs) and 271 affected peoples (APs). A total of 5 AHs/21 APs lose privately owned residential land (698.4 m²), 5 AHs/15 APs will lose privately owned agricultural land (52,427.5 m²) and 9 AHs/24 APs will lose privately owned unused agricultural land (126,107 m²), all of which are the legal and legalizable owners of the land. Land of 154,000 m² required for SWM landfill will be acquired through negotiated settlement. In comparison, 27,323.54 m² of existing public right-of-way (ROW) will be used for the Subproject components, and 200,000 m² of public state land for the wastewater treatment plant (WWTP) site. 12 AHs/39 APs will lose access to productive agricultural land within the existing ROW (9,972 m²). One (1) AH/3 APs will lose more than 10% of their productive agricultural land².

Table 1.2: Summary of Subproject Impact

Impact Type (without double counting)	Assets (Quantity / Unit)	AHs	APs
Affected Households/Affected Persons		73	271
Vulnerable AHs/APs		None	None
Major Impact on AHs/APs		1	3
Residential land (private)	698.40 m ²	5	21
Agricultural land (private)	52,427.50 m ²	5	15
Unused agricultural land (private)	126,107.00 m ²	9	24
Loss of Land Use (productive land)	9,972.00 m ²	12	39
Primary/Residential structure	None	None	None
Secondary/auxiliary structures	44 structures	29	100
Timber trees	1,201 trees	26	113
Fruit trees	39 trees	8	34
Minor business disruption		2	7

4. No AHs are relocated or have impact on primary structures, but 29 AHs/100 APs will have impact on 44 units of secondary structures. 26 AHs/113 APs have impact on 1,201 timber trees and 8 AHs/34 APs have impact on 39 fruit trees. 2 AHs/7 APs have minor business disruption on their shops located on the walkway, which will be compensated for lost income. Impact on 127 market and street vendors is avoided through opting for night-time construction work schedule, hence there is no business disruption. None of the AH is vulnerable.

5. This Basic Resettlement Plan (BRP) has been prepared based on an outline engineering design and inventory of losses (IOL)/socio-economic survey (SES). An IR

² The severity of impact will further be confirmed at the DMS stage and reflected in the DRP based on the final data collected on all AHs experiencing major impact and permanent loss of livelihood.

screening was conducted in August - September 2020 and the Subproject was classified as category "B" for IR impact as it includes land acquisition and resettlement impacts which were not deemed significant. The project is also categorized to have high safeguards risk as per Covid-19 risk screening (see decision framework in Annex A). The BRP will be updated after the detailed engineering design (DED), detailed measurement survey (DMS) and replacement cost study (RCS) during the preparation of the Detailed Resettlement Plan (DRP). This BRP will be updated after DED and DMS stage and will be submitted and cleared by ADB prior to (i) the commencement of civil works; and (ii) land acquisition and involuntary resettlement impacts will occur to the APs.

C. Entitlement Matrix

6. The entitlement matrix provides agreed compensation and assistance measures to mitigate for impacts. For this Subproject, the entitlements comprise (i) loss of private land; (ii) loss of secondary and other structures; (iii) loss fruit and timber trees; (iv) loss of land use; (v) temporary loss of income; and (vi) unanticipated impacts. The replacement cost study (RCS) will be conducted by an independent firm, during the preparation of DRP, which will establish the replacement cost at current market rates for compensation.

7. The cut-off date for eligibility to the subproject entitlements is **12 September 2020**.

D. Recommended Actions

8. **Consultations, public meetings and disclosure** were conducted during preparation of the BRP. The first public consultation at Subproject preparation stage was conducted on 11-12 September 2020, including dissemination of public information booklet (PIB). The public consultation meetings provided good opportunity to the AHs to express their concerns mainly about actual impacts on land and the viability of farming on marginal lands after acquisition, IOL/SES, compensation payments, cut-off date (COD) and grievance redress mechanism (GRM). Further consultations will be conducted after the DED stage for (i) DMS and (ii) preparation of DRP. The consultation process will follow strict precautions for preventing spread of Covid-19. This BRP and all associated documents (updates, corrective action plans etc.) approved by the Inter-ministerial Resettlement Committee (IRC) and concurred by Asian Development Bank (ADB), and semi-annual social safeguards monitoring reports, will be disclosed on Ministry of Public Works and Transport (MPWT) and ADB websites.

9. **The grievance redress mechanism (GRM)** will follow the 3-Step process as described in the Royal Government of Cambodia (RGC) Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement for Externally Financed Projects in Cambodia promulgated under Sub-Decree No. 22.ANK.BK on 22 February 2018. Aggrieved AHs/APs can lodge a complaint at the District, General Department of Resettlement (GDR), and Provincial levels to seek timely resolution. The authority is vested with the Provincial Grievance Redress Committee (PGRC) to make the final administrative decision in the event that AH/AP is not satisfied with the resolution at the District or GDR level. If the AH/AP is not satisfied with the decision of the PGRC, s/he is free to file a lawsuit in the competent court (Municipal or Provincial court, as applicable).

10. As per **institutional arrangements**, the Subproject will be implemented by the Ministry of Public Works and Transport (MPWT) as the executing agency (EA) through a Project Management Unit (PMU), which will support the EA to undertake overall oversight and management of the Project. However, under the oversight of the Inter-ministerial Resettlement Committee (IRC), the GDR of the Ministry of Economy and Finance (MEF), through its Resettlement Department 2 (RD2), will be the lead agency directly responsible for updating, implementing, reporting and monitoring the planning and implementation of LAR activities. A project level Inter-ministerial Committee Working Group (IRC-WG) will be established to

provide overall guidance and oversight and ensure effective coordination among various line ministries on matters related to LAR activities. At the provincial level, the MPWT and IRC are assisted by the GRC, Provincial Resettlement Sub-Committee (PRSC) and Provincial Resettlement Sub-Committee Working-Group (PRSC-WG). A Project Implementation Unit (PIU) will be set up in the Provincial Department of Public Works and Transport (PDPWT) to work with the IRC-WG and PRSC-WG in guiding, supporting, and endorsing the work.

11. **Implementation Schedule.** All resettlement activities will be coordinated with the civil works schedule. This BRP will be updated into DRP, to be based on approved DED and complete DMS/SES, consultations, and RCS. The DRP shall be submitted to ADB for review and clearance. The implementation of LAR activities will commence after the approval of the DRP by IRC and cleared by ADB, and the approval of resettlement budget by MEF. The compensation payments will be carried out for all AHs prior to site clearance. MPWT will not allow construction activities at affected sites until all resettlement activities have been satisfactorily completed, compensation has been paid, and the site is free of all encumbrances. However, construction that is confined to the ROW and where there are no AHs will proceed based on agreement between MPWT and ADB.

12. **Monitoring and Reporting.** The Department of Internal Monitoring and Data Management (DIMDM) of the GDR will undertake regular internal monitoring. The objective of internal monitoring is to (i) measure and report on the progress in the preparation and implementation of the DRP; (ii) identify problems and risks, if any and the measures to mitigate them; and (iii) assess if the compensation and rehabilitation assistance are in accordance with the provisions under the DRP. A semi-annual social safeguard monitoring report will be prepared and submitted to the ADB by GDR.

13. The total **resettlement and compensation cost** for the Subproject is estimated at **\$1,350,144.20**. This includes compensation for land, structures, trees, IRP, other entitlements and allowances of the AHs, RCS, management costs for DRP implementation, and contingency. The amount will be finalized after the RCS and will be reflected in the DRP. All the costs will be financed from the national budget and no financing will be required from the ADB loan and grant. The MEF will be responsible in ensuring the timely availability of funds.

I. PROJECT DESCRIPTION

A. General Description of the Project

1. The proposed Livable Cities Investment Project (LCIP) will assist the Government of the Cambodia to facilitate long-term sustainable and economic growth through improving the environment of secondary cities in Cambodia. It will provide interventions to improve: (i) the regulatory environment; (ii) the institution and governance arrangements pertaining to the infrastructure sector; and (iii) the urban infrastructure (with a focus on sanitation, solid waste management (SWM) and stormwater drainage sectors).

2. The LCIP is aligned with the government's policies and national strategies, in particular, the government's Rectangular Strategy – Phase IV¹. The Project is consistent with ADB Strategy 2030² and supports key operational priorities of tackling climate change, making cities more livable, and strengthening governance and institutional capacity. It is also aligned with the Cambodia Country Partnership Strategy 2019-2023, especially in promoting local economic development pillar.

B. Project Area

3. The LCIP will concentrate on three secondary cities of Bavet, Poipet and Kampot due to their economic potential and location at key trade and tourism zones (Figure 2.1). As a result of recent population growth, these cities have identified that the limited infrastructure is restricting their development potential. Existing services are no longer operating optimally and incapable of servicing demands. The LCIP proposes to adopt a holistic methodology, comprising of an integrated urban development approach, to ensure interventions consider land use, long term city needs, asset management, and asset financing for sustainable operations.

Figure 2.1 Location of target cities



¹ Rectangular strategy for growth, employment, equity and efficiency: building the foundation toward realizing the Cambodia vision 2050 phase IV of the Royal Government of Cambodia of the sixth legislature of the national assembly. Phnom Penh <http://cnv.org.kh/wp-content/uploads/2012/10/Rectangular-Strategy-Phase-IV-of-the-Royal-Government-of-Cambodia-of-the-Sixth-Legislature-of-the-National-Assembly-2018-2023.pdf>

² Strategy 2030, Achieving a Prosperous, Inclusive, Resilient, and Sustainable Asia and the Pacific. ADB, July 2018 <https://www.adb.org/sites/default/files/institutional-document/435391/strategy-2030-main-document.pdf>

C. Expected Project Outputs

4. The LCIP outputs include:
 - i. Output 1: policy and regulatory environment improved;
 - ii. Output 2: urban infrastructure improved; and
 - iii. Output 3: institutional effectiveness, and governance improved.
5. The LCIP builds on storm water drainage system and material recovery facility (MRF) developed by Greater Mekong Subregion Southern Economic Corridor Towns Development Project (GMS1) by extending the storm water drainage network, as well as the expansion of the solid waste management service. There is no overlap between the two projects.
6. The LCIP will focus on enhancing urban planning, building community resilience, and providing infrastructure. Only the subprojects in output 2 will result in land acquisition and resettlement (LAR). Under output 2 of LCIP, two (2) subprojects are proposed to be implemented in Bavet. They included (i) Wastewater Treatment Plant (WWTP) and Conveyance Network and Stormwater Drainage Network Subproject and (ii) Solid Waste Management System Subproject. Detailed description of the salient Subproject features is given in Annex B. Table 2.1 summarizes the scope of major civil works of the two (2) subprojects.

Table 2.1: Summary of Major Scope of Works of the Subprojects

No.	Subproject Name	Component Descriptions
1	WWTP and Conveyance Network and Stormwater Drainage Network Subproject	The wastewater component will include the construction of: <ul style="list-style-type: none"> • Sewerage collection: 66.1 km, corridor of impact (COI) 2.4 - 3.3 m* • Force main: 9.5 km, COI 2.4 - 3.3 m • Pumping stations: 6 • Connection to the centralized system (after pre-treatment) for SEZs located in areas served by the sewer network.
		The component will cover the villages of Bavet Leu, Bavet Kandal, Chrak Leav, Ta Boeb and Ta Pov in Sangkat Bavet.
		The WWTP component will include the construction of: <ul style="list-style-type: none"> • WWTP treatment capacity 3,930 m³/day using waste stabilization pond treatment (Anaerobic Ponds + Facultative Ponds + Maturation Ponds). Site size: 20 ha
		The location of WWTP will be at Thnanh Village, Sangkat Bati, Bavet.
		The component will include the construction of: <ul style="list-style-type: none"> • Open channel: 6.8 km, COI 1.6 - 3.3 m** • Box culvert concrete pipelines: 1.9 km, COI 6.27 - 11.27 m • U-drains in the not yet built-up area: 1.0 km • Outfalls: 2 (no buffer zones required)
		The component will cover Sangkat Bavet

No.	Subproject Name	Component Descriptions
2	Solid Waste Management System Subproject	<p>The component will include the construction of:</p> <ul style="list-style-type: none"> Sorting plant, composting plant, controlled landfill (capacity 516,305 m³ - Site size: 15.5 ha) Acquisition of 16 compacting trucks (capacity of five tons each): <ul style="list-style-type: none"> Improvement of the door-to-door waste collection system in the urban area - acquisition of 13 compacting trucks; Centralized collection system including eight collection points with 10-20 containers with a capacity of 660 L each and requiring two compacting trucks; Biowaste collection system for the four identified markets – four collections points, with 10-20 containers with a capacity of 660 L each and requiring one compacting trucks. Surfacing of 3.7 km of access road <p>The component will be located at Chrok Mates village, Sangkat Chrok Mates, Bavet</p>

* COI varies depending on width of pipe to be installed and installation depth, both of which directly impact top width of working trench.

** COI varies depending on design capacity required for storm water flow and possible depth of canal to maintain effective flow velocities. Existing width of 6.8 km of open canals varies considerably (1-3 m) depending on their location and current condition.

D. Alternatives Considered to Avoid or Minimize Resettlement

7. Alternative sites were evaluated during feasibility study for Solid Waste Management (SWM) System Subproject in November 2019 and presented during the Urban Development Scenario workshop in December 2019. Its purpose was to identify the suitability of the sites proposed by the city authorities and by the TRTA Consultant to anticipate and mitigate land acquisition issues and to secure the project preparation and implementation process. The two sites were selected based on discussions between the MPWT, the Municipal Administration, and the TRTA Consultant (Figure 2.2 and Table 2.2). Both sites chosen fulfilled the criteria of the “Technical Guidelines on Urban Solid Waste Management” (MoE, 2016), i.e. more than 10 km from the Bavet downtown, 4 km from the National Road No.1, more than 5 km from the tourism site/religion site, more than 60 km from the national heritage, and more than 100 km from the airport.

8. Site 1 is close to the existing dump site and the cheapest regarding the cost per capita. This site itself is both in compliance with the criteria from the technical guideline on urban solid waste management (MoE, 2016) as well as having year-round access road and experiencing no flooding. Site 2 is located 15 km southeast of the city center. The location is mostly agricultural with paddy rice field. Based on testimonies on flooding, the water level in the fields is around 40 cm during the rainy season. As such, the site requires more backfilling for flood mitigation and longer rehabilitation of access road, and hence higher capital costs.

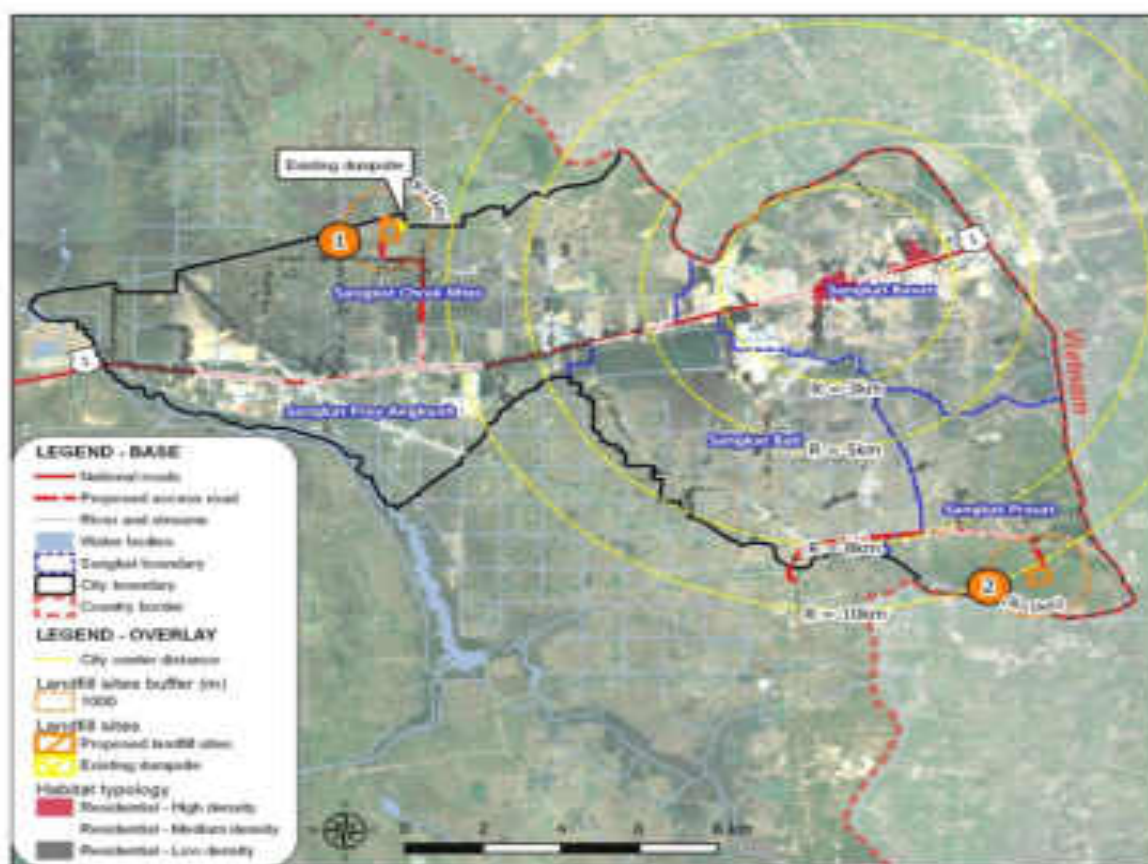
Table 2.2: Summary of Landfill Site Assessment

Criteria	Site 1	Site 2
Area available	10 to 20 ha	10 to 20 ha
Owner	Private	Private
Site description	Agricultural land (rice) and unused land, adjacent to the existing dump site	Agricultural land and rice fields
Distance from city center	12 km	10 km
Distance from the closest residential area	More than 300 m	More than 300 m but close to the Viet Nam border
Access road	Work to be done along 5 km (revetment, drainage)	Work to be done along 15 km (revetment, drainage)

Environmental	No flooding. No special ecosystem	Annual flooding, around 40 cm. No special ecosystem
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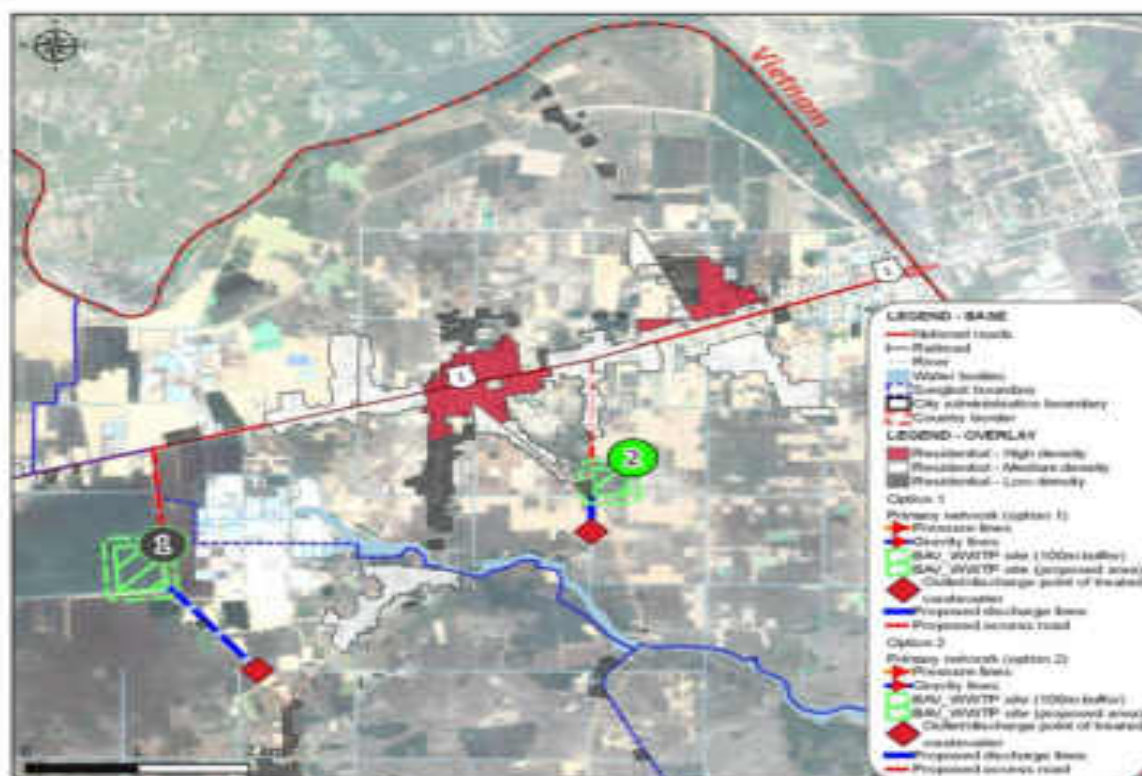
9. Site 1 was selected during the workshop held in Phnom Penh on December 12, 2019 in order to: (i) avoid any additional environmental impact compared to the existing situation with current dump site and to avoid to occupy a new location for SWM, (ii) reduce investment cost due to longer access road rehabilitation and site backfilling, and (iii) reduce site LAR costs, impact on private property and number of affected households. The detailed attendance list is available in the LCIP Solid Waste Management volume. Following the selection, a joint MPWT/MoE/TRTA mission has been conducted in October 2020 to confirm the approval in principle. Subsequently, this site already got the principal approval from MoE, letter No.1555 dated Nov.23, 2020 (Appendix 2). Site selection was further discussed in multi-stakeholder meeting on 29th September 2020 (Annex C).

Figure 2.2: Alternative Sites Considered for SWM



10. Alternative sites were also considered initially for WWTP site (Figure 2.3). Site 1 is located on public parkland that is adjacent to the existing Materials Recovery Facility (MRF) constructed in 2018, whereas site 2 is located 3.8 km East of site 1 on private land on “mixed use residential” land use area. Site 2 also has four existing houses within a 100-m buffer zone and three development areas (residential under construction) outside the buffer zone. Due to land acquisition costs as well as planned land use around and within the WWTP buffer zone for site 2, site 1 was selected during the workshop held in Phnom Penh on December 12, 2019.




Figure 2.3: Alternative Sites Considered for SWM



11. Efforts have been made to avoid or reduce the resettlement impacts during feasibility study outline design (Table 2.3). Particularly the impact caused by the sewer and stormwater drainage networks, and pump stations were mitigated through technically feasible design alternatives. The sewerage network shall be laid in front of existing structures and houses, along the road. All impact avoidance and mitigation measures were coordinated closely with TRTA engineers.

Table 2.3: Measures to Minimize Land Acquisition and Resettlement Impact

No.	Component	Expected Impact*	Avoidance/mitigation Measures Applied
1	Wastewater	Point 3418 to 3422 impact on one primary structure	The line has been shifted on the left side to avoid impact to the house.

2	Wastewater	Point 767 to 771 avoid impact on private land	<p>Wastewater flow has been redirected to the North. 150m of the line have been removed to avoid crossing private land.</p> 
3	Wastewater	From point 2536 to 2542 impact on private residential land (Tang Seng company).	<p>Wastewater line removed (400m) and the services to be provided along the access road to the HHs</p> 
4	Wastewater	Point 3373 to 3374 impact on private land	<p>The network is already shallow in this area, it is not possible to connect to 2794 with the opposite gradient. As the proposed alignment is crossing private land, it has been shifted on the east side of the building</p> 
5	Wastewater	Point 1041 to 1046 impact on residential land	<p>Removed (100m)</p>

* "Point" refers to reference points used for inventory of losses for COI centerline locations located every 25m.

12. At the detailed engineering design (DED) stage the Measures to Minimize Land Acquisition and Resettlement Impact shall be provided in more detail during consultations with AHs/APs.

E. Approaches to Land Acquisition and Involuntary Resettlement

13. This Basic Resettlement Plan (BRP) describes three prone approach to land acquisition and involuntary resettlement as follows:

- (i) The acquisition of land thorough Willing Buyer Willing Seller (WBWS) methodology;
- (ii) The acquisition of land will through Negotiated Settlement methodology; and
- (iii) The acquisition of land will be through Involuntary Resettlement.

14. Where the number of AHs is small items (i) and (ii) above will apply and no DRP will be prepared. For a large number of AHs, a DRP will be prepared under item (iii) approach. While the BRP describes detail procedures for (iii) following ADB's SPS and RGC's laws and regulations, the methodology on land acquisition under items (i) and (ii) are as follows:

(i) WBWS Methodology

15. Willing buyer/willing seller can take place where land markets are functioning, the transaction takes place with the seller's consent, and the seller receives a price consistent with prevailing market prices. This is not to be applied to infrastructure projects where there are multiple affected persons, or where there are no options to change the siting of infrastructure in the absence of agreements. In case of WBWS, the following process would be adopted:

- a) The General Department of resettlement (GDR) will conduct meaningful consultation in an understandable language with the AHs to ensure they are properly informed about the project/subproject, its benefits, the land needed for the project/subproject, resettlement policies, laws and regulations, entitlements and compensation at full replacement costs at current market rates. The GDR will discuss with the AHs on their willingness to sell the land for the construction of the project/subproject and obtain their approval.
- b) The GDR will conduct the DMS and the RCS to determine the inventory of losses and the replacement costs.
- c) The RCS will calculate the market value of the land that will need to be acquired.
- d) If there is a loss of income, the RCS consultant will calculate the amounts of losses based on the Entitlement Matrix (EM) attached to the BRP.
- e) In case of loss of fruit trees, the RCS consultant will calculate the economic loss based on maturity and formula shown in the EM.
- f) If there is physical displacement, transitional allowances will be provided at the rate shown in the EM.
- g) The total amount of compensation will be calculated and offered as a lump sum amount to each AHs.
- h) A contract will be prepared showing the breakdown and the total amount of the compensation and negotiated with each AH. Minutes will be prepared and signed by the IRC-WG and the AH.
- i) If all AHs agree with their lump sum compensation package, the lump sum amount will be paid upon signing of the contracts.
- j) Due to the confidentiality of information and the commercial nature of the contract, all documents on WBWS negotiations will be kept at GDR for verification by ADB.³

³ Aide Memoire Attachment 3, Item 4 (1) of the Safeguard Policy Dialogue Mission 22-23 August 2019.

(ii) Negotiated Settlement

16. In case of **negotiated settlement**, the following process will be adopted to follow the process in para. 25, Appendix 2 of SPS:

- a) To ensure any negotiations with displaced persons address the risks of asymmetry of information and bargaining power of the parties involved in such transactions, the GDR will engage an independent external party to document the negotiation and settlement processes and agree with ADB on the processes, policies, calculation of costs and record-keeping requirements.
- b) The General Department of Resettlement (GDR) will conduct meaningful consultation in an understandable language with the AHs to ensure they are properly informed about the project/subproject, its benefits, the land needed for the project/subproject, resettlement policies, laws and regulations, entitlements and compensation at full replacement costs at current market rates.
- c) The GDR will conduct the DMS and the RCS to determine the inventory of losses and the replacement costs.
- d) The RCS will calculate the market value of the land that will need to be acquired.
- e) If there is a loss of income, the RCS consultant will calculate the amounts of losses based on the EM attached to the BRP.
- f) In case of loss of fruit trees, the RCS consultant will calculate the economic loss based on maturity and formula shown in the EM.
- g) If there is physical displacement, transitional allowances will be provided at the rate shown in the EM.
- h) The total amount of compensation will be calculated and offered as a lump sum amount.
- i) A contract will be prepared showing the breakdown and the total amount of the compensation and negotiated with each AH. Minutes will be prepared by the independent external party and signed by the IRC-WG and the AH and witnessed by the Commune or Village official.
- j) If all AHs agree with their lump sum compensation package, the lump sum amount will be paid upon signing of the contracts.
- k) In case an AH does not agree on the negotiated settlement, the offer of negotiated settlement for all the AHs will be withdrawn and GDR will proceed to prepare the DRP for submission to ADB for review and approval. Principles agreed in this BRP will apply, if DRP will need to be prepared upon failure of negotiations. In such cases, ADB's involuntary resettlement requirements laid out in the SPS will apply.
- l) The information on the negotiated settlement will be included in the monitoring reports after the process is completed and submitted to the ADB.⁴

⁴ Aide Memoire Attachment 3, Item 4 (2) of the Safeguard Policy Dialogue Mission 22-23 August 2019.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Projects Potential Impact

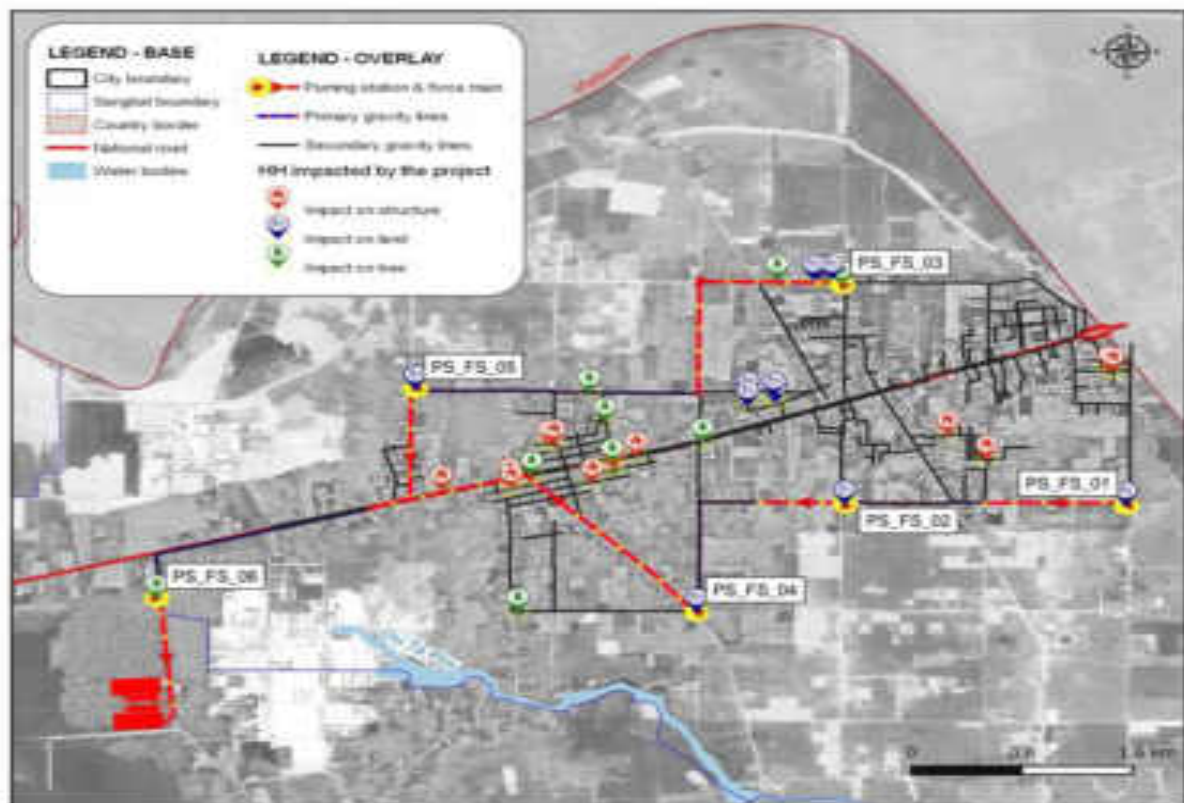
17. Wastewater system collector sewer (66.1 km) will be located on the existing ROW of the streets (see network in Figure 3.1) requiring 174,881 m² of public land within the ROW. The ROW for the roads is government owned (public) land, administered by the Ministry of Public Works and Transport (MPWT).⁵ Sewerage collectors' COI is between 2.4 - 3.3 m (PVC pipes of DN 200 to 700 mm) and force main COI is between 2.4 - 3.3 m (PVC pipes of DN 200 to 700 mm). The existing ROW naturally varies from road to road depending on their classification and is 20 m (10 m from centerline) for collector roads, 30 m for provincial roads (15 m from centerline), 50 m for national road (25 m from centerline). ROW for rural roads is 40 m (20 m from centerline). The collector lines will provide for the connection to the individual houses/buildings. They will be installed under the sidewalks or within road shoulders to avoid impact. In sections where other underground utilities are installed under the sidewalk or in narrow roads, the lateral lines will have to be installed closer to the houses. The collector sewer will have minor impact on private land, as well as secondary and other structures built illegally on top of public sidewalks within the existing ROW of the streets. The remaining IR impact is unavoidable due to network design, which dictates the depth of sewer lines, flow direction and network connectivity.

18. The pumping stations are partially on the existing ROW of roads parallel to the pumping station locations, and partially on private land (impacting on 1,693 m²). The overall location of the six (6) pumping stations is critical for network design and operations, and this impact cannot be avoided. Wastewater system force main (9.5 km) will be located under the national road no. 1, where it does not cause any IR impact.

19. The WWTP site (200,000 m²) will be located on public land, which was handed over from administration of Ministry of Agriculture, Forestry and Fisheries (MAFF) to administration of MPWT in year 2021. The site is free of encumbrances. The access to the proposed site is from the national road no. 1 along a newly build southern access to Manhattan Special Economic Zone. Effluent discharged from the WWTP site will be to an existing canal next to the site. Therefore, the WWTP site does not cause any IR impact.

⁵ Article 8, Letter No. 1221 of Ministry of Interior, dated 24 August 2012

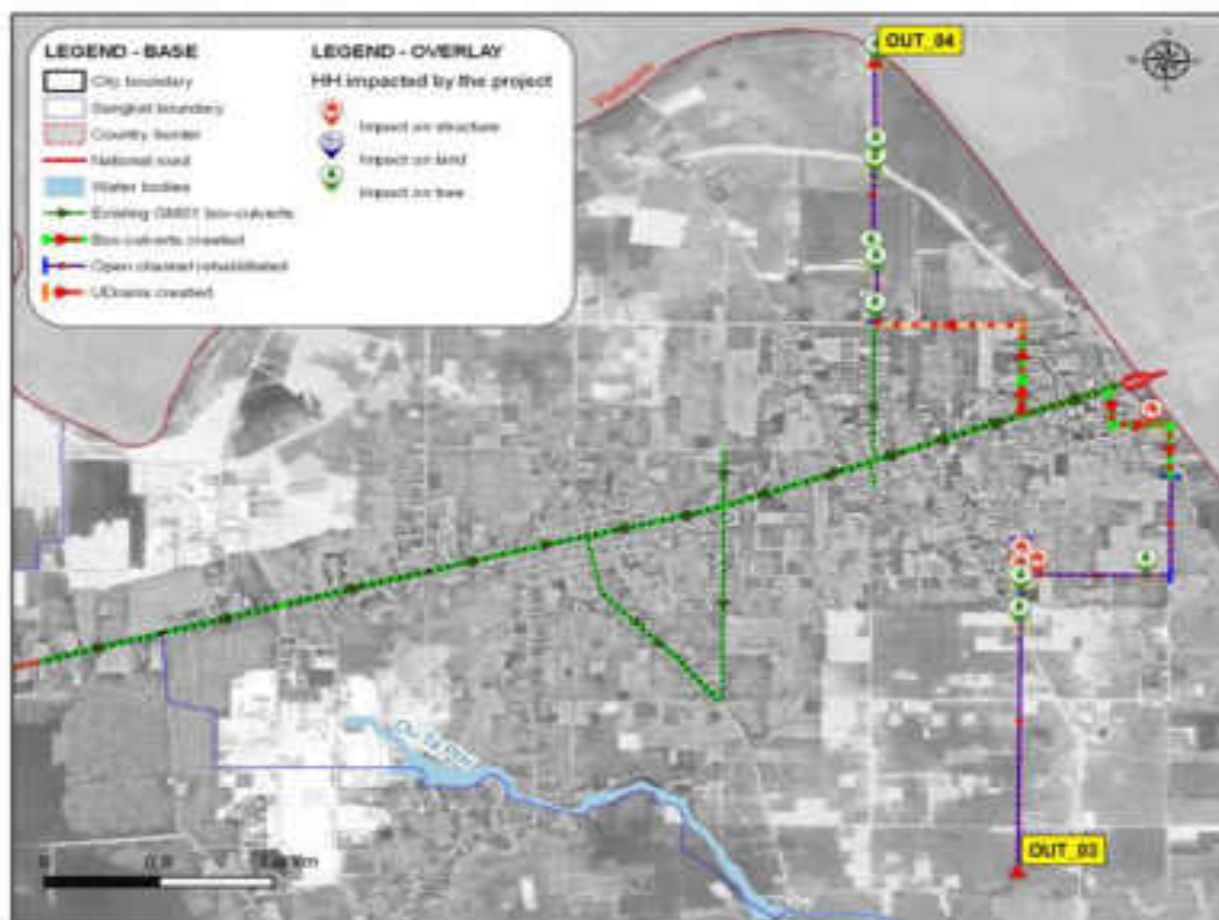
Figure 3.1: Wastewater component overview with key locations for impact on AHs



20. The stormwater drainage network (9.7 km) will be built in sections (Figure 3.2) requiring 23,496.74 m² of public land within the ROW. The ROW is government owned (public) land and it is partially on roads (administered by the MPWT⁶) and partially on existing drainage canals (administered by the Ministry of Water Resources and Meteorology (MOWRAM)⁷). The box culvert section (1.9 km) is placed under the side of the existing roads within their ROW. Box culverts will not have any IR impact. Open channel sections improvement (6.8 km) and U-drains section (1.0 km) are mainly built on the existing ROW of the Khmer-rouge era irrigation canals. The ROW varies depending on the existing canal current width, and especially further out from Bavet city the existing canals physically narrow down significantly. Therefore, both of the canals will cause some IR impact on private agricultural (12,788 m²) and unused land (10,752 m²), secondary and other structures, trees and loss of land use (9,060 m²). The width of the existing canals needs to be widened to accommodate the increase of peak storm flow capacity of the canals with increased service/catchment area, especially as the deepening of the canals is not an option in the very flat topography of Bavet. The existing open canals are next to roads; hence construction access is not required separately. The outfalls do not require buffer zones, and hence do not have any IR impact.

⁶ Article 8, Letter No. 1221 of Ministry of Interior, dated 24 August 2012

⁷ Article 8, Sub-Decree No. 98 on River Basin management. MOWRAM, June 2025



21. The municipal solid waste management site (approximately 155,000 m² in total) is proposed to be constructed partially on privately-owned land (154,000 m²), while some will be on public ROW (Figure 3.3). Privately owned land will be acquired through negotiated settlement procedure stated in para. 16 of this BRP. An existing rural road, currently being partially upgraded, will be surfaced to provide all-year access to a new landfill site. The access road does not require widening, but rehabilitation of road surfacing (on equal plane) along the full length of the road is expected to cause minor loss of land use on ROW (712 m²) and other secondary structures (fences). The access road and SWM site require 2,542 m² of public land within the ROW. The ROW for the roads is government owned (public) land, administered by the MPWT.⁸ The ROW is free of encumbrances apart from 712 m² of agricultural cultivation and number of impacted trees.

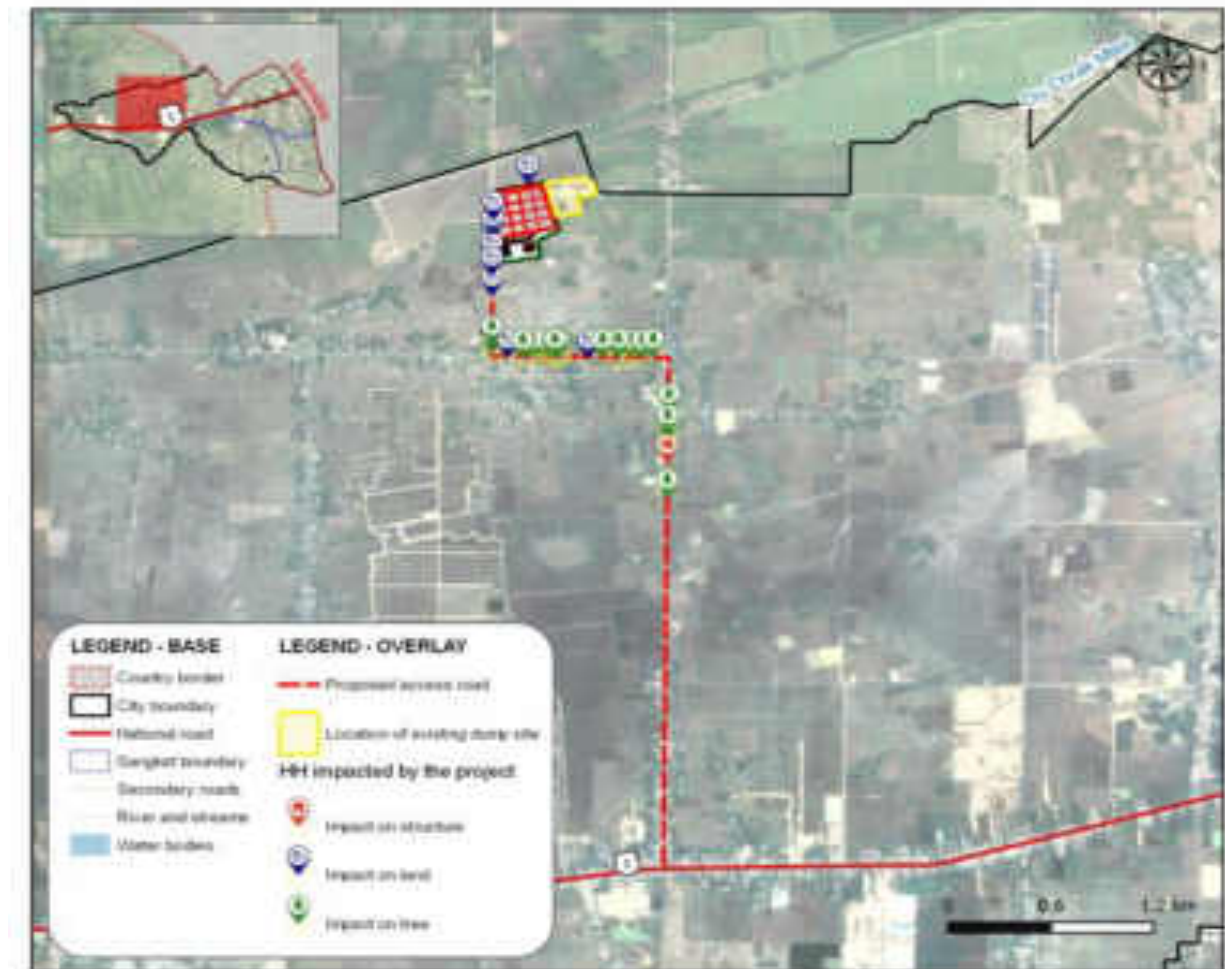
22. The existing dumpsite has 26 AHs/115 APs of informal waste pickers. The existing dumpsite is located on privately owned land and operated by private company. Therefore, the dumpsite is not closed by the Project. It is expected that the existing dumpsite, operated by private contractor, will close once the new SWM site becomes operational, and the waste will be directed at the new site.⁹ Hence, the project causes indirect impact on livelihoods of waste

⁸ Article 8, Letter No. 1221 of Ministry of Interior, dated 24 August 2012

⁹ Existing dumpsite management is contracted by City Hall to a private company. Closing of the existing site is in the contract between the two parties, and as such not part of the subproject.

pickers,¹⁰ and this will be covered under the Environment Management Plan (EMP) of the Bavet Subproject.

Figure 3.3: Solid Waste Management component overview with key locations for impact on AHs



B. Scope of Land Acquisition

23. An IR screening was conducted in August - September 2020 and the Subprojects was classified as category "B" for IR impact as it includes land acquisition and resettlement impacts which were not deemed significant. Public consultation with AHs on the Project scope and entitlements and IOL/SES with AHs/APs was conducted by TRTA consultant from August to September 2020 to determine the potential impacts on land and physical and economic assets of the AHs/APs (see IOL/SES form in Annex D). IOL/SES was conducted digitally using Kobo Toolbox and SW Maps software on tablets and smart phones. Kobo Toolbox contained a digital IOL/SES survey form, whereas SW Maps was used to record georeferenced pictures of the impacted assets. These were combined into one dataset to ensure reliability and completeness. The data has been shared with GDR, MPWT and ADB. The assessment of scale of impact on land and other physical assets was done by the survey team via a transect walk-through of the entire stretch of the wastewater network and stormwater drainage alignment to demarcate the COI, as well as SWM site boundaries. The COI was defined and

¹⁰ Based on SES and consultations with waste pickers conducted during the subproject IOL/SES, out of 26 waste pickers AHs (20 male and 6 female) all are doing waste picking as their primary occupation.

all assets within COI, such as privately owned land, secondary and other structures, loss of land use, and other assets such as trees among others were measured. The TRTA consultant measured the areas of affected land and structures, identified the types of materials of affected secondary structures, and the types of trees to be impacted. Georeferenced pictures of assets and gender disaggregated IOL/SES data obtained information on the names of the AHs and all assets that are within the COI.

24. The cut-off date (COD) was set at **12 September 2020** as the date of beginning of public consultations. The COD was also confirmed with a letter from MPWT to Svay Rieng Provincial authorities (Annex E). As per COD letter, the Provincial Officials of Svay Rieng are responsible to ensure strict compliance of the established COD, and that close coordination amongst local offices within the municipality will be undertaken on the monitored and controlled issuance of new building and land use permits within the vicinity of the project. The information about the COD will be disseminated throughout the subproject area during DMS/SES.

C. Summary of Affected Assets and Displaced Persons

25. The Subprojects require total of 580,152.62 m² of land, out of which 400,919.74 m² is government owned (public) land (within ROW) while the Subproject will acquire 179,232.90 m² of private land. Of the privately-owned land acquired, 154,000 m² is agricultural land from 5 AHs/15 APs for SWM landfill through negotiated settlement procedure stated in para. 16 of this BRP. Overall, the Subprojects will cause impact on assets and/or economic displacement of 73 AHs/271 APs, out of which 64 affected household heads (AHHs) are male (88%) and 9 AHHs are female (12%). Out of all AHs, none of the AH is vulnerable. A total of 5 AHs/21 APs lose privately owned residential land (698.4 m²), 5 AHs/15 APs will lose privately owned agricultural land (52,427.5 m²) and 9 AHs/24 APs will lose privately owned unused agricultural land (126,107 m²),¹¹ all of which they are the legal and legalizable owners of the land. 11 AHs/37 APs will lose access to productive agricultural land within the existing ROW (9,972 m²). One of the AHs (3 APs) lose more than 10% of their productive agricultural land¹² (see "Major Impact" below for more details). No AHs are relocated or have impact on primary structures, 29 AHs/100 APs will have impact on 44 units of secondary structures. 23 AHs/102 APs have impact on 1,201 timber trees and 6 AHs/25 APs have impact on 39 fruit trees. 2 AHs/7 APs have minor business disruption on their shops located on the walkway, which will be compensated for lost income. There are 127 street vendors in three market areas identified along the sewer lines, but based on the preliminary design assessment stage, they will not have impact due to the construction being done at night-time only. The vendors will not need to temporarily relocate and can continue their business uninterrupted at their original place of business. Summary of LAR impacts are in Table 3.1.

Table 3.1: Summary of LAR Impact Type under the Subprojects

Impact Type (without double counting)	SWM		Stormwater		Wastewater		Total	
	Assets	AHs/ APs	Assets	AHs/ APs	Assets	AHs/ APs	Assets (Quantity / Unit)	AHs/ APs
AHs/APs		27/11 7		12/44		34/110		73/271
Vulnerable AHs/APs								None
Major Impact on AHs/APs		1/3						1/3
Residential land (private)					698.40	5/21	698.40 m ²	5/21
Agricultural land (private)	39,600	1/3	12,788	3/9	40.00	1/3	52,427.50 m ²	5/15
Unused agricultural land (private)	114,400	4/13	10,752	1/4	955.00	4/7	126,107.00 m ²	9/24
Loss of Land Use/ROW	712	7/25	9,060	4/11	200.00	1/3	9,972.00 m ²	12/39

¹¹ Unused agricultural land refers to idle land which is unimproved land and hence not suitable for paddy rice-based agriculture of Cambodia without investment on land improvement.

¹² The severity of impact will further be confirmed at the DMS stage and reflected in the DRP based on the final data collected on all AHs experiencing major impact and permanent loss of livelihood.

Impact Type (without double counting)	SWM		Stormwater		Wastewater		Total	
	Assets	AHs/ APs	Assets	AHs/ APs	Assets	AHs/ APs	Assets (Quantity / Unit)	AHs/ APs
(productive use on public land)								
Public land (total)	2,542		23,496.74		374,881.00		400,919.74 m ²	None
Primary/Residential structure							None	None
Secondary/auxiliary structures	7	7/28	7	5/21	30	17/51	44 structures	29/100
Timber trees	166	14/71	934	4/16	101	5/15	1,201 trees	26/113
Fruit trees	23	2/10	6	1/4	10	3/11	39 trees	8/34
Minor business disruption						2/7		2/7

Source: TRTA Consultants IOL October-November 2020

D. Anticipated Subproject Impacts

(i) Impact on Land

26. The Subproject components cause IR impact on public land of 400,919.74 m², comprising of 200,000 m² for WWTP site and 200,919.74 m² of existing public ROW of roads and canals. 12 AHs/39 APs cultivate about 9,972 m² of the land on the existing public ROW of roads and canals while 17,351.54 m² of land currently illegally occupied by 18 AHs/52 APs is agricultural land, but not cultivated.

27. The Subprojects also impact private land of 19 AHs/60 APs (179,232.90 m²). The private land impact comprises 52,427.50 m² of agricultural land (5 AHs/15 APs), 126,107 m² of unused (agricultural) land (9 AHs/24 APs) and 698 m² of residential land (5 AHs/21 APs). Some AHs have impact on more than one land type. Table 3.2 summarizes the impact on land by component and land type.

28. Total impact on agricultural land is 62,399.50 m² (12 AHs/39 APs), out of which 52,427.50 m² is private agricultural land (5 AHs/15 APs) and 9,972 m² of agricultural land in use within the publicly owned ROW by 12 AHs/39 APs (Table 3.3). The land on public ROW of the roads and irrigation canals will not be compensated to the 12 AHs/39 APs, but loss of land use, structures and trees will be compensated as per EM. One (1) AH/3 APs will experience major impact due to loss of more than 10% of the productive agricultural land¹³ (see "Major Impact" below for more details).

29. Out of all the 19 AHs/60 APs having impact on private land, 3 AHs/8 APs are the legalizable owners who do not have land title yet (systematic registration process has not taken place yet for these parcels), and 16 AHs/52 APs are the legal owners with land title. All AHs using public ROW are using it without legal right or permit. Picture 3.1 shows typical unused land impacted.

Table 3.2: Summary of Land Impact by Component and Land Type

Subproject Component	Land Type*	Total AHs		Total Area of Private Land Holdings of AHs (m ²)	Area of Affected Land by Subproject (m ²)
		AHs	APs		
SWM	Agricultural	1	3	40,000.00	39,600.00
	Unused Agricultural Land	4	13	116,000.00	114,400.00
	Residential				0.00
	Public Land / ROW	11	38	(712.00 public land in cultivation)	2,542.00
Subtotal 1		16	54	156,000.00	156,542.00
Stormwater	Agricultural	3	9	242,900.00	12,787.50
	Unused Agricultural Land	1	4	257,000.00	10,752.00
	Residential				0.00

¹³ The severity of impact will further be confirmed at the DMS stage and reflected in the DRP based on the final data collected on all AHs experiencing major impact and permanent loss of livelihood.

Subproject Component	Land Type*	Total AHs		Total Area of Private Land Holdings of AHs (m ²)	Area of Affected Land by Subproject (m ²)
		AHs	APs		
	Public Land / ROW	6	19	(9,060.00 public land in cultivation)	23,496.74
	Subtotal 2	10	32	499,900.00	47,036.24
Wastewater	Agricultural	1	3	5,000.00	40.00
	Unused Agricultural Land	4	7	36,000.00	955.00
	Residential	5	21	15,087.00	698.40
	Public Land / ROW	6	13	(200.00 public land in cultivation)	374,881.00
	Subtotal 3	16	44	56,087.00	202,978.20
Total per Land Type	Agricultural	5	15	287,900.00	52,427.50
	Unused Land	9	24	409,000.00	126,107.00
	Residential	5	21	15,087.00	698.40
	Public Land / ROW	23	70	(9,972.00 public land in cultivation)	400,919.74
	Total	42	130	711,987.00	580,152.62

* Agricultural, unused and residential land all refer to privately owned land

Source: TRTA Consultants IOL October-November 2020

Table 3.3: Summary of Agricultural Land Loss

Subproject Component	Private Agricultural Land			Agricultural Land used within ROW			Total of Agricultural Land		
	AHs	APs	m ²	AHs	APs	m ²	AHs	APs	m ²
SWM	1	3	39,600.00	7	25	712.00	7	25	40,312.00
Stormwater	3	9	12,787.50	4	11	9,060.00	4	11	21,847.50
Wastewater	1	3	40.00	1	3	200.00	1	3	240.00
Total	5	15	52,427.50	12	39	9,972.00	12	39	62,399.50

Source: TRTA Consultants IOL October-November 2020

Picture 3.1: Left: temporary material storage site for near-by road construction (to be completed prior to subproject construction works), and right: unused land



30. The impacted private land for 154,000 m² at SWM site (5 AHs/16 APs) will be acquired either through negotiated resettlement procedures stated in para. 16 of this BRP. Impacted public land, and land within the existing ROW, will not be compensated.

31. The remainder of the private land impacted, including the narrow strips of land required for stormwater drainage (4 AHs/13 APs) as well as wastewater network and pump station locations (10 AHs/31 APs) will be acquired through expropriation as the design will not allow change of these locations in case land acquisition negotiated settlement fail.

(ii) Impact on Structures

32. There is no impact on primary structures, or houses, and hence no need for relocation. However, the Subproject will cause impact on 44 secondary structures (29 AHs/100 APs) with total impacted area of 1,306.50 m² as detailed in Table 3.4 and Table 3.5 respectively. Majority of the impact is caused by the wastewater and stormwater components, whereas landfill component causes only minor impact on 7 wood fences (7 AHs/28 APs). Some of the AHs can have impact on more than one kind of secondary structures.

Table 3.4: Summary of Secondary Structure Impact Affected Households

Type of Structure	SWM		Storm water		Wastewater		Total	
	Units	AHs/APs	Units	AHs/APs	Units	AHs/APs	Units	AHs/APs
Animal shed			1	1/7			1	1/7
Eave					8	8/35	8	8/35
Kitchen / storage			1	1/7	1	1/6	2	2/13
Cow stall					1	1/4	1	1/4
Store					2	2/7	2	2/7
Toilet					1	1/7	1	1/7
Fences	7	7/28	4	4/14	16	16/49	27	27/91
Poles and gates			1	1/7	1	1/2	2	2/9
Total	7		7		30		44	

Source: TRTA Consultants IOL October-November 2020

Table 3.5: Details of Secondary Structure Impact Units

Subproject Component	Other Structure	Unit	Total affected households*		Impact based on structure type		Area/Length of Impact
			AHs	APs	AHs	APs	
Landfill	Wood Fence	Lm	7	28	7	28	229.00
	Sub-Total 1		7	28	7	28	229.00
Storm water	Brick Fence (200mm)	M ²	1	1	1	1	14.00
	Concrete Fence	M ²	1	6	1	6	43.20
	Concrete Pole	M ²	1	7	1	7	3.00
	Concrete Pole + Wire	M ²	1	4	1	4	190.00
	Zine Fence	Lm	1	3	1	3	100.00
	Sub-Total 2		5	21	5	21	350.20
Wastewater	Brick Fence (100mm)	M ²	3	9	3	9	108.00
	Brick Fence (200mm)	M ²	4	12	4	12	200.00
	Brick Fence + Steel Pole	M ²	1	5	1	5	52.50
	Concrete Fence	Lm	1	2	1	2	8.40
	Concrete Gate Pole	Lm	1	2	1	2	1.00
	Concrete Pole + Wire	Lm	2	5	2	5	245.00
	Steel Fence	Lm	1	1	1	1	25.00
	Wire Fence	Lm	2	11	2	11	70.00
	Sub-Total 3		17	51	17	51	727.30
	Grand Total		29	100	29	100	1,306.50

* No double counting

Source: TRTA Consultants IOL October-November 2020

(iii) Impact on Trees

33. Total of 8 AHs/34 APs have impact on 39 fruit trees, and 26 AHs/113 APs have impact on 1,201 timber trees. Majority of the impacted trees are along the open canals of the stormwater component where acacia plantations are located. The primary occupation of the three (3) AHs with the largest impact on trees (400, 340 and 143 trees each respectively) is business/self-employment (2 AHs/9 APs) and government employee (1 AH/4 APs) all of them with high household income of between \$1,200 to \$2,000/HH. Hence, these AHs do not have major impact on their livelihoods due to the loss of the trees. Similarly, the remainder of AHs with impacted trees are not reliant on the trees as their primary income source, which will be

confirmed during DMS. The age, type and number of the trees has been recorded during IOL, which is the basis for the compensation rate for each of the tree type. Table 3.7 summarizes the affected trees by type and subproject component, Table 3.8 by tree type, while details of impact on trees per tree type, number and age is in Table 3.9.

34. There is impact on publicly owned trees on the WWTP site, which is a forest administration managed public forest within Sangkat Chhak Mtes and Sangkat Bavet. The ownership of the trees was confirmed in consultation with the Provincial Authorities. The trees are public property agreed with the Provincial Authorities to be compensated under the EMP to the Province. Communities do not have access to the forest without prior permission from the forestry administration.

Table 3.7: Summary of Impact on Trees

Trees	SWM	Storm water	Wastewater	Total	AHs/APs
Fruit	23	6	10	39	8/34
Timber	166	934	101	1,201	26/113
Total	189	940	111	1,240	29/127

Source: TRTA Consultants IOL October-November 2020

Table 3.8: Summary of Trees per Type

Type of tree species	SWM	Storm water	Wastewater	Total	AHs/APs
Fruit Trees					
Areca palm			3	3	1/4
Banana		5		5	1/4
Coconut		1		1	1/4
Elephant Fruit			1	1	1/3
Guava	1			1	1/6
Java Plum			1	1	1/3
Orange			2	2	1/4
Palm Tree	22			22	3/16
Rose Apple			1	1	1/4
Tamarind			2	2	1/4
Total Fruit Trees and AHs/APs (no double counting)	23	6	10	39	8/34
Timber Trees					
Acacias	105	543	10	658	12/48
Angkear Sil	2		2	4	2/14
Bamboo	29			29	6/20
Cannonball tree		28		28	1/3
Champey Flower			1	1	1/3
Eucalyptus	27	340	85	452	8/32
Flame Tree	1	5		6	2/13
Kapok tree	1			1	1/6
Lagestroemia Foloribunda		5		5	1/3
Palm Tree		5		5	1/4
Roluod Bay			2	2	1/3
Weeping fig	1	8	1	10	3/17
Total Timber Tree and AHs/APs (no double counting)	166	934	101	1,201	26/113
Grand Total (no double counting)	189	940	111	1,240	29/127

Source: TRTA Consultants IOL October-November 2020

Table 3.9: Details of Age of Trees per Type and AHs/APs

Subproject Component	Tree Types	Name of Tree	Unit	Impact per AH*		Impact per tree type		Age Classification by years			TOTAL
				AHs	APs	AHs	APs	1 to 3 yrs	4 to 5 Yrs	Over 6 yrs	
SWM		Guava	Tree			1	6	1			1

	Fruit Tree	Palm Tree	Tree	2	10	3	16	15	2	5	22
	Timber Tree	Acacias	Tree	5	26	9	40	37	32	36	105
		Angkear Sil	Tree	1	10	1	10			2	2
		Bamboo	Tree	5	16	6	20	7	4	18	29
		Eucalyptus	Tree	2	13	3	15	12	15		27
		Flame Tree	Tree			1	10			1	1
		Kapok tree	Tree			1	6	1			1
		Weeping fig	Tree	1	6	1	6	1			1
Sub-Total 1				16	81	26	129	74	53	62	189
Stormwater	Fruit Tree	Banana	Tree	1	4	1	4	5			5
		Coconute	Tree			1	4	1			1
	Timber Tree	Acacias	Tree	2	7	2	7		143	400	543
		Cannonball tree	Tree			1	3			28	28
		Eucalyptus	Tree	1	6	1	6		140	200	340
		Flame Tree	Tree			1	3			5	5
		Lagestroemia Foloribunda	Tree	1	3	1	3			5	5
		Palm Tree	Tree			1	4			5	5
		Weeping fig	Tree			1	4	8			8
Sub-Total 2				5	20	10	38	14	283	643	940
Wastewater	Fruit Tree	Areca palm	Tree	1	3	1	3		3		3
		Elephant Fruit	Tree			1	3			1	1
		Java Plum	Tree			1	3			1	1
		Orange	Tree	1	4	1	4	2			2
		Rose Apple	Tree	1	4	1	4			1	1
		Tamarine	Tree			1	4	2			2
	Timber Tree	Acacias	Tree	1	1	1	1		3	7	10
		Angkear Sil	Tree			1	4	2			2
		Champey Follower	Tree			1	3	1			1
		Eucalyptus	Tree	2	4	4	11	35	32	18	85
		Roluod Bay	Tree	1	3	1	3		2		2
		Weeping fig	Tree	1	7	1	7	1			1
Sub-Total 3				8	26	15	50	43	40	28	111
Total				29	127	51	217	131	376	733	1,240

* No double counting

Source: TRTA Consultants IOL October-November 2020

(iv) Impact on Businesses

35. There are two (2) stalls/shops (2 AHs/7 APs) that will be partially impacted (Picture 3.2 by the Wastewater collector sewer construction with impact on 0.5 - 1m to the shop front on the walkway (Picture 3.2). As only the frontage of the shops will be impacted and there will be no need to dismantle the shops and the business disruption will be temporary. However, the construction will require them to close the shop due to no access during the construction. The estimated closure is approximately 2-4 working days as per consultation with the design engineers. The shop owners will be consulted in detail during DMS to verify whether the time of estimation for closure is sufficient for resumption of business. Neither of the two businesses are legally registered. The loss of business income from disruption during construction and the impacted secondary structures will be compensated based as per the details in the entitlement matrix. The RCS will confirm the temporary income loss from closure of the shops.

Picture 3.2: Impact on shop fronts

36. The Subprojects will also cover the market areas of Bavet (Figure 3.4). The preliminary design suggests there will be approximately 127 street vendors selling goods along the streets around International Bavet Market (15 vendors), Ta Beub Market (12 vendors) and Ta Pov Market (100 vendors). In discussions, night-time work schedule was the preferred method for avoidance of business disruption of vendors and PIU. These mobile street vendors have tables/stalls made of light-weight material which are easily removable and which the vendors clear out from the COI every night (Picture 3.3). Hence, the COI is free of encumbrances during night-time for the construction around market sites as utilizing night-time construction schedule will avoid all business disruption during business hours (please see market impact map in Figure 3.4). Requirement for nighttime work schedule will be included in the bidding documents and EMP, and implementation is monitored during construction by construction supervisors. In case temporary impact is assessed during DED and DMS stage, they will be included in the DRP and the APs will be compensated based on the agreed EM.

Picture 3.3: Typical market area structures

37. To minimize inconvenience for these vendors, the vendors will be given advance notice of minimum 2 weeks before the start of civil works in the streets where they conduct their businesses. Careful noise management for night-time working will be established and will be explained in more detail in the EMP. Discussions on the night-time construction work schedule were covered during official (Annex F - 4th consultation) and unofficial consultations during IOL/SES with the vendors. The details of the night-time work schedule arrangement will be consulted with the vendors in public consultations during DMS once DED is available.

Figure 3.4: Sewers Near Market Areas



(i) Major Impact

38. One (1) AH/3 APs will have major impact or about 100% loss of their productive agricultural land.¹⁴ The other 4 AHs will lose 10% or more of their unused land, which is currently not suitable for agricultural production and these 4 AHs are not relying on their land for income or livelihoods (all working for government or self-employed in business). When the sites of the land are verified and the land areas measured, the land from the 5 AHs may be acquired through negotiated settlement procedures as stated in para. 16 of this BRP. The impact on productive land ownership (1 AH/3 APs) may be included in the WBWS or negotiated settlement price. The severity of impact will further be confirmed at the DMS stage and reflected in the DRP based on the final data collected on all AHs experiencing major impact and permanent loss of livelihood.

(ii) Impact on Vulnerable Groups

39. No encroachers, squatters or any other non-title holders are affected. The SES also verified there is no poor vulnerable AHs on any of the components of the two (2) subprojects based on preliminary findings. However, one affected household head (AHH) is disabled but not reportedly poor, and therefore the eligibility of the AH (AH ID 32) for vulnerability assistance will be verified during DMS/SES. The SWM subproject will not close the existing dumpsite which is located on private land and operated by a private company. Therefore, the indirect economic displacement of waste pickers is covered under EMP.

¹⁴ AH losing 100% of farmland is not their primary source of income. The AHH primary income source is from Government employment, APs either working as self-employed/business, or private sector/NGO employee). However, the land is in active agricultural production (wet season rice) and as such has significant contribution to the income level of the AH.

E. Temporary Impact

40. As the construction of civil works will be carried out within existing road ROW, public facilities such as existing roads of bituminous surface and walkways will be temporarily impacted during construction. Design of the wastewater and stormwater networks include improvement of roads and sidewalks along the alignments. Thus, these temporarily affected public facilities will not just be restored but will be enhanced after construction as part of the subproject design. This temporary impact also concerns the movement and storage of construction equipment and materials. These will be addressed during the subproject implementation based on actual impacts and in accordance with the national laws and ADB's safeguards policy statement (SPS, 2009).

41. Some of the private houses and shops have either extended their properties illegally on the walkways or are temporarily using the walkway for businesses or as storage areas. Majority of these private assets are lightweight or mobile. The households will be given advance notice to move their mobile assets away from the COI prior to construction. The civil works contract as well as EMP will also require the construction contractor to reinstate the temporary private structures within the COI and any impacted structures along the construction works area to their pre-subproject condition after the installation of pipes is completed, including pavements/walkways, roadside kerbs, signposts, spirit houses and eaves. The contractor is to record the pre-subproject situation with drawings and georeferenced pictures. Bidding documents will include the provisions of the loan agreement on the social safeguard requirements by the contractor, while Bill of Quantities will have respective provisions to address temporary resettlement impacts caused during construction. The entitlement matrix from the DRP will guide contractor during construction in case any compensation is required above the/in lieu of reinstatement, for instance, if any businesses are disrupted. During IOL/SES approximately 70 cases of likely minor temporary impact during construction were identified, which will need to be reinstated. During contract signing the contractor will be provided with the approved DRP which confirm the temporary impacts and the measures to be taken by the contractor.

42. For any temporary site installation, workers camp, storage, pre-casting site or other area, the contractor will have to propose in a site installation and access plan and obtain approval from the PMU. Where possible, unoccupied, and unused public land will be used for temporary construction use, worker camp site or storage. The contractor shall rent any private space with agreed rental fee. Both private and public space shall be returned in the same or improved condition compared with pre-Project situation. Through a transparent and contractual approach, the PMU will provide the contractor with the Project's land acquisition and compensation principles to ensure that (i) official compensation rates are applied, (ii) reinstatement of affected assets contractually defined, (iii) consultation takes place, (iv) the grievance mechanism is followed, (v) the EMP is applied, and (vi) other items specified are complied with, in compliance with the ADB SPS and RGC's SOP.

F. Unanticipated Impact

43. In case there are changes in the Subproject's scope and/or location during their implementation, social impact screening of new impacts shall be conducted, and corrective action plan prepared, if required. Unanticipated impacts will be documented and mitigated based on the principles provided in this BRP. Any new APs that will be identified (i.e., those who will be included among the adversely affected because of changes to the Subproject design or alignment prior to or even during construction works) are entitled to the same entitlements as those of the other APs. The new APs will not include any occupant entering the COI or construction area after the cut-off date. In case of unanticipated impact, social

impacts assessment shall be conducted and the DRP will be updated and submitted to ADB for review and clearance.

III. SOCIO ECONOMIC INFORMATION AND PROFILE

A. Survey Methodology

44. A socio-economic survey (SES) of the 73 AHs/271 APs, or 100% of AHs, was conducted in parallel with IOL. The SES respondents consisted of affected household heads (AHHs) or household (HH) representatives. The SES questionnaire contained demographic variables (age, marital status, employment, and gender of respondents), means of employment of APs, households' monthly income and expenditures. The SES provides baseline information on the socio-economic situation of the AHs/APs in gender disaggregated format.

B. Demographic Information of the AHs

45. Out of the 73 AHHs of the two (2) subprojects, the majority or 64 AHHs are males (88%) and remaining 9 AHHs are females (12%). As for age, the largest groups of AHHs are 31-45 years (44%), closely followed by 46-64 year-olds (42%) and finally over 65-year-old (14%). Average age of AHH is 51 years. The elderly AHHs (over 65 years) are considered vulnerable in case they are landless and with no other means of support. Based on the SES, all of the elderly AHHs (total of 10 AHHs, including 1 female AHHs) still have income from employment (9 AHHs), or support from their children (1 AHHs). As none of them are poor (<\$33/AP/month) or without any support, they not categorized as vulnerable.

46. Majority or 62 AHHs (85%) are married, 11 AHHs or 15% are widowed (6 male AHH and 5 female AHH) and none are single or divorced. Based on SES none of the single female AHHs are landless, poor or disabled. One female AHH has minor impact on loss of land use (agricultural land within ROW) of 50 m² from a total agricultural land of 2,500 m². Loss of land use will be compensated as per entitlement matrix. The other female single AHHs are impacted on minor secondary structures or trees, hence none are categorized as vulnerable.

47. One male AHH is Vietnamese, but all remaining AHHs are Khmer. The Vietnamese AHH (AH ID 48) has only partial impact on a fence, therefore they do not have any impact on livelihoods. This AHH mother tongue is Vietnamese but can speak and read Khmer as self-reported by the AHH during IOL/SES. However, for ensuring clarity, the updated PIB and compensation packages during DRP preparation and implementation will be explained in Vietnamese to the AHH in case the AHs is not fluent in Khmer. Table 4.1 summarizes gender and age of AHHs per subproject component.

Table 4.1: Summary of Gender and Age of AHHs

Subproject Component	Gender (AHH)	Under 20 yrs	21 - 30 yrs	31 - 45 yrs	46 - 64 yrs	Over 65 yrs	TOTAL	
		No.	No.	No.	No.	No.	AH	%
WWTP	Male			11	7	6	24	33
	Female				2	1	3	4
Sub-Total 1				11	9	7	27	37
Landfill	Male			4	6	2	12	16
	Female					0	0	0
Sub-Total 2				4	6	2	12	16
Storm water	Male			14	13	1	28	38
	Female			3	3	0	6	8
Sub-Total 3				17	16	1	34	47
Grand Total				32	31	10	73	100
Percentage (%)		0	0	44	42	14	100	

Source: TRTA Consultants SES October-November 2020

48. The largest age group in APs is 26-45 years (32%), followed by 17-26 years (23%), 46-66 years (19%) and 6-16 years (11%). Average AH size is 3.7 persons/household. Table 4.2 summarizes gender and age of APs per subproject component.

Table 4.2: Summary of Gender and Age of APs

Subproject Component	Gender (AP)	<5 yrs	6-16 yrs	17-26 yrs	26-46 yrs	46-66 yrs	>65 yrs	N/A*	TOTAL	
Landfill	Male	6	4	18	20	8	6	0	62	23
	Female	2	7	16	19	7	3	1	55	20
Sub-Total 1		8	11	34	39	15	9	1	117	43
Storm water	Male	1	3	6	6	6	2	0	24	9
	Female	0	4	4	6	4	2	0	20	7
Sub-Total 2		1	7	10	12	10	4	0	44	16
Wastewater	Male	5	7	9	20	15	1	1	58	21
	Female	2	6	10	17	11	1	5	52	19
Sub-Total 3		7	13	19	37	26	2	6	110	41
Grand Total		16	31	63	88	51	15	7	271	100
Percentage (%)		6	11	23	32	19	6	3	100	

* Not available / information not given

Source: TRTA Consultants SES October-November 2020

C. Education Attainment

49. While 12 AHHs (16%) are illiterate (9 male AHHs and 3 female), a total of 22 AHHs (30%) attained primary education, 12 AHHs (16%) attained secondary education, 11 AHHs (15%) attained high school education and 4 AHHs (5%) attained university level education. 12 male AHHs (16%) refused to provide information of their educational attainment. The male AHHs of the subprojects are better educated than females, especially for higher education. During the IOL consultations, the TRTA team assisted the illiterate AHHs by reading out and explained in detail all the information in the PIBs to them. The TRTA team sought and received a verbal confirmation from them on the understanding of the information in the PIB. Table 4.3 summarizes the education levels of the AHHs by gender.

Table 4.3: Summary of Education Attainment Level of AHHs

Component	Gender (AHH)	N/A*	None/illiterate	Primary	Secondary	High School	University	Total
Landfill	Male		8	9	4	2	1	24
	Female			3				3
Sub-Total 1			8	12	4	2	1	27
Storm water	Male	3		2		5	2	12
	Female							0
Sub-Total 2		3		2		5	2	12
Wastewater	Male	9	3	6	5	4	1	28
	Female		1	2	3			6
Sub-Total 3		9	4	8	8	4	1	34
Grand Total		12	12	22	12	11	4	73
Percentage (%)		16	16	30	16	15	5	100

* Not available / information not given

Source: TRTA Consultants SES October-November 2020

50. A total of 82 APs (30%) has primary level education or are in process of attaining it, followed by secondary level education by 65 APs (24%) and high school education by 40 APs (15%). While a total of 29 APs (11%) has not attained any education or are illiterate, 15 APs (6%) are still too young to go to school. Education level was not shared by 28 APs (10%). There is no significant difference in education attainment between male and female APs. Table 4.4 summarizes the education levels of the APs by gender.

Table 4.4: Summary of Education Attainment Level of APs

Component	Gender (AP)	N/A*	None/illiterate	Not Yet Attend	Primary	Secondary	High School	University	Total
Landfill	Male		10	6	20	18	7	1	62

	Female	1	8	2	19	16	9		55
Sub-Total 1		1	18	8	39	34	16	1	117
Storm water	Male	6		1	5	2	5	5	24
	Female	5			8	3	1	3	20
Sub-Total 2		11		1	13	5	6	8	44
Wastewater	Male	7	6	4	18	12	8	3	58
	Female	9	5	2	12	14	10		52
Sub-Total 3		16	11	6	30	26	18	3	110
Grand Total		28	29	15	82	65	40	12	271
Percentage (%)		10	11	6	30	24	15	4	100

* Not available / information not given

Source: TRTA Consultants SES October-November 2020

D. Occupation, Income and Expenditure

51. Under all three subprojects, 36 AHHs (49%) are self-employed, followed by 21 AHHs (29%) who are farmers and 10 AHHs (14%) who are government employees. The percentage of self-employed is high due to Baret's closer proximity to the international border post. Out of 73 AHHs, only 3 male AHHs (4%) have secondary occupation as construction worker or private sector/NGO employee. The subprojects do not cause permanent business disruption, while impact on productive agricultural land is significant (100% of the land) only for 1 AHH (3 APs). However, the main occupation of the household members is government, self- and private sector employment. Therefore, the loss of agricultural land does not adversely impact the income of all the AHHs. Table 4.5 summarizes the primary occupation of the AHHs.

Table 4.5: Summary of Occupation of AHHs

Subproject Component	Gender (AHH)	Casual labour	Children Support	Farmer	Gov't employee	Private sector/NGO employee	Self-employed/ business/ trade	Transportation/motorbike/tuk tuk driver	Total
Landfill	Male		1	15	4	1	3		24
	Female			3					3
Sub-Total 1			1	18	4	1	3		27
Stormwater	Male	1		1	2		8		12
	Female								
Sub-Total 2		1		1	2		8		12
Wastewater	Male			2	4	2	19	1	28
	Female						6		6
Sub-Total 3				2	4	2	25	1	34
Grand Total		1	1	21	10	3	36	1	73
Percentage (%)		1	1	29	14	4	49	1	100

Source: TRTA Consultants SES October-November 2020

52. The most common occupation amongst the APs is self-employment (75 APs or 28%), the second is private sector employment (51 APs or 19%) and thirdly doing farming (37 APs or 14%). 73 APs (27%) are not working or are students/retired. There is no significant difference in occupations between male and female APs. Table 4.6 summarizes the primary occupation of the APs.

Table 4.6: Summary of Occupation of APs

Subproject Component	Gender (AP)	Casual labour	Children Support	Farmer	Gov't employee	Not working/ Student/ Retired	Private sector/NGO employee	Self-employed / business /trade	Service, tourism or hospitalit y	Motorbike/ tuk tuk driver	N/A*	Total
Landfill	Male		2	19	4	12	17	7	1			62
	Female		1	15		13	23	2			1	55
Sub-Total 1			3	34	4	25	40	9	1		1	117
Stormwater	Male	1	1	1	3	7		10			1	24
	Female		1		1	8		8			2	20
Sub-Total 2		1	2	1	4	15		18			3	44
Wastewater	Male			2	3	20	7	23	1	1	1	58
	Female				3	13	4	25			7	52
Sub-Total 3				2	6	33	11	48	1	1	8	110

Grand Total	1	5	37	14	73	51	75	2	1	12	271
Percentage (%)	0	2	14	5	27	19	28	1	0	4	100

* Not available / information not given

Source: TRTA Consultants SES October-November 2020

53. Regarding income levels, a majority of 47 AHs (64%) reported a household monthly average income of over \$500/month/AH, while 18 AHs (25%) reported income less than \$500/month/AH. A total of 8 AHs (11%) did not reveal their monthly income level during IOL, all of which are self-employed or in business or trade (Table 4.7). No AH has impact on their businesses, or business structures.

Table 4.7: Summary of AH Income

Income Rank (\$)	WWTP			WWTP			WWTP			TOTAL	
	Male	Female	Total	Male	Female	Total	Male	Female	Total	AHs	%
0 - 50											
50 - 100											
100 - 200		1	1							1	1.37
200 - 300	4	1	5	3		3				8	10.96
300 - 400	4		4				4		4	8	10.96
400 - 500							1		1	1	1.37
500 - 600	3	1	4				3	1	4	8	10.96
600 - 700	5		5	1		1	1	1	2	8	10.96
700 - 800	4		4				2	2	4	8	10.96
800 - 900	1		1	1		1	4	1	5	7	9.59
900 - 100							1		1	1	1.37
Over 1000	3		3	7		7	4	1	5	15	20.55
N/A (Don't Know)							8		8	8	10.96
Total	24	3	27	12		12	28	6	34	73	100.00
Percentage (%)	32.88	4.11	36.99	16.44		16.44	38.36	8.22	46.58	100.00	

Source: TRTA Consultants SES October-November 2020

54. Housing expenditure for 27 AHs (37%) was under \$500/month/AH and for 28 AHs (38%) over \$500/month/AH (Table 4.8). 18 AHs did not reveal their monthly expenditure level during IOL (25%).

Table 4.8: Summary of AH Expenditure

Expenditure Rank (\$)	WWTP			WWTP			WWTP			TOTAL	
	Male	Female	Total	Male	Female	Total	Male	Female	Total	AHs	%
0 - 50							2		2	2	2.74
50 - 100											
100 - 200	1		1							1	1.37
200 - 300	3	3	6	2		2		1	1	9	12.33
300 - 400	2		2				3		3	5	6.85
400 - 500	4		4	1		1	4	1	5	10	13.70
500 - 600	8		8	3		3	3	1	4	15	20.55
600 - 700	5		5				1	1	2	7	9.59
700 - 800	1		1	1		1	1		1	3	4.11
800 - 900				1		1				1	1.37
900 - 100							1	1	2	2	2.74
Over 1000											
N/A (Don't Know)				4		4	13	1	14	18	24.66
Total	24	3	27	12		12	28	6	34	73	100.00
Percentage (%)	32.88	4.11	36.99	16.44		16.44	38.36	8.22	46.58	100.00	

Source: TRTA Consultants SES October-November 2020

E. Poverty

55. Cambodia uses an absolute poverty line definition. In 2013, the Ministry of Planning (MOP) introduced new poverty lines. The revisions to the poverty lines include (a) food poverty line based on 2,200 calories per person per day (up from 2,100); and (b) a non-food component that is estimated separately for Phnom Penh, other urban, and rural areas. Cambodia Socioeconomic Survey 2014 identified those who earned less than \$33 per person per month

considered living under poverty line for other urban area. The poverty line may be updated accordingly, during DRP preparation as per latest national poverty line in case this becomes available during the DRP implementation¹⁵.

56. As part of the social impact assessment conducted during the preparation of the BRP, the poor and vulnerable AHs who may be differentially or disproportionately affected by the subprojects were reviewed based on the criteria established by the Royal Government of Cambodia and self-reported income status or IDPoor¹⁶ registration during the SES. Based on SES, none of the AHs of the two (2) subprojects have income less than \$33 per person per month or are registered as IDPoor1 or 2.

F. Indigenous Peoples

57. There are no indigenous peoples impacted by both subprojects. One (1) ethnic Vietnamese AH is impacted by the subproject. However, the AHH can read, write and speak Khmer, and is fully integrated the society. The AHH practice their culture, religion (is freely practicing Buddhist religion same as the mainstream population) and norms, while enjoying equal rights and are regarded as Cambodian citizens. The AHH has lived in his current location for 21 years and is partially impacted by the subproject on his brick fence only. Hence, this Vietnamese AH is not considered an IP as he does not possess the characteristics of IP as per ADB SPS (2009) Safeguard Requirement 3 (para. 6) classification. In addition, IOL/SES confirmed that these AHs are not categorized as vulnerable (below the poverty line, the landless, the elderly, women and children) as per para. 39.

G. Women

58. As demonstrated by SES data, women are equally affected by the resettlement impacts as men under the Subproject. Arrangements will be made during DMS/SES and Subproject implementation to conduct DMS/SES and interviews with women, including AH heads, commune leaders in the affected communes. Information disclosure and consultations will be regularly undertaken in separate meetings with men and women APs in case of underrepresentation or where needed. The meetings will allow women to express their views and opinions, and their grievances will be responded to and properly documented to be considered in decision-making. The Project has specific gender action plan targeting women for their employment opportunities in key project activities for their socioeconomic enhancement. The vulnerable group will be provided with priority for employment opportunity under the subproject.

¹⁵ At the stage of the preparation of the BRP, GDR and consultants did not have an up-to-date poverty threshold as per latest CSES, but the poverty rate published by Ministry of Planning/National Institute of Statistics (2014) will apply. However, as soon as the up-to-date rates are made available, they will be applied during DRP preparation and/or implementation/the contract offer.

¹⁶ The Royal Government of Cambodia promulgated Sub-Decree 291 on Identification of Poor Households in December 2011. This Sub-Decree regulates the management and implementation of identification of poor households, and the utilization of poor household data, in Cambodia

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

59. Public consultation and participation aim to develop and maintain avenues of communication between the Project, stakeholders, and AHs. To ensure that the views and concerns of the AHs are considered in Project/Subproject preparation and implementation and to reduce or offset adverse impacts and enhance benefits from the Project/Subprojects, a strategy of meaningful participatory has been adopted by and implemented under the Project/Subprojects for information disclosure, consultation and participation. All consultations have been presented verbally in Khmer language for the illiterate to fully understand and be able to participate, while using visual tools such as maps and drawings. During the IOL consultations, the PIU/TRTA team explained the Project scope and distributed the PIBs. For the illiterate people, the PIU/TRTA team assisted the illiterate AHs by reading out and explaining in detail all the information in the PIBs to them.

A. Meaningful Consultation and Participation During BRP Preparation

60. The **first meaningful public consultations** in Bavet were conducted during the feasibility study of the Subprojects between 11 to 12 of September 2020 with AHs of the Subproject areas (Annex F). The consultations were conducted prior to the commencement of IOL/SES. Summary of topics that were discussed and questions and answers provided are in Tables 5.1 and 5.2. The PIB, including the Subproject details as well as key contact persons were distributed and explained to all attendees (Annex G).

Table 5.1: Summary of Consultations

No.	Date and time	Location	Topic	Participants
1	Date: 11 September 2020 Time: 8:30 am	At the house of the Chief of Crork Leav village	Initial consultation with affected households and beneficiaries. Presentation of details on: <ul style="list-style-type: none"> Project scope, location, Works and schedule standard procedure on resettlement policies (ADB and Government of Cambodia) types of impact standard entitlements, eligibility, allowances and typical entitlement matrix compensation rates, RCS and compensation process cut-off date GRM and complaint process IOL/SES process. 	14 AHs (7 male / 7 female) Local authorities 3 male / 0 female
2	Date: 11 September 2020 Time: 14:30 pm	At the Chief of Ta Beub village house		23 AHs (15 male / 8 female) Local authorities 2 male / 0 female
3	Date: 12 September 2020 Time: 8:00 am	At the Chief of Bavet Leu village house		14 AHs (8 male / 6 female) Local authorities 3 male / 0 female
4	Date: 12 September 2020 Time: 13:30 pm	At the Chief of Bavet Kandal villager house		18 AHs (2 male / 16 female) Local authorities 1 male / 0 female
Total: 69 AHs (32 male/37 female) participants 8 local authorities (all of whom were male)				

61. Table 5.2 summarizes the key discussion points with questions from the AHs and responses provided at the first public consultation meetings.

Table 5.2: Summary of Key Discussion Points

No.	Date and time	Question/ Discussion point	Answer/ Conclusion
1	Date: 11 September 2020 Time: 8:30 am	(i) How are the rates for compensation determined? (ii) Will the connection to the houses be provided? (iii) Will this subproject rehabilitate the roads that are in poor condition?	(i) The rate is determined by an independent RCS consultant engaged by GDR based on the current market value of impacted assets at replacement cost. (ii) The house sewer connection strategy will be decided in DED phase. (iii) Unfortunately, roads are generally out of the scope of this Project.
2	Date: 11 September 2020 Time: 14:30 pm	(i) Is there a payment required for house connection? (ii) When will the construction start? (iii) Who is in charge of the compensation?	(i) With the current information, there is no connection payment required. (ii) Initial timeline is defined in the PIB. According to the current estimate the construction will start either in end of 2021 or most likely in early 2022. (iii) The compensation payments are under MEF/GDRs responsibility and will be carried out after the DED, DMS and approval of DRP, but before start of construction. The contractor will in charge of the re-building temporary structures and construction related temporary impacts.
3	Date: 12 September 2020 Time: 8:30 am	(Comment i) The separation of drainage and wastewater will be a great improvement. (Comment ii) The compensation mechanism sounds good and fair. We support the compensation system.	
4	Date: 12 September 2020 Time: 14:30 pm	(Comment i) the storm water drainage system separated from the wastewater by the Project is an important improvement and worth supporting. (Comment ii) The compensation scheme for impacts is reassuring. (Comment iii) Discussion on the night-time construction work schedule: Support for night-time working was given due to full avoidance of business disruption. Some concern was raised on night-time work activities due to noise disturbance of residence, but it was explained that noise management will be put in place by contractor to mitigate this environmental impact.	

B. Meaningful Consultation and Participation During DRP Preparation

62. The MPWT together with the GDR will conduct meaningful consultation with APs during the DRP preparation while ensuring the consultations are gender inclusive and special attention is made to ensure the participation of women and the vulnerable group of APs, as much as possible. All efforts will be made to incorporate mitigation measures to address their concerns, where relevant and possible.

63. In situation where Covid-19 is not a safety risk, the meetings will be held in a public place at the commune or village for all AHs and commune/village representatives and the updated PIB with final information on the Subprojects will be provided and explained to all AHs after completion of the DED. A public consultation with the AHs will take place prior to the DMS stage and is undertaken jointly by the IRC-working group (WG) and Provincial Resettlement

Sub-Committee (PRSC)-WG with the participation of local and provincial authorities including the Commune and Village Chiefs. Prior to the commencement of the DMS, a consultation meeting will be held with the affected communities at the commune or village level.

64. In case Covid-19 situation in Cambodia worsens and causes increased risks, number of precautions will be adopted in the subproject consultations, preparation and implementation. Social distancing, face masks and hand washing will be compulsory for all staff and experts conducting the consultations and DMS, and for all participants to public consultation meetings. In situations where public consultation meetings are too risky, either one-on-one individual consultations will be conducted during the DMS/SES, or the survey questionnaires are to be conducted via telephone with pre-recorded subproject presentation made available to the AHs followed by field verification of impacted assets only.

65. The PIB will be updated in Khmer by the GDR with the information about the entitlements, local GRM, including contact persons. All consultations and disclosure during implementation will be presented and explained verbally in Khmer for illiterate to fully understand and be able to participate. The detailed guidelines on GRM will be included in the updated PIB as an attachment. Updated PIBs will be read out and explained after consultations to the illiterate AHs. For the ethnic minority AHs not fluent in Khmer, the information will be explained in an understandable language to them. The updated PIB for the subprojects, its GRM attachment and the DMS Questionnaire will be made available and explained to all attendees. APs will be informed that they will be provided with the ID cards detailing their affected assets, income, and land after the DMS. Focus groups discussions (FGDs) with poor and vulnerable will be conducted after the DMS once DMS data has been analyzed.

66. The updated PIB will also be shared and explained to individual APs during the house-to-house DMS and measurements of land and property losses. The APs will be required to confirm the loss of assets and the measurements and get a full understanding of the basis on which the compensation will be paid for the loss assets and other entitlements.

C. Consultation and Participation During DRP Implementation

67. The schedule for contract signing with deadlines and the legal requirements to receive the compensation (national ID, evidence of land ownership etc) will be explained to the AHs in consultation meetings after the DRP approval by IRC and ADB and the budget for resettlement approved by MEF. Each AH will be provided with the draft contract and the compensation amounts explained to the satisfaction of the AH on one-to-one basis. The AHs will be given option to sign the contract there and then or given three (3) working days to submit the signed contract to the IRC-WG through the village council office. For those AHs who are unable to participate in the meeting, best efforts will be made to visit them at their houses or seek the assistance of the village office to contact them.

68. The final consultative meeting will be conducted when the compensation payments are ready to be disbursed and will be undertaken jointly by IRC-WG and PRSC-WG. The schedule for compensation payments will be informed to all the AHs at least one week in advance through the commune and village offices. The meeting will be held in the commune or village and prior to the commencement of compensation payment, all AHs will be again informed about the GRM under the Subprojects, the setup of the local GRM committees in their province and the procedures that will be followed in case they have any complaints about the compensation payments. Compensation payments will be made on household-to-household basis and each AH will be provided an opportunity to seek clarifications about the compensation package prior to receiving the payment. In risky situations caused by Covid-19, the meetings and process of compensation payments will be organized on one-to-one basis with effective social distancing and use of face masks.

D. Information Disclosure

69. Information regarding the project policies and processes, and subproject scope was disclosed during the first round of public consultation meetings. The PIB was prepared and distributed to all AHs during the consultation meetings and was made available at the Provincial Department of Public Works and Transport and will be disclosed at MPWT website. The PIB included information about the project scope, policies, eligibility, cut-off date, entitlements, GRM, and contact persons on technical and GRM matters regarding the subprojects (Annex G).

70. The approved DRP will be translated in the Khmer language and posted at city and Sangkat offices for easy and free access to the AHs and the affected communities. For illiterate people, suitable other communication methods will be used based on the discussion and in consultation with the AHs (as explained above). DRP will also be disclosed on website of the MPWT.

71. Particular attention in disclosure will be given to women, the poor and other vulnerable AHs. All consultation and disclosure activities will be properly documented; minutes of meetings, photos, and attendance sheets will be prepared and recorded.

72. For this Subprojects, the following documents will be submitted to the ADB for disclosure on ADB's website:

- i) BRP and DRP approved by the IRC and concurred by ADB;
- ii) DRP updates, if any; a new DRP, an updated DRP, and corrective action plan prepared during the Subproject implementation, if any; and
- iii) Semi-annual social safeguards monitoring reports.

V. GRIEVANCE REDRESS MECHANISM

A. Objective of the GRM

73. A well-structured and functioning grievance redress mechanism (GRM) will be established at the local level following standard government procedures to resolve grievances and complaints in a timely and satisfactory manner as required under the ADB SPS (2009). The Expropriation Law of the RGC provides for a Grievance Redress Committee (GRC) to handle complaints with the additional provision for the AHs to seek judicial redress in case they dispute the decision of the GRC. Details of the GRM has been included in the PIBs and distributed to the AHs during the IOL/SES.

B. Grievance Redress Process

74. A Provincial Grievance Redress Committee (PGRC) will be established in Bavet Province for the Subprojects prior to commencement of DMS. The PGRC will comprise of representatives from the relevant provincial authorities and MEF. A Civil Society Organization (CSO) representative will be identified and appointed to be a member of the PGRC. This information will be included in the updated PIB to be distributed to AH prior to DMS. Training on GRM will be provided by GDR for the PGRC members including Commune and Village Chiefs prior to DMS. The PGRC comprises representatives from the relevant provincial authorities and MEF as follows:

1. Provincial Governor – Chair
2. Director of Provincial Department of Land management, Urban Planning and Construction – Vice Chair
3. Director of Provincial Department of Ministry of Economy and Finance - Member
4. Director of Provincial Department of Public Works and Transport - Member
5. Chief of Provincial Office of Law and Public Security - Member.
6. District Governor – Member
7. A Representative of Locally Based Civil Society Organization - Member.

75. The PGRC is made operational and fully functional prior to DMS during the preparation of DRP. However, at the time of the BRP preparation, the PGRC established under the GMS Southern Economic Corridor Towns Development Project for the Bavet subproject was in operation and any likely complaints would be channeled through it during BRP preparation.

76. The grievances will be handled thorough a 3-step formal approach detailed below. However, prior to the First Step, the AH may informally seek the assistance of the commune chief or a community elder to discuss and find an amicable solution to his/her complaint or grievance with the leader of the PRSC-WG. This is done verbally and informally, and no recording is required, and moreover its aim is to resolve the matter to avoid lodging formal written complaints. Any activities in resolving grievances at this stage (commune-level) will be recorded by the commune authorities and reported in the quarterly internal monitoring reports. If this problem solving does not resolve the complaint to the satisfaction of the AH, s/he can seek the formal route for lodging the grievance. Formal lodging can be done verbally (to community elder or representative who will record the complaint) or in writing. In addition, APs will have the flexibility to convey their grievances or concerns either through complaint/suggestion boxes that will be installed in accessible locations, mobile/telephone, email should be honored, etc. taking into account the literacy and education levels of the APs; and contact information of the GRC will be made available in the project site. The GRM process as outlined in the SOP is detailed below:

- (i) **First Step:** The aggrieved AH can lodge a written complaint to the Head of the District Office where the Subproject is located. The AH can bring a **community**

elder or representative to mediate in the matter at the District level. The IRC-WG will appraise the Head of the District Office about the matter. The conciliation meeting must be held, and a decision taken within **15 working days** after the date of registration of the complaint by the District Office. If the complaint is resolved at the District Level to the satisfaction of the AH, the IRC-WG will inform GDR's Department of Internal Monitoring and Data Management (DIMDM), which will review and seek the approval of the Director General, GDR for appropriate remedial action. The AH will be informed in writing by the GDR of the decision and the remedial action that will be taken within **15 working days** from the receipt of the letter from the District Office. If the complaint is rejected at this stage, the District Office will inform the AH in writing and if the AH is not satisfied with the result, s/he can proceed to the next step and lodge a written complaint to the GDR for resolution.

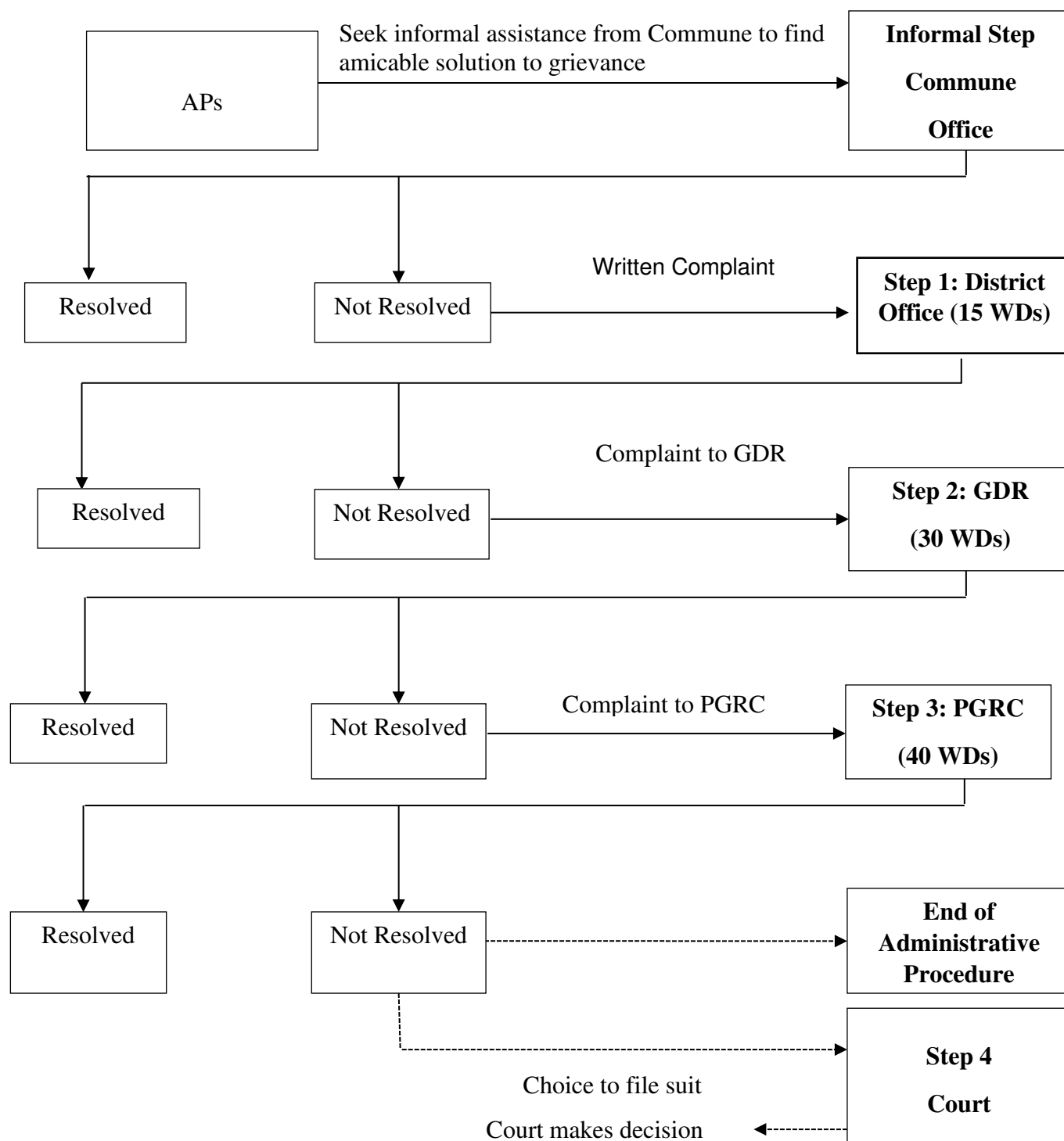
- (ii) **Second Step:** The GDR through its DIMDM will carry out a holistic review of the complaint and submit a report on its findings with the relevant recommendations, if any, to the Director General, GDR for a decision. It may also conduct a field visit to meet the aggrieved AH and the IRC-WG to gather the relevant details. The final report must be completed **within 30 working days** from the date of receipt of the complaint and submitted to the Director General, GDR for a final decision within **5 working days** of receipt of the final report. In the event that the subject matter requires a policy level intervention, it will be referred to the IRC for a decision in which case **10 more working days** will be added to the deadline for final decision.
- (iii) **Third Step:** The AH will submit a written complaint with the PGRC through the Provincial Governor's Office. The AH or a representative will be given an opportunity to present its case during the meeting and the PGRC may consider any compelling and special circumstances of the AH when reaching a decision. The GDR will send a representative, as a non-voting member, to provide explanation for the rejection of the complaint at the second step by the GDR. The decision of the PGRC must be reached on a consensus basis and will be final and binding except when the matter relates to any policy of the Government. Decisions on Government policy matters on LAR is decided by the IRC. The PGRC will have **40 working days** from the date of receipt of the complaint to reach a final decision. The decision of the PGRC will be sent to the IRC through the GDR for endorsement before taking any remedial action.

77. The handling of the complaint at the administrative stage ends at the Third Step. There are no fees or charges levied on the AH for lodging and processing of the complaints under the First, Second and Third Steps. However, as provided for in the Expropriation Law, the aggrieved AH can file a suit at the Provincial/Municipal Courts, as applicable, to seek a resolution. At this stage, there is no involvement of the GDR, PRSC or IRC-WG unless there is a judicial order from the competent court. AHs can lodge their complaints at no cost and without retribution and it will not impede the GRM should not prevent them from accessing the country's judicial or administrative remedies. However, the costs for the court proceedings will be met by the AH.

78. If an AH is still not satisfied and believes s/he has been harmed due to non-compliance with ADB policy and s/he has made good faith efforts to solve the problems by working with the ADB Project Team, s/he may submit a complaint to ADB's Office of Special Project Facilitator or Office of Compliance Review in accordance with ADB's Accountability Mechanism. The information can be found at www.adb.org/site/accountability-mechanism/main.

79. The GRM details have been circulated and explained to the AHs during consultations during the BRP preparation. These guidelines outline each of the above Steps and include the administrative procedures for receiving and redressing complaints during the consultative meetings as described in the Consultation, Participation and Disclosure section of this BRP. The GRM guidelines will be again explained in detail to all AHs during the preparation of the DRP. Cost of GRM (meetings, consultations, communication, information dissemination, etc.) will be handled at District, GDR and Provincial levels and will be covered from their administrative budgets, respectively. Figure 5.1 illustrates the flow chart of the GRM process.

Figure 5.1: Flow Chart of Procedures of Grievance Redress Mechanism



C. Grievance Register, Records and Documentation

80. RGC's Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP) for Externally Financed Projects in Cambodia (2018) details the GRM process, registers, records and documentation. The form is included in Annex H¹⁷ for individual complaint form, register of complaint and Letter from Head of District-Khan to be used for grievance documentation.

¹⁷ The SOP Appendix 8.1-8.3 also has individual complaint form, register of complaint and Letter from Head of District-Khan to be used for grievance documentation.

VI. LEGAL AND POLICY FRAMEWORK

81. This BRP is prepared based on the applicable legal and policy framework of the RGC, and ADB's SPS (2009). It describes the key legal and regulatory documents of the RGC pertinent to land acquisition and resettlement as well as the key principles of the ADB SPS, analyses and discusses for any gaps and provides clarifications on them as applicable for the Subproject.

82. There are existing laws that govern land acquisition and resettlement in Cambodia. These laws, along with the ADBs SPS, shall govern the procedures for land acquisition and resettlement for the Subproject.

- Constitution of Cambodia (1993)
- Land Law (2001)
- Expropriation Law (2010)
- Sub-Decree No. 22 ANK/BK (2018) on Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement for Externally Financed Projects in Cambodia and LAR
- Sub-Decree on Social Land Concession (2003)

A. 2010 Expropriation Law

83. The RGC's **2010 Expropriation Law** is the main legal document that governs land acquisition and involuntary resettlement. The **2010 Expropriation Law** has listed the development of public infrastructure as one of its objectives and extended the definition of public infrastructure to any infrastructure *"required by the Nation in accordance with the determination made by the government."* Public interest is also understood in a broad manner as *"the use of land or property by the public or by public institutions or their agents."* The expropriation of the ownership of immovable property and real right to immovable property can be exercised only if the Expropriation Committee has paid fair and just compensation in advance to the owner and/or holder of real right.

84. Some of the Key Articles of the 2010 Expropriation Law are listed below:

- (i) Article 2: the law has the following purposes: (i) ensure just and fair deprivation of a legal rights to private property; (ii) ensure prior fair and just compensation; (iii) serve the national and public interests; and (iv) development of public physical infrastructure.
- (ii) Article 7: Only the State may carry out an expropriation for use in the public and national interests.
- (iii) Article 8: The State shall accept the purchase of part of the real property left over from an expropriation at a reasonable and just price at the request of the owner of and/or the holder of right in the expropriated real property who is unable to live near the expropriated scheme or to build a residence or conduct any business.
- (iv) Article 12: An Expropriation Committee shall be established and headed by a representative from the MEF and composed of representatives from relevant ministries and institutions. The organization and functioning of the Expropriation Committee shall be determined by a sub-decree [Sub Decree No 22 ANK/BK promulgated on 22 February 2018].
- (v) Article 16: Before proposing an expropriation project, the Expropriation Committee shall publicly conduct a survey with detailed description about the owner and/or rightful owner of the immovable property and other properties which might need compensation; and all other problems shall be recorded as well. In conducting this survey, the Expropriation Committee shall arrange a public consultation with the authorities at provincial, district and commune level, the commune councils and

village representatives or the communities affected by the expropriation to give them clear and specific information and to have all opinions from all concerned parties about the proposed public infrastructure project.

85. Under the Article 3 of the 2010 Expropriation Law that governs the provision for projects financed by development partners in Cambodia, the RGC issued in 2018 the Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement (LAR).¹⁸ The **SOP for Externally Financed Projects in Cambodia and LAR** (2018), reflects RGC's laws and regulations relating to the acquisition of land and the involuntary resettlement of AP and the safeguard policies and procedures of Development Partners as applied to public infrastructure investment projects, such as the proposed the Project. Where appropriate, the SOP includes references to international good practices in resettlement planning, implementation, monitoring and reporting. The SOP has been promulgated under **Sub Decree No. 22 ANK/BK** on 22 February 2018 and applies to all externally financed projects in the Kingdom of Cambodia. The GDR of the Ministry of Economy and Finance (MEF) is responsible for providing guidance and clarification to users of the SOP. Given that the Subprojects under the Project are funded by ADB, the provisions of SOP will apply to the Subprojects and therefore should be read together with this BRP.

B. ADB Safeguards Policy Statement (SPS) 2009

1. ADB Policy on Involuntary Resettlement

86. The objectives of the ADB SPS (2009) are to: (i) avoid involuntary resettlement, wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance or at least restore the livelihoods of all APs in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

87. The involuntary resettlement safeguard covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of: (i) involuntary acquisition of land or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It also covers whether such losses and involuntary restrictions are full or partial, permanent or temporary

88. ADB's Involuntary Resettlement Policy principles include:

- (i) Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of APs, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with APs and affected local communities. Inform all APs of their entitlements and resettlement options and ensure their participation in planning, implementation, monitoring and evaluation of resettlement and pay attention to the needs of poor and vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the APs' concerns. Support the social and cultural institutions of APs and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be prepared by a social preparation phase.

¹⁸ Accessible at https://www.mef.gov.kh/documents/laws_regulation/LAR-SOP-Final-13032018.pdf.

- (iii) Improve, or at least restore, the livelihoods of all APs through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically APs with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and vulnerable group to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that APs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a RP elaborating on APs' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation on the consultation process in a timely manner before project appraisal, in an accessible place and a form and language(s) understandable to APs and other stakeholders. Disclose the detailed resettlement plan and its updates to all APs and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the RP under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of APs, and whether the objectives of the RP have been achieved by considering the baseline conditions and the results of resettlement monitoring and disclose monitoring reports.
- (xiii) Should unanticipated involuntary resettlement impacts be determined during subproject implementation, GDR will ensure the conduct of a social impact assessment and update this BRP or develop a corrective action plan.

2. Other Considerations

89. **Indigenous Peoples.** Subprojects involving involuntary resettlement of Indigenous People will not be considered under this Project.¹⁹

90. **Gender.** Gender concerns and issues will be considered in resettlement planning. Gender differentiated benefit-sharing measures are included in the resettlement plans to ensure that the women and men of the households are treated equally. Therefore, both women and men were invited to actively participate in the consultation meetings. A separate gender action plan has been prepared for the Project and updated.

91. In general, the main principles of the RGC's policies on land acquisition, compensation, and resettlement assistance reflect those provided in ADB's SPS 2009. However, key gaps analysis between ADB resettlement policy and the RGC's SOP are summarized in Table 7.1.

Table 7.1: Gap Analysis and Reconciliation of ADB's SPS (2009) and RGC's SOP

No	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
1	<p>Meaningful Consultations and Disclosure</p> <ul style="list-style-type: none"> Carry out Meaningful consultations with APs including vulnerable groups (VGs), relevant stakeholders and information disclosure on entitlements and resettlement options. (VGs include: those below poverty line, the landless, the elderly, female headed households, women and children, IPs, and those without legal title to land). To comply with ADB SPS IR Principles 2, 9, 12 (page 17), para 54 (page 20), para.73 (page 26), Appendix 2, para 18 (page 47), para 26, 27, 28 (page 49) 	<ul style="list-style-type: none"> The SOP, in its chapter IV and under its key tasks in basic resettlement plan preparation, mentions about consultation as one of the tasks which aims at bringing awareness about the Project to the affected communities and inform them about the possible alignment and seek their feedback. In Chapter V, under key tasks in detailed resettlement plan (updated RP after detailed design), it mentions about consultation as one of the tasks which aims to inform APs about the overall entitlements and methods of compensation and the GRM procedures; about relocation to Resettlement Sites; and house to house consultation to confirm measurement survey. Chapter- VIII of SOP describes in detail the need for public consultations, participation and disclosure. In para 126, it mentions that the consultation is undertaken throughout the project cycle. 	<ul style="list-style-type: none"> The SOP mostly complies with the requirement of SPS, 2009, however, it does not specifically mention about disclosing the entitlement matrix (EM) to the people during consultation. However, it mentions that the BRP/RP and the DRP/UDRP are disclosed at the Commune Offices for disclosure to affected communities. The EM is integral part if these documents and hence are disclosed to the affected communities. This is explained in more detail in Appendix 7. It is clearly pointed out that the EM and the entailments under the EM is explained to each AH during the household-to-household consultation. Also, there is no mention of disclosure of monitoring reports. The SOP does not specifically mention about particular attention to women and 	<p>Some of the proposed clarification include:</p> <ul style="list-style-type: none"> Personal detailed information of the displaced persons and their socio-economic status and other sensitive information compromising their privacy will not be disclosed at any time. RPs/updated RPs/resettlement monitoring reports contain summary of AP consultations (including VGs) through- out the project cycle. RPs/updated RPs/resettlement monitoring reports are disclosed on the ADB and project websites and Khmer versions left at communes and district levels offices. SOP para. 120; generic information for the PIB includes the compensation policy (the generic entitlements) as stated in para 119.

¹⁹ Indigenous people will be identified in accordance with ADB SPS Safeguards Requirement 3.

No	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
			vulnerable groups for their inclusion during consultation.	<ul style="list-style-type: none"> • Four specific consultation meetings are mentioned in the SOP but as the SOP states consultation will be carried out as an on-going process throughout implementation. • ADB staff may participate in consultation meetings. • Efforts will be made to consult with potentially vulnerable affected people (as defined in para 53-55) and will be done throughout implementation.
2.	<p>Grievance Redress Mechanism</p> <ul style="list-style-type: none"> • Establish a grievance redress mechanism that is understandable, readily accessible, transparent procedures, gender responsive and culturally appropriate. <p><i>To comply with ADB SPS IR Principle 2 (page 17), para 59, 60 (page 22), Appendix 2, para 29 (page 49)</i></p>	<p>Chapter IX of the SOP deals with Grievance Redress Mechanism.</p> <ul style="list-style-type: none"> • The GRM is established as a locally based arrangement at the provincial level for receiving, recording, assessing and facilitating the resolution of complaints and grievances raised by the affected persons in relation to their compensation and entitlements for the expropriation of land and other immovable property under the Law on Expropriation. 		<ul style="list-style-type: none"> • Status of complaints at the commune level will be included in the periodic monitoring report to ADB. • Appendix 8.2 is the Register of Complaint, however when reporting, the status of complaints will be included.

No	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
3.	<p>Compensation and assistance</p> <ul style="list-style-type: none"> • Provide physically and economically APs with compensation and needed assistance <p><i>To comply with ADB SPS policy principle 3, 4, 5, 7 (pg 17) and Appendix 2, paras 7, 8, 9,10 (page 45), 11 and 12 (page 46), 16 and 17 (page 47).</i></p>	<ul style="list-style-type: none"> • The SOP includes the compensation and transition/disturbance allowance to the APs in its entitlement. • SOP has provisions for relocation land (for APs with titles or recognized rights to land) and are subject to conditions i.e availability of government land. This does not apply to illegal squatters or occupiers. • SOP has provisions for loss of livelihoods for all DPs (limited to selection of 1 out of 3 pre-defined programs) • SOP has provisions for providing relocation site to eligible DPs which is selected factoring in location, the availability of the basic social services and infrastructure development, depending on availability of land at affordable prices and availability of State land near the project area. 		<ul style="list-style-type: none"> • SOP EM 2b transitional allowance to be commensurate with the time taken to relocate the business. • Livelihood restoration will be commensurate with the impact assessed during DMS social economic survey of the APs. • For vulnerable groups except for illegal squatters, provision of legal and affordable access to adequate housing and income sources. • Valuation rates are valid for a period of one year from the date of endorsement of RCS report by the IRC and thereafter updated. • Affected people with legal rights both with hard and soft titles are treated the same.
4.	<p>Procedures for Negotiated Settlement</p> <p>Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement</p> <p><i>To comply with ADB SPS IR safeguards policy principle 6 (page 17), para 73, (page 26), Appendix 2, para 25 (page 48-49)</i></p>	<p>Chapter-X (Section-B) of the SOP mentions that in the case of acquisition of private land where the seller is willing to sell and the buyer is willing to buy, such land may be acquired under a commercial contract. The price will be negotiated as part of commercial norms.</p>		<ol style="list-style-type: none"> 1. For the willing buyer willing seller cases (where expropriation will not be used), ADB will have access to all the documentation for on-site verification at GDR. If agreement between the willing buyer and willing seller cannot be reached, alternate site will be selected. 2. Where negotiated settlement is applied in lieu of compulsory land acquisition based on SR 2 requirements para 25 will be followed, documented and described in the resettlement plan and information of the negotiations included in the monitoring reports. <ul style="list-style-type: none"> • A negotiated settlement will offer adequate and fair price for land/or other assets.

No	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
				<ul style="list-style-type: none"> • Ensure that any negotiations with displaced persons openly addresses the risks of asymmetry of information and bargaining power of the parties involved in such transactions. • Negotiated settlement procedures will follow para 25 of Appendix 2 of SPS and agreed with ADB.
5.	<p>AHs (without titles or recognizable rights to land)</p> <ul style="list-style-type: none"> • Ensure that APs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets <p><i>To comply with ADB SPS IR policy principles 2, 5, 7 (page 17), Appendix 2, paras 9, 11, 12, 16 and 17 (pages 45, 46 and 47).</i></p>	<p>Chapter-VII:</p> <p>Section B para 104 says:</p> <ul style="list-style-type: none"> • No compensation for land will be paid for AP occupying land in the ROW. <p>Section C of the SOP states that:</p> <ul style="list-style-type: none"> • The entitlement to compensation of affected persons largely depends on the legality of possession or ownership to the land and other assets at the time of the Cut-Off Date. The following types of displaced persons shall be eligible to compensation, but compensation would vary depending on their situation: • Legal owners and holders of title or rights to land, including customary rights. • Tenants and leaseholders, including employees, workers and hawkers. • Those who have no formal title or rights to the land (illegal occupiers) who are engaged in farming or businesses. • Poor and vulnerable groups. 	<p>Clarification needed for how poor and vulnerable APs are provided legal and affordable access to land.</p>	<ul style="list-style-type: none"> • Social land concession is not an entitlement. However, IRC can just inform the relevant and competent local authorities about the affected poor, landless households who may be eligible to apply for social land concession. Criteria for providing social land concession will be defined by other competent authority. The decision on granting a social land concession will also be made at the sole discretion of the relevant authorities in accordance with Cambodia regulations on social land concession. • GDR will provide information if there is any social land concession program available in the Project area in its monitoring report

Source: Aide Memoire Attachment 3 of the Safeguard Policy Dialogue Mission 22-23 August 2019

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

92. The Subproject entitlements have been defined in accordance with the various impacts identified based on the results of the IOL and SES. The eligibility for entitlements applies to all AHs impacted by the Subproject which is categorized in the Entitlement Matrix (EM). The EM is presented in the Table 8.1 indicating each type of loss and degree of impact with corresponding benefits applicable to the specific condition. The impacts on AHs and standards set in the entitlement matrix maybe upgraded but will not be downgraded during DRP preparation and update of the EM.

A. Cut-off Date for Eligibility to Subproject Entitlements

93. All three categories of APs are covered for entitlements as per ADB SPS (2009):

- (i) Persons with formal legal rights to land;
- (ii) Persons with no formal legal rights to land but have recognized or recognizable claims under national laws; and
- (iii) Persons who have neither formal legal rights nor recognized or recognizable claims to land.

94. Only persons and organizations with fixed assets and sources of income in the Subproject COI at the time the cut-off date are eligible to receive the Subproject entitlements agreed between the RGC and ADB. Those who encroach into the Subproject area after the cut-off date will not be entitled to compensation or any other assistance, except if changes in the Subproject design or additional land take entail a modification of the Subproject area.

95. The cut-off date (COD) was set at **12 September 2020** during public consultations. The COD was also confirmed with a letter from MPWT to Svay Rieng Provincial authorities (Annex E, which has been disclosed during public consultations meetings with APs and the copy of the Letter at Sangkat and District offices.

B. Unit Rates of Affected Assets

96. The IOL confirmed that there will be no relocation, and the only impacts are loss of structures, trees and access to land use in the corridor of impact (COI) under the Subprojects. For resettlement budgeting, indicative pricing from a recent replacement cost study (RCS) of similar Projects in the region have been used for this BRP.²⁰ Adjustments were not made to the unit rates. The validity of the RCS only cover until year 2022, hence a full RCS will be conducted after DMS to update the resettlement budget and all unit rates in the BRP.

97. The GDR will recruit a professional independent appraiser/firm (RCS Consultant) to conduct RCS to determine compensation rates during DMS. The rate of compensation for acquired housing, and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. RCS will also collect baseline data on housing, house types, and construction materials. In applying this method of valuation, depreciation of structures and assets will not be considered.

²⁰ Second Urban Environmental Management in the Tonle Sap Basin Project: (i) Battambang Wastewater System Subproject (August 2020) and (ii) Stung Saen Wastewater System, Drainage, and Solid Waste Management Subprojects (May 2020), and Integrated Urban Environmental Management in the Tonle Sap Basin Project: Kampong Chhannong Sewerage, Flood Protection and Wastewater Treatment Subproject BRP (November, 2020).

98. The principles of valuation are that lost asset values are calculated at replacement cost without deduction for taxes and/or costs of transaction as follows:

- a) Loss of privately owned land on replacement cost at current market prices;
- b) Secondary structures valuation is based on actual current market prices, (as per agreed RCS), for materials, transportation and labor without depreciation or deduction for salvaged building materials;
- c) Trees compensation will be at full replacement cost, which shall be based on productive ages as per agreed formula in the entitlement matrix; and
- d) Loss of land use valuation is based on replacement value of productive land improvements and potential loss of income.

Table 8.1: Entitlement Matrix

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
1. Loss of Land					
1a	Loss of Land	Agricultural land	<p>Legal owners and holders of real right of land, including those covered by customary rights, and recognizable/legalizable right holders and non-title holders</p> <p>5 AH/15 APs agricultural land</p> <p>9 AHs/24 APs unused agricultural land</p>	<ul style="list-style-type: none"> For the affected portion of the private land: cash compensation at full replacement cost Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable. 	<p>In case the remaining land is not viable for continued use (to be determined during DMS by GDR DMS team), the entire plot is acquired on replacement cost. RCS will determine the rates.</p> <p>AHs to be notified at least 3 months in advance of the actual date that the land will be acquired by the subproject.</p> <p>AHs will be allowed to harvest their annual and perennial crops and timber products prior to construction, if any.</p> <p>If the head of household is married, compensation will be paid at the presence of both husband and wife.</p> <p>Land title adjustments will be made by MLMUPC to title documents.</p>
1b	Loss of Land	Residential land	<p>Legal owners and holders of real right of land, including those covered by customary rights, and recognizable/legalizable right holders and non-title holders</p> <p>5 AHs/21 APs residential land</p>	<ul style="list-style-type: none"> For the affected portion of the private land: cash compensation at full replacement cost Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable. 	<p>In case the remaining land is not viable for continued use (to be determined during DMS by GDR DMS team), the entire plot is acquired on replacement cost. RCS will determine the rates.</p> <p>AHs to be notified at least 3 months in advance of the actual date that the land will be acquired by the subproject. If the head of household is married, compensation will be paid at the presence of both husband and wife.</p> <p>Land title adjustments will be made by MLMUPC to title documents.</p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
1c	Loss of Land	Agricultural, residential and commercial land	Tenants and Leaseholders No AHs/APs	• No compensation for loss of land as not legal owners of land, but compensation for any improvements made to the land.	
1d	Loss of Land		Illegal occupiers/squatters without legal titles or rights to land 12 AHs/39 APs	• No compensation for loss of land as not legal owners of land, but compensation for any improvements made to the land.	
1e	Loss of land use	Income Restoration	AHs losing productive agricultural land inside ROW or on public land 12 AHs/39 APs	• Cash compensation for improvements on the land and loss of income potential.	RCS will determine the compensation amounts. Advance notice to harvest at least three months before start of civil work, and APs will remove their crops and trees from the Subproject areas within one month after receiving compensation.
2. Loss of Trees					
2a	Loss of Fruit and Timber Trees	Agricultural land	All AHs regardless of land ownership/tenure status. 26 AHs/113 APs for timber trees 8 AHs/34 APs for fruit trees	<ul style="list-style-type: none"> For fruit trees, replacement cost of loss based on the following formula: [(Quantity Harvested per Year) X (Market Price) X (Number of years it will bear fruit)] + cost of seedlings. Timber trees that have a growth period of more than 5 years are classified as follows: <ul style="list-style-type: none"> Sapling trees under 1 year: not compensated as it can be replanted. Cost of seedling provided; Young tree (1 to 3 years): valued at one-third of its full price as it can be replanted plus cost of seedlings; 	RCS will determine the rates. Market Price is based on Farm- Gate Price. Advance notice to harvest at least three months before commencement of civil work, and APs will remove their trees from the Subproject areas within one month after receiving compensation.

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
				<ul style="list-style-type: none"> - Young tree (3 to 4 years): valued at two-thirds of its full price plus cost of seedlings; - Mature tree (more than 5 years): valued at full price plus cost of seedlings 	
3. Loss of Structures					
3a	Loss of, or damage, to houses and structures	Residential, commercial structures and other assets	<p>All owners of the structures whether or not land is owned; with or without building permit</p> <p>13 AHs/59 APs for secondary structures</p> <p>29 AHs / 100 APs for other structures</p>	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of lost portion of the house/building/structure. If the owner rents or leases, compensation for any improvements/ construction carried out by the renter/leaseholder will be deducted from the compensation payment to the owners. • In case of loss of only part of the houses/buildings/structure and the remaining portion is not livable or useable, compensation will be paid for complete structure at same replacement cost. 	<p>RCS will determine the rates. Viability of the remaining house/structure to be determined during DMS by GDR DMS team.</p> <p>AH can retain the materials from demolition of their structures at no cost.</p> <p>AHs to get cash compensation at least one month ahead of civil works in the locality to provide them sufficient time to gradually re-organize the house and/or shop, thereby avoiding any disruption in the livelihood of the same.</p> <p>If the head of household is married, compensation will be paid at the presence of both husband and wife.</p>
3b	Loss of, or damage, to houses and structures	Residential, commercial structures and other assets	<p>Tenants and Leaseholders</p> <p>No AHs/APs</p>	<ul style="list-style-type: none"> • Cash compensation at replacement cost for any improvements or construction by the tenants or leaseholders. • In case of no improvements or construction, no compensation is paid. • Transfer/Disturbance Allowance equivalent to 1 month of rental or lease amount. 	<p>RCS will determine replacement cost.</p> <p>Documentary evidence or confirmation by the owner/commune/village, as relevant, is required.</p>
3c	Loss of, or damage, to houses and structures	Residential, commercial structures and other assets	Illegal occupiers or squatters without legal titles or rights to land	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of loss of structures constructed by illegal occupier/squatters 	RCS will determine replacement value.

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
			No AHs/APs		
3d	Loss of Houses and Structures (Transport Allowance)	Transport allowance for household and personal goods	No AHs/APs	<ul style="list-style-type: none"> Fixed Lump Sum allowance per AH based on average cost of transportation to new relocation place. Up to 5 km. More than 5 km. 	RCS will determine the lump sum amount for the 2 rates.
4. Loss of Livelihood and Income Restoration					
4a	Permanent Loss of Livelihood Source	Income Restoration	AHs who lose their source of livelihood permanently.	<ul style="list-style-type: none"> Entitled to participate in any one of the Livelihood Restoration/Support Programs: Land Based Livelihood Restoration for AHs engaged in land-based livelihood. (i) facilitate access to other land-based sources of income, if affordable productive land is available, like vegetable gardening, fruit tree, livestock and other similar land-based income generating sources; (ii) provision of training in farming or livestock; and (iii) lump sum cash grant of \$200 to re-start land based livelihood. In case of unavailability of suitable land, the AHs can opt for either employment or business-based livelihood program. Employment Based Livelihood Restoration for AHs who lose employment permanently. (i) provision of employment skills training; and (ii) lump sum cash grant equivalent to 3 months of income based on official poverty rate to supplement income support during the training period. <p>OR</p>	<p>AHs eligible for IRP to be verified during DMS/SES from income breakdown and livelihood information.</p> <p>The program will be based on the choice of the AP.</p> <p>Land Based for AHs who lose land-based livelihood</p> <p>Employment Based lump sum cash grant for AHs who lose employment - based livelihood is calculated as:</p> <p>3 months of income based on poverty rate= (Monthly Poverty Rate X Number of Members in AH X 3).</p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
				<ul style="list-style-type: none"> Business Based Livelihood Restoration for AHs who lose businesses permanently or AHs who opt for this as an alternative livelihood source. (i) provision of business skills; and (ii) a lump sum cash grant of \$200 to assist in starting micro or home-based business. <p>OR</p> <ul style="list-style-type: none"> \$200 cash assistance and \$300 instead of IRP vocational training 	<p>Business Based for AHs who lose business-based livelihood. This can also be available to AHs who do not want to continue with land or employment-based livelihood at their own choice.</p> <p>AHs will only be eligible for any one of the above three options.</p>
4b			<p>Poor and Vulnerable AHs</p> <p>No AHs/APs</p>	<ul style="list-style-type: none"> For Poor and Vulnerable AHs. In addition to skills training, (i) above lump sum cash grant will be doubled i.e. from \$200 to \$400 under land-based (and business-based livelihood restoration and lump sum cash grant from 3 months to 6 months of income based on official poverty rate under employment-based livelihood restoration; and (ii) priority in any employment opportunity under the Subprojects. 	
4c	Loss of Income during Transition Period -	Business Income Loss	AHs who are engaged in business and have to relocate or temporarily	<ul style="list-style-type: none"> Cash compensation equivalent to the daily net income (as reflected in tax receipts or 	Details to be determined during DMS and RCS.

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
	Subsistence Allowance		close business during construction. 2 AHs/7 APs	<ul style="list-style-type: none"> other documentation) multiplied by the days of business disruption. OR <ul style="list-style-type: none"> For unregistered/business owners who cannot show any tax receipt and cannot otherwise confirm income amount: Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by the Government. <p>Monthly Poverty Rate X Number of Members in AH X 3</p>	<p>Both registered and unregistered businesses are compensated except when the nature of business is illegal.</p> <p>For this BRP \$33/month/capita poverty line is applied. If at the DRP preparation or implementation/contract offer stage for compensation payments, an updated poverty line is available, the latest poverty line applies.</p>
4d		Loss of Employment Income	<p>APs who loss income from temporary loss of employment in businesses disrupted</p> <p>No APs</p>	<ul style="list-style-type: none"> Cash compensation equivalent to the daily net income (as reflected in tax receipts or other documentation) multiplied by the days of business disruption. OR <ul style="list-style-type: none"> Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by the Government. <p>Monthly Poverty Rate X Number of Members in AH X 3</p>	
5. Special Assistance					
5a	Vulnerable Households	Income Restoration	No AHs/APs	<ul style="list-style-type: none"> Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by RGC. 	Vulnerable households to be verified during the DMS. In case vulnerable are identified, provisions of the EM will apply to them.

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
				<ul style="list-style-type: none"> • Monthly Poverty Rate X Number of Members in AH X 3 	At the DRP stage, the latest poverty line will be applied, and vulnerability status reconfirmed based on the latest poverty line as provided by MOP.
6. Temporarily affected properties during construction					
6a	Temporarily affected land and non-land assets during construction	Temporary impact on structures	Owner of temporarily affected land and non-land assets, regardless of land ownership status TBD	<ul style="list-style-type: none"> • Contractor will pay rent for any land/structure required for construction workspace outside the ROW. • For identified temporarily impacted assets within the Corridor of Impact (COI), no compensation, but construction contractor will be responsible to restore/rebuild all these temporary impacted assets to pre-subproject condition or better (such as pavement, driveways, signposts, spirit houses and light weight extended eaves). If reinstatement is not an option, then principles of the EM apply and cash compensation at replacement cost to be paid. • For assets impacted by contractor outside of COI, then principles of the EM apply and cash compensation at replacement cost to be paid. 	<p>As part of the civil works contract, all pavements/walkways/access roads/driveways to properties adjacent to the road will be repaired or replaced including culverts and other facilities, to a condition equal or better than the present.</p> <p>AHs will be notified at least one month in advance of the actual date that the land/non-land asset will be temporarily used or affected by the Subproject.</p> <p>Contractor will be required by contract and EMP to cover these costs. Construction and maintenance will be carried out so as to minimize damage and the disruption period will be minimized as much as possible.</p>
7. Unanticipated Impact					
7a	Unanticipated involuntary resettlement Impacts	Any impact not accounted for	Eligible displaced persons TBD	<ul style="list-style-type: none"> • New displaced persons that will be identified (i.e., those who will be included among the adversely affected because of changes in the Subproject design or alignment prior to or even during construction works) are entitled to the same entitlements as those in this EM. 	GDR shall ensure the conduct of a social assessment and update or formulate a new RP or a DRP addendum depending on the extent of the impact changes. Unanticipated impacts will be documented and mitigated based on the principles provided in this BRP.

VIII. RELOCATION AND REHABILITATION

99. There is no relocation of any AH to another site, or impact on residential land or primary structures. There is also no temporary relocation of market or street vendors, as night-time construction work schedule will be used. All affected secondary/auxiliary structures of AHs will be shifted back within the ROW but outside the COI.

IX. INCOME RESTORATION AND REHABILITATION

A. General Provisions

100. The AHs (including heads of the households and household members) who will permanently lose their source of livelihood will be entitled to participate in the income restoration program (IRP). Based on the results of the IOL/SES, no AH permanently loses his/her primary source of livelihood. Hence no AH is entitled to participate in the IRP based on IOL/SES. However, IOL/SES data did not include breakdown of income sources, so for 1 AH/3 APs losing more than 10% of productive agricultural land their eligibility for IRP will be verified during DMS/SES. In the event if during DMS any AH is identified to have permanently lost their source of livelihood, then an IRP has been designed during the preparation of this BRP and will be updated and implemented during preparation of the DRP for all eligible AHs.

101. Under IRP the eligible members of the AHs that are within the working age (15 to 60 years old) will be provided skills training, as needed, and referred to establishments in need of workers. This component of the strategy is also intended to bring in cash for the other basic needs of the AHs. The contractor will be requested to implement preferential hiring of AHs experiencing major impacts and vulnerable AHs for non-skilled labor during civil works. Compliance will be monitored by the PMU and ADB during implementation.

B. Income Restoration Program

102. Eligible APs, depending on their preferred choice, are entitled to participate in any of the three IRP as reflected in this BRP.

103. **Land-based Livelihood Restoration Program.** (i) Access to other land-based source of income, if affordable productive land is available, like vegetable gardening, fruit tree, livestock and other similar land-based income generating source. The Subproject will not provide the land except in the case of land for land swap. APs will need to acquire the land at their own costs. Specifically, designed skills training in farming and livestock will be provided to the APs. (ii) Financial support in the form of a lump sum cash grant of \$200/AH to assist in re-establishing the livelihood.²¹

104. **Employment-based Livelihood Restoration Program.** (i) Provision of employment skills training. (ii) Financial support in the form of cash grant equivalent to 3 months of income based on the official poverty rate prescribed by the government to support the displaced person during the training period. The amount will be the monthly poverty rate x number of members in the AH x 3. (iii) Access to temporary job opportunities at the construction site, at the office, or other places that may be available under the Subproject.

105. **Business-based Livelihood Restoration Program.** (i) Provision of business skills training focusing on micro- or home-based businesses. (ii) Financial support in the form of a

²¹ In case no alternative agricultural land is available, these APs will be offered the option to participate either in the employment or business-based livelihood restoration program.

lump sum cash grant of \$200/AH to assist in starting or re-establishing micro or home-based businesses.

106. For those AHs who chose not to participate in any of the training programs under the IRP, they will be entitled for a cash grant of \$200 and \$300/AH instead of IRP.

C. Poor and Vulnerable Group Special Assistance

107. Any vulnerable AH identified during DMS or in subproject implementation are eligible for special vulnerability allowance. They will be provided with special assistance of lump sum amount equivalent to 3 months of income based on the official poverty rate established by RGC and is calculated as **Monthly Poverty Rate X Number of Members in AH X 3**. They will have priority access to employment under the Subprojects. They will be further facilitated by IRC-WG with access to employment under Cash for Work Program as special assistance for poor and vulnerable AHs. The RGC is implementing Cash for Work Program (CFWP) for Rural Development and Livelihood Enhancement Project in 18 out of 25 provinces in Cambodia with the objective is to help reduce poverty, improve livelihood and welfare of rural people and poor farmers by providing short-term job opportunities through cash for work program, which will not only support short-term livelihood, but also enable to increase capital for investment in agriculture or other related businesses, and improving agriculture and rural infrastructure. The program is implemented in Svay Rieng Province, and during the DMS stage, any identified vulnerable AH will be linked to the CFWP.

108. **Special Package for Poor and Vulnerable Groups.** To assist the poor and vulnerable AHs (who will permanently lose their source of livelihoods) to improve their standard of living, additional financial assistance will be provided in comparison with other AHs. The lump sum grant under the livelihood restoration/support programs will be **doubled from \$200 to \$400** for land and business-based programs and **from 3 months' income to 6 months' income** for employment-based program. They will also be provided with priority for employment opportunity under the subproject.

D. Consultations

109. Consultation will be conducted with the AHs who will permanently lose their source of livelihoods and are entitled to participate in the IRP under the Subprojects during the preparation of the DRP. A meaningful consultation will be conducted by the GDR, Local Authority assisted by the DCSC. The focus of the IRP is to assist the eligible APs to re-establish their sources of livelihoods to improve their economic situation. For this purpose, the IRP will be designed during the preparation of the DRP, and it will be implemented in parallel by GDR with the implementation of the approved DRP by IRC and ADB with the active involvement of the participating AHs.

X. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Source of Funds for Resettlement

110. The cost for all compensation, resettlement assistances under the Subprojects will be financed from the national budget and no financing will be required from the ADB loan and grant.

B. Flow of Funds for Compensation and Cash Assistance

111. After approval of DRP, GDR will prepare compensation plan, and consult and draft contracts for compensation payments with AHs. Compensation payments will be done in full after the contracts have been signed and of payments completed.

112. The GDR will be responsible and accountable for all financial management functions relating to the use of the budgeted funds. The Government will set up a designated account, called the counterpart funds account for the project at the National Bank of Cambodia. The funds for LAR are provided to the GDR from the counterpart funds account. The budget is prepared by the GDR and submitted to MEF for approval once the DRP is approved by IRC and cleared by ADB. The GDR will submit a request for the release of the allocated budget to the General Department of International Cooperation and Debt Management which will process the request and submit to the General Department of National Treasury. The funds are released and deposited into a project designated account established by the GDR for the subproject at the National Bank of Cambodia. The funds are released from project designated account, as and when necessary, and provided to the PRSC which is responsible for the disbursement of payments to the AHs.

113. The compensation payments will be made in a public place by the PRSC-WG in close collaboration with IRC-WG. The PRSC-WG will inform the commune or the village office on the schedule dates for the commencement of the payments at least 3 days in advance. A notice will be placed at the commune and village office and community hall, if any, at the same time. The commune and village office will make best efforts to inform the APs about the schedule dates for commencement of payments. On the date for the payments, a public consultation meeting will be also conducted to explain the procedures that will be followed prior to the commencement of the payment to each individual AP. Figure 11.1 illustrates the fund flow diagram.

C. Implementation, Administration and Contingency Costs

114. Administrative costs relative to the preparation and implementation of the BRP, in addition to the cost of monitoring, are included in other budget items of the Project. Therefore, only the cost of compensation, cash allowances, and a 10% contingency are reflected in this BRP. The administrative and contingency funds will ensure that adequate funds are made available as and when necessary for the efficient and timely implementation of resettlement.

D. Estimated Cost of Resettlement

115. The calculation for compensation and assistance for the Subprojects presented in this BRP are based on the results of the IOL and estimated market prices at full replacement cost, as surveyed by other recent RCSs for ADB funded projects in the Tonle Sap region²² and is indicative only. Final unit rates will be established in the completed RCS report after DMS has been completed at DRP preparation stage. The estimated cost of resettlement for the

²² Second Urban Environmental Management in the Tonle Sap Basin Project: (i) Battambang Wastewater System Subproject (August, 2020) and (ii) Stung Saen Wastewater System, Drainage, and Solid Waste Management Subprojects (May, 2020).

subproject is calculated at **\$1,350,144.20**. At the DRP stage, the RCS will be conducted, and detailed subproject unit rates and resettlement budget calculated based on the actual impact as per detailed design. The estimated budget includes: (i) \$1,123,453.50 as direct cost of compensation for affected land, secondary and other structures, trees, loss of land use, and cash assistance to AHs with major impact, and allowances for temporary market relocation; (ii) \$2,000.00 for RCS; (iii) administrative cost of \$112,345.35; and (iv) contingency cost of \$112,345.35.00. Table 11.1 summarizes the estimated resettlement costs.

Figure 11.1: Fund Flow Diagram

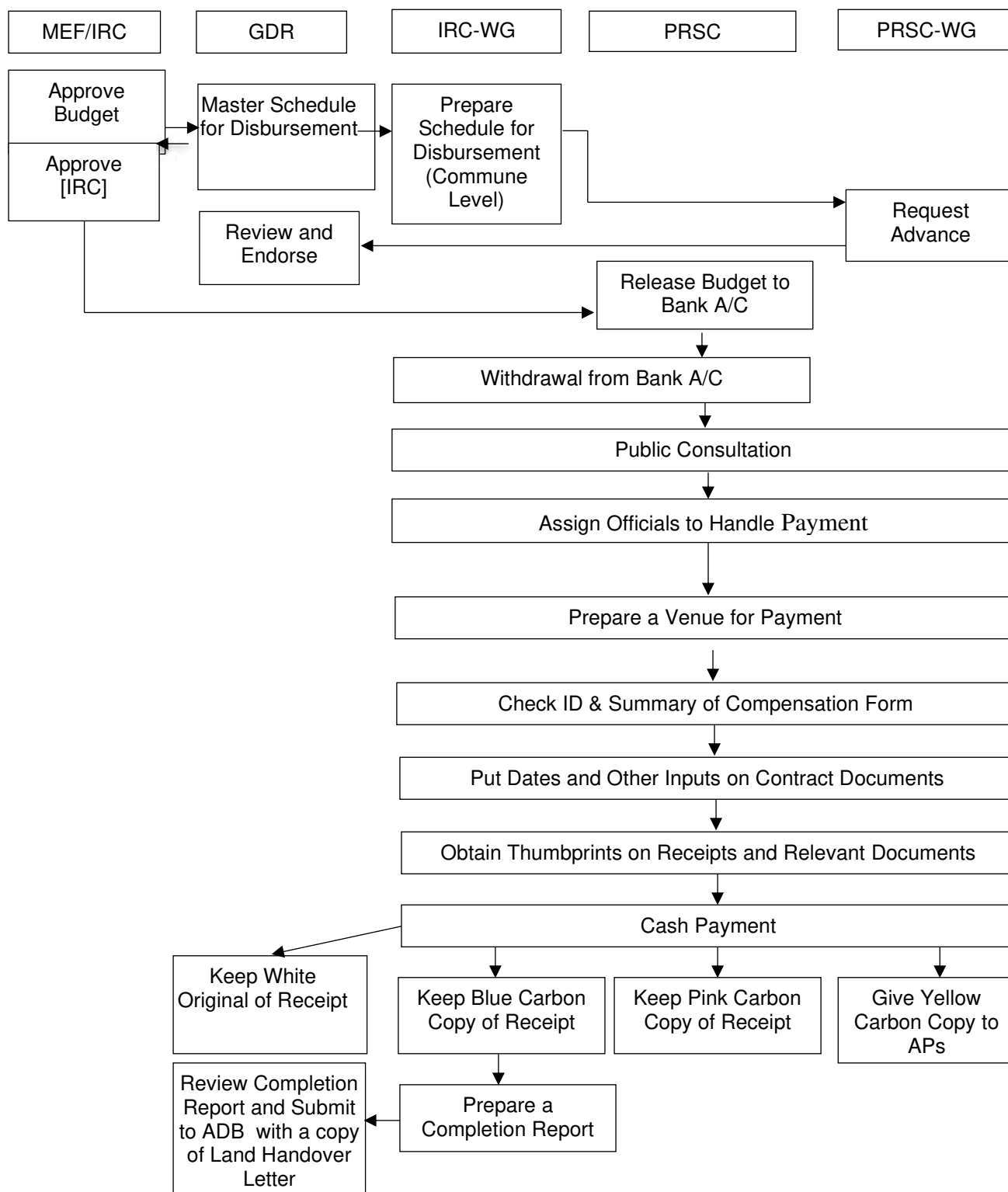


Table 11.1: Estimated Resettlement Costs

No.	Components	Unit	Quantity	Estimated Unit Cost (\$)	Total (\$)
A	Loss of Land				
1	Privately owned residential land	m ²	698.40	100.00	69,840.00
2	Privately owned agricultural land (used)	m ²	52,427.50	7.00	366,992.50
3	Privately owned agricultural land (unused or unimproved)	m ²	126,107.00	5.00	630,535.00
	Total A				1,067,367.50
B	Secondary and other structures				
1	Animal shed	m ²	82.00	17.000	1,394.00
2	Eave (permanent)	m ²	977.00	17.00	16,609.00
3	Kitchen	structure	2	120.00	240.00
4	Storage / store	m ²	51.50	20.00	1,030.00
5	Toilet	structure	2	250.00	500.00
6	Wood fence	lm	246.40	11.00	2,710.40
7	Brick fence	m ²	374.50	30.00	11,235
8	Concrete fence (including poles and wire)	lm	443.40	9.00	3,990.60
9	Steel fence	lm	25.00	16.00	400.00
10	Zinc fence	lm	100.00	18.00	1,800.00
11	Wire fence	lm	70.00	6.00	420.00
12	Concrete pole (including gate poles)	lm	7.00	14.00	98.00
	Total B				40,427.00
C	Loss of Trees*				
1	Fruit trees (average rate)	Tree	39	40.00	1,560.00
2	Timber trees (average rate)	Tree	1,201	10.00	12,010.00
	Total C				13,570.00
D	Temporary loss of Income and allowances				
1	Loss of land use**	m ²	9,972	0.14	1,396.00
2	Temporary business impact	AP	7	99.00	693.00
	Total D				2,089.00
	Total Direct Cost (A) + (B) + (C) + (D)				1,123,453.50
	Replacement Cost Study (lump sum)				2,000.00
	Administration Cost (10% of direct cost)				112,345.35
	Contingency (10% of direct cost)				112,345.35
	Total Resettlement Cost				1,350,144.20

* Species specific rate for all tree species was not available from recent RCS data

** Estimation for budgeting purposes only (as per Second Urban Environmental Management in Tonle Sap Detailed Resettlement Plan for Battambang WWTP Subproject).

XI. INSTITUTIONAL ARRANGEMENT

116. **Ministry of Public Works and Transport (MPWT).** The Subproject will be implemented by MPWT as the executing agency through the Project Management Unit (PMU), which will support MPWT in undertaking overall oversight and management of the Project. It will be supported by consultants to ensure that procedures are followed and that the implementation schedules are kept on track. However, it will not be responsible for carrying out the land acquisition and resettlement activities which is mandated to the General Department of Resettlement (GDR). MPWT and its PMU will coordinate closely with the IRC-WG on all matters concerning involuntary resettlement, working closely with RD2 of GDR to prepare, update, and implement the DRP.

117. **Project Management Unit (PMU) under MPWT.** A dedicated PMU has been established in MPWT to carry out the day-to-day tasks in the overall implementation of the Project. However, it is not mandated to carry out resettlement activities but assumes some tasks in coordination with GDR which is the lead agency directly responsible for all LAR activities in the ROW. The PMU designated a focal person on resettlement and tasked to undertake specific PMU responsibilities with regards to LAR and coordinate with GDR, the PRSC and the PIU in all matters concerning LAR planning and implementation. The specific tasks of the PMU related to LAR include the following:

- Conduct social impact assessment of the Project/Subproject;
- Prepare the draft basic resettlement plan based on pre-detailed design alignments/demarcation of Subproject site for GDR's review and endorsement;
- Set out the demarcation of the land requirement along the final alignment within a month after completion of the DED in coordination with GDR;
- Provide GDR with the proposed construction schedule identifying the completion schedule of LAR and handover of sites by sections to the contractor before planned contract award date;
- Inform GDR in a timely manner if progress of construction is hampered by LAR issues or any anticipated bottleneck;
- Assist and cooperate with GDR in seeking solutions to problems encountered during Project/Subproject implementation;
- Invite GDR to participate in supervision missions and wrap-up meetings with APs and ensure that GDR's comments on LAR issues are incorporated in Aide Memoires (AMs), Memorandum of Understanding (MOU) and Minutes of Discussions (MOD); and
- Ensures that no further encroachment on the ROW after handover by GDR of the land for the Project/Subproject.

118. **Inter-Ministerial Resettlement Committee (IRC).** The IRC is the decision making and oversight body for LAR activities. It has the mandate to review and evaluate the resettlement impact and land acquisition for public physical infrastructure development Projects in the Kingdom of Cambodia. The IRC is a collective entity, permanently chaired and led by the Ministry of Economy and Finance (MEF), with members from different line ministries. The IRC carries out its roles through a IRC-WG which is established by MEF for each public investment Project. Key responsibilities of IRC include:

- Provide effective oversight and ensure LAR complies with the laws and implementing rules and regulations;
- Ensure effective coordination between line ministries, provincial/local authorities and GDR in carrying out the LAR;
- Review and approve the DRP and endorse DRP prior to submission to ADB for its review and the approval;
- Initiate the establishment PGRC; and

- Provide overall guidance on implementing rules and regulations for LAR and propose updates as necessary.

119. **General Department of Resettlement (GDR).** The GDR is the permanent technical Secretariat of the IRC and the lead agency for the preparation, implementation, and monitoring and reporting of LAR. The GDR will carry out activities under the Bavet WWTP and sewerage network improvement Subproject through its Resettlement Department 2 (RD2). For this, detailed tasks of RD2 of GDR includes:

- Coordinate and collaborate with line ministries, MPWT, and other agencies involved in LAR activities;
- Conduct public consultations and FGDs with the affected persons and vulnerable groups;
- Prepare the DRP for the Subproject and submit to ADB for review and acceptance;
- Develop terms of reference and recruit the replacement cost surveyor;
- Prepare and secure the necessary budget for the implementation of the DRP;
- Calculate, prepare contracts, and make payments for compensation for each AH based on the entitlement matrix in the DRP;
- Implement all LAR activities in compliance with the DRP;
- Ensure proper functioning of the GRM;
- Supervise, monitor, and report on implementation progress of the DRP;
- Send Land Handover Letter to MPWT with a copy to ADB;
- Prepare and submit to ADB quarterly progress and semi-annual monitoring reports;
- Prepare, agree with ADB and implement corrective action plan, if any, during implementation; and submit the corrective action plan implementation report to ADB for concurrence and disclosure;
- Conduct awareness workshops for MPWT, line ministries, local authorities, and construction contractor on the implementing rules and regulations as specified in the DRP; and
- Serve as the focal knowledge center for resettlement of the Project or Subprojects.

120. In addition, the DIMDM of GDR is responsible for carrying out the internal monitoring of the implementation of the DRP and the verification and validation of the compliance of the entitlements and compensation payments with the provisions of the entitlement matrix in the DRP. Its role extends to internal verification of all LAR activities for compliance with the provisions under the agreed DRP and reports directly to the Director General of GDR. In addition, it records and reviews all complaints and grievances submitted by displaced persons; investigates them and makes recommendations on compliance to the Director General of GDR. After the payment of compensation and other entitlements is completed, GDR will prepare and submit to ADB the DRP implementation report to obtain “no objection” for civil works. In addition, DIMDM will prepare and submit quarterly progress report to MPWT and semi-annual social safeguard monitoring reports to ADB, the latter report for review for disclosure.

121. **Cadastral Administration Office.** The Cadastral Administration Offices under the Ministry of Land Management, Urban Planning and Construction (MLMUPC) is responsible for issuing titling documents, including the certificate of land use rights, hard titles and social land concession as part of securing tenure for landless and issuing title documents for the land plots acquired in favor of MPWT.

122. The **concerned local administrative authorities (district, commune, and village).** The districts, communes, and villages where the Subproject is located will coordinate and work closely with the PRSC-WG and IRC on the DRP preparation and implementation. Their roles and responsibilities include:

- Identify and coordinate the venue for the public consultation meetings and invite AHs to participate in the consultation activities, such as DMS, SES, RCS and other resettlement related activities; and
- Assist the IRC-WG, PRSC-WG, and GDR in developing suitable measures to assist the vulnerable AHs by the Subproject.

123. Inter-Ministerial Resettlement Committee Working Group (IRC-WG). The IRC-WG will carry out the day-to-day LAR activities under the Project which is led by the Deputy Director/Chief of the Department of Resettlement of the GDR and comprise technical PMU staff of the MPWT/PMU, staff of the Resettlement Department and staff of the Ministry of Land Management, Urban Planning and Construction. The IRC-WG will be responsible for all the field work under the supervision of the Director of the Resettlement Department and overall guidance and direction of the Director General of the GDR.

124. Provincial Resettlement Sub-Committee (PRSC). The PRSC will be established by the Bavet Provincial Governor at the request of the IRC for the Subproject. The role of the PRSC is as follows:

- Provide the coordination and supporting role to the GDR, IRC and IRC-WG for LAR activities at the local level;
- Ensure all relevant provincial and local government authorities provide the necessary support for LAR;
- Manage the public consultation meetings at Provincial Level;
- Oversee and monitor the work of PRSC-WG;
- Responsible and accountable for the disbursements of the compensation payments at the provincial level; and
- Assist the IRC-WG in developing measures to assist vulnerable households by the Subprojects.

125. Provincial Resettlement Sub-Committee Working Group (PRSC-WG). The PRSC-WG will be established by the Bavet Provincial Governor and is mainly responsible for technical functions of the PRSC and works with the IRC-WG in carrying out the LAR activities at the provincial level. The PRSC, through the provincial and district working groups are responsible for the following functions:

- Facilitate public information campaign, ensuring that the public, especially the AHs, are updated on any developments regarding the Subproject and resettlement activities;
- Participate in the DMS and updating of the census of AHs, including the updating of the entitlements
- 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 the Project road sections;
- Spearhead the delivery of compensation and other entitlements to the AHs;
- Receive and act on the complaints and grievances of AHs in accordance with the Project resettlement policy; and
- Maintain a record of all public meetings, grievances, and actions taken to address complaints and grievances.

126. Design and Construction Supervision Consultants (DCSC). The DCSC will assist MPWT in the management and supervision of civil works activities and will ensure that the contractor adhere to with the terms of their contracts relative to avoiding and/or minimizing resettlement impacts. The DCSC role is minimal in the implementation of DRP and is only related to the compilation of the reporting requirements for the Project and reporting to RD2

of GDR on any bottlenecks posed by resettlement during the construction phase of the Project/Subproject.

XII. IMPLEMENTATION SCHEDULE

127. All resettlement activities will be coordinated with the civil works schedule of the Subproject. The DRP will be implemented after the approval of the DRP by IRC and ADB and the budget by MEF. Civil works cannot commence until compensation is paid in full for all the losses, including loss of income, if any, where these impacts are identified, according to the provisions of this DRP. MPWT can issue a notice of possession of the specific sites to the contractor for construction. However, construction can proceed on sections free from encumbrances, based on agreement between MPWT and ADB. The tentative implementation schedule for resettlement actions is summarized in Table 13.1.

Table 13.1: Resettlement Implementation Schedule

BRP PREPARATION			
Activity Description	Responsibility	Start	Completion
Preparation of the BRP	TRTA Consultant	July 2020	June 2021
Community Consultations and Focus Group Discussions	TRTA Consultant	August 2020	September 2020
IOL and SES	TRTA Consultant	August 2020	September 2020
Submission of the draft BRP to GDR for finalization and to ADB for comments and approval	TRTA Consultant	June 2021	July 2021
ADB comments addressed	TRTA Consultant	July 2021	July 2021
Submission of the draft BRP to GDR for comments review and finalization	GDR	July 2021	July 2021
BRP approval by IRC and no objection by ADB	IRC/ADB	July 2021	July 2021
Disclosure of BRP on ADB and EA websites	ADB/EA	July 2021	July 2021
DRP UPDATE AND IMPLEMENTATION			
Activity Description	Responsibility	Start	Completion
Establishment of PMU/Social Safeguards Consultant Team and PIU	EA	October 2021	August 2022
Review DED for impact mitigation and avoidance	DCSC/GDR	October 2022	December 2022
Establish IRC and IRC-WG	GDR	January 2023	March 2023
Establish PRSC and PRSC-WG	Bavet Governor	January 2023	March 2023
Establish PGRC	Bavet Governor	January 2023	March 2023
Consultation with AHs regarding Project scope, entitlements and replacement cost	GDR/DCSC	April 2023	May 2023
Detailed Measurement Survey	GDR	April 2023	May 2023
Replacement Cost Survey	RCS consultant	May 2023	May 2023
Prepare Draft DRP document and submit to ADB	GDR/DCSC	May 2023	May 2023
Finalize Draft DRP with ADB comments	DCSC/GDR	June 2023	June 2023
Approval of DRP	IRC/ADB	June 2023	June 2023
Disclosure of updated DRP	ADB / PMU	June 2023	June 2023
DRP Implementation started	GDR	July 2023	August 2023
Compensation payment to affected AHs	GDR	August 2023	September 2023
Preparation of DRP Compensation Report	GDR	September 2023	September 2023
Handing over of the land to the EA with a copy of DRP implementation report	MPWT/PMU	September 2023	September 2023

Commencement of civil works	PMU/Contractor	October 2023	
CONTINUOUS TASKS			
		Start	Completion
Internal Monitoring: Quarterly monitoring reports for submission to MPWT*	GDR	Every Quarter after DRP approval. Actual dates will be specified in the DRP	
Semi-annual social safeguards monitoring reports for submission to ADB*	GDR	Every 6 months after DRP approval. Actual dates will be specified in the DRP	

* Denotes of the reports will be ceased to be prepared once the civil works under subprojects are completed.

XIII. MONITORING AND REPORTING

128. While the MPWT (PMU and DCSC) will be responsible for monitoring of the overall implementation of the Project and Subprojects, the DIMDM of GDR will be directly responsible for the monitoring and reporting of the implementation of the DRP.

A. Internal Monitoring

129. All internal monitoring and reporting on the implementation of the DRP will be carried out by the Department of Internal Monitoring and Data Management (DIMDM) of GDR in accordance with the principles agreed in this BRP and the monitoring indicators in Annex I. DIMDM of the GDR will perform routine internal monitoring. The objective of internal monitoring is to (i) measure and report on the progress in the preparation and implementation of the DRP; (ii) identify problems and risks, if any and the measures to mitigate them; and (iii) assess if the compensation and rehabilitation assistance are in accordance with the provisions under the DRP. Internal monitoring with results will be reported to IRC and MPWT/PMU on a quarterly basis. The IRC-WG and the PRSC-WG will gather data and information on the progress of the LAR from the field and prepare and will submit monthly reports to RD2. The RD2 will compile the field reports and prepare a consolidated report on the implementation of DRP on monthly basis. The report will be submitted to the DIMDM which will (i) review the monthly progress reports, including fielding its own missions to verify the progress and the validity of the data and information, if deemed necessary; and (ii) compile quarterly monitoring report for submission to the Director General of GDR. The GDR will provide MPWT a quarterly progress report by 15th of following month from end of each quarter. DIMDM will compile semiannual social safeguards monitoring reports and submit them to ADB for disclosure on ADB website by 30th of following month from end of the last quarter for the semi-annual report in question.

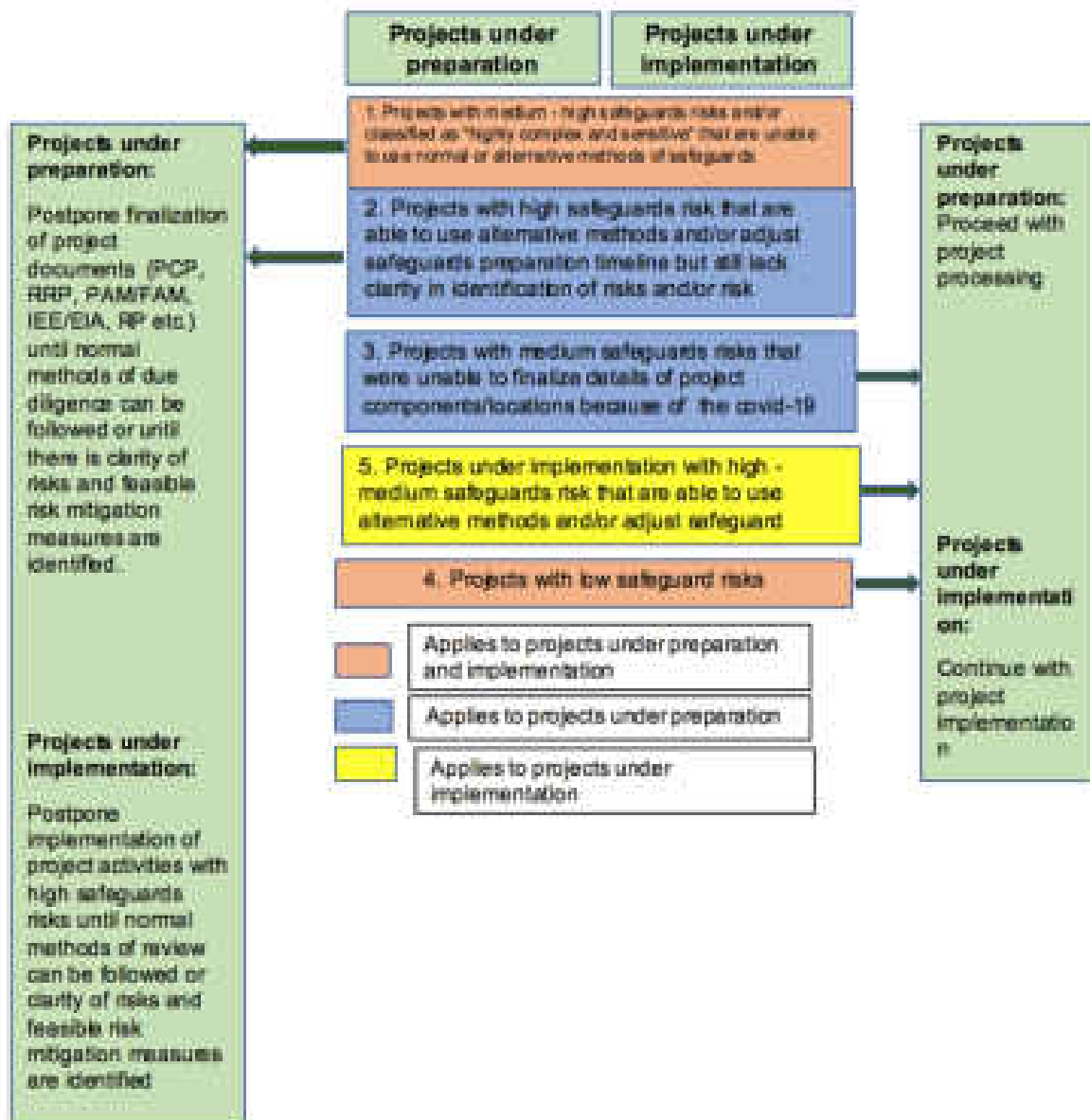
130. The internal monitoring indicators are in Annex I of this BRP. The internal monitoring report summarizes progress on resettlement activities and notifies ADB of approval by IRC-GDR's of any changes, as required, to the implementation of the DRP. The contents of the report include the status of the following:

- (i) Set up of Institutional Arrangements
- (ii) Compensation Payments for Entitlements
- (iii) Development of Resettlement Sites and Relocation, if any
- (iv) Grievance Redress
- (v) Public Consultations
- (vi) Budget Expenditures
- (vii) Livelihood Support Program, where applicable
- (viii) Distribution/placement and temporary move of vendors from market site
- (ix) Overall Progress against agreed Implementation Schedule
- (x) Major Problems and Issues
- (xi) Proposed remedial actions

131. The DIMDM will also validate that the (i) entitlements and the corresponding compensation are paid in accordance with the entitlement matrix in the approved DRP; and (ii) GRM is functioning as per the guidelines. During subsequent monitoring periods, the DIMDM will look into whether or not corrective actions agreed to address land acquisition and resettlement issues in the past monitoring period (i.e., outstanding resettlement issues) have been resolved.

ANNEXES

A. Project Decision Framework



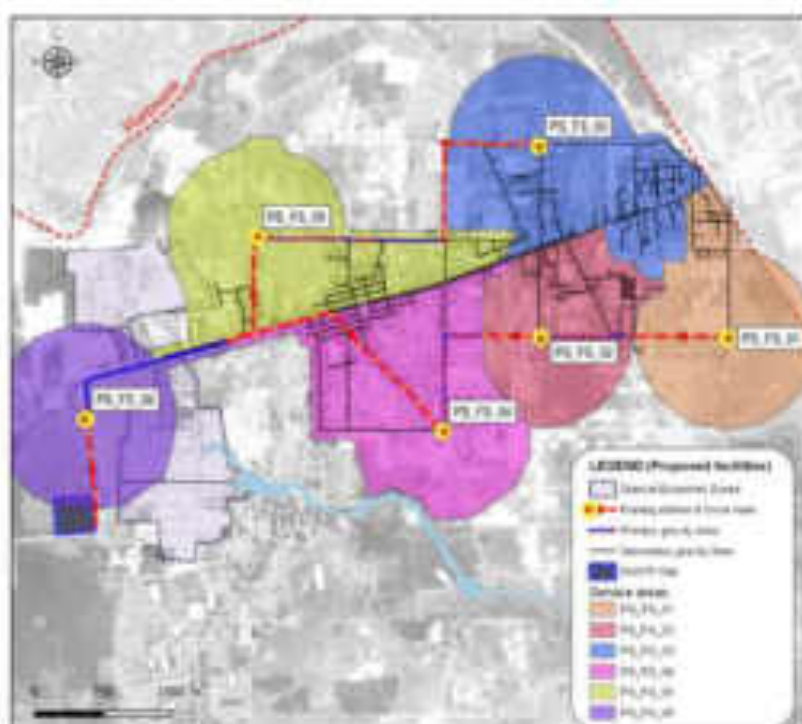
B. Detailed Salient Subproject Features

(i) Wastewater

1. Bavet municipality comprises built-up areas and rural areas with a total population of 109,583, which includes a large number of temporary workers and tourists and is expected to grow to 149,396 by the year 2040. The Project focuses on the development of a sewerage system for the areas delineated by the zoning 2025 (short term area) but provides the infrastructure designed for future expansion needs taken into account. The total population connected to the wastewater system will be 36,940 people by 2025, 43,348 people by 2030 and 99,748 people by 2040.

2. The proposed new wastewater system in Bavet will consist of wastewater sewer line of 66.1 km, force main 9.5 km, associated six (6) pumping stations (PS) and a wastewater treatment plant (WWTP). The location of the WWTP and associated pump stations and sewage collection network coverage is shown in Figure A.1. The collection system is designed for 2040 horizon with gravity collection network with maximal depth of 6 m constructed with uPVC pipes. The force main will use maximal length for force mains of 3 km constructed with HDPE pipes. The network designed to carry wastewater flows has been split into several zones called “service areas”. Each service area corresponds to the whole gravity network connected to a connection point with a pumping station (Figure A.1 shown below displays the splitting between the several service areas). The purpose of these connection points is to allow future connections of the additional catchment that will be developed at mid-term and long-term master plan strategy.

Figure A.1 Sewerage Treatment System



3. The Figure A.2 shows the repartition of pipe depths across the overall catchment designed. Depending on the depth the top ditch width of the sewers will be between 2.4 to 3.3 m. A 0.50 m wide clearance reserved as minimum to allow a proper compaction around sewer mains and as construction operations reserve (Figure A.3). All sewerage flow will be conveyed to the proposed pumping stations and then pumping mains shall convey the wastewater

through force main to the WWTPs. As the sewer mains are located on the side of the national road or under the access roads they are not anticipated to cause any IR impacts.

Figure A.2 Repartition of pipe depths for the proposed network

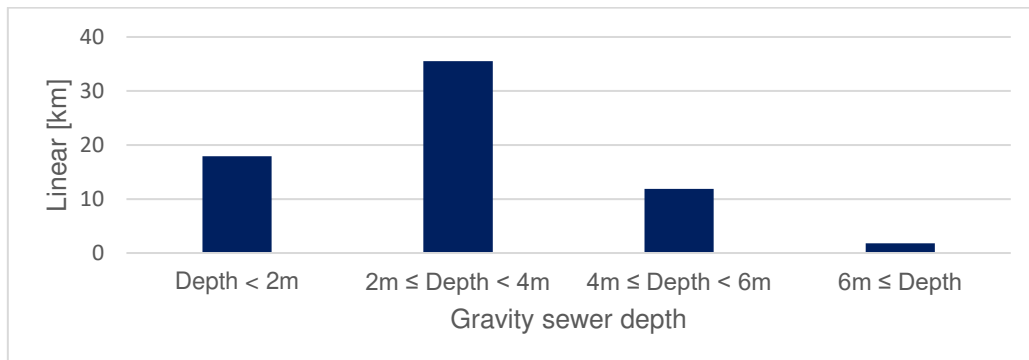
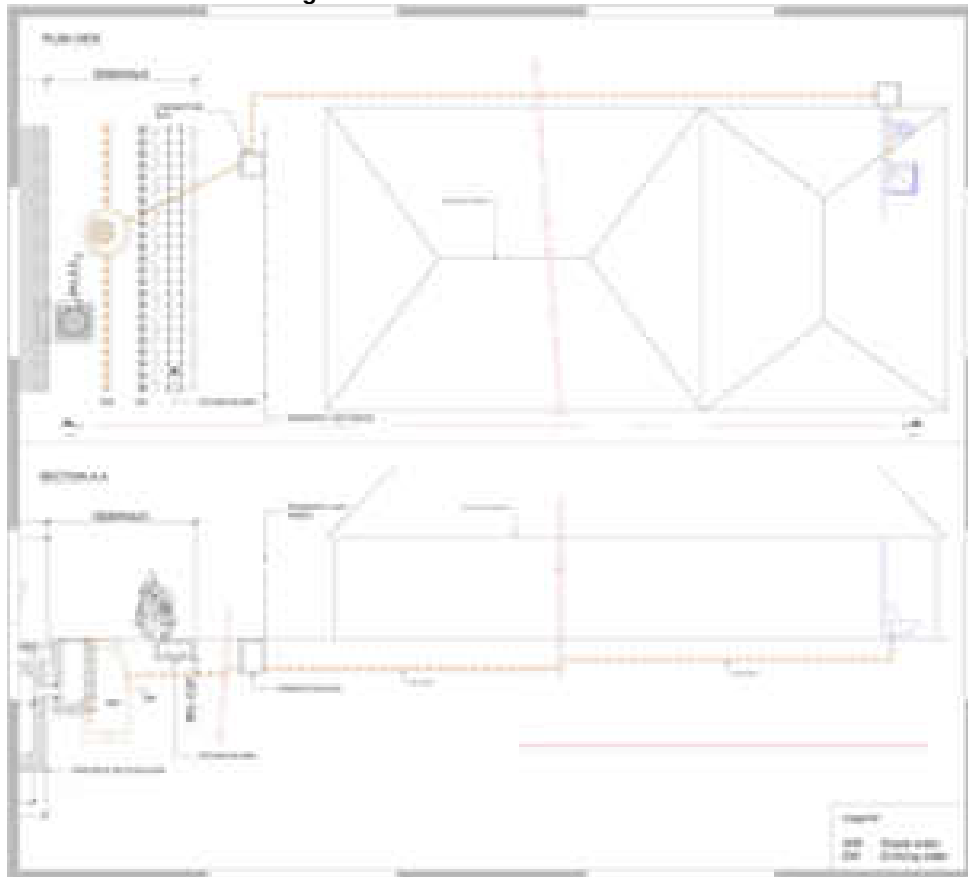


Figure A.3 Wastewater Cross-section



4. WWTP is designed for the medium term (2030) maximum capacity of 3,930 m³/day and include anaerobic, facultative and maturation pond stages as part of the Waste Stabilization Pond treatment process (Figure A.4). The WWTP site is located in Thnanh village, Sangkat Bati, Bavet. The location was selected based on criteria of: situated on public land, low flood risk (seasonal flooding = 0.5m) and far from existing residential households. The site is adjacent to the existing Materials Recovery Facility (MRF) constructed in 2018. The land is part of a 104-ha public parkland under Ministry of Agriculture, Forestry and Fisheries (MAFF), out of which 20-ha for WWTP site was handed over to MPWT. Therefore, the WWTP site does not require any land acquisition. The site is currently heavily degraded mix between a natural shrub land and wetlands.

5. The WWTP site is accessed by a 1.5 km long dirt road connecting to National Road No. 1 (Picture A.3). The existing road is 9-11 m wide and in reasonable condition as it was upgraded in 2018. The ROW of the road 30m total. Consequently, no new access road is required for the site location, with only minimal annual maintenance of the access road required each year. The force main will be placed under the road, and it will not have any IR impact.

Figure A.4 WWTP Lay Out Plan



6. There are two drainage canals within 50 m of WWTP where treated effluent will be discharged to an existing canal that is heading southward for 1.3 km through agricultural area. The canal merges with the main agricultural canal network. The effluent water quality standard will follow Sub-decree 27 on water pollution control (April, 1999) to enable the discharge to PDOWRAM managed irrigation canals where the water is used for agriculture.

7. Due to the remoteness of the WWTP and to the flatness of the city, pumping stations are required to drain the wastewater to the treatment plant. A surface of 20 m x 20 m (surface of 400 m²) is needed for the construction of pumping stations. The sites are all located near existing roads (Picture A.1). The location of pumping stations is selected close to natural water bodies or planned drainage networks to control better overflows in the event of a failure. Out of 6 PS, 4 PS will have impact on some private land as well as loss of land use within the existing ROW of the roads (30 m), and two PS are located on public land. One fence is impacted on public land (owned by forestry administration / MAFF).

Picture A.1 Pump station locations

8. Based on the Comprehensive City Survey, it appears that most of the existing domestic septic tanks are unlined and are effectively cesspits or are inaccessible. A campaign for the rehabilitation/replacement of septic tanks not connected to the proposed centralized sewerage system is recommended, but no provision of new septic tanks is included in this Project.

9. A general fact observed in classical Cambodian houses is that toilets are usually located at the back of the house (opposite side of the street). Work inside the household's property is normally paid for by the household. The connection of households will be made from the wastewater collection system to the control box located at the boundary of each private property. There are provisional sums for household connections. An incentive programs for households to connect will be designed during the DED.

(ii) Drainage

10. Bavet has more than 20 km of existing open channel network. The size of those channels varies between 2 and 4 meters and depth from 1 meter to 3 meters (Picture A.2). The open channel network is now considered as the main drainage infrastructure. This network is the outfall of some drainage/sewerage pipes. Except for the area covered by GMS 1, there is currently no existing overall strategy and roadmap for the sector. Recurrent floods

are reported by inhabitants and local authorities. Main storm water channels are operating properly but their capacity is not sufficient to ensure proper drainage of the city center.

Picture A.2 Existing open canals



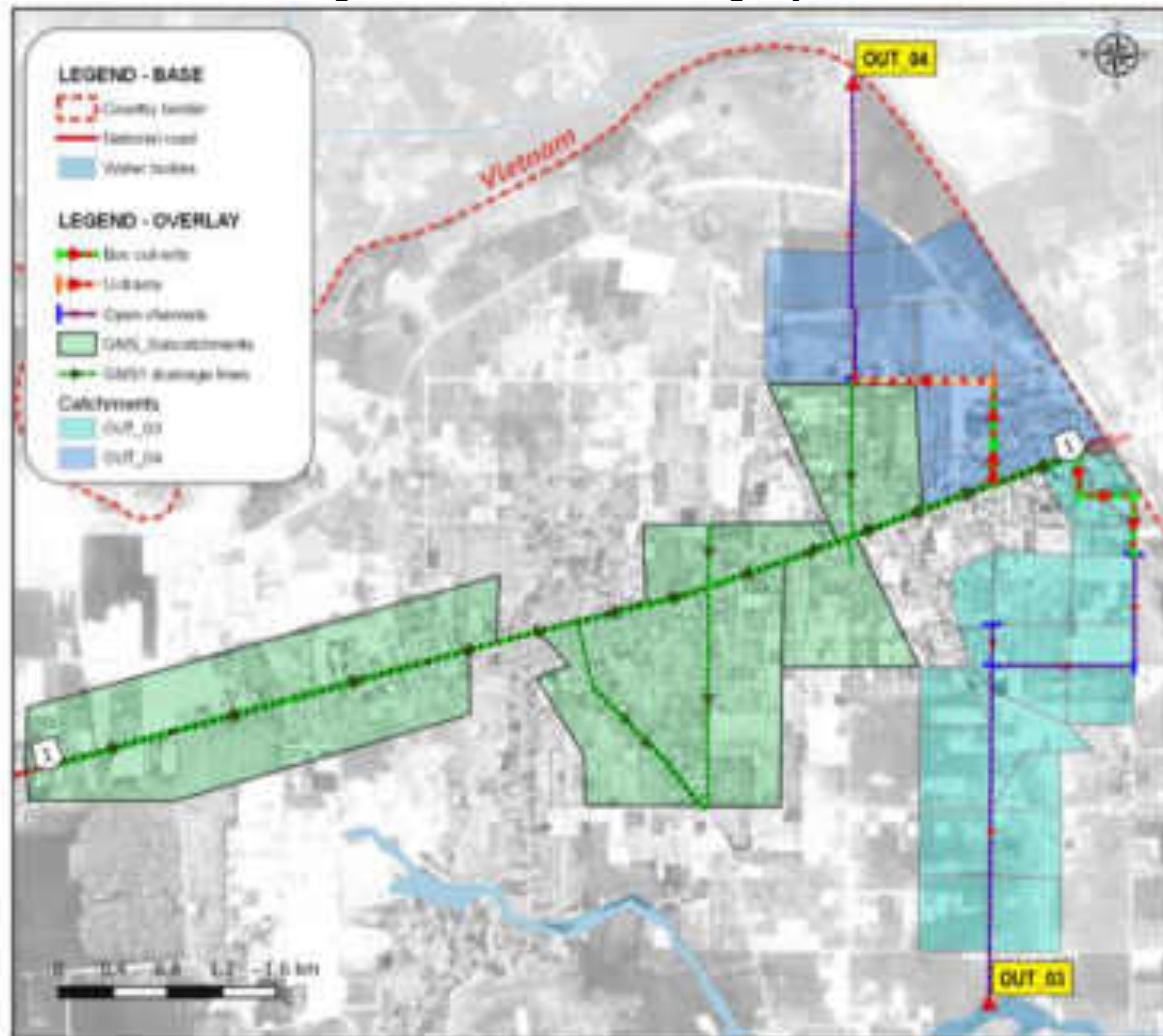
11. The proposed drainage network will cover open channel for 6.8 km (COI 2-3 m), box culvert concrete pipelines for 1.9 km (COI 2-3 m) and U-drains in the not yet built-up area for 1.0 km (Figure A.5). The proposed storm water drainage network follows the natural topography and discharges at low points of the road. As much as possible, the few existing cross-drains will be reused to limit the cost of road cutting and reinstatement (Figure A.5). In urban areas, in order to minimize the risk of blockage by solid waste and problems related to resettlement, underground network (box-culvert) will be prioritized. This choice will limit urban development constraints on the surface. Typical cross-section dimension: 3 m width box-culvert for 6 m width road, 6 m width double box-culvert for 8 m width road. In rural areas, the irrigation canal system is well developed in Bavet. It is proposed to enlarge those existing trapezoidal earthen open-channels. This drainage solution fits with the actual land use. The existing ROW of canals is 10m, 5m and 3m from the embankment side. Therefore, no impact on private land is anticipated, but only impact on loss of land use, trees and secondary structures.

12. The catchment n°03 is located in the south part of the National Road n°1. The overall size of the catchment is 490 ha, with a densely built-up area in the upper part. The remaining land cover is mainly paddy rice field. The outlet of the proposed drainage lines is Ta Pov River. The storm water flow is then drained into trapezoidal open canals.

13. The catchment n°04 is located in the north part of the National Road n°1. The overall size of the catchment is 301 ha, with a densely built-up area in its upstream part. The remaining land cover is mainly paddy rice field. To reduce the cost of implementation, a U-drain line is proposed to replace the box culvert line in the not yet built-up area. A wide-open channel will collect the storm water out of the u-drain line and box culverts to drain it further north and reach the outfall n°4. An existing wide canal will be enlarged and strengthened to ensure that the runoff will be drained.

14. Based on stakeholder consultations (Annex C.1), PODWRAM has no objections on upgrading and using the existing canals for storm water drainage by the LCIP.

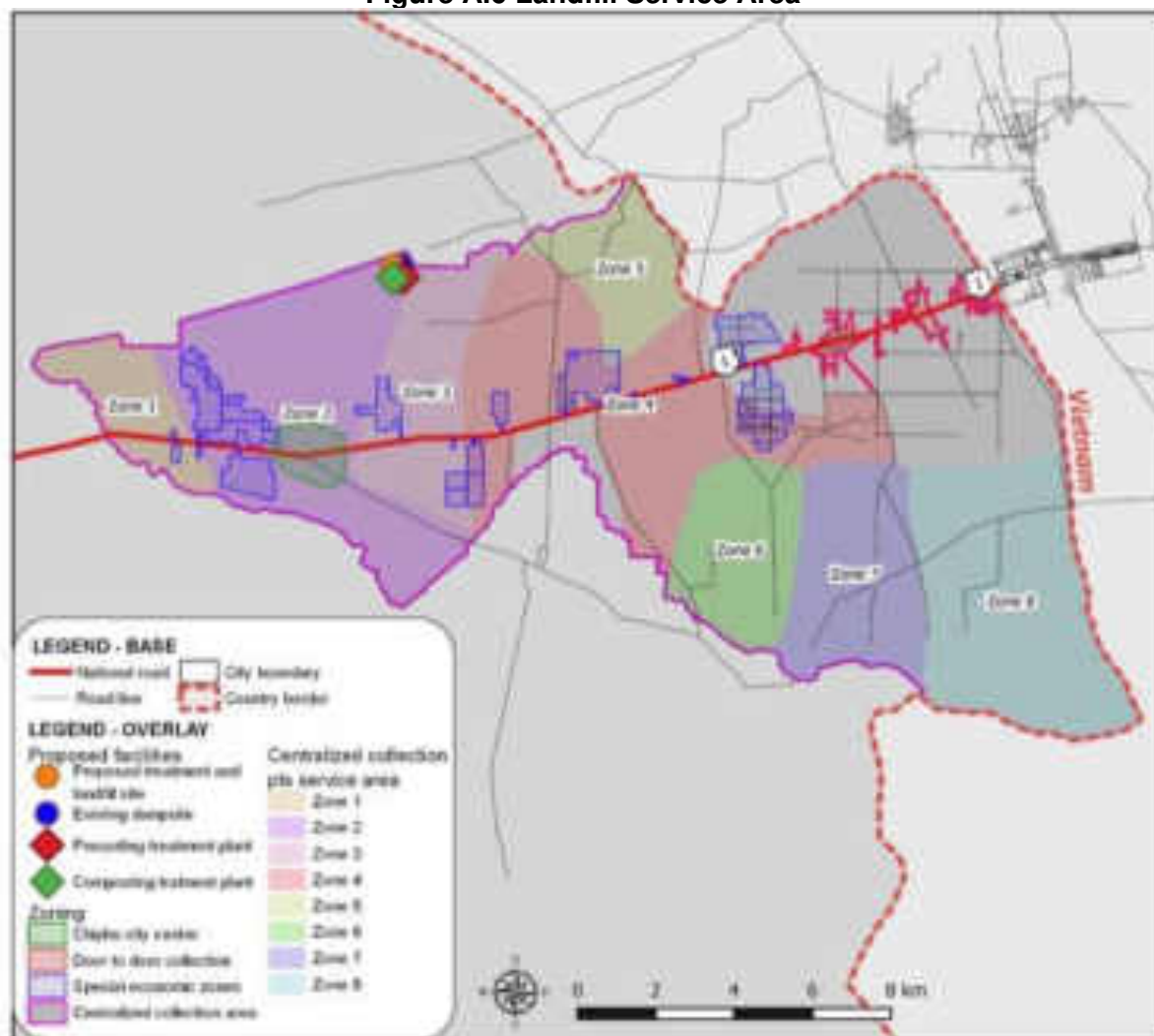
Figure A.5 Storm water Drainage System



(iii) Solid Waste Management

15. The Subproject solid waste management (SWM) Works is aimed at providing improved solid waste collection coverage and diversion rate for Bavet city (Figure A.6). In terms of collection, door to door collection is preferred in the city center while centralized collection is suggested in rural areas until these areas are sufficiently developed to allow for door-to-door collection. Source segregation at markets, with a dedicated centralized collection point, can be an opportunity to increase the sorting of bio-waste and therefore the potential for compost production.

Figure A.6 Landfill Service Area



16. Biowaste collection from markets is proposed for Tapao, International, Night market and Chiphu market. The market sellers will manage the segregation at source and bring the biowaste to the collection point. It is assumed that 80% of the market biowaste could be recovered by implementing such a dedicated collection system. Biowaste should be collected in waste containers of 660L located at markets in a 15 m² storage area. Two compacting trucks of 5t capacity is required to collect biowaste from the markets. The biowaste containers will be placed close to the existing waste collection points within the market sites, which are located on public property. The detailed location of the biowaste storage area in each market will be decided during DED, but it is not anticipated that there is any IR impact.

17. Hazardous household waste, such as waste motor oils, car batteries, batteries, paint, solvents, etc., will be collected at a centralized collection point at the MRF. There are currently no available facilities for recycling of hazardous waste within an economically-viable distance of Bavet. Waste motor oil could be transported to Kampot for refining and reuse, but the relatively small quantities that would be collected cannot be transported economically. It is proposed that waste motor oils, batteries, car batteries, and household hazardous waste be temporarily stored at a storage platform to be created at the sanitary landfill until an economically viable quantity can be collected for shipment to treatment and elimination facilities in Phnom Penh or elsewhere. The hazardous waste can be stored in dedicated container by waste type within lockable standard 20' or 40' shipping containers. Within the

shipping containers, the hazardous wastes will be stored dedicated and suitable containers by waste type.

18. In rural areas, households that are relatively scattered and/or with poor road access (most of the roads in rural areas are not asphalted). Therefore, centralized collection points are preferred to door-to-door to limit the collection cost. The centralized collection points are designed with 10 to 20 plastic containers of 660L capacity. The containers are housed in open shelters (20-30 m²), with access to the containers from the sides of the shelter. There are 8 proposed locations in the rural Sangkat's at the junction of major roads. These points would be located along the main roads (which are mostly asphalted) with wide existing ROW. The collection point locations have not been decided yet, but as the size is small and they are to be located next to major junctions it is not anticipated for the collection points to have IR impact.

19. In terms of solid waste treatment, a sorting plant and a composting plant have been identified as the most appropriate technologies to reduce the amount of waste to be landfilled; to control part of the market for recyclables to increase revenue potential; and to contribute the climate change mitigation. Finally, a controlled landfill is proposed the most appropriate disposal system for most small the city to avoid the harmful dumping and burning of waste.

20. The proposed new landfill site with sorting and composting plant is situated in Chrok Mates village, Sangkat Chrok Mates, Bavet, approximately 18 km from Bavet city center along the national highway NR. 1. The proposed landfill site will cover an area of 200,000 m² (Figure A.7). This area close to the landfill. The void space that will be required in the landfill is estimated as 1,110,000 m³ (516,305 m³ being delivered under the first stage). The landfill cells will cover a total area of 84,000 m², and will be subdivided into 16 cells of approx. 4,800 m² each, to be filled sequentially over the course of the 20-year design life. The maximum height of waste within the cells will be 16m above existing ground level, with a maximum waste depth of 20m. The landfill cells will be created by excavating to an average depth of 5m below existing ground level: the excavated soils will be used for the perimeter bund, as daily cover, and for the final cover at the end of filling. The base of the landfill cells will be reworked, graded and compacted to ensure a uniform and firm base for the landfill. The landfill will share common facilities with the composting and sorting plants, such as the site management offices, worker sanitary facilities, a garage for plant maintenance.

Picture A.3 Access roads (left - landfill, right - WWTP)



22. The existing dumpsite has 26 AHs/ 115 APs of waste pickers working at the site. The existing site is on private land and operated by a private company. Therefore, the site will not be closed by Project. Compensation for waste pickers on indirect loss of income will be included in the environmental management plan (EMP) of the Project.

(iv) Temporary Impacts

23. Temporary impacts concern mainly disruption of the use of roads, tracks, driveways footpaths, and/or property road access points along the public ROW caused by the Subproject construction works and the movement of construction plant and materials, and will be addressed during the Subproject implementation based on actual impacts and in accordance with the national laws and ADB's SPS (2009). Civil works contract and environmental management plan (EMP) will require contractors to reinstate the ROW to its original condition after the installation of pipes is completed. Effective construction supervision and monitoring at all stages of Subproject implementation will ensure this outcome.

C. Minutes of Multi-Stakeholder Consultation with Line Agencies

TA-9554 REG: SOUTHEAST ASIA URBAN SERVICES FACILITY Cambodia: Livable Cities Investment Project (LCIP)Error! No document variable supplied.

Date of the meeting	29 th Sep.2020
Purpose of the meeting	Orientation Meeting with stakeholders at the Provincial level for Discussion on Feasibility Study results
Issuer	Benjamin Biscan, TL-LCIP Project Taing Sophanara, DTL-LCIP Project Khoun Komar, Legal specialist - LCIP Project
Location	Provincial Hall, Svay Rieng province, Cambodia

Distribution

Attendants	
MPWT	TA-Consultants Team
H.E. Vong Pisith, Under Secretary of State/PD	Benjamin Biscan – TL/WS expert, Egis
Vong Daputhea, Deputy director/Project Manager	Teemu Jantunen – Resettlement specialist, Egis
Pu Manith, Deputy director/PMU member	Taing Sophanara - DTL/WW specialist, KCC
Svay Rieng province	Khoun Komar – Legal specialist, KCC
H.E. Seng Seila, Dep. Governor	Huoth Ratanak- Social & Gender specialist, KCC
Yun Reaksmeay, Dep. director of DPWT	Chea Mong- Environmental specialist, KCC
Brak Soravy, Dep. director of DLMUPC	Mel Sophanna- Resettlement specialist, KCC
Hem Phury, Dep. director of DWA	Bun Sangvar- Procurement specialist, KCC
Chan Ry, Dep. director of DASVYR	Pich Lynvolak- Admin manager
Pen Savuth, Dep. of DISTI	MEF/GDR
Sok Sarath, Chief office of DWRAM	Et Vannak, Vice office
Van Rasmei, Dep. director of DLVT	Khun Sokleang, Officer
Pov Thida, Dep. director of DAFF	Bavet City
Uk Bonath, Chief of EDC	Lim Seang Heng, Mayor
Sam Chanthay, Dep. director of DE	Aiy Sopheak, Chief of Admin of Tai Seng SEZ
Ung Bora, Chief cabinet of provincial hall	Koe Ratanak, representative of Manhatthan SEZ
Khem Sokem, Technician of Bavet Water Supply	

Additional distribution list	
Wei Kim Swain, Urban Development Specialist, ADB	

Agenda

- Team introductions
- Present the results of FS (CTOP)
- Confirmation of the priority coverage area by the provincial government and the municipality
- Discussion on land, resettlement and institutional arrangement
- Commitment from SVR governor and Bavet municipality

Minutes of Meeting (MoM)

Team Introductions

All participants introduce themselves

Warm welcome by Deputy governor

In his opening remarks H.E. Vong Pisith, Under-secretary of state of MPWT and Project Director informed the participants on the Proposed Livable Cities Investment Project (LCIP) the following:

- H.E. Vong Pisith introduced on different steps for the livable city development, from a Clean city towards a Smart City. Under the LCIP, there will be a total budget of 60\$m for Bavet. This Project would link to the ASEAN road for economic integration of corridor towns, Bangkok-Phnom Penh-HCM. There is thus a need for a good infrastructure in Bavet to be a clean city with good SWM to attract investors.
- With good SWM, the city will become more attractive. The infrastructure of the city will be the most important topic, and for Bavet there is a need for improvement of its infrastructure to raise its potential. Non-management of wastewater leads to trans-boundary issues with VN (who complains about this). Also, the drainage system in Bavet is a very important infrastructure to be developed. The government is focusing its attention in cities on the border area.
- Regarding SWM, there is a need for a managed landfill. Before we can agree on/sign the Project, it is necessary to identify and verify the availability for a suitable site. If there is available public land for the landfill site, we can secure the investment from MEF for the Project. If not, it will be necessary to request support from MEF to secure a suitable site. This is a condition for the Project. It means that “first come, first served” among the three targeted towns, Bavet, Kampot and Poipet. There is also a need for a clear explanation of the local people for their participation and support for the Project.
- The targeted deadline for the Project implementation is 2023. Therefore, the budget will be allocated in priority to the Projects that can meet the deadline. It can also be modified from one city to another, as it depends on the concerned city's efforts.

Presentation

TRTA Consultants present the brief results of the feasibility study (FS) in both languages English and Khmer.
The presentation is attached to the MoM.

Discussion topic

Following the presentation, 3 key topics were put into discussion

- Priority coverage area for the municipality
 - Land acquisition and resettlement, and documentation requested
 - Institutional arrangements for ensuring sustainable O&M
-

Result from discussion

Topic 1: Priority coverage area and technical option

- The Municipality Administration (MA) requested some clarification on the drainage system. It was clarified that the open canal will be constructed within the existing right of way of the canals outside of the built-up area. In urban areas, the drainage will be placed in box culvert channels under the road to limit resettlement issues and to allow for road rehabilitation over the box culverts.
- The MA further requested clarification on possible changes in the locations and number of pumping stations. The Provincial Administration (PA) expressed their concerns relating to operation cost (300,000\$/year), suggesting whether we can reduce the number of stations. In response, it was explained that the location and number is based on the location of the WWTP and technical requirement for medium-to-long term use (based on the approved land use 2030), to ease the extension of the system at a lower cost. Reducing the number of pumping stations would mean reducing the coverage area and in particular the border area (the most remote area). The option has also been discussed with the MPWT.
- The PA also suggested that the consultant study team estimates the difference between the uses of gasoline and electricity for the operation; which one is lowest for operating costs. The TRTA team has stated that they are taking note of this, and it will be presented in the documentation.
- **After discussion, the PA and MA agreed on the recommended technical options and priority for the 3 components: wastewater, storm water and solid waste management.**

Topic 2: Land acquisition and resettlement, and documentation requested

- The PA will consider and discuss with MA on securing adequate land (minimum 20 ha) for the landfill site as required for the long-term needs (at least 20 years). Regarding the site for WWTP there is no problem as it will be public land. At the request of the TRTA by the end of October, the PA will further proceed with the issuance of land title for the WWTP site.
- The MA requested support from the PA to issue the land title for WWTP site.
- The MA clarified that the Bavet MA has no state land available for the landfill site and suggested that the MEF and concerned ministries to consider buying the land for the landfill site as soon as possible.
- According to MA the existing dumpsite is privately owned and operated.
- TRTA resettlement specialists shortly explained the ADB involuntary resettlement policies, including compensation for all impact at replacement cost, permanent and temporary impacts, impacts compensated by GDR and re-established by construction contractor, meaningful consultations, GRM and resettlement process.
- The TRTA consultant team reminded the meeting regarding the cut-off-date (COD), which shall be set on 12/09/20 according to the date of

conducting the first public consultation meeting on COI during the inventory of losses being conducted as part of the FS of LCIP in Bavet city. The importance of COD is to prevent the encroaching activities from the people on the proposed sites for the pump-station, WWTP site and proposed landfill site. The PA and MA should not issue new building or land use permits within the COI and Project sites and monitor that the sites are kept free of any new encumbrances. At the same time, it is reminded that it is not allowed for PA and MA to start any resettlement activities by removing existing private assets or relocating people from the Project sites until the resettlement documentation has been prepared and approved and the affected households are compensated.

- It was also suggested by the TRTA consultants for the concerned authorities (PA & MA) to show their commitment such as issuing an official document/letter to assure that the land will be available for the Project. Due to the fast development, if both ministries, MPWT & MEF decide to buy and get the land soon, it would be easier for the process of Project approval and the implementation of the Project.
- The TRTA team requested to the concerned provincial department (PDLMUPC) to provide cadastral index map and right of way (ROW) of the proposed Project sites for completing the requirements for the resettlement plan.
- It was confirmed by PA and MA to re-establish the Provincial grievance redress committee as many of the members of the previous Committee from GMS1 Project are not working or changed their positions.
- PODWRAM confirmed that the ROW of the existing canals is 10m, 5m and 3m from the embankment side (based on prakas). PODWRAM has no objections on upgrading and using the existing canals for storm water drainage by the LCIP.
- To conclude the topic, the PA advised the MA to make sure that there will be no new construction or any change in within the proposed subproject sites. The PA assured that the process of issuing the land title for the WWTP will be ready soon. In the meantime, the provincial deputy governor confirmed that he will talk with the governor to issue an official confirmation letter for the 20 ha of land for the WWTP for the Bavet MA, and a request letter for advance acquisition of land for new landfill site.

Topic 3: Institutional arrangement for ensuring sustainable O&M

- In terms of institutional arrangement, the PA will hold a meeting inviting all departments for discussion and request the MPWT to help in providing experiences learned from other provinces.
- In response, the MPWT/PD (H.E. Vong Pisith) clarified that the sub-national administration should have its own arrangement which suits to its specific local situation. The sub-national administration shall be responsible in terms of commitment and willingness to implement and operate the facilities.
- He further indicated that the MA may consider including the fee for WWTP service into the water supply (WS) bill, meaning that the WS shall be under the responsibility of the government (MA), if the private companies have no possibility to expand its service/capacity. For

instance, ANCO did a good job/business in Poipet by expanding the capacity. The WS is under one ministry and WWT is under another. To meet the need for a 300,000\$/year, we shall discuss on how to have the WS and WWT to be billed together. Sub-national governments need to discuss internally to propose an arrangement that suits their specific situation.

- The MA explained that the current the new office- Public Works and Transport, Sanitation, Environment, and Public Order (PWTESPO) has only three staff (2 from DPWT & 1 from the department of environment). With regard to the WW management, the MA wishes to establish a unit within the PWTESPO. If possible, the MA first expressed the wish to sub-contract the WW management to the private sector to manage the whole WW systems including delivery of monthly-service bill and fees collection, while the MA will only monitor the sub-contractor on their performance on O&M. However, the MA recognized that the private sector might not yet be ready/interested, and therefore, a unit under the PWTESPO should be created.
- For the SWM, the preferred arrangement for the MA is to delegate to the private sector.

Closing

- H.E. Seng Seila, deputy provincial governor on behalf of PA, closed the meeting by expressing his pleasure to see the results of the FS study that have been presented by the TRTA team.
- As requested (i) land acquisition to support the subproject go forward, and (ii) institutional arrangement to ensure the sustainable O&M of the above Subprojects; on behalf of PA and MA, he assured that an internal meeting in PA will be organized to discuss and prepare documentation on state land ownership of 20ha for the WWTP site as to meet the requirement date (end of October 2020).
- A separate meeting between PA, MA and MPWT will be organized to request support from MEF for the purchase of approximately 20ha for the landfill based on the proposed location by TRTA team. PA assures its willingness to prevent encroachment of population activities on the pump-station sites, WWTP site and proposed landfill site, but could not guarantee an increase in the price of the land in case of a delay in the purchase of the proposed landfill site.
- The PA will also organize an internal meeting to discuss the structure of the new unit involving the WWT management for Bavet MA.

Pictures

(left) H.E. Seng Seila, Dep. Governor; (right) Lim Seang Heng, Mayor



Inventory of Losses Questionnaire

CENSUS, INVENTORY OF LOSSES AND SOCIO-ECONOMIC SURVEY

LIVABLE CITIES INVESTMENT PROJECT

Survey Code of AP/AH:

Date: ____ / ____ / ____

I. CENSUS

A. Location of the affected household (AH) and information on Household (HH) Head

1a. Location of affected household (HH): Project Component:		1b. Town/city:	
1c. Commune:		1d. Village:	
1e. Picture and georeference (GPS coordinates) of the house/impacted asset, and AHH/respondent			
2a. Name of respondent* : head (Y/N):		2b. Is the respondent HH	
3. If not HH head (HHH), what is respondent's relation to HHH:			
4a. Household size: APs (of which male / female) (of which male / female)		4b. Dependants: APs	
<i>Information about household head (HHH)*</i>			
5. Name:		6. Tel.	
7. Age:	8. Physical condition: [] Normal [] Disabled (specify)	9. Gender: [] Male [] Female	
10. Ethnic affiliation: [] Khmer [] Cham [] Vietnamese [] Thai [] Other, specify:			
11. Religion of AH head:		12. Marital status: [] Married [] Single [] Divorced/Separated [] Widow(er) [] Other, specify:	
13. Mother tongue:		14. Fluency in written Khmer:	
15. Landless (Y/N):		16a. Officially classified as poor (Y/N)**: 16b. if yes, IDPoor: [] 1 or [] 2	

*NOTE: The HOUSEHOLD (HH) HEAD should ideally participate in the survey and be the RESPONDENT to the questions below. If the RESPONDENT is NOT the household head, it should be the SPOUSE of the household head. For any questions to which there is no response, leave the cell empty. For questions that are not relevant, leave the cell empty.

** Check IDPoor card / document

II. IOL

B. Impacted land and crops

No.	Land Types (1)	Total Area (m ² /ha)	Affected Area (m ² /ha)	Land Ownership Status (2)	Crops on the affected land		
					Type of Crop	Seasonality (wet/dry/both)	Affected Areas of Crop
1							
2							
3							
4							
Total Areas							

1 Land Types: 1: Residential 2: Agricultural 3: Commercial 4 Other land (specify)

2 Land Ownership Status: 1: Legal owner with land title 2: Legal owner, but no land title 3: Tenure/leased 4: No legal right / Public land

C. Impacted structures

Type/use of affected structures						Total area (m²) of the structure	Area (m²) of the affected portion of the structure	in case structure potentially impacted, will it be acquired / affected PARTIALLY or TOTALLY 1. Partially 2. Totally
Structure Type (1)	Structure Code (2 or 3)	Roof Types (4)	Wall types (4)	Floor Types (4)	Land Ownership Status (5)			

1 Structure Type: 1. Main/Primary Structure 2. Secondary Structure

2 Primary / main structures Codes:

1. House 2. House-and-store/business 3. Store/Shop/Workshop/Warehouse

3 Secondary Structure Codes:

1_Kitchen 2_Toliet/Bathroom 3_Eaves/extended roof 4_Storage 5_Shed for agriculture

6_Shop/Stall 7_Gate 8_Wall/Fence 9_Pole 10_Other structure

4 Construction materials of the affected structure(s):

1. 1= Simple (hatch/sack, bamboo, clay/earth) 2= Timber with Tin Roof 3= Wood and brick 4= Brick and concrete
5= Temporary/Unstable

5 Land Ownership Status: 1: Legal owner with land title 2: Legal owner, but no land title 3: Tenure/leased 4: No legal right / Public land

D. Impacted trees

Type of tree (1)	Tree species	1-3 years old	4-5 years old	more than 6 years old	Total
Total					

1 Type of tree: 1. Fruit 2. Timber 3. Other _____

E. Impacted business

1. Business impact expected (Y/N)?	2. Type of business*:
3. Does business need to be physically relocated? 3.1 If yes, permanently or temporarily?	4. Number of employees?
5. Business registered (Y/N)?	6. Average monthly income of business?

* Options: 1 Shop/kioks, stall, 2 Food preparation or selling, 3 Mechanic or repair shop, 4 Cafe, restaurant, bar, 5 Mobile vendor, 6 Other, Specify

F. Relocation options (only for AH to be relocated!)

1. IF there is a need for relocation, do you prefer: 1 Relocation at resettlement site land plot, with: (a) Ready built house, or (b) In-kind (materials) and cash to cover all cost of house construction 2 Self-relocation with cash only at replacement cost, if yes, where? _____ 3 Other, what? _____
2. Preference of amenities at relocation site (Rating [1] Most important [2] Important [3] Least important)*: 1. Close proximity to existing residence location ____ 2. Availability of land for vegetable garden/chicken farming ____ 3. Proximity to fishing port / fishing grounds ____ 4. Availability of agricultural land ____ 5. An area near tourist areas ____ 6. An area near religious center ____
3. Is your livelihoods located near your place of residence: 1. Agricultural fields (on legally owned land) ____ 2. Agricultural fields (on public land) ____ 3. Fishing grounds / boat landing ____ 4. Business ____
4. What will cause difficulties in available resettlement site for maintaining livelihoods and income generation (Rating [1] Most important [2] Important [3] Least important)*:? 1. Cost of extra travel ____ 2. Time of extra travel ____ 3. Safety of equipment, boats, and property ____ 4. Distance/location of new shop/place of business from customers ____ 5. Restriction on access to resources (e.g. fishing grounds) ____ 6. Other, what ____

* one rating option can be used more than once

J. Income Restoration and Livelihoods

If eligible, how many household members would be interested / available in vocational training?	What kind of training would you or your family members prefer? If yes, how many members of the family in each option?	If interested in agriculture or fisheries, would you need project-backed loan or material support to start new or improve current practices?	If interested in business, would you need project-backed loan or material support to start new business / income generating opportunity?
1 Male 2 Female	1 Agricultural (land based) 2 Fishing / Aquaculture 3 Employment based 4 Enterprise based (business) 5 Project related employment (construction) 6 Other: _____	1 Yes 2 No 3 Maybe	1 Yes 2 No 3 Maybe

J. Waste picking / collecting (waste pickers only)

1. Number of HH members involved in waste picking:	2. How long engaged in waste picking:
3. Number of HH members in waste processing etc:	4. Where do you live: [] On dumb site [] Outside dumpsite
5a. If on dumpsite, approximate area of the house _____ m ² and type of structure: [] semi-permanent [] temporary	
5b. What is your water source:	5c. Do you use bottled, treated or boiled water for drinking:
5d. What kind of sanitation facility you use:	5e. What kind of cooking facility you use, if any:
6a. If outside dumpsite, how far from the dumb site _____ km	
6b. How do you get to work:	6c. What is your water source:
6d. What kind of sanitation you use:	6e. What kind of cooking facility you use, if any:
7. Do you receive any support from NGO (y/n). If yes, what is name of NGO?	8. If yes, what assistance / support is provided the NGO?
9. In case waste picking is allowed in new landfill, do you have means to travel to the new site?	10. In case waste picking is not allowed in the new landfill, would you be interested in working at the material recovery / recycling facility?

D. Cut-off Date Letters

Reference: Request for set up and ensure compliance of Cut-Off Date (COD) for entitlement for compensation for the affected land and assets by the Livable Cities Improvement Project (LCIP) in Bavet.

1. The Ministry of Public Works and Transport (MPWT) in Bavet has conducted a public consultation meeting on 12th of September 2020 for the preparation of the Basic Resettlement Plan (BRP) for the proposed Livable Cities Improvement Project (LCIP). This is part of the requirements of the Asian Development Bank (ADB) as well as the General Department of Resettlement (GDR) for the approval of the LCIP associated involuntary resettlement safeguards documentation.

2. The public consultation meeting held on 12th of September 2020 at the Bavet Municipality provided for the establishment, announcement and concurrence on the declaration of the Cut-Off-Date (COD) defining the limit for the entitlement for compensation from the Project. Therefore, the COD is duly concurred as **12th of September 2020** for the entitlement of compensation for the Project.

3. The importance and purposes of the COD in the ADB Safeguards Policy Statement (2009) are to: (a) prevent influx of population in the project area, (b) prevent illegal encroachment of public land, (c) fix assets within the Right-of-Way (ROW) to be legally compensated by the project, and (d) inform local residents and Provincial Authorities of keeping ROW clear of obstructions.

4. It has been clearly explained to the affected structure owners, landowners and the Provincial Authorities that any new or additional improvements built or introduced, or trees and new areas with crops planted within the project's COD shall no longer be compensated for by the project after COD. MPWT urges the Provincial Officials of Svay Rieng to ensure strict compliance on the established COD, and that close coordination amongst local offices within the municipality will be undertaken on the monitored and controlled issuance of new building and land use permits within the vicinity of the project.

5. However, no resettlement implementation activities are to be taken by the Provincial Authorities in preparation for the Project, including relocation, site clearance or restricting existing land use by affected households, until so instructed by MPWT after detailed resettlement plan (DRP) has been duly approved by the ADB and GDR.

6. Finally, a copy of this resolution should be furnished at Provincial, District and Sangkat offices, as well as to the ADB and LCIP Team, for their information and appropriate action.



**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

ក្រសួងសាធារណការ និងដឹកជញ្ជូន

លេខ: ១១២៥ ស.ក.អវ

ព្រះរាជាណាចក្រកម្ពុជា ព្រះមហាក្សត្រ រាជធានីភ្នំពេញ, ថ្ងៃទី ១៦ ខែ កក្កដា ឆ្នាំ ២០២០

ក្រាបបង្គំ

ឯកតក្រុមអភិបាល នៃគណៈអភិបាលខេត្តស្វាយរៀង

កម្មវត្ថុ: សំណើសុំកាត់អសាមញ្ញកម្មនៃការបោះឆ្នោត (C.A-CF-2019) សម្រាប់អង្គប្រជុំ (១) ការប្រកាសលទ្ធផលបោះឆ្នោត (២) ប្រព័ន្ធដោះទឹកស្រ្កាត់ និង (៣) ប្រព័ន្ធប្រមូលទឹកកក និង ស្ថាប័នប្រតិបត្តិការទឹកកកក្នុងក្រុងបាត់ដំបង នៃខេត្តបាត់ដំបង ដែលបានបង្កើតឡើងដោយស្ថាប័នប្រតិបត្តិការ។

យោង: ក្របខណ្ឌប្រតិបត្តិការប្រតិបត្តិការ (BPF) របស់គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (ACB-2009) និងបទដ្ឋានបែបបទប្រតិបត្តិការប្រតិបត្តិការបោះឆ្នោត និងការគាំទ្រដល់ការបោះឆ្នោតដោយស្មើភាព ដោយ មិនស្ថិតក្នុងប្រព័ន្ធប្រតិបត្តិការ និងប្រព័ន្ធប្រតិបត្តិការ (BOP-2018)។

សេចក្តីជូនដំណឹងនេះ គឺជាឯកសារស្នើសុំ និងយោងដល់ការស្នើសុំ ឯកតក្រុមអភិបាល ខេត្តស្វាយរៀង ក្រសួងសាធារណការ និងដឹកជញ្ជូន បានស្នើសុំឱ្យមានការបោះឆ្នោតជាសាធារណៈ ដោយ ថ្ងៃទី ១២ ខែ កញ្ញា ឆ្នាំ ២០២០ នៅសាលាក្រុងបាត់ដំបង ដើម្បីជួយដល់ការគាំទ្រដល់ការបោះឆ្នោតដោយស្មើភាព សម្រាប់ការប្រកាសលទ្ធផលបោះឆ្នោតដែលបានបង្កើតឡើងដោយស្ថាប័នប្រតិបត្តិការ (LCA)។ នេះជាផ្នែកមួយនៃការប្រកាស លទ្ធផលបោះឆ្នោត (ACB) និងអង្គការយុត្តិធម៌ជាតិស្រាវជ្រាវដោយស្មើភាពជាមួយស្ថាប័នប្រតិបត្តិការ និងក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ (MOP) ដើម្បីអនុវត្តការប្រតិបត្តិការបោះឆ្នោត LCA ពាក់ព័ន្ធនឹងកសាង សុវត្ថិភាពនៃការបោះឆ្នោតដោយស្មើភាពដោយមិនស្ថិតក្នុងប្រព័ន្ធ។

កិច្ចសន្យាប្រតិបត្តិការបោះឆ្នោត ត្រូវបានប្រារព្ធឡើងនៅថ្ងៃទី ១២ ខែ កញ្ញា ឆ្នាំ ២០២០ នៅសាលាក្រុងបាត់ដំបង បានផ្តល់ការរៀបចំប្រព័ន្ធ ធុនដំណើរ និងការយល់ព្រម ស្តីពីការប្រកាស លទ្ធផលបោះឆ្នោតនៃការបោះឆ្នោត (CBO) ដែលបានកំណត់សម្រាប់សិទ្ធិបោះឆ្នោតដំណាច់បំផុត។ ជួនកាល CBO ក៏ទទួលបានការយល់ព្រម នៅថ្ងៃទី ១២ ខែ កញ្ញា ឆ្នាំ ២០២០ សម្រាប់សិទ្ធិបោះឆ្នោតដំណាច់បំផុត។

ការបោះឆ្នោត និងគុណប្រយោជន៍នៃការប្រកាសលទ្ធផលបោះឆ្នោត នៃការបោះឆ្នោតបោះឆ្នោតសិទ្ធិ ទទួលបានដំណាច់បំផុតនេះ (១) ទប់ស្កាត់ការប្រកាសលទ្ធផលបោះឆ្នោតដែលបានបង្កើតឡើងដោយស្ថាប័នប្រតិបត្តិការ (២) ទប់ស្កាត់ ការប្រកាសលទ្ធផលបោះឆ្នោតដែលបានបង្កើតឡើងដោយស្ថាប័នប្រតិបត្តិការ (៣) កំណត់ទ្រព្យសម្បត្តិបោះឆ្នោតដំណាច់បំផុតដើម្បី ទទួលបានដំណាច់បំផុតប្រកាសលទ្ធផលបោះឆ្នោត និង (៤) ជូនដំណឹងដល់ប្រជាពលរដ្ឋក្នុងតំបន់ និងក្រុមប្រឹក្សា ខេត្តក្រុងបាត់ដំបង (KAW) នៅទីនេះនឹងមានការប្រកាសលទ្ធផលបោះឆ្នោតប្រសិនបើមានការប្រកាសលទ្ធផលបោះឆ្នោត។

កិច្ចប្រជុំបានបញ្ចប់ដោយមានការប្រកាសលទ្ធផលបោះឆ្នោតសំណើ ម្ចាស់ដីដែលនឹងត្រូវបានផ្តល់ ប៉ះពាល់ដល់ការបោះឆ្នោតប្រកាសលទ្ធផលបោះឆ្នោត ក្នុងសំណើប្រឆាំង ក្នុងសំណើស្នើសុំ ឬដើមទើប និងកំណត់ដំណើរការបោះឆ្នោត CBO របស់ខេត្តបាត់ដំបង មិនត្រូវបានផ្តល់ដល់សំណើបោះឆ្នោតឡើយ។

សេចក្តីជូនដំណឹង ថ្ងៃទី ១៦ ខែ កក្កដា ឆ្នាំ ២០២០ ព្រះរាជាណាចក្រកម្ពុជា ព្រះមហាក្សត្រ រាជធានីភ្នំពេញ

បន្ទាប់ពីសមាជិកទាំងពីរនាក់បានបញ្ជាក់ ក្រសួងសាធារណការ និងដឹកជញ្ជូន ជំរុញវិធានការបន្ថែម ដោយបញ្ជូនចុះអនុសាសន៍ការងារបង្កើតសមាជិកទាំងពីរនាក់ (COO) នេះ និងសហការជាមួយ ដឹកជញ្ជូនជាមួយអ្នកបង្កើតសមាជិកក្រុង ដើម្បីអនុវត្តការងារដឹកជញ្ជូនដឹក និងទប់ស្កាត់ការរាជការច្រើន ឆ្នាំក្នុងស្ថានភាព និងការអនុវត្តការងារប្រកាសដើម្បីបង្កើនស្ថានភាពសេវាដឹកជញ្ជូន។

[illegible][illegible]

គេស្រីយដូចបានជំនួសបង្កើតជាស្រី ខ្លះ ៦កន្លែងអតីតរាង រក្សាសិរីរាជ ដឹងច្បាស់
ដោយអន្តរាគមន៍។

ស្នូល ២ គណៈកម្មាធិការ អន្តរាគ្គន៍ អនុលោមតាមកិច្ចព្រមព្រៀង


 រដ្ឋមន្ត្រីក្រសួងអប់រំ យុវជន និងកីឡា
 អគ្គនាយកដ្ឋានបណ្តុះបណ្តាល
 លេខ: ០១២៣
 ភ្នំពេញ, ថ្ងៃទី ០១ ខែ ០១ ឆ្នាំ ២០២០

Գրառվել է մանկը
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 հմուտը իր հոգի

Kingdom of Cambodia
Nation Religion King

Svay Rieng Province Administrative
No. 472/20 LL

Svay
26, 2020

Rieng on October

To
Bavet city mayor

Objective: Case of request for cut-off-date for solid waste management, drainage and sewerage and wastewater treatment plant in Bavet city for Livable City Investment Project.

Reference: Letter No. 3365 dated September 25, 2020, of the Ministry of Public Works and Transports.

In response to the above objectives and references, the city mayor, please be informed that the Ministry of Public Works and Transport held a public consultation meeting on September 12, 2020, at Bavet City hall to prepare a resettlement plan proposed Livable City Investment Project. This is part of the Asian Development Bank (ADB) requirement and the General Department of Impact Management of the Ministry of Economic and Finance (GDR) to approve the LCIP regarding the resettlement safety document.

Public consultation on September 12, 2020, at Bavet City Hall provided the preparation, notification, and approval of the Proclamation of the Date (COD) that defines the right to compensation from the project. Therefore, COD is approved on September 12, 2020, to receive compensation from the project.

The purpose and benefits of announcing a deadline for project eligibility are:

- 1 - Prevent the influx of people into the project site
- 2- Prevent illegal encroachment on state public land
- 3- Determining the property in the Right-of-Way (ROW) to get legal compensation from the project
- 4- Inform the local people and relevant authorities to keep the vacant land for road construction to be no encroachment or construction.

Therefore, the municipal administration must take action to inform the construction owners, landowners who will be affected, as well as the relevant authorities that any new compensation or additional construction or proposed construction or new trees and planting areas after September 12, 2020, must not no compensation, was provided from the project. The municipal administration must monitor and prevent new construction and land use permits in the area around the project site.

The municipal administration must also prevent any activities such as resettlement, relocation, reallocation of land or land use for affected families during the project development period to be re-introduced by the Ministry of Public Works and Transport.

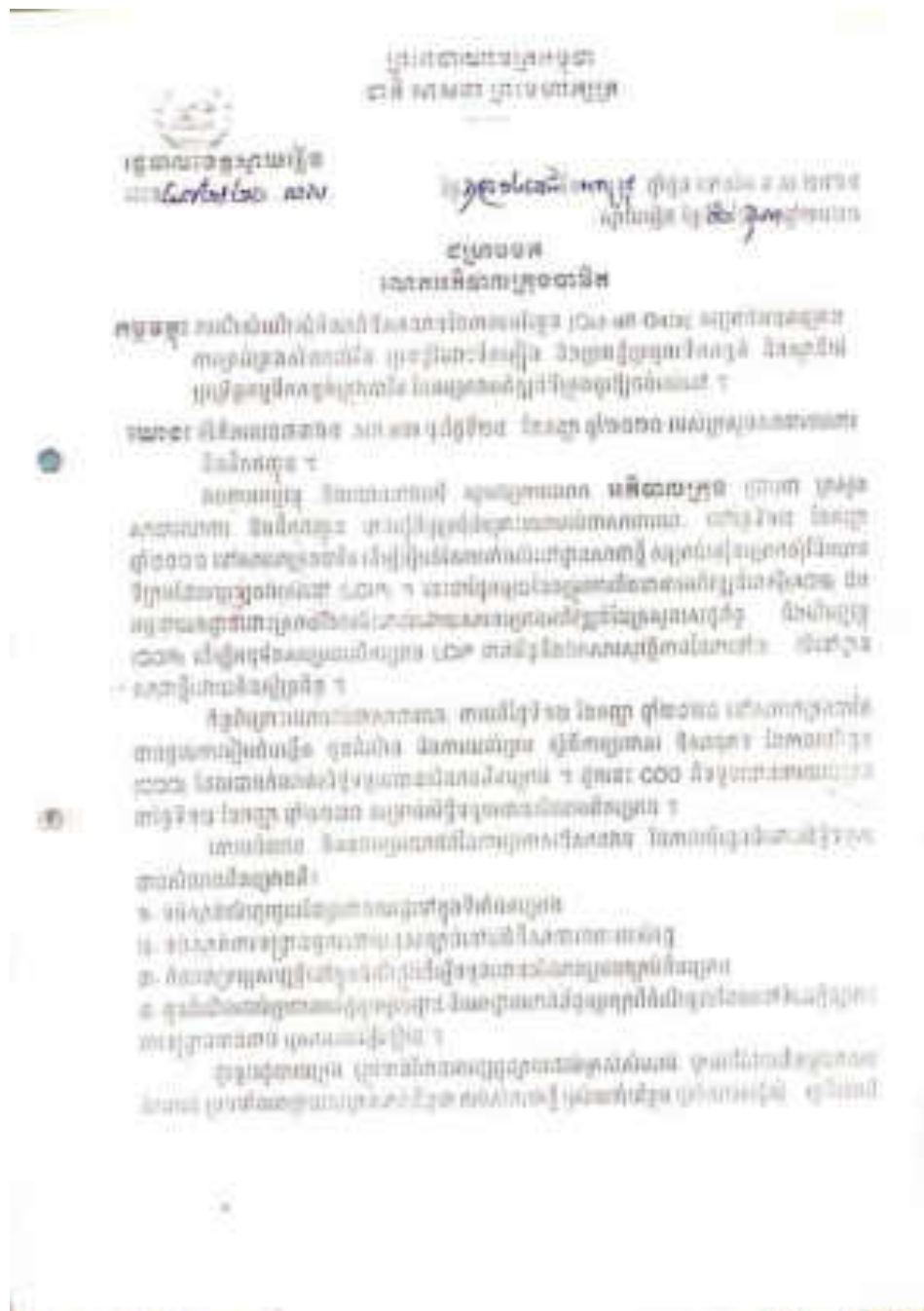
As mentioned above, please the mayor to implement effectively.

Sincerely Yours

Deputy Governor of Svay Rieng Province
Seng Seila

Copy:
Ministry of Public Works and Transport

Ministry of Economy and Finance
To be informed
Relevant Departments
To cooperate
Chronological documents



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● 2008 年 12 月 1 日

THE GUY

E. Minutes of 1st Public Consultation Meetings in Bavet (11-12 September 2020)

Component	Social and Resettlement
Type of Activity	Meeting and Public Consultation Meeting
Sub-Project/s	Bavet Sub-Project
Start date - End date	11 to 12 September 2020
Planned Activities	<ul style="list-style-type: none"> Conduct Public Consultation Meeting (PCM)
Activities Carried Out	Participant Name list Minutes of Public Consultation Meeting Recorded
Schedule and Venue of Public Consultation Meeting	1st Public Consultation Meeting <ul style="list-style-type: none"> Date: 11 September 2020 Time: 8:30 am Venue: Chief of Crork Leav village house Participants: 14 AH (7 male / 7 female) Local authorities = 3 male
	2nd Public Consultation Meeting <ul style="list-style-type: none"> Date: 11 September 2020 Time: 14:30 pm Venue: Chief of Ta Beub village house Participants: 23 AH (15 male / 8 female) Local authorities = 2 male
	3rd Public Consultation Meeting <ul style="list-style-type: none"> Date: 12 September 2020 Time: 8:00 am Venue: Chief of Bavet Leu village house Participants: 14 AH (8 male / 6 female) Local authorities = 3 male
	4th Public Consultation Meeting <ul style="list-style-type: none"> Date: 12 September 2020 Time: 14:30 pm Venue: Chief of Bavet Kandal villager house Participants: 18 AH (2 male / 16 female) Local authorities = 1 male
Appendix 1: Persons met	<ul style="list-style-type: none"> Local Authorities Local Resident and Affected Household
Appendix 2: Pictures	<ul style="list-style-type: none"> Public Consultation Meeting
Consultant Signature	Date
Mr. Narith Chan (Resettlement Specialist)	30 September 2020

Objective of the Public Consultation Meeting

Introduction

1. ADB is committed to put meaningful consultation processes into practice. Meaningful consultation is a process that (i) begins early in the Project preparation stage and is carried out on an ongoing basis throughout the Project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as Project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. ADB requires borrowers/clients to engage with communities, groups, or people affected by proposed Projects, and with civil society through information disclosure, consultation, and informed participation in a manner commensurate with the risks to and impacts on affected communities.

2. Consistent with these efforts, the objectives of the consultation and participation plan and related stakeholder communication strategy are to:

- fully disclose information on the proposed Project, its components, and its activities with the beneficiary communities and stakeholders;
- obtain information about the opinions, needs and priorities of beneficiary communities and stakeholders;
- solicit input and feedback on beneficial and mitigation measures;
- encourage the participation of beneficiary communities and stakeholders in Project activities such as the preparation of tourism development plans that affect them, civil works construction, enterprise support programs, awareness raising activities, and monitoring;
- obtain the consent and cooperation of beneficiary communities and stakeholders for activities required to be undertaken for Project planning and implementation;
- establish a clear, easily accessible and effective grievance redress mechanism; and
- ensure transparency in all Project activities.

Consultation During Project Design

3. As a first step in preparing the consultation and participation plan a stakeholder analysis was completed to identify the key actors, their interests, and strategies to maximize their participation in the Project. Information was gathered from (i) the different government organizations that will be involved in Project implementation, (ii) civil society, (iii) public and private actors in the tourism sector, and (iv) community members living near all Project sites.

4. During Project design members of the Project preparatory technical assistance team comprising ADB staff and international and national social development specialists conducted broad and meaningful consultations to solicit stakeholder input on the design of the Project using the following methods:

- regular meetings, workshops and joint site visits with staff of the Ministry of Public Works and Transport (MPWT) and provincial authorities;
- key informant interviews with provincial, district and village officials to determine Project priorities, socio-economic objectives, and confirm linkages with local development plans and aspirations; and
- surveys and focus group discussions with men and women living near the Project sites.

5. The information and recommendations gathered from the various stakeholder consultations has been incorporated into the design of the Project to ensure that the investments align with local priorities and development plans, and that they will deliver equitable socio-economic benefits to the intended Project beneficiaries.

Agenda of Public Consultation

6. The Resettlement Specialist was responsible for conducting the public consultation meetings with the local authorities, affected households and people and also communities to inform details of the Project and Project policy as detailed below.

- Project description
- Project location
- Project Policies
 - Conduct public consultations

- Distributed PIBs
- RGC policy under Project loan
- ADB policy (SPS 2009)
- Project Resettlement Policy Framework
- Entitlement Matrix
- Detail about GRM
- Construction schedule and Social Safeguard Monitoring
- Detail about the contact person are responsible in this Project
- Question and Answer, and Open Discussion

Minutes of the Public Consultation meetings

1st Public Consultation Meeting

Minute of the Meeting
<p>1st Public Consultation Meeting</p> <ul style="list-style-type: none"> • Date: 11 September 2020 • Time: 8:30 am • Venue: At the house of the Chief of Crork Leav village • Participants: 14 AH (7 male / 7 female) Local authorities = 3 male / 0 female
<p>Name: Prum Nov Gender: Male Position: Chief of village</p> <p>Welcoming note by the Chief of the village addressed to the public consultant meeting proposed for the LCIP Project located in Bavet sub Project. The meeting was opened by by Mr.Prum Nov, the chief of village and the representative of the Sangkat Bavet city. He introduced the topics of the meeting as the following:</p> <ul style="list-style-type: none"> • Introduction of the participants at this consultation meeting today • Short history of development Projects established in Bavet • Main discussion points with the Project team and participant • Introduction of the National Resettlement Specialist and the following presentation <p>Summary of the welcoming speech</p> <p>The objective of this consultation is to inform all right holders affected by the Project, including affected people, people living along the Project site, community and local authorities about the proposed Project and its progress. Especially, the consultation will detail the principles and policies of the Project and the activities which apply in preparation of this Project.</p> <p>Warmest welcome for all villagers and the Project staff present today. I would like to inform that Bavet city will be part of the Livable City Investment Project.</p> <p>There is no need for concern regarding the future of the Bavet city sanitation and flooding because wastewater and also environment problems, which have been a cause of concern, will now be tackled by the Project. The Project team will provide details about this Project for us followed by open discussion about what we need, suggestions, and also comment for future Project development.</p> <p>I hence ask for your attention and participation in the following event, Thank you!</p>
<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist</p> <p>The Social Safeguards and Resettlement Specialist, Mr. Chan Narith gave a presentation on the following issues:</p> <ul style="list-style-type: none"> • Details regarding Project description and the benefits of the Project • Details about Project location and technical aspects proposed for the Subproject • Details regarding RGC (SOP) and ADB policy (SPS 2009) on resettlement • Explanation on Resettlement Framework and Entitlement Matrix • Details about the Resettlement activities during Project design phase:

<ol style="list-style-type: none"> 1. Proposed public consultation with local authorities, Project stakeholders, community, organizations, local inhabitants, and affected households within the proposed Project area 2. Distribution of the PIBs to all of participants 3. Details about the Project description, technical proposal, location selection, Project beneficiaries 4. Details regarding the Project impact with the public and private assets such as: <ul style="list-style-type: none"> · Cut-off date · Impact on land · Impact on structures · Impact on trees and crops · Impact on business and income loss · Detail about allowances proposed for vulnerable groups and IRP · Other description related to ADB's policy (SPS 2009) · Replacement cost compensation and RCS 5. Details on the accountability <ul style="list-style-type: none"> · Compensation will be provided by MEF/GDR after DMS and consultation, contract agreement · Reinstatement of the temporary impact by Contractor 6. Detail about GRM and the process <ul style="list-style-type: none"> · Details on Project composition and PRSC and PGRC · Detail on GRM processing; step by step · Detail on a GRM form 7. The list of contact persons and Project information enquiries 	
Discussion, Question and Answer	
<p>Name: Keo Kun Gender: Male Position: Villager Respond: Based on previous experience and your details about the Project description, especially in the areas affected by this Project storm water drainage system, I recall compensation is to be paid for the affected households. Hence, it is great to hear that this same compensation policy is being followed again.</p> <p>It is good that the Project, which is now conducting consultations to map out the details for the Project, has now distributed the PIB, including the contact persons for us to ask questions about the Project. We are the villagers benefiting from the Project, hence we appreciate the Project and wish the construction to happen soon.</p>	
<p>Name: Mei Own Gender: Female Position: Villager Question: What is the compensation rates?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: The compensation will be calculated according to the response to the RCS report.</p> <p>As I mentioned the RCS is conducted by an independent consultant, who is responsible for the survey and collecting all of the information properties and current market prices and rates. I just want to confirm that these prices are based on the study and not identified or assumed by individual and not by any requests from AHs. Thus, everything is based on the current price and rates in each location in the Project areas.</p>
<p>Name: Keo Pov Gender: Male Position: Villager Question: How can I connect my house sewer which is located inside the village with only small road access?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: The strategy of household connections will be designed during DED. However, usually the connection from the house is easy to make the connection and especially from houses located along the roadside after contractor constructs the main sewer and tertiary collector. For the houses inside the village which have long distance there is more time needed for expanding the collector sewers to enable connection.</p>
<p>Name: Srey Sarom Gender: Female Position: Villager Question: Does the Project construct the road in front of our house? Since long time ago we have not been able to construct this road section. We struggle with travel and transportation. Especially, in the wet season.</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: I would like to respond that road works is not in the scope of the Project. We are responsible only for sanitation and storm water channels in Bavet city.</p>

Suggestion and Recommendation	
<p>Name: Vinh Sanun Gender: Male Position: Villager</p> <p>Suggestion/Recommendation. We are the villagers benefiting from the Project and appreciative this Project supporting our community and city in improving sanitation for the future. This is a good opportunity for us, and we have no negative comments about the Project and support the Project. We will try to attend all the activities when the Project needs us.</p> <p>I have one more suggestion to the Project. Please proceed with the activities as soon as possible and keep us informed about Project progress. We want to follow the Project progress and update the community also. Great thanks to the Project.</p>	
Closing the consultation	
<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist</p> <p>Respond: Great thanks for everyone for attending this public consultation meeting to listen, discuss, and also ask all questions. As I detailed before and also as detailed in PIBs, this Project is in the PPTA stage. So, the first priority of the Project requirement is to conduct public consultation meetings with local authorities, community, affected household and the people living within the Project area.</p> <p>So, I hope that everyone in the meeting will understand the Project clearly. But if you have anything that needs clarification about the Project, please directly contact the person listed in the PIB.</p>	

2nd Public Consultation Meeting

Minutes of the Meeting	
<p>2nd Public Consultation Meeting</p> <ul style="list-style-type: none"> • Date: 11 September 2020 • Time: 14:30 pm • Venue: Chief of Ta Beub village house • Participants: 23 AH (15 male / 8 female) Local authorities = 2 male / 0 female 	
<p>Name: Torng Neat Gender: Male Position: Chief of village</p> <p>Welcoming note by the Chief of the village addressed the public consultation meeting about the proposed LCIP Project located in Bavet. The meeting was opened by the Chief of the village and the representative of the Bavet city, who introduced the topics of the meeting as following:</p> <ul style="list-style-type: none"> • Introduction of the participants at this consultation meeting today • Short history of development Projects established in Bavet • Main discussion points with the Project team and participant • Introduction of the National Resettlement Specialist and the following presentation 	
<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist</p> <p>The Social Safeguards and Resettlement Specialist, Mr. Chan Narith gave a presentation on the following issues:</p> <ul style="list-style-type: none"> • Details regarding Project description and the benefits of the Project • Details about Project location and technical aspects proposed for the Subproject • Details regarding RGC (SOP) and ADB policy (SPS 2009) on resettlement • Explanation on Resettlement Framework and Entitlement Matrix • Details about the Resettlement activities during Project design phase: <ol style="list-style-type: none"> 1. Proposed public consultation with local authorities, Project stakeholders, community, organizations, local inhabitants, and affected households within the proposed Project area 2. Distribution of the PIBs to all of participants 3. Details about the Project description, technical proposal, location selection, Project beneficiaries 4. Details regarding the Project impact with the public and private assets such as: 	

<ul style="list-style-type: none"> - Cut-off date - Impact on land - Impact on structures - Impact on trees and crops - Impact on business and income loss - Detail about allowances proposed for vulnerable groups and IRP - Other description related to ADB's policy (SPS 2009) - Replacement cost compensation and RCS <p>5. Details on the accountability</p> <ul style="list-style-type: none"> - Compensation will be provided by MEF/GDR after DMS and consultation, contract agreement - Reinstatement of the temporary impact by Contractor <p>6. Detail about GRM and the process</p> <ul style="list-style-type: none"> - Details on Project composition and PRSC and PGRC - Detail on GRM processing; step by step - Detail on a GRM form <p>7. The list of contact persons and Project information enquiries</p>	
Discussion, Question and Answer	
<p>Name: Chea Gender: Male Position: Villager Question: Does the Project request connection payment from each household?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: We are unable to confirm this at this point, but as far as we are concerned there will not be any additional costs required by the households. We can further clarify this issue during a DED consultation meeting.</p>
<p>Name: Samean Gender: Female Position: Villager Question: When will the construction phase of the Project start?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: The timeline is shortly presented in the PIB distributed earlier. This Project is currently at the PPTA stage and as soon as ADB approves the BRP the DED can begin. According to the current estimate the construction will start in end of 2021 or most likely in 2022.</p> <p>Due to the close collaboration with the local authorities and the community the households will be kept up to date and further details regarding the timetable will be published as soon as there is new information to give.</p>
<p>Name: Vady Gender: Male Position: Villager Question: Who is responsible for the compensations. Could you explain the mechanism once again, thanks?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: The compensation payments are under MEF/GDRs responsibility and carried out after the DED, DMS and approval of DRP, but before start of construction. The contractor is in charge of the re-building temporary structures and construction related temporary impacts.</p>
<p>Name: Sum Gender: Female Position: Villager Question: What about the rate of compensation and the timing?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: The rates of compensation will be determined by the RCS, which will base the replacement cost at the current market prices. These prices are based on an independent evaluation. Regarding the timeline of the compensation payments:</p> <ul style="list-style-type: none"> • Compensation will take place after DED once the ADB has approved the DRP document. • MEF/GDR will complete individual contact agreement between AHs and the Project. • RGC review and approve budget • No construction will start until the compensation payments have been completed

3rd Public Consultation Meeting

Minute of Recorded

<p>3rd Public Consultation Meeting</p> <ul style="list-style-type: none"> • Date: 12 September 2020 • Time: 8:30 am • Venue: Chief of Bavet Leu village house • Participants: 14 AH (8 male / 6 female) _ Local authorities = 3 male / 0 female
<p>Name: Tea Tit Gender: Male Position: Chief of village</p> <p>Welcoming note by the Chief of the village addressed the public consultation meeting about the proposed LCIP Project located in Bavet. The meeting was opened by the Chief of the village and the representative of the Bavet city, who introduced the topics of the meeting as following:</p> <ul style="list-style-type: none"> • Introduction of the participants at this consultation meeting today • Short history of development Projects established in Bavet • Main discussion points with the Project team and participant • Introduction of the National Resettlement Specialist and the following presentation
<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist</p> <p>The Social Safeguards and Resettlement Specialist, Mr. Chan Narith gave a presentation on the following issues:</p> <ul style="list-style-type: none"> • Details regarding Project description and the benefits of the Project • Details about Project location and technical aspects proposed for the Subproject • Details regarding RGC (SOP) and ADB policy (SPS 2009) on resettlement • Explanation on Resettlement Framework and Entitlement Matrix • Details about the Resettlement activities during Project design phase: <ol style="list-style-type: none"> 1. Proposed public consultation with local authorities, Project stakeholders, community, organizations, local inhabitants, and affected households within the proposed Project area 2. Distribution of the PIBs to all of participants 3. Details about the Project description, technical proposal, location selection, Project beneficiaries 4. Details regarding the Project impact with the public and private assets such as: <ul style="list-style-type: none"> • Cut-off date • Impact on land • Impact on structures • Impact on trees and crops • Impact on business and income loss • Detail about allowances proposed for vulnerable groups and IRP • Other description related to ADB's policy (SPS 2009) • Replacement cost compensation and RCS 5. Details on the accountability <ul style="list-style-type: none"> • Compensation will be provided by MEF/GDR after DMS and consultation, contract agreement • Reinstatement of the temporary impact by Contractor 6. Detail about GRM and the process <ul style="list-style-type: none"> • Details on Project composition and PRSC and PGRC • Detail on GRM processing; step by step • Detail on a GRM form 7. The list of contact persons and Project information enquiries
Discussion, Question and Answer
<p>Name: Liya Gender: Female Position: Villager</p> <p>Respond: After this presentation, we truly appreciate the development. We wish for the construction to start soon in order to solve the sanitation issues and especially the garbage issues within the community. The development to separate the drainage and wastewater is very important for our environment.</p>
<p>Name: Saro Gender: Male Position: Villager</p> <p>Respond: I would like to share some thoughts regarding this development. As I understand similar development has taken place in Bavet city already. I have also heard about the compensation system. Based on the</p>

explanation aided with the map of our locality, as well as policy documents, I am confident regarding the compensation mechanism. Thank you for clarifying these issues and wish for the Project to proceed as soon as possible.

Name: Nov

Gender: Male

Position: Villager

Respond: We have no further questions. We are glad for this development, which marks the first Wastewater Treatment Plant in the Bavet city. This is also a great opportunity to develop the landfill area located near the old dumpsite. This is a positive Project which we are happy to support.

4th Public Consultation Meeting

Minutes of the Meeting

4th Public Consultation Meeting

- Date: 12 September 2020
- Time: 14:30 pm
- Venue: Chief of Bavet Kandal villager house
- Participants: 18 AH (2 male / 16 female)
Local authorities = 1 male / 0 female

Name: Than Po

Gender: Male

Position: Chief of village

Welcoming note by the Chief of the village addressed the public consultation meeting about the proposed LCIP Project located in Bavet. The meeting was opened by the Chief of the village and the representative of the Bavet city, who introduced the topics of the meeting as following:

- Introduction of the participants at this consultation meeting today
- Short history of development Projects established in Bavet
- Main discussion points with the Project team and participant
- Introduction of the National Resettlement Specialist and the following presentation

Name: Chan Narith

Gender: Male

Position: Resettlement Specialist

The Social Safeguards and Resettlement Specialist, Mr. Chan Narith gave a presentation on the following issues:

- Details regarding Project description and the benefits of the Project
- Details about Project location and technical aspects proposed for the Subproject
- Details regarding RGC (SOP) and ADB policy (SPS 2009) on resettlement
- Explanation on Resettlement Framework and Entitlement Matrix
- Details about the Resettlement activities during Project design phase:
 1. Proposed public consultation with local authorities, Project stakeholders, community, organizations, local inhabitants, and affected households within the proposed Project area
 2. Distribution of the PIBs to all of participants
 3. Details about the Project description, technical proposal, location selection, Project beneficiaries
 4. Details regarding the Project impact with the public and private assets such as:
 - Cut-off date
 - Impact on land
 - Impact on structures
 - Impact on trees and crops
 - Impact on business and income loss
 - Detail about allowances proposed for vulnerable groups and IRP
 - Other description related to ADB's policy (SPS 2009)
 - Replacement cost compensation and RCS
 5. Details on the accountability
 - Compensation will be provided by MEF/GDR after DMS and consultation, contract agreement
 - Reinstatement of the temporary impact by Contractor
 6. Detail about GRM and the process
 - Details on Project composition and PRSC and PGRC

<ul style="list-style-type: none"> Detail on GRM processing; step by step Detail on a GRM form 	
7. The list of contact persons and Project information enquiries	
Discussion, Question and Answer	
<p>Name: Sarith Gender: Male Position: Villager Respond: Thank you for these details. The Subproject is a great interest of mine, especially the storm drain system. As I am looking at the map and PIBs map I am concerned whether the canal will continue to support our farmland. This Project indeed supports the development of the Bavet city and will improve the environment holistically. I fully support this development. I am also appreciative of the compensation mechanism.</p>	
<p>Name: Loem Seath Gender: Female Position: Villager Respond: I am personally interested and appreciate the development enabled by ADB loan. This is a great opportunity and the compensation mechanism is appreciated indeed. For us villagers it is important to know that our livelihoods will be safe.</p>	
<p>Name: Morn Sary Gender: Male Position: Villager Respond: I think this development is very useful for Bavet city, as it deals with the problems of wastewater and landfill. I hope this Project proceeds as soon as possible.</p>	
<p>Name: Hong Sophea Gender: Female Position: Villager Respond: We would like to indicate our preference of night time work for sewers and drains due to the following reasons:</p> <ul style="list-style-type: none"> This would avoid traffic jams Avoiding business disturbances This would ease the construction disturbances 	
<p>Name: Sami Gender: Female Position: Villager Respond: I think a daytime construction is the best as it supports the natural sleeping rhythm. Also, night time work would generate noise, which will disturb the night time peace.</p>	
<p>Name: Srey Nouen Gender: Male Position: Villager Question: When will the compensation payments start?</p>	<p>Name: Chan Narith Gender: Male Position: Resettlement Specialist Respond: We are now in the PPTA phase and the ADB will first approve the BRP prior to loan approval. The DED will be carried out after loan approval, followed by DMS under responsibility of MEF/GDR. Before the compensation payments the following will be done:</p> <ul style="list-style-type: none"> Conduct consultation Conduct DMS and RCS Approve DRP Conduct contract agreement between AH and GDR Compensate processing by GDR

Conclusion

According to the detailed presentation and discussion with the affected people and beneficiaries who are living along the roadside of the Project site, the conclusion of the public consultation meetings is summarized as following:

- The beneficiary households and impacted households now understand the Project description, scope and Project principles.
- Increased understanding on RGC and ADB policies related to resettlement issues.
- Understanding on Project resettlement policy framework, entitlements for compensation, and also ADB entitlement classification.
- Understanding of the GRM, PGRC and how to process any concerns or complaints relating to the Project etc.
- Understanding of the Project components and preparation progress.

- Contact person details disseminated with PIB for AH to contact when they have any misunderstanding, concerns, suggestions, complaints and any need for facilitation related to the Project.

All of the participants support the Project with only positive perception. There were no negative reactions or serious concerns to the proposed Project and AH wished the Project would happen as soon as possible.

Participant List of 1st Public Consultation Meeting

Location/Venue	Chrak Leav
Date	11/9/20
Time :	8:30 am to 10:30 pm
Participant Local Authority	14 (7 male / 7 female) Village authorities: 3 male, and IOL surveyor: 6 male

No	Name	Gender	Position/Institution	Tel
1	Prom Nov	Male	Village chief	097 812 089 8
2	Tit Morn	Male	Sub Chief of Village	097 556 066 8
3	Sous Bal	Male	Village chief's assistant	98 556 066 8
4	Koe Khun	Male	Villager	
5	Ngoun Lang	Male	Villager	
6	Brak Saron	Male	Villager	097 889 552 8
7	Koe Sitha	Male	Villager	097 922 525 9
8	Mei Oun	Female	Villager	
9	Poem Savut	Female	Villager	
10	Kroch Phany	Female	Villager	097 512 130 6
11	Srey Sarum	Female	Villager	
12	Mah Nor	Female	Villager	097 907 739 0
13	Koe Pov	Female	Villager	
14	Ouk Samei	Male	Villager	097 389 108 1
15	Sem Ry	Male	Villager	
16	Chan Boleak	Female	Villager	
17	Ving Sanon	Male	Villager	012 356 272
18	Chan Narith	Male	Resettlement Specialist	089566998
19	Pok Sophea	Male	Surveyor	089339390
20	Say sina	Male	Surveyor	061770303
21	Bo Den	Male	Surveyor	017979811
22	Kriss chanleapheng	Male	Surveyor	0718166667
23	Heng Samuth	Male	Surveyor	011864454

Participant List of 2nd Public Consultation Meeting

Location/Venue	Taboeb			
Date	11/9/20			
Time	2:30 pm to 4:20 pm			
Participant Local Authority	23 (15 male / 8 female) Village authorities: 2 male, and IOL surveyor: 6 male, 1 female			
No	Name	Gender	Position/Institution	Tel
1	Torng Neat	Male	Village chief	071 290 598 1
2	Vi Tat	Male	Sub Chief of Village	097 930 788 9
3	Aum Sarath	Male	Villager	071 555 187 2
4	Auk Chea	Male	Villager	097 826 781 3
5	Nuon Rong	Male	Villager	097 662 967 5
6	Brak Vorn	Male	Villager	088 461 37 8 4
7	Keas Sophea	Male	Villager	

8	Pot Sum	Female	Villager	
9	Vong Samean	Female	Villager	
10	Houem Saran	Female	Villager	
11	Ros Chhan	Female	Villager	
12	ven Vady	Male	Villager	097 546 490 7
13	Aun Leap	Female	Villager	088 803 285 0
14	Meas Ry	Male	Villager	
15	Aum Sarat	Male	Villager	071 455 187 2
16	Chan Narith	Male	Resettlement Specialist	089566998
17	Pok Sophea	Male	Surveyor	089339390
18	Say sina	Male	Surveyor	061770303
19	Bo Den	Male	Surveyor	017979811
20	Kriss chanleapheng	Male	Surveyor	0718166667
21	Heng Samuth	Male	Surveyor	011864454
22	En Sukea	Female	Surveyor	016 698483
23	Aunt See	Female	Villager	
24	Chhun Thy	Male	Villager	097 250 232 7
25	Arn Ngem	Male	Villager	097 808 238 9
26	Kao Yit	Male	Villager	088 688 532 3
27	Yin Somarn	Male	Villager	097 274 454 2
28	San Sarum	Female	Villager	097 962 707 8
29	Kuoy Sophon	Female	Villager	097 602 907 5
30	Prom Chan	Male	Villager	088 345 151 3
31	Brak Saret	Male	Villager	097 964 580 4
32	Mum Sihors	Male	Villager	088 818 326 2

Participant List of 3rd Public Consultation Meeting

Location/Venue	Bavet Leu
Date	12/9/20
Time	8:00 am to 10:00 am
Participants	14 (8 male / 6 female)
Local Authority	Village authorities: 3 male, and IOL surveyor: 6 male

No	Name	Gender	Position/Institution	Tel
1	TeaTit	Male	Village chief	088 766 567 9
2	Yous Dy	Male	Sub village chief	097 755 170 8
3	Kroch Samea	Male	Village chief's assistant	031 305 388 8
4	Kris Chan Leapheng	Male	Surveyor	0718166667
5	Nhoek Sakhorn	Male	Villager	097 869 060 8
6	Yin Somang	Male	Villager	088 282 926 6
7	Soy Phai	Female	Villager	
8	Meas Saro	Male	Villager	088 975 626 4
9	Sous Somarn	Male	Villager	097 290 464 2
10	Chhun Moliya	Female	Villager	
11	Son Sopana	Female	Villager	097 350 799 9
12	Yous Sarot	Female	Villager	071 603 079 7
13	Sorm Chany	Female	Villager	088 992 737 2
14	Yous Somaouen	Male	Villager	088 822 844 7
15	Chhay Nov	Male	Villager	088 506 050 3
16	Chim Savut	Male	Villager	088 412 225 9
17	Prom Soeng	Male	Villager	088 877 848 7
18	Lel Nary	Female	Villager	089 971 358 1
19	Chan Narith	Male	Resettlement Specialist	089566998
20	Pok Sophea	Male	Surveyor	089339390
21	Say sina	Male	Surveyor	061770303
22	Bo Den	Male	Surveyor	017979811

23	Heng Samuth	Male	Surveyor	011864454
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Participant List of 4th Public Consultation Meeting

Location/Venue	Bavet Kandal
Date	12/9/20
Time	1:30 pm to 3:30 pm
Participants	18 (2 male / 16 female)
Local Authority	Village authorities: 1 male, and IOL surveyor: 6 male

No	Name	Gender	Position/Institution	Tel
1	Tharn po	Male	Village chief	0977674223
2	Sorn sarith	Male	Villager	
3	Koem chen	Female	Villager	
4	Srey Nouen	Female	Villager	
5	Pov Samrith	Female	Villager	
6	Loem Seath	Female	Villager	
7	Morm sary	Female	Villager	
8	Srey Sami	Female	Villager	
9	Mao Sarouen	Female	Villager	
10	Hong Sophea	Female	Villager	
11	Pok Bunnary	Female	Villager	
12	Sol Long	Female	Villager	
13	Seung Ti	Female	Villager	
14	Hong Khlo	Male	Villager	
15	Keo Tha	Female	Villager	
16	Puth Yeat	Female	Villager	
17	Mao Sapeourn	Female	Villager	
18	So Sophea	Female	Villager	
19	Put Kong Kea	Female	Villager	
20	Chan Narith	Male	Resettlement Specialist	089566998
21	Pok Sophea	Male	Surveyor	089339390
22	Say sina	Male	Surveyor	061770303
23	Bo Den	Male	Surveyor	017979811
24	Kriss chanleapheng	Male	Surveyor	0718166667
25	Heng Samuth	Male	Surveyor	011864454

Signed attendance lists of participants

சென்னை மாநகராட்சி நிர்வாகம்
மாநகராட்சி நிர்வாகம், சென்னை
மாநகராட்சி நிர்வாகம், சென்னை

Sl. No.	Name	Age	Gender	Signature	Remarks
1	செ. ச. செ. செ.	25	Male	[Signature]	
2	செ. ச. செ. செ.	25	Male	[Signature]	
3	செ. ச. செ. செ.	25	Male	[Signature]	
4	செ. ச. செ. செ.	25	Male	[Signature]	
5	செ. ச. செ. செ.	25	Male	[Signature]	
6	செ. ச. செ. செ.	25	Male	[Signature]	
7	செ. ச. செ. செ.	25	Male	[Signature]	
8	செ. ச. செ. செ.	25	Male	[Signature]	
9	செ. ச. செ. செ.	25	Male	[Signature]	
10	செ. ச. செ. செ.	25	Male	[Signature]	

சென்னை மாநகராட்சி நிர்வாகம்
மாநகராட்சி நிர்வாகம், சென்னை
மாநகராட்சி நிர்வாகம், சென்னை

Sl. No.	Name	Age	Gender	Signature	Remarks
1	செ. ச. செ. செ.	25	Male	[Signature]	
2	செ. ச. செ. செ.	25	Male	[Signature]	
3	செ. ச. செ. செ.	25	Male	[Signature]	
4	செ. ச. செ. செ.	25	Male	[Signature]	
5	செ. ச. செ. செ.	25	Male	[Signature]	
6	செ. ச. செ. செ.	25	Male	[Signature]	
7	செ. ச. செ. செ.	25	Male	[Signature]	
8	செ. ச. செ. செ.	25	Male	[Signature]	
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10	செ. ச. செ. செ.	25	Male	[Signature]	

சென்னை மாநகராட்சி நிர்வாகம்
மாநகராட்சி நிர்வாகம், சென்னை
மாநகராட்சி நிர்வாகம், சென்னை

Sl. No.	Name	Age	Gender	Signature	Remarks
1	செ. ச. செ. செ.	25	Male	[Signature]	
2	செ. ச. செ. செ.	25	Male	[Signature]	
3	செ. ச. செ. செ.	25	Male	[Signature]	
4	செ. ச. செ. செ.	25	Male	[Signature]	
5	செ. ச. செ. செ.	25	Male	[Signature]	
6	செ. ச. செ. செ.	25	Male	[Signature]	
7	செ. ச. செ. செ.	25	Male	[Signature]	
8	செ. ச. செ. செ.	25	Male	[Signature]	
9	செ. ச. செ. செ.	25	Male	[Signature]	
10	செ. ச. செ. செ.	25	Male	[Signature]	

Վերջին հաշվառումները

Ամսաթիվ: 15/01/2017

Համար: 15/01/2017

ԸՆԴՀԱՆՈՒՐ ԴԱՏԱՆ	ՏՎԱԾ	ՏՎԱԾ	ՏՎԱԾ	ՏՎԱԾ	ՏՎԱԾ
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Վերջին հաշվառումները

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Վերջին հաշվառումները

Ամսաթիվ: 15/01/2017

Համար: 15/01/2017

ԸՆԴՀԱՆՈՒՐ ԴԱՏԱՆ	ՏՎԱԾ	ՏՎԱԾ	ՏՎԱԾ	ՏՎԱԾ	ՏՎԱԾ
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အမှတ် (၁)

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အချိန်: ၁၀:၀၀ နာရီ

အကြောင်းအရာ: ...

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Կրթության միջոցառում: **Միջին դպրոցի ուսուցիչների համաժողով**

Համաժողովի ամսաթիվ: **15/05/2023**

Համաժողովի տեղանք: **ՀՀԿԿ**

Համաժողովի քաղաք: **ԵՄԱԿ**

Դաս	Մարզ	Կրթական հաստատություն	Կրթական միջոցառում	Կատարող	Կատարման ժամանակ
1	Հայաստան	ՀՀԿԿ	Միջին դպրոցի ուսուցիչների համաժողով	ՀՀԿԿ	15/05/2023
2	Հայաստան	ՀՀԿԿ	Միջին դպրոցի ուսուցիչների համաժողով	ՀՀԿԿ	15/05/2023
3	Հայաստան	ՀՀԿԿ	Միջին դպրոցի ուսուցիչների համաժողով	ՀՀԿԿ	15/05/2023
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Pictures of Public consultation meetings



F. Public Information Brochure

Proposed Livable Cities Investment Project (LCIP)

September 2020

The purpose of this Public Information Brochure is to provide Proposed **Livable Cities Investment Project (LCIP)** related information to persons and households at the LCIP Subproject sites, who may be physically (relocation, loss of residential land or loss of shelter) or economically (loss of land, assets, access to assets, income sources or means of livelihood) affected by land acquisition and involuntary resettlement.

A. PROJECT BACKGROUND

1. What is Proposed Livable Cities Investment Project (LCIP)?

The Asian Development Bank (ADB) is supporting the Royal Government of Cambodia (RGC) to facilitate long-term sustainable and economic growth. The proposed LCIP will concentrate on secondary cities of Bavet, Poipet, and Kampot, due to their economic potential and location at key trade and tourism zones. The loan approval is expected in 2021. The Ministry of Public Works and Transport (MPWT) will be the Executing Agency for the proposed LCIP.

2. What is the objective of the proposed LCIP

The objective of the proposed LCIP is to improve (i) the regulatory environment; (ii) the institution and governance arrangements pertaining to the infrastructure sector; and (iii) the urban infrastructure (with a focus on water supply, sanitation, solid waste management and storm water drainage sectors).

3. What are proposed LCIP Outputs

There are three outputs of proposed LCIP: (i) policy and regulatory environment improved, (ii) urban infrastructure improved, and (iii) institutional effectiveness and governance improved.

4. What are the proposed LCIP Subproject?

The proposed LCIP Subprojects for Bavet city are: (i) Bavet: Solid Waste Management System Subproject, and (ii) Bavet: Wastewater Treatment and Conveyance Network and Stormwater Drainage Network Subproject. The map showing the location of the two Subprojects are in Appendix 1.

5. What are the scope of land acquisition and resettlement and likely impacts?

There will be impacts on land and non-land assets by the proposed Subproject components. After the detailed engineering design (DED), the Project management unit (PMU) in MPWT and design consultants will place demarcation pegs on the ground before the detailed measurement survey starts. Resettlement planning will be done in parallel to the proposed Subproject design, and all compensation will be paid prior to start of the construction.

6. What are the Right of Way (ROW) and Corridor of Impact (COI) of the Subprojects

The ROW is the state or government-owned land allocated for future widening or construction of public infrastructure, such as roads, drainage and sewer lines. The COI area of land that will be directly impacted where the proposed works are to be carried out.

The exact COI dimensions are subject to adjustment after the DED is completed. Further consultations will be conducted with the AHs at the commune or village level after the completion of the DED to inform them of the DED and any adjustments to the COI.

7. What is the cut-off date for eligibility?

The cut-off date (COD) is the date established by RGC that establishes the eligibility of the affected households/affected persons (AH/AP) to receive compensation and resettlement assistance under the proposed Subprojects. Only those AHs who are in the COI or lose their assets before the COD will be eligible for compensation. Any person who occupies land after the COD will be ineligible for receiving compensation. However, any new construction of new structures or expansion to existing structure within the COI is considered illegal and is neither eligible nor entitled for compensation. The AHs/APs will have to vacate the COI after the payment of compensation to allow the civil works to start.

8. What is the inventory of losses and detailed measurement survey, and when will they be

conducted?

A census, socio-economic survey (SES) and Inventory of Losses (IOL) is initial estimate of scope of impact on private and public property of the proposed Subprojects, including land, structures, crops, trees, businesses and loss of livelihoods. A combined IOL and SES will be conducted by the MPWT after the outline design of the proposed Subproject is being completed and first public consultation with potentially affected people has been conducted. It will allow initial estimation of the impacts, their preliminary estimated cost and direct impact mitigation and avoidance during detailed design. The census will determine the list of AHs who will be eligible for compensation for their loss of assets.

The detailed measurement survey (DMS) is a detailed survey and measurement of all affected assets including land, houses and structures, shops, crops, and trees of all the AHs. It will be conducted for each AH to record and agree on all the AH's losses of assets. The survey will also collect information and data on socioeconomic status, sources of livelihood, income, education levels of AH heads and APs, vulnerability etc. This is carried out in the presence of the AH and witnessed by a commune or village official. The DMS will be the basis for the calculation of the compensation package for each AH. The DMS will be conducted after the DED is completed. The affected people and the local authorities will be informed in advance of this activity.

9. What will be the compensation and entitlements?

Households/People affected by the proposed Project are entitled to receive compensation for affected assets under the following key compensation principles:

- Provisions of fair and just compensation in advance.
- Full compensation paid before expropriation or clearance.
- Compensation is based on the replacement costs of lost assets at market prices that will be determined by an independent consultant through replacement cost study (RCS) without any deductions made for depreciation, salvage materials and transaction costs.

(a) Will I be compensated for lost land?

The ROW is state land and AHs who occupy land on the ROW will not be compensated for the land. However, they will be compensated for any loss resulting from using the land like for example, for structures, operating a stall or planting crops or fruit trees.

In case, after the completion of DED, it becomes necessary to acquire private land for new alignments or land on which the AH has a legal right that falls **outside of the ROW**, then compensation will be paid at the replacement cost of the land to be acquired.

(b) Will I be compensated for affected house and structures that I own?

Yes. Private houses and structures that are affected by the proposed Subproject will be compensated at replacement cost. No amount from the replacement cost will be deducted for depreciation, salvage materials or transactions costs. Structures include fences, wells, latrines, concrete pavements, gates and other similar structures for which the AH can show ownership. If the house or structure is partially affected, then the compensation will be paid for the affected portion unless it can be shown that the remaining portion can no longer be useful after the removal of the affected portion. In such cases, compensation will be paid for the whole structure.

(c) Will I be compensated for my crops and trees?

Yes. For annual crops that are produced on annual seasonal basis like rice will be compensated for **Net Annual Income for One Year**. In addition, sufficient notice will be provided to the AHs so that they can harvest the crops in time. No compensation is paid for crops in this case. For standing crops that are ripening but cannot be harvested by the time the land is required, the AHs will be compensated for the lost crop on replacement cost basis.

For perennial crops (trees that produce fruits for multiple years like mango tree), the AHs will be compensated for the loss of fruit which will take into account the loss of potential income and the time required to re-establish the perennial trees.

(d) If I have to relocate my house or shop, is there any relocation assistance?

Yes. All efforts will be made during the detail design stage of the Subprojects to avoid any physical displacement of AHs. For any physical relocation of houses or similar residential structures from the COI will be provided transition allowance, relocation assistance and option to relocate at relocation site. There may be some relocation of stalls where they will be required to self-relocate or move back outside

of the ROW. Apart from the compensation for the structures at replacement cost, transitional allowances will be paid as follows: (i) fixed lump sum transportation allowance for moving the assets; and (ii) loss of business income in case of stalls carrying out business. In case, the AHs are classified as poor and vulnerable, the allowances in (ii) above will be **doubled**.

(e) In case my livelihood is affected, how will I be compensated?

The DMS will take note of the livelihoods of the AHs and whether there is any impact on them. Under the proposed Subproject, for AHs whose livelihood is impacted they will be provided with income loss or restoration support:

- (i) Loss of income during the transitional period where physical relocation is required. This will cover loss of income during the period of self-relocation.
- (ii) When main source of livelihood source is permanently lost, a livelihood restoration/support program will be provided to assist the AHs/APs to rebuild/restore their livelihood.

In case the AHs are classified as poor and vulnerable, these cash grant under the chosen livelihood restoration/support will be doubled. In addition, the proposed Subproject will seek to provide work opportunities during the construction period.

10. How will the replacement cost be decided, and compensation calculated?

The payment for compensation will be made based on the market value or full replacement cost of the lost assets without deduction being made for salvage materials, depreciation, or transaction costs. A Replacement Cost Study (RCS) will be carried out by a local qualified independent consultant with the necessary experience in asset valuation to determine the prevailing market rates. This will be done immediately after the DMS. The RCS consultant will carry out a detailed analysis of the market rates for all types of assets prevailing in the proposed Subproject or Subproject area and prepare the unit rates for each category of the loss asset. These will be used to calculate the replacement value. The General Department of Resettlement (GDR) of the Ministry and Economy and Finance will select the RCS consultant before the commencement of the DMS.

11. Do I have right to complain about disagreements, compensation issues, resettlement or other related issues, if yes how?

Yes, you have right to lodge your complaint to Grievance Redress Committee (GRC) if you are unclear or unhappy with resettlement activities during implementation of the proposed Subproject. The members of GRC at all time are ready to assist you. The attempt to redress your grievance will commence at village level through the Village Chief. However, you can lodge your verbal complaint to any member of the GRC (i.e. at village, commune or resettlement working group). The GRC will record and document your complaint and advise you of the resolution.

12. Who do I contact in case I need clarifications or have a problem/complaint?

At this stage of the preparation of the proposed LCIP, the contact persons and their mobile numbers are provided in the box below who can provide you with clarifications on the proposed Subproject related technical issues. At this point in time, the eligibility, loss of assets, the DMS and the compensation packages have not been decided and hence any complaints relating to them will not be entertained.

Given that the proposed LCIP is yet to be approved by the ADB, the Inter-Ministerial Resettlement Committee of the Ministry of Economy and Finance is yet to establish a Grievance Redress Mechanism (GRM) under which GRCs will be established at the local District level and at the Provincial level. These Committees will be set up and made operational before the commencement of the DMS. Any complaints or grievances on any aspects of the compensation package will need to be sent to these Committees for resolution. An updated PIB with all the details on the GRM will be circulated and explained in detail by GDR to the AHs during a separate public consultation meeting before the commencement of the DMS. The GRM will operationalized and made fully functional prior to DMS.

If you have further queries and suggestions, please contact us at:

Contacts Persons Related to Land Acquisition and Resettlement

Mr. Sun Sokny, Deputy Director, Resettlement Department 2, General Department of Resettlement, Ministry of Economy and Finance, Phnom Penh.

Tel: 012929955

Mr. Vong Daputhea, Project Manager, Project Management Unit, Ministry of Public Works and Transport, Phnom Penh

Tel: 092 465 060

Mr. Sok Sophal, Project Implementation Unit, Department of Public Works Bavet Province
Tel: 097 751 6364

Appendix 1

Figure 1: Map of Location for Bavet Solid Waste Management System Subproject

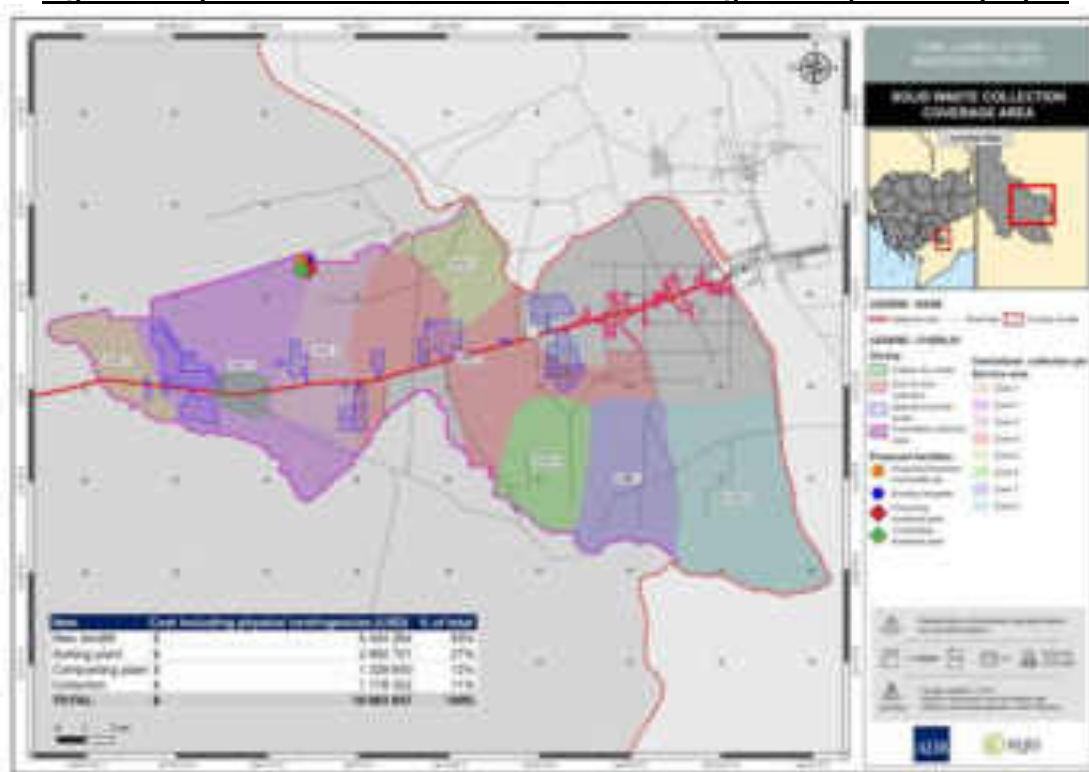


Figure 2: Map of Location for Bavet Wastewater Treatment and Conveyance Network Component

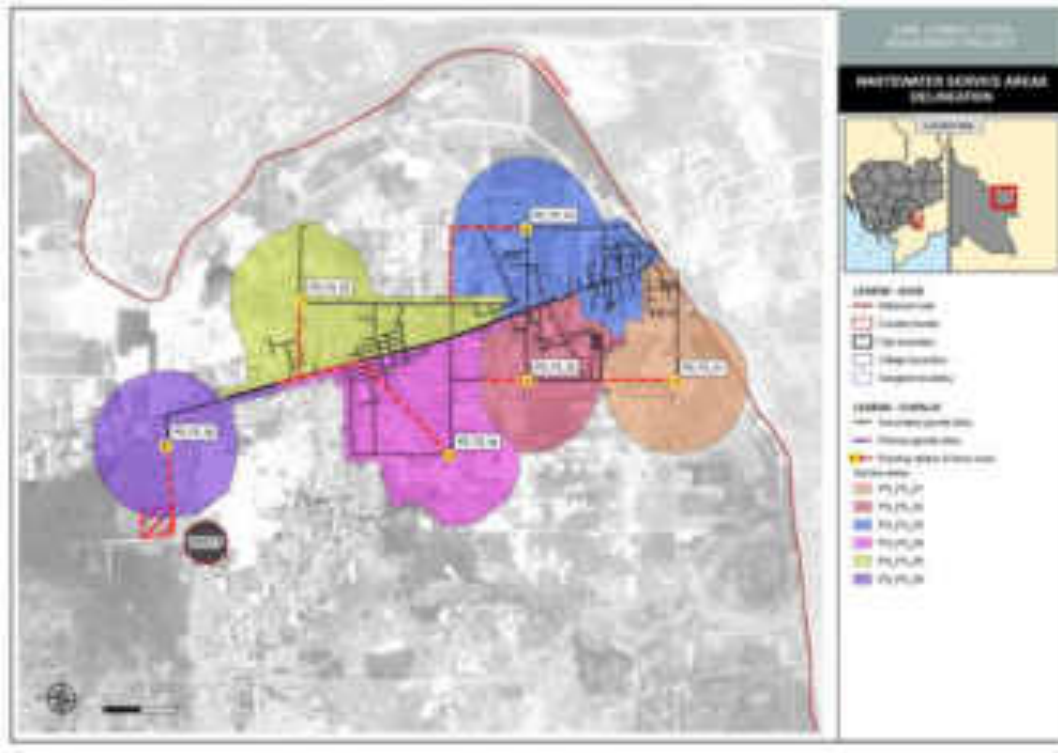
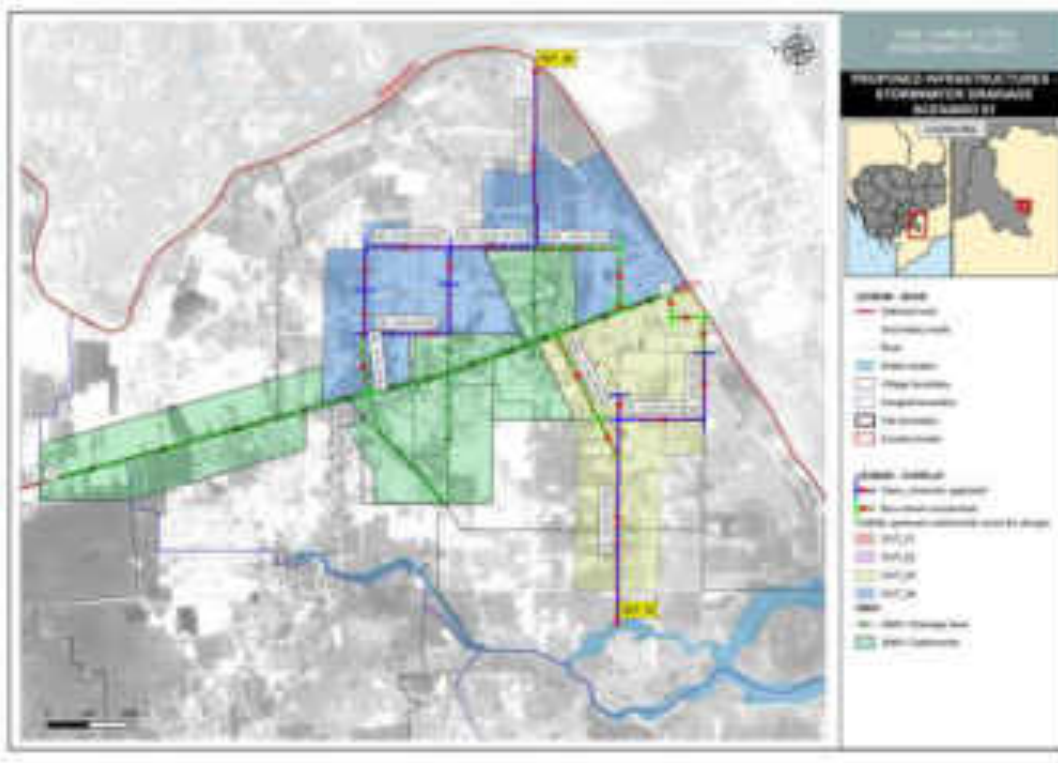


Figure 3: Map of Location for Bavet Stormwater Drainage Network Component



Individual Complaint Form

Proposed Livable Cities Investment Project

Date of Complaint		DMS No.
Name of Complainant		
ID Number		
Family Book		
Contact (Mobile No)		
Address		
Summary of Complaint		
List of Supporting Documents/Evidence		

Name: _____ **(Head of Household)**

Sign/Thump Print: _____

Date: _____

Register of Complaint

Proposed Livable Cities Investment Project

Municipality-District-Kahn: _____

Capital-Province: _____

Date of Receipt of Complaint	Case No.	Name and ID of Complaint		Main Points of Complaint
		Name	ID Number / Family Book	

Royal Government of Cambodia
Nation Religion King
Letter from Head of District-Khan

Municipality-District-Kahn: _____

Capital-Province: _____

Individual Complaint		
Case No.		
Name of Complainant		
Date of Complaint		
Summary of Complaints <i>(Same as in Individual Complaint Register Form)</i>		
GRC Meeting Held		
Date:	Time:	Location:
Participants		
Summary of Discussion		
Date of Field Inspection (if any)		
Result of the Meeting / Decision		
<ul style="list-style-type: none"> Reject-No basis as per Entitlement Matrix Has Merit - Complaint forwarded to Resettlement Department for necessary action 		

Name:

Position:

Sign/Thump Print:

Date:

ខិត្តប័ណ្ណព័ត៌មានសាធារណៈ
គម្រោងវិនិយោគទីក្រុងដែលចង់រស់នៅ (LCIP)
ខែកញ្ញាឆ្នាំ ២០២០

គោលបំណងនៃខិត្តប័ណ្ណព័ត៌មានសាធារណៈនេះ គឺផ្ដោតសំខាន់ទៅលើគម្រោងវិនិយោគទីក្រុងដែលចង់រស់នៅ (LCIP) ទាក់ទងទៅនឹង ព័ត៌មានសំខាន់ៗ និងគ្រួសារស្ថិតនៅក្នុងអនុគម្រោង ដែលប្រហែលជាផ្ដល់ដល់ប៉ះពាល់ (ការផ្លាស់ប្តូរទីតាំង ការបាត់បង់នូវដីលំនៅដ្ឋាន ឬការបាត់បង់ជម្រក) ឬផលប៉ះពាល់ទៅលើផ្នែកសេដ្ឋកិច្ច (ការបាត់បង់នូវដីដែលកំពុងតែប្រើប្រាស់ ទ្រព្យសម្បត្តិ ផ្លូវដំណើរទៅកាន់ ទីតាំងទ្រព្យសម្បត្តិ ប្រភពប្រាក់ចំណូល ឬការប្រកបរបរចិញ្ចឹមជីវិត) គ្រួសារដែលរងផលប៉ះពាល់ដោយការបាត់បង់ដីធ្លី និងការតាំងនូវទីលំនៅដោយស្ម័គ្រចិត្ត ។

A. ព័ត៌មានអំពីគម្រោង

១. តើអ្វីទៅជាគម្រោងវិនិយោគទីក្រុងដែលចង់រស់នៅ (LCIP) ?

ធនាគារអភិវឌ្ឍន៍អាស៊ី (ADB) កំពុងគាំទ្រដល់រាជរដ្ឋាភិបាលកម្ពុជា ក្នុងការជួយសម្រួលដល់កំណើនសេដ្ឋកិច្ចប្រកបដោយចីរភាព។ ការស្នើឡើងនូវគម្រោង LCIP នឹងផ្ដោតសំខាន់ទៅលើទីក្រុងទី២ នៃក្រុងបាវិត ហើយប៉ែត និងក្រុងកំពតដោយសារតែសក្តានុពលសេដ្ឋកិច្ច ទីតាំងពាណិជ្ជកម្ម និងជាតំបន់ទេសចរណ៍សំខាន់ផងដែរ។ ការអនុម័តលើប្រាក់កម្ចីត្រូវបានរំពឹងទុកនៅឆ្នាំ២០២១។ ក្រសួងសាធារណការ និងដឹកជញ្ជូន (MPWT) នឹងក្លាយជាទីភ្នាក់ងារប្រតិបត្តិសម្រាប់ការស្នើឡើងនូវគម្រោង LCIP ។

២. តើអ្វីទៅជាគោលបំណងនៃគម្រោង LCIP ដែលបានស្នើរោយមានឡើង?

គោលបំណងនៃការស្នើឡើងនូវគម្រោង LCIP ដើម្បីធ្វើឱ្យប្រសើរឡើងនូវ (i) បទបញ្ញត្តិបរិស្ថាន (ii) ការរៀបចំស្ថាប័ន និងអភិបាលកិច្ចទាក់ទងនឹងវិស័យហេដ្ឋារចនាសម្ព័ន្ធ និង (iii) ហេដ្ឋារចនាសម្ព័ន្ធទីក្រុង (ដោយផ្ដោតការយកចិត្តទុកដាក់លើការផ្គត់ផ្គង់ទឹកស្អាត អនាម័យ ការគ្រប់គ្រងកាកសំណល់រឹង និងបណ្តាញលូបង្ហូរទឹកភ្លៀង) ។

៣. តើអ្វីទៅជាលទ្ធផលនៃការស្នើឡើងនូវគម្រោង LCIP ?

គឺមានលទ្ធផលចំនួន ៣ នៃការស្នើឡើងរបស់គម្រោង LCIP ៖ (i) គោលនយោបាយ និង បទបញ្ញត្តិបរិស្ថានដែលត្រូវបានកែលម្អ (ii) ហេដ្ឋារចនាសម្ព័ន្ធទីក្រុងនឹងមានភាពប្រសើរឡើង និង (iii) ប្រសិទ្ធភាពស្ថាប័ន និងអភិបាលកិច្ចមានភាពប្រសើរឡើង។

៤. តើមានអនុគម្រោងអ្វីខ្លះនៃការស្នើឡើងរបស់គម្រោង LCIP ?

ការស្នើឡើងនៃគម្រោង LCIP សម្រាប់ក្រុងបាវិត មានអនុគម្រោងចំនួន ៣ដូចជា ៖ (i) អនុគម្រោងគ្រប់គ្រងកាកសំណល់រឹងនៅក្រុងបាវិត (ii) អនុគម្រោង ស្ថានីយ៍ប្រព្រឹត្តិកម្មទឹកកខ្វក់ ក្រុងបាវិត (iii) អនុគម្រោង បណ្តាញលូបង្ហូរទឹកភ្លៀង ក្រុងបាវិត។ ផែនទីទីតាំងនៃអនុគម្រោងមានបង្ហាញនៅឧបសម្ព័ន្ធទី ១ ។

៥. តើវិសាលភាពនៃការទូទាត់ដីធ្លី និងដោះស្រាយផលប៉ះពាល់ នឹងមានលក្ខណៈផលប៉ះពាល់អ្វីខ្លះដែរ?

គម្រោងនេះនឹងមានផលប៉ះពាល់ទៅលើដីធ្លី ឬចំនុចប៉ះពាល់ដល់ទ្រព្យសម្បត្តិដីធ្លី គឺអាស្រ័យតាមការស្នើឡើងនៃសមាសភាពរបស់អនុគម្រោង។ បន្ទាប់ពីការសិក្សាលើប្លង់លម្អិត ភ្នាក់ងារគ្រប់គ្រងគម្រោង (PMU) នៃក្រសួងសាធារណការ និងដឹកជញ្ជូន នឹងធ្វើការបង្ហាញនូវទីតាំងនិយាមការសម្គាល់នូវដែនរបស់ផលប៉ះពាល់មុនពេលចាប់ផ្តើមការវាស់វែងលម្អិត។ ផែនការដោះស្រាយផលប៉ះពាល់នឹងត្រូវបញ្ចប់ទន្ទឹមគ្នា នឹងការស្នើឡើងនៃការចនាប្លង់របស់អនុគម្រោងនីមួយៗ ហើយការទូទាត់សំណង គឺត្រូវតែទូទាត់ឱ្យបានមុនការចាប់ផ្តើមការសាងសង់។

៦. តើអ្វីទៅជាដីបំណិយ្យ (ROW) និងរបៀបនៃផលប៉ះពាល់ (COI) នៃអនុគម្រោង?

ដីបំណិយ្យ (ROW) គឺជាដីរដ្ឋ ឬជាកម្មសិទ្ធិដែលបម្រុងទុកសម្រាប់ធ្វើការពង្រីក ឬក៏សាងសង់សំណង់ហេដ្ឋាសាធារណៈ ដូចជាផ្លូវថ្នល់ បណ្តាញលូបង្ហូរទឹកភ្លៀង និងបណ្តាញលូទឹកកខ្វក់ជាដើម។ របៀបនៃផលប៉ះពាល់នៃដី គឺជាទិសដៅផលប៉ះពាល់នៃតម្រូវការទំហំដែលនឹងធ្វើការស្នើឡើងដើម្បីអនុវត្តការសាងសង់។

របៀងនៃផលប៉ះពាល់ពិតប្រាកដ គឺអនុគមន៍នីមួយៗនឹងធ្វើការតម្រូវឡើងវិញក្រោយពេលការសិក្សាលើប្លង់លម្អិតត្រូវបានបញ្ចប់។ ទៅថ្ងៃក្រោយ កិច្ចប្រជុំប្រឹក្សាយោបល់ជាសាធារណៈ នឹងអនុវត្តជាមួយនឹងគ្រួសារដែលរងផលប៉ះពាល់ក្នុងឃុំឬភូមិក្រោយពេលដែលប្លង់រចនាលម្អិតត្រូវបានបញ្ចប់ និងបញ្ជាក់ទៅកាន់ពួកគាត់ផងដែរថារបៀបនៃផលប៉ះពាល់ត្រូវបានកែតម្រូវហើយ ។

៧. តើអ្វីទៅជាការប្រកាសទូទៅថ្ងៃឧសានវាធសម្រាប់អ្នកដែលមានសិទ្ធិទទួលបានព័ត៌មាន?

ការប្រកាសថ្ងៃឧសានវាធន (COD) គឺជាថ្ងៃដែលបានចុះបញ្ជីទទួលស្គាល់ដោយរាជរដ្ឋាភិបាលកម្ពុជាទទួលស្គាល់ថាអ្នកដែលទទួលស្គាល់ថាអ្នកដែល រងផលប៉ះពាល់ទាំងនោះជាគ្រួសារ ឬជនដែលរងគ្រោះ (AH/AP) ដែលនឹងទទួលបានការទូទាត់សំណង និងជំនួយឧបត្ថម្ភផែនដោះស្រាយផលប៉ះពាល់ ក្រោមការស្នើឡើងនៃអនុគមន៍។ មានតែគ្រួសារដែលស្ថិតនៅរបៀងនៃផលប៉ះពាល់ ឬគ្រួសារដែលបានបាត់បង់នូវទ្រព្យសម្បត្តិមុនពេលដែលថ្ងៃប្រកាសឧសានវាធនតែប៉ុណ្ណោះដែលនឹងត្រូវទទួលបាននូវការ ទូទាត់សំណង ។ បុគ្គលផ្សេងទៀតដែលកាន់កាប់ដីក្រោយថ្ងៃប្រកាសឧសានវាធន នឹងមិនមានសិទ្ធិទទួលបានការទូទាត់សំណងនោះទេ។ ទោះបីយ៉ាងណាក៏ដោយ សំណងថ្មី ឬការពង្រីកសំណងថ្មីបន្ថែមក្នុងរបៀងនៃ ផលប៉ះពាល់ គឺត្រូវបានចាត់ទុកថាខុសច្បាប់ ហើយនិងមិនមានសិទ្ធិទទួលបាននូវការទូទាត់សំណងទេ។ គ្រួសារ/ជនរងនូវផលប៉ះពាល់ និងត្រូវរុះរើ ចេញពីរបៀងនៃផលប៉ះពាល់ក្រោយពេលដែលទូទាត់សំណងហើយ ដើម្បីអនុញ្ញាតអោយការដ្ឋានសាងសង់ចាប់ផ្តើមការ ងារដោយមិនមានការរាំងស្ទះ។

៨. តើអ្វីទៅជាការចុះបញ្ជីសារពើភណ្ឌ (IOL) និងការវាស់វែងលម្អិត (SES) ហើយនៅពេលណាដែលចាប់ផ្តើមអនុវត្ត?

ការធ្វើជំរឿន និងសម្រង់ព័ត៌មានសេដ្ឋកិច្ចសង្គម (SES) និងការចុះបញ្ជីសារពើភណ្ឌ (IOL) គឺជាប៉ាន់ប្រមាណទំហំផលប៉ះពាល់ដំបូងទៅលើទ្រព្យសម្បត្តិសាធារណៈ និងឯកជនស្ថិតនៅក្នុងតំបន់អនុគមន៍ដែលបានស្នើឡើង ដោយរួមបញ្ចូលទាំងដីធ្លី សំណង់អគារ ដំណាំ ដើមឈើ អាជីវកម្ម និងការបាត់បង់នូវសកម្មភាពចិញ្ចឹមជីវិតជាដើម។ ទាំង IOL និង SES គឺរួមបញ្ចូលគ្នាក្នុងទម្រង់តែមួយដើម្បីធ្វើការសិក្សា ដែលនឹងត្រូវអនុវត្តដោយក្រសួងសាធារណការ និងដឹកជញ្ជូនក្រោយពេលបានដែលគំនូសប្រៀងប្លង់បច្ចេកទេសត្រូវបានបញ្ចប់ និងកិច្ចប្រជុំពិភាក្សាសាធារណៈជាមួយនឹងគ្រួសារដែលរងផលប៉ះពាល់ក៏នឹងចាប់ផ្តើមកើតមានផងដែរ។ ការសិក្សានេះ នឹងអនុញ្ញាតឱ្យមានការប៉ាន់ប្រមាណជាដំបូងទៅលើផលប៉ះពាល់ ការប៉ាន់ប្រមាណតម្លៃ និងការកាត់បន្ថយផលប៉ះពាល់ដោយផ្ទាល់ និងការជៀសវាងក្នុងកំឡុងពេលការសិក្សាប្លង់លម្អិត។ សម្រង់ព័ត៌មានស្ថិតិ នឹងត្រូវបានរៀបរៀងនូវបញ្ជីឈ្មោះនៃគ្រួសារដែលរងផលប៉ះពាល់ដែលស្របច្បាប់សម្រាប់ទទួលបាននូវការទូទាត់សំណងចំពោះការបាត់បង់ទ្រព្យសម្បត្តិដោយសារគម្រោង។

ការវាស់វែងលម្អិត គឺជាការសិក្សាស្ទង់មតិយ៉ាងលម្អិតតាមរយៈការវាស់វែងចំពោះទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់របស់គ្រួសារដែលរងគ្រោះដោយសារគម្រោង រួមមានព័ត៌មានដីធ្លី ផ្ទះសម្បែង សំណង់អគារ តូបហាង ដំណាំ និងដើមឈើរបស់គ្រួសារដែលរងផលប៉ះពាល់។ ការសិក្សានេះនឹងត្រូវបានកត់ត្រាទុកនូវរាល់គ្រួសារដែលរងផលប៉ះពាល់ និងការយល់ព្រមទៅលើទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់។ ការស្ទង់មតិនេះ និងប្រមូលព័ត៌មាន និងទិន្នន័យទៅលើសេដ្ឋកិច្ចសង្គម ប្រភពនៃការចិញ្ចឹមជីវិត ប្រាក់ចំណូល គម្រិតនៃការអប់រំមេគ្រួសារដែលរងផលប៉ះពាល់ និងជនរងផលប៉ះពាល់ ជនងាយរងគ្រោះជាដើម ។ល។ ការអនុវត្តការសិក្សានេះស្ថិតនៅក្នុងបច្ចុប្បន្នភាពនៃគ្រួសារដែលរងផលប៉ះពាល់ និងធ្វើជាសាក្សីដោយអាជ្ញាធរឃុំ និងភូមិផងដែរ។ DMS គឺជាមូលដ្ឋាននៃការគណនាទៅលើកញ្ចប់ទូទាត់សំណងសម្រាប់គ្រួសារដែលរងផលប៉ះពាល់នីមួយៗ។ DMS នឹងត្រូវបានអនុវត្តក្រោយពេលដែលការសិក្សាប្លង់លម្អិតត្រូវបានបញ្ចប់ ។ ជនដែលរងផលប៉ះពាល់ និងអាជ្ញាធរមូលដ្ឋាន នឹងត្រូវបានជូនដំណឹងជាមុនអំពីសកម្មភាពនេះ។

៨. តើសិទ្ធិ និងការទូទាត់សំណងអ្វីខ្លះដែលយើងនឹងត្រូវទទួលបាន ?

គ្រួសារឬក៏ជនដែលរងគ្រោះដោយសារការស្នើឡើងនៃគម្រោងគឺមានសិទ្ធិទទួលបាននូវការទូទាត់សំណងសម្រាប់ទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់ក្រោមគោលការណ៍ទូទាត់សំណងដូចខាងក្រោម៖

- ការផ្តល់ជូនស្មើភាព និងការទូទាត់ឱ្យបានមុន
- សំណងពេញលេញដែលចំណាយមុនពេលការរុះរើចេញ ឬការបោសសម្អាត
- ការទូទាត់សំណងគឺពឹងផ្អែកទៅលើអត្រាតម្លៃជំនួស (RCS) នៃទ្រព្យសម្បត្តិដែលបាត់បង់ស្របតាមតម្លៃទីផ្សារជាក់ស្តែងដែលបានកំណត់ដោយទីប្រឹក្សាឯករាជ្យតាមរយៈការសិក្សាលើអត្រាតម្លៃជំនួស (RCS) ដោយមិនមាន ការកាត់កងណាមួយសម្រាប់បង់រំលោះ សម្ភារៈសាងសង់ និងតម្លៃដើមដែលបានសាងសង់ឬប្រតិបត្តិការរួច។

(ក) _ តើខ្ញុំនឹងទទួលបានសំណងសម្រាប់ដីដែលបាត់បង់ដែរឬទេ ?

ROW គឺជាដីរបស់រដ្ឋ ហើយត្រូវបានប្រើប្រាស់ និងកាន់កាប់ដោយគ្រួសារដែលរងផលប៉ះពាល់គឺមិនត្រូវបានទូទាត់សំណងសម្រាប់ដីទាំងនោះទេ ទោះបីជាយ៉ាងណាក៏ដោយ ពួកគេនឹងទទួលបាននូវការទូទាត់សំណងសម្រាប់លទ្ធផលនៃការបាត់បង់ពីការប្រើប្រាស់ដូចជា សំណង់អគារ ដំណើរការតូបលក់ដូរ ឬការដាំដំណាំ ឬដើមឈើហូបផ្លែជាដើម។ ក្នុងករណី ក្រោយពីបញ្ចប់ការសិក្សាប្លង់លម្អិត វានឹងក្លាយជាភាពប្រសើរឬផុតសម្រាប់ការទិញដីឯកជនសម្រាប់ទិសដៅនៃការសាងសង់ ឬគ្រួសារណាមួយដែលកាន់កាប់ស្របច្បាប់ហើយស្ថិតនៅក្រៅដីចំណីផ្លូវ ហើយប៉ះពាល់ដោយសារគម្រោង បន្ទាប់មកការទូទាត់សំណងនឹងត្រូវបានចំណាយស្របតាមអត្រាតម្លៃជំនួសនៃផ្ទៃទាំងនោះដែលអាចទទួលយកបាន។

(ខ) តើខ្ញុំនឹងទទួលបាននូវសំណងសម្រាប់ផ្ទះនិងសំណង់ដែលរងផលប៉ះពាល់ជាកម្មសិទ្ធិរបស់ខ្ញុំដែរឬទេ ?

ពិតជាត្រឹមត្រូវ ផ្ទះ និងសំណង់ឯកជនដែលរងផលប៉ះពាល់ដោយសារការស្នើឡើងនូវអនុគម្រោង និងត្រូវទូទាត់សំណងស្របតាមអត្រាតម្លៃជំនួស។ គ្មានចំនួនទឹកប្រាក់ណាមួយពីអត្រាតម្លៃជំនួស ដែលនឹងត្រូវកាត់ កងណាមួយសម្រាប់បង់រំលោះសម្ភារៈសាងសង់ និងតម្លៃដើមដែលបានសាងសង់ឬប្រតិបត្តិការរួច។ សំណង់ រួមមានរបង ជញ្ជាំង បន្ទប់ទឹកឬបង្គន់សាបមុខផ្ទះ ក្លោងទ្វារ និងសំណង់ដទៃទៀតជាកម្មសិទ្ធិរបស់គ្រួសារដែលរងផលប៉ះពាល់។ ប្រសិនបើផ្ទះ ឬសំណង់ដែលប៉ះពាល់តែមួយផ្នែក ការទូទាត់សំណងក៏នឹងធ្វើការទូទាត់ជូនផ្នែកណាមួយដែលប៉ះពាល់ លើកលែងតែការសិក្សាបានបង្ហាញថាផ្នែកដែលសេសសល់ គឺមិនអាចបន្តនៅប្រើប្រាស់បានទៀតទេក្រោយពេលដែលរុះរើផ្នែកដែលប៉ះពាល់តែមួយនោះចេញ។ ក្នុងករណីនេះ ការទូទាត់សំណងនឹងត្រូវទូទាត់ជូនសម្រាប់សំណង់ទាំងមូលតែម្តង។

(គ) តើខ្ញុំនឹងទទួលបានសំណងសម្រាប់ដំណាំនិងដើមឈើរបស់ខ្ញុំដែរឬទេ ?

ត្រឹមត្រូវហើយ សម្រាប់ដំណាំប្រចាំឆ្នាំ ដែលបានដាំដុះជាប្រចាំឆ្នាំតាមរដូវដូចជាស្រូវ នឹងត្រូវទូទាត់ជាសំណងសម្រាប់ ប្រាក់ចំណូលដុលប្រចាំឆ្នាំក្នុងមួយឆ្នាំ។ បន្ថែមពីនេះទៅទៀត ការកកសម្គាល់ និងការជូនដំណឹងជាពិសេស នឹងត្រូវបានផ្តល់ជូនទៅដល់គ្រួសារដែលរងផលប៉ះពាល់ ដូច្នេះហើយ បងប្អូនប្រជាពលរដ្ឋ អាចធ្វើការច្រូតកាត់ប្រមូលផលដំណាំក្នុងពេលវេលាមួយដោយមិនមានផលប៉ះពាល់ ដូច្នេះគឺមិនមានការទូទាត់សំណងសម្រាប់ដំណាំទេក្នុងករណីបែបនេះ។ សម្រាប់ដំណាំ ស្រូវដែលកំពុងតែដុះ ហើយមិនអាចច្រូតកាត់ប្រមូលផលបានដោយសារពេលវេលាមិនអំណោយផលហើយគម្រោងតម្រូវ ការដីដើម្បីធ្វើការសាងសង់ ដូច្នេះហើយគ្រួសារដែលរងផលប៉ះពាល់ទាំងនោះនឹងទទួលបានការទូទាត់សំណងទៅលើការបាត់បង់ដំណាំ តាមការសិក្សាអត្រាតម្លៃជំនួសជាមូលដ្ឋាន។ សម្រាប់ដើមឈើហូបផ្លែវិញ (ដើមឈើអាស្រ័យផលជាផ្លែច្រើនឆ្នាំដូចជាដើមស្វាយ) គ្រួសារដែលរងផលប៉ះពាល់នឹងទទួល បានសំណងសម្រាប់ការបាត់បង់ដើមឈើហូបផ្លែទាំងនោះដែលរាប់បញ្ចូលទៅក្នុងការបាត់បង់ប្រាក់ចំណូល និងពេលវេលា ដែលបានដាំដុះឡើងវិញនៃដើមឈើទាំងនោះ។

(ឃ) ប្រសិនបើខ្ញុំត្រូវផ្លាស់ប្តូរទីលំនៅ ឬហាងរបស់ខ្ញុំ តើមានជំនួយនៃការផ្លាស់ប្តូរអ្វីខ្លះសម្រាប់ខ្ញុំឬគ្រួសារ ?

ពិតជាត្រូវហើយ កិច្ចខិតខំប្រឹងប្រែងទាំងអស់នឹងត្រូវធ្វើឡើងក្នុងដំណាក់កាលសិក្សាប្លង់លម្អិតនៃការស្នើឡើងរបស់អនុគម្រោង ដើម្បីជៀសវាងនូវការផ្លាស់ប្តូរទីលំនៅរបស់គ្រួសារដែលរងផលប៉ះពាល់។ សម្រាប់ការផ្លាស់ប្តូរផ្ទះសម្បែង ឬដី

សំណងដែលមានសណ្ឋានប្រហាក់ប្រហែលចេញពីរបៀបនៃផលប៉ះពាល់ នឹងត្រូវបានផ្តល់ជូននូវជំនួយឧបត្ថម្ភបន្ថែមជំនួយ ក្នុងការផ្លាស់ប្តូរ និងជម្រើសសម្រាប់ទីតាំងដែលត្រូវបានរើចេញ។ ប្រហែលជាមានការផ្លាស់ប្តូរនូវតួបម្រុងចំនួនដែលពួកគាត់អាចនឹងតម្រូវឱ្យរើចេញដោយខ្លួនឯងចេញពីដីចំណីផ្លូវ (ROW)។ ផ្នែកខ្លះនៃការទូទាត់ទៅលើសំណងអគារ គឺអាស្រ័យលើការសិក្សា តម្លៃជំនួស ប្រាក់ឧបត្ថម្ភផ្សេងដែលត្រូវទូទាត់ជូនដូចជា ៖

1. ប្រាក់ឧបត្ថម្ភដឹកជញ្ជូនសរុបប្រហាក់ប្រហែលសម្រាប់ការទ្រព្យសម្បត្តិចេញ
2. ការបាត់បង់នូវប្រាក់ចំណូលពីមុនរបរ ក្នុងករណីដែលតួបទាំងនោះកំពុងដំណើរការកសិប្បកម្មរដូវក្តៅ ។
ក្នុងករណី ដែលគ្រួសារត្រូវបានបញ្ជាក់ថាជាគ្រួសារក្រីក្រ និងងាយរងគ្រោះ ប្រាក់ឧបត្ថម្ភបន្ថែម នឹងត្រូវបានទ្រទ្រង់បន្ថែម។

(ខ) ក្នុងករណីដែលប៉ះពាល់ដីភាពរបស់ខ្ញុំ តើខ្ញុំនឹងទទួលបានសំណងយ៉ាងម្តេចដែរ?

DMS នឹងត្រូវបានកាត់សំគាល់ពីដីភាពរបស់នៅប្រចាំថ្ងៃរបស់គ្រួសារដែលរងផលប៉ះពាល់ ថាមានផលប៉ះពាល់អ្វីខ្លះទៅលើពួកគេ។ ក្រោមការស្នើឡើងនូវអនុគម្រោង សម្រាប់គ្រួសារដែលរងផលប៉ះពាល់ដីភាព ពួកគេនឹងត្រូវបានផ្តល់ជូនជាមួយនឹងកម្មវិធីស្តារប្រាក់ចំណូលដើម្បីគាំទ្រដល់ ៖

- (i) ការបាត់បង់ប្រាក់ចំណូលក្នុងកំឡុងពេលអន្តរកាលដែលត្រូវការការផ្លាស់ទីលំនៅថ្មីតាមការស្នើសុំ ហើយនេះគឺនឹងគ្របដណ្តប់លើការបាត់បង់ប្រាក់ចំណូលក្នុងកំឡុងពេលផ្លាស់ប្តូរទីលំនៅដោយខ្លួនឯង។
- (ii) នៅពេលប្រភពចម្បងនៃដីភាពរបស់នៅអចិន្ត្រៃយ៍ត្រូវបានបាត់បង់ កម្មវិធីស្តារប្រាក់ចំណូលនិងត្រូវបានផ្តល់ជូនជាជំនួយដល់គ្រួសារ ឬជនដែលរងផលប៉ះពាល់ដើម្បីស្តារដីភាពរបស់នៅឱ្យប្រសើរឡើងវិញ។

ក្នុងករណីដែលគ្រួសាររងផលប៉ះពាល់ត្រូវបានបញ្ជាក់ថាជាគ្រួសារក្រីក្រ និងងាយរងគ្រោះ កញ្ចប់ថវិការក្រោមការជួយទ្រទ្រង់កម្មវិធីស្តារប្រាក់ចំណូលឬគាំទ្រ នឹងត្រូវបានបន្ថែមទ្រទ្រង់។ ក្នុងករណីបន្ថែម ការស្នើឡើងនៃអនុគម្រោង នឹងព្យាយាមផ្តល់ឱកាសការងារក្នុងកំឡុងពេលសាងសង់ជូនដល់ជនដែលរងផលប៉ះពាល់ដើម្បីទទួលបានប្រាក់ចំណូលបន្ថែមទៀត។

១០. តើការសិក្សាអត្រាតម្លៃជំនួសសម្រាប់យ៉ាងម្តេចដែរ ហើយការគណនាការទូទាត់សំណងប្រព្រឹត្តិទៅយ៉ាងម្តេចដែរ?

ការទូទាត់សំណងនឹងត្រូវធ្វើឡើងដោយផ្អែកលើតម្លៃទីផ្សារ ឬការសិក្សាតម្លៃជំនួសនៃទ្រព្យសម្បត្តិដែលបានបាត់បង់ដោយមិនមានការកាត់កងលើថ្លៃរំលោះសម្រាប់សម្ភារៈ ឬថ្លៃដើមក្នុងកំឡុងពេលអន្តរកាលនោះទេ។ ការសិក្សាអត្រាតម្លៃជំនួស (RCS) និងអនុវត្តដោយទីប្រឹក្សាឯករាជ្យដែលមានលក្ខណៈសម្បត្តិគ្រប់គ្រាន់ជាមូលដ្ឋាន និងជាបទពិសោធន៍ជាចាំបាច់ក្នុងការវាយតម្លៃលើទ្រព្យសម្បត្តិស្របតាមអត្រាទីផ្សារបច្ចុប្បន្ន។ ការសិក្សានេះ នឹងត្រូវបញ្ចប់ភ្លាមក្រោយពេលដែល DMS ត្រូវបានបញ្ចប់។ ទីប្រឹក្សាសិក្សាអត្រាតម្លៃជំនួសនិងអនុវត្តការងារយ៉ាងលម្អិតដោយវិភាគលើអត្រាតម្លៃទីផ្សារសម្រាប់វាយតម្លៃលើប្រភេទនៃទ្រព្យសម្បត្តិទាំងអស់ដែលរងផលប៉ះពាល់ក្នុងការស្នើឡើងនៃអនុគម្រោង ឬតំបន់នៃអនុគម្រោង ហើយរៀបចំទៅតាមប្រភេទតម្លៃ និងទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់។ ការសិក្សាទាំងនេះ នឹងត្រូវបានប្រើប្រាស់ដើម្បីគណនាទៅលើតម្លៃជំនួស។ អត្តនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ (GDR) នៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ នឹងជ្រើសរើយកម្រិតសិក្សា សិក្សាតម្លៃជំនួសមួយមុនពេលចាប់ផ្តើមការចុះវាស់វែងលម្អិត (DMS)។

១១. តើខ្ញុំមានសិទ្ធិអ្វីខ្លះក្នុងការមើលមុខសម្រេចគ្នា បញ្ជាសំណងការតំណែងលំនៅថ្មីឬបញ្ជាដែលទាក់ទងផ្សេងទៀតនៃប្រសិទ្ធភាព?

ជាការពិតណាស់ អ្នកមានសិទ្ធិដាក់ពាក្យបណ្តឹងរបស់អ្នកទៅកាន់គណៈកម្មាធិការដោះស្រាយបណ្តឹងតវ៉ា (GRC) ប្រសិនបើអ្នកមិនច្បាស់ឬមិនសប្បាយចិត្តនឹងសកម្មភាពតាំងទីលំនៅថ្មីក្នុងអំឡុងពេលអនុវត្តគម្រោង។ សមាជិកនៃ GRC គ្រប់ពេលវេលាត្រៀមខ្លួនជួយអ្នក។ ការព្យាយាមដោះស្រាយបណ្តឹងតវ៉ារបស់អ្នកនឹងចាប់ផ្តើមនៅថ្នាក់ភូមិភាគរយ៖

មេភូមិ។ ទោះយ៉ាងណាអ្នកអាចដាក់ពាក្យបណ្តឹងដោយពាក្យសុំដីទៅកាន់សមាជិកណាមួយនៃ GRC (ឧទាហរណ៍នៅភូមិ ឃុំ ឬក្រុមការងារតាំងទីលំនៅថ្មី) ។ GRC នឹងកត់ត្រានិងចងក្រងពាក្យបណ្តឹងរបស់អ្នកហើយណែនាំអ្នកអំពីដំណោះស្រាយ។

១២. តើមានន័យនៃខ្ញុំលេខទាត់ទទួលបានក្នុងករណីដែលខ្ញុំត្រូវការការបំភ្លឺ មានបញ្ហា ឬបណ្តឹង?

នៅដំណាក់កាលនៃការរៀបចំគម្រោង LCIP ដែលបានស្នើសុំនេះ អ្នកដែលត្រូវទំនាក់ទំនង និងលេខទូរសព្ទរបស់ពួកគាត់ និងត្រូវបានផ្តល់ជូនក្នុងប្រអប់ខាងក្រោម ដែលអាចផ្តល់ជូនឱ្យលោកអ្នកនូវការបំភ្លឺអំពីបញ្ហាបច្ចេកទេសដែលទាក់ទងនឹងអនុគម្រោង។ ក្នុងចំណុចនៃពេលវេលានេះ សិទ្ធិទទួលបានសំណង ការបាត់បង់នូវទ្រព្យសម្បត្តិ ការវាស់វែងលម្អិត និងកញ្ចប់ថវិការទូទាត់សំណងមិនទាន់បានត្រូវបានសម្រេចនៅឡើយទេ ដូច្នេះហើយការតវ៉ានានាដែលទាក់ទងនឹងលេខទំនាក់ទំនងខាងលើមិនទាន់ Entertained នៅឡើយទេ។

ដោយលើកឡើងថា គម្រោងស្នើឡើងនៃ LCIP មិនទាន់ត្រូវបានយល់ព្រមដោយធនាគារអភិវឌ្ឍន៍អាស៊ីនៅឡើយទេ ហើយគណៈកម្មាធិការអន្តរក្រសួងដោះស្រាយផលប៉ះពាល់ នៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ ក៏មិនទាន់ត្រូវបានបង្កើតនូវយន្តការដោះស្រាយបណ្តឹងតវ៉ា (GRM) ដែល RCs នឹងត្រូវបានបង្កើតឡើងនៅថ្នាក់ស្រុកឬក្រុង និងនៅថ្នាក់ខេត្តនៅឡើយដែរ។ គណៈកម្មការទាំងនេះនឹងត្រូវបានបង្កើតឡើង និងធ្វើប្រតិបត្តិការមុនពេលចាប់ផ្តើម ការវាស់វែងលម្អិត (DMS) ។ រាល់បណ្តឹងតវ៉ា ឬការតវ៉ាអំពីផ្នែកណាមួយនៃកញ្ចប់សំណង នឹងត្រូវបានបញ្ជូនទៅគណៈកម្មាធិការទាំងនេះដើម្បីរកដំណោះស្រាយ។ PIB ដែលបានធ្វើបច្ចុប្បន្នភាពជាមួយនឹងព័ត៌មានលម្អិតទាំងអស់ស្តីពី GRM នឹងត្រូវធ្វើការផ្សព្វផ្សាយ និងពន្យល់យ៉ាងលម្អិតដោយអគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ (GDR) ជូនដល់គ្រួសារដែលរងផលប៉ះពាល់ (AHs) ក្នុងកំឡុងពេលប្រជុំពិគ្រោះយោបល់សាធារណៈដាច់ដោយឡែកមុនពេលចាប់ផ្តើមនៃការវាស់វែងលម្អិត (DMS) ។

ប្រសិនបើអ្នកមានសំណួរនិងយោបល់អ្វីបន្ថែម សូមទាក់ទងមកយើងខ្ញុំតាមរយៈលេខទូរសព្ទ ៖

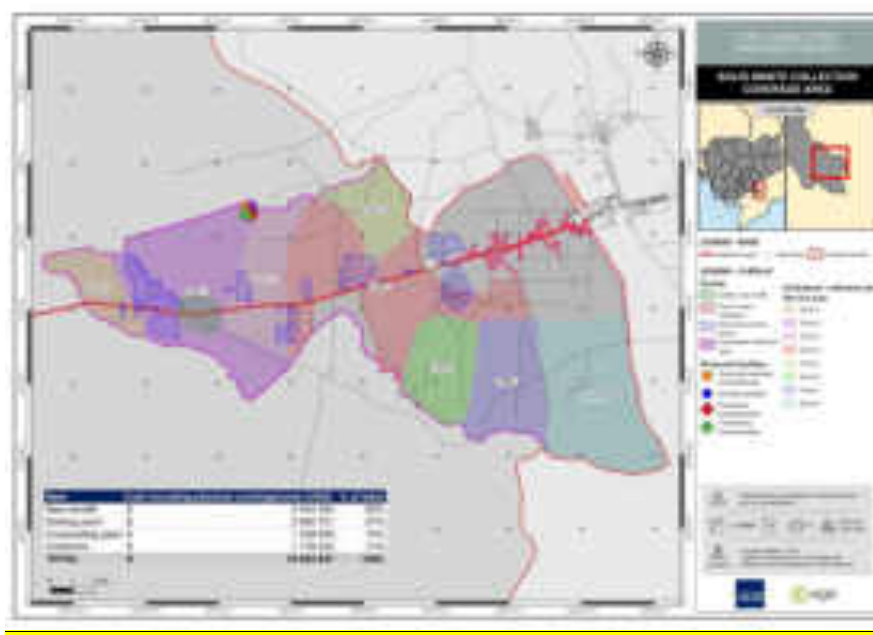
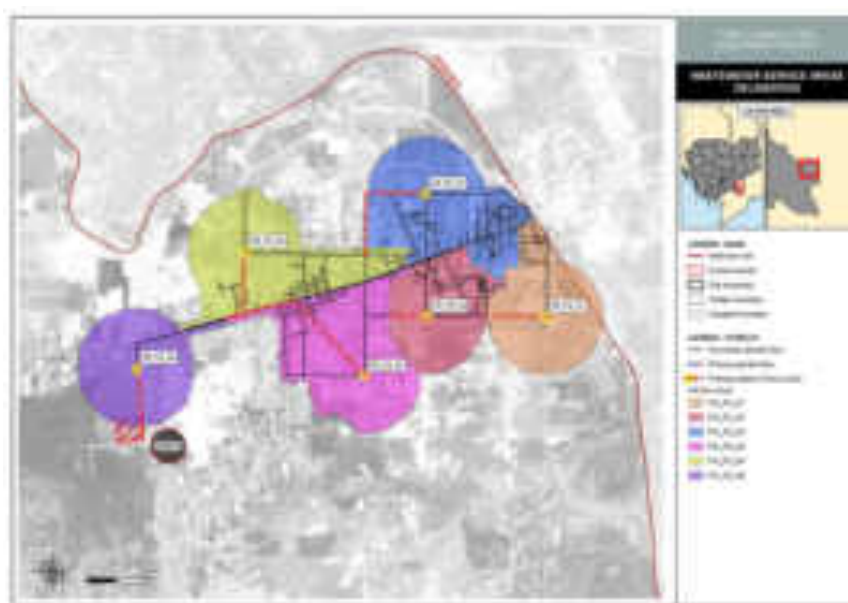
លេខទំនាក់ទំនងទទួលបាននិងការដោះស្រាយផលប៉ះពាល់

លោក គឹម ច័ន្ទវិបុល នាយករង នៃអគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ នៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ ភ្នំពេញ
ទូរសព្ទលេខ : ០៩៥ ៥៥៥ ៦៩៩

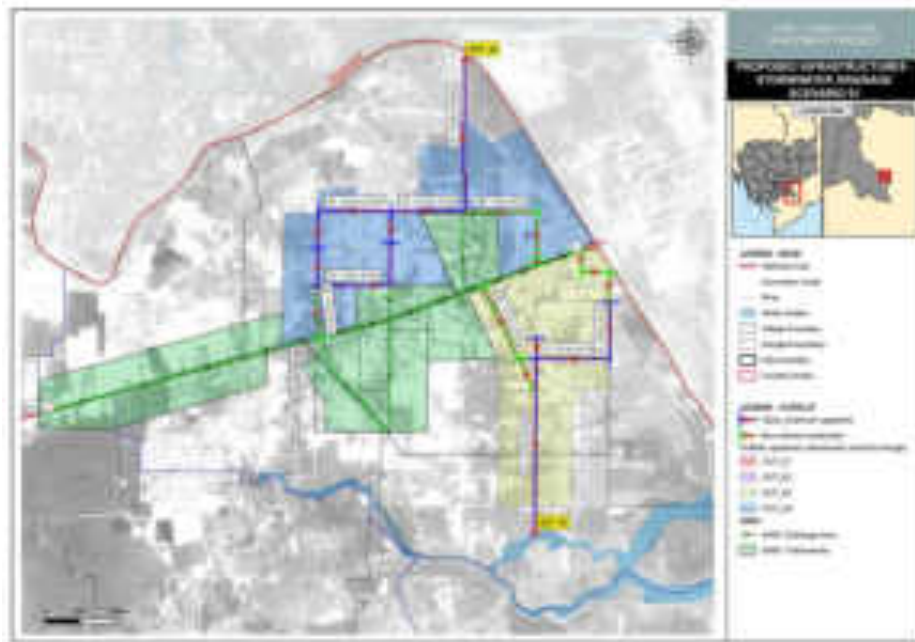
លោក វង្ស ជាតុឡា អ្នកគ្រប់គ្រងគម្រោង ទីភ្នាក់ងារគ្រប់គ្រងគម្រោង នៃក្រសួងសាធារណការ និងដឹកជញ្ជូន ភ្នំពេញ
ទូរសព្ទលេខ : ០៩២ ៤៦៥ ០៦០

លោក សុខ សុផល ភ្នាក់ងារអនុវត្តគម្រោង នៃមន្ទីរសាធារណការ និងដឹកជញ្ជូនខេត្តស្វាយរៀង (ក្រុងបាវិត)
ទូរសព្ទលេខ : ០៩៧ ៧៥១ ៦៣៦៤

1 ប្រ ភី ព ទ ័ ១ + ័ ១ ១ ១ ័ ១ á ង ័ ស 2 ប ង ័ ១ ១ ០ ១ ង 2 ប 2 ង ក 1 ស ង ័ ១ ១ ង ័ ១ 2 ១ ប 1 តិ

[illegible]

၁ ၂ ၃ ၄ ၅ ၆ ၇ ၈ ၉ ၁၀ ၁၁ ၁၂ ၁၃ ၁၄ ၁၅ ၁၆ ၁၇ ၁၈ ၁၉ ၂၀ ၂၁ ၂၂ ၂၃ ၂၄ ၂၅ ၂၆ ၂၇ ၂၈ ၂၉ ၃၀ ၃၁ ၃၂ ၃၃ ၃၄ ၃၅ ၃၆ ၃၇ ၃၈ ၃၉ ၄၀ ၄၁ ၄၂ ၄၃ ၄၄ ၄၅ ၄၆ ၄၇ ၄၈ ၄၉ ၅၀ ၅၁ ၅၂ ၅၃ ၅၄ ၅၅ ၅၆ ၅၇ ၅၈ ၅၉ ၆၀ ၆၁ ၆၂ ၆၃ ၆၄ ၆၅ ၆၆ ၆၇ ၆၈ ၆၉ ၇၀ ၇၁ ၇၂ ၇၃ ၇၄ ၇၅ ၇၆ ၇၇ ၇၈ ၇၉ ၈၀ ၈၁ ၈၂ ၈၃ ၈၄ ၈၅ ၈၆ ၈၇ ၈၈ ၈၉ ၉၀ ၉၁ ၉၂ ၉၃ ၉၄ ၉၅ ၉၆ ၉၇ ၉၈ ၉၉ ၁၀၀



ពាក្យបណ្តឹងបុគ្គល

គម្រោងកែលម្អគ្រប់គ្រងបរិស្ថានក្រុងផ្សារបឹងទន្លេសាប ជំហាន ២

កាលបរិច្ឆេទបណ្តឹង		លេខ DMS
ឈ្មោះអ្នកដាក់ពាក្យបណ្តឹង		
លេខអត្តសញ្ញាណប័ណ្ណ សៀវភៅគ្រួសារ		
លេខទំនាក់ទំនង		
អាសយដ្ឋាន		
សេចក្តីសង្ខេបនៃពាក្យបណ្តឹង		
បញ្ជីឯកសារគាំទ្រ ភស្តុតាង /		

ឈ្មោះ: (មេគ្រួសារ)

ហត្ថលេខា/ស្នាមមេដៃ:

កាលបរិច្ឆេទ:

ការចុះពាក្យបណ្តឹង

គម្រោងកែលម្អគ្រប់គ្រងបរិស្ថានក្រុងជុំវិញបឹងទន្លេសាប ជំហាន ២

ក្រុង-ស្រុក-ខណ្ឌ: _____

រាជធានី-ខេត្ត: _____

កាលបរិច្ឆេទ នៃការទទួល ពាក្យបណ្តឹង	ករណី លេខ	ឈ្មោះនិងអត្តសញ្ញាណប័ណ្ណអ្នកដាក់ពាក្យបណ្តឹង		ចំណុចសំខាន់នៃពាក្យបណ្តឹង
		ឈ្មោះ	អត្តសញ្ញាណប័ណ្ណសៀវភៅ/ គ្រួសារ	

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

លិខិតពីអភិបាលខណ្ឌ-ស្រុក

ក្រុង-ស្រុក-ខណ្ឌ: _____

រាជធានី-ខេត្ត: _____

បណ្តឹងបុគ្គល		
ករណីលេខ÷		
ឈ្មោះអ្នកដាក់ពាក្យបណ្តឹង		
កាលបរិច្ឆេទបណ្តឹង		
សេចក្តីសង្ខេបនៃពាក្យបណ្តឹង (ដូចគ្នានឹងពាក្យសុំចុះឈ្មោះបណ្តឹងឆ្នាំម្នាក់ៗ)		
កិច្ចប្រជុំគណៈកម្មការដោះស្រាយបណ្តឹងឆ្នាំ		
កាលបរិច្ឆេទ:	ម៉ោង:	ទីតាំង:
អ្នកចូលរួម		
សេចក្តីសង្ខេបនៃការពិភាក្សា		
កាលបរិច្ឆេទនៃការចុះពិនិត្យទីតាំង ប្រសិនបើ (មាន		
លទ្ធផលនៃការប្រជុំ/សេចក្តីសម្រេច		

បដិសេធ - គ្មានមូលដ្ឋានយោងតាមការងារនៃសិទ្ធិទទួលបានសំណង

សមនឹងទទួល - បណ្តឹងបញ្ជូនបន្តទៅអគ្គនាយកដ្ឋានដោះស្រាយឥណទានដល់ដោយសារគម្រោងអភិវឌ្ឍន៍ដើម្បី ចាត់វិធានការ

ឈ្មោះ:

តួនាទី:

ហត្ថលេខា/ស្នាមមេដៃ:

កាលបរិច្ឆេទ:

G. Grievance Redress Forms**Individual Complaint Form****Second Integrated Urban Environmental Management in the Tonle Sap Basin Project**

Date of Complaint		DMS No.
Name of Complainant		
ID Number		
Family Book		
Contact (Mobile No)		
Address		
Summary of Complaint		
List of Supporting Documents/Evidence		

Name: (Head of Household)

Sign/Thump Print:

Date:

Register of Complaint

Second Integrated Urban Environmental Management in the Tonle Sap Basin Project

Municipality-District-Kahn: _____

Capital-Province: _____

Date of Receipt of Complaint	Case No.	Name and ID of Complaint		Main Points of Complaint
		Name	ID Number / Family Book	

Royal Government of Cambodia

Nation Religion King

Letter from Head of District-Khan

Municipality-District-Kahn: _____

Capital-Province: _____

Individual Complaint		
Case No.		
Name of Complainant		
Date of Complaint		
Summary of Complaints <i>(Same as in Individual Complaint Register Form)</i>		
GRC Meeting Held		
Date:	Time:	Location:
Participants		
Summary of Discussion		
Date of Field Inspection (if any)		
Result of the Meeting / Decision		
<ul style="list-style-type: none"> • Reject-No basis as per Entitlement Matrix • Has Merit - Complaint forwarded to Resettlement Department for necessary action 		

Name:

Position:

Sign/Thump Print:

Date:

H. Internal Monitoring indicators

Purpose	Activities	Monitoring Indicators
1. Identification of compensation recipients	1.1 Verify the list of compensation recipients against eligibility criteria for compensations	1.1.1 Number of persons in the list of compensation recipients, who do not meet eligibility criteria (included by mistake)
	1.2 Identification of persons, who may claim eligibility for compensation, but are not included in the lists of compensation recipients. Separate verification should be performed on each type of compensation	1.2.1 Number of persons who meet the criteria, but are not included in the list of compensation recipients (excluded by mistake)
2. Verification of affected area	2.1 Confirmation of the areas of affected assets (including land plots and real property) against the RP	2.1.1 Area of land subject to acquisition, for which compensation
		2.2.1 Area of structures subject to acquisition for which compensation has been paid
3. Verification of compensation amount, processing and payment	3.1 Examination of financial documents	3.1.1 Number of persons who received compensation in time and in full amount disaggregated by compensation types
	3.2 Identification and analysis of reasons for compensations not being paid in full amount and in time.	3.2.1 Number of persons who did not receive compensation in time and in full amount, disaggregated by compensation types
		3.2.2 Amount of funding allocated for payment of compensations
	3.3 Identification of reasons for which funds for compensations have been under/overspent	3.3.1 Rate of spending of funds allocated for compensations, % of amount envisaged in the RP
4. Verification of compensation timeline	4.1 Identification of reasons for which payment of compensations was delayed (e.g. due to the court trial, inheritance issue, etc.)	4.1.1 Number of persons who received compensation with delay, disaggregated by compensation types and reasons of delay; changes in amount of compensation (if any) should also be noted
5. Verification of consultation and participation	5.1 Determine the level of involvement and identification of reasons of inadequate participation	5.1.1 Number of compensation recipients who participated in consultations and coordination meetings at each stage of land
	5.2 Examination of grievance cases; analysis of disputes and complaints content, and resolution of conflicts	5.2.1 Number of complaints received
		5.2.2 Number of complaints resolved