

# Basic Resettlement Plan

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Project Number: 53199-001  
September 2021

## Cambodia: Livable Cities Investment Project

Poipet

Prepared by the Ministry of Public Works and Transport 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-off-Date
COI	–	Corridor of Impact
DCSC	–	Design and Construction Supervision Consultants
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
MPWT	–	Ministry of Public Works and Transport
PGRC	–	Provincial Grievance Redress Committee
PRSC	–	Provincial Resettlement Sub-Committee
RGC	–	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"> <li>– 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.</li> </ul>
Affected Persons	<ul style="list-style-type: none"> <li>– 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.</li> </ul>
Compensation	<ul style="list-style-type: none"> <li>– 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.</li> </ul>
Corridor of Impact	<ul style="list-style-type: none"> <li>– (i) Permanent. Is the area which is required to be permanently acquired by GDR for easement of the civil works and their unhindered operation &amp; maintenance (O&amp;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.</li> <li>(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.</li> </ul>
Consultation	<ul style="list-style-type: none"> <li>– 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.</li> </ul>
Cut-off date	<ul style="list-style-type: none"> <li>– 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</li> </ul>



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	– 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)	<p>– 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> <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 DRP.</p>
Economic Displacement	– 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	– 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	– 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	– 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	– 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	– 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"> <li>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.</li> </ul>
Land Acquisition	<ul style="list-style-type: none"> <li>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.</li> </ul>
Major Impacts	<ul style="list-style-type: none"> <li>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.</li> </ul>
Negotiated Settlement	<ul style="list-style-type: none"> <li>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.</li> </ul>
Physical Displacement	<ul style="list-style-type: none"> <li>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.</li> </ul>
Relocation	<ul style="list-style-type: none"> <li>This is the physical relocation of a displaced person from their pre-Project place of residence and/or business.</li> </ul>
Replacement Cost	<ul style="list-style-type: none"> <li>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.</li> </ul> <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	<ul style="list-style-type: none"> <li>This refers to the process involved in determining replacement</li> </ul>

Study	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	– 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).
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"> <li>(i) all the household living below the national poverty rate established by the Government;<sup>1</sup></li> <li>(ii) female headed households with dependents living below the national poverty rate,</li> <li>(iii) disabled household heads with no other means of support,</li> <li>(iv) elderly households who are landless and with no other means of support,</li> <li>(v) landless poor living below the national poverty rate, and</li> <li>(vi) indigenous people or ethnic minorities (who often have traditional land rights but no formal titles).</li> </ul>
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.

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<sup>1</sup> 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 Poipet. They included (i) Wastewater Treatment Plant (WWTP) 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 (WWTP) and Conveyance Network and Stormwater Drainage Network Subproject	<p>The wastewater component will include the construction of:</p> <ul style="list-style-type: none"> <li>• Sewerage collection (gravity line): 55.6 km, corridor of impact (COI) 2.4 – 3.3 m*</li> <li>• Force main: 11 km, COI 2.4 – 3.3 m</li> <li>• Pumping stations: 6</li> </ul> <p>The component will cover the city center and along National Road No.5 in Poipet city and special economic zones.</p>
		<p>The WWTP component will include the construction of:</p> <ul style="list-style-type: none"> <li>• WWTP treatment capacity 9,576 m<sup>3</sup>/day using activated sludge with extended aeration (ASP-EA). Site size: 10 ha</li> <li>• Construction of 378 m asphalt access road to the WWTP.</li> </ul> <p>The component will be located at Raksmei Sereipheap village, sangkat Nimit, Poipet city.</p>
		<p>The stormwater drainage network component will include construction of:</p> <ul style="list-style-type: none"> <li>• Box culvert concrete pipelines: 7.1 km along 3 lines, COI 6.27 - 11.27 m*</li> <li>• Use of existing outfalls from GMS-1 project: 3 (no buffer zones required).</li> </ul>
2	Solid Waste Management System Subproject	<p>The SWM system component will include the construction of:</p> <ul style="list-style-type: none"> <li>• Sorting plant, composting plant, controlled landfill (capacity of 632,784 m<sup>3</sup> - Site size: 20 ha)</li> <li>• Acquisition of 18 compacting trucks (capacity of five tons each): <ul style="list-style-type: none"> <li>• Improvement of the door-to-door waste collection system in the urban area - acquisition of 14 compacting trucks;</li> <li>• Centralized collection system including eight collection points with 10-20 containers with a capacity of 660 L each and requiring three compacting trucks;</li> <li>• Biowaste collection system for the six identified markets – six collections points, with 10-20 containers with a capacity of 660 L each and requiring one compacting trucks.</li> </ul> </li> <li>• Surfacing of 3.5 km of access road</li> </ul>

		The SWM component will be located at Thmar Senn village, Sangkat Nimit, Poipet city
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\* The COI varies depending on width of pipe to be installed and installation depth, both which directly impact top width of working ditch.

\*\* The 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, and if unavoidable, minimize the resettlement impacts in the feasibility study outline design, especially the impact caused by the sewer and stormwater drainage networks. The following alternatives have been considered to avoid or minimize resettlement impacts: (i) re-align wastewater pipe locations away from the impacts on structures or privately owned land; (ii) narrow the COI by reducing collector pipe depth for narrower trenches, and (iii) construct wastewater and stormwater networks and wastewater pumping stations as much as possible within the existing Right-of-Way (ROW) of the roads and canals.

## B. Scope of Impacts

3. Scope of resettlement impacts of the Subprojects, based on IOL survey (Table 1.2), will include overall impact on assets and/or economic displacement of 102 affected households (AHs) and 325 affected peoples (APs), of which 17 AHs (60 APs) are potentially vulnerable and 18 AHs (78 APs) will potentially experience major impacts due to loss of productive land of 10% or more. A total of 22 AHs/84 APs will lose privately owned agricultural land (328,214 m<sup>2</sup>), 3 AHs/10 APs will lose privately owned unused agricultural land (549 m<sup>2</sup>),<sup>1</sup> 1 AH/1 AP lose privately owned residential land (200 m<sup>2</sup>) and 2 companies or affected legal entity households (ALEHs) will lose privately owned commercial land (200 m<sup>2</sup>). The Subprojects will acquire private land for SWM landfill and WWTP site through negotiated settlement of 300,000 m<sup>2</sup> of private agricultural land, whereas narrow strips of land for wastewater component are acquired through expropriation. The stormwater drainage network has no IR impacts.

**Table 1.2: Summary of Impacts for SWM and Wastewater Components**

Impact Type		SWM		Wastewater		Total	
		Assets (Quantity/ Unit)	AH/ APs	Assets (Quantity/ Unit)	AH/ APs	Assets (Quantity/ Unit)	AHs/ APs
<b>People</b>	Affected Households/Affected Persons		8/38		94/287		102/325
	Vulnerable AHs/APs		2/10		15/50		17/60
	Major Impact on AHs/APs		8/38		10/40		18/78
<b>Land</b>	Agricultural land (private)	222,444m <sup>2</sup>	8/38	105,770 m <sup>2</sup>	14/46	328,214 m <sup>2</sup>	22/84
	Unused agricultural land (private)			549 m <sup>2</sup>	3/10	549 m <sup>2</sup>	3/10
	Residential land (private)			200 m <sup>2</sup>	1/1	200 m <sup>2</sup>	1/1
	Commercial land (private)			200 m <sup>2</sup>	2 ALEH	200 m <sup>2</sup>	2 ALEH
	Loss of Land Use (partial loss of productive land)			100 m <sup>2</sup>	1/1	100 m <sup>2</sup>	1/1
	Primary/Residential structure	None		None		None	
<b>Structures</b>	Secondary/auxiliary structures			1,058.35 m <sup>2</sup>	51/153	1,058.35 m <sup>2</sup>	51/153
	Timber trees			68	9/34	68	9/34
<b>Trees</b>	Fruit trees			50	20/54	50	20/54
<b>Business</b>	Minor business disruption				12/48		12/48

Source: TRTA Consultants IOL October-November 2020

<sup>1</sup> 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.

4. While no AHs were identified to be relocated or have impact on primary structures, a total of 51 AHs/153 APs will have impact on 61 units of secondary structures (1,058.35 m<sup>2</sup>). A total of 9 AHs/34 APs have impact on 68 timber trees and 20 AHs/54 APs have impact on 50 fruit trees, while 12 AHs/48 APs will have minor business disruption on their shops located on the walkway, which will be compensated for loss of income.

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 impact screening was conducted in September-November 2020 and the Subprojects were classified as category "B" for IR impact as they include land acquisition and resettlement impacts which were not deemed significant. The Subprojects are 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) from results of the 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) 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 these Subprojects, 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 RCS will be conducted by an independent firm, during the preparation of the DRP, which will establish the full replacement cost of affected assets at current market rates for compensation.

7. The cut-off date for eligibility to the subproject entitlements is **26 October 2020**.

### **D. Recommended Actions**

8. **Consultations, public meetings and information disclosure** were conducted during preparation of the BRP. The first public consultation at Subproject preparation stage was conducted on 26-28 October 2020, including dissemination of public information brochure (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; (ii) preparation and approval of DRP and (iii) implementation of the approved 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 (LAR) 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 Commune/District Office, 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/Commune or GDR levels. 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 Subprojects will be implemented by the 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 under the Project/Subprojects. 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 PGRC, Provincial Resettlement Sub-Committee (PRSC) and Provincial Resettlement Sub-Committee Working-Group (PRSC-WG). A Project Implementation Unit (PIU) will be set up in Provincial Department of Public Works and Transport (PDOPWT) in Poipet city to work with the IRC-WG and PRSC-WG in guiding, supporting, and endorsing the work.

11. **Implementation Schedule.** All LAR activities will be coordinated with the civil works schedule. This BRP will be updated into DRP, 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, concurred by ADB, and the resettlement budget approved 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 or no IR impacts 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 by DIMDM and submitted to the ADB by GDR.

13. The total **resettlement and compensation cost** for the Subproject is estimated at **\$4,145,586.25**. 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 Proposed 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 and storm water drainage sectors).

2. The LCIP is aligned with the government's policies and national strategies, in particular, the government's Rectangular Strategy – Phase IV.<sup>1</sup> The Project is consistent with ADB Strategy 2030<sup>2</sup> 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 Areas

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**



<sup>1</sup> 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>

<sup>2</sup> 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 and linking to GMS1 limited network and outfalls, as well as the expansion of the solid waste management service. There is no overlap between the projects.
6. The LCIP will focus on enhancing urban planning, building community resilience, and providing infrastructure. Only output 2 will result in LAR. Under output 2 of LCIP, two (2) subprojects are proposed to be implemented in Poipet. They include (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 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"> <li>• Sewerage collection (gravity line): 55.6 km, corridor of impact (COI) 2.4 – 3.3 m*</li> <li>• Force main: 11 km, COI 2.4 – 3.3 m</li> <li>• Pumping stations: 6</li> </ul> <p>The component will cover city center and along National Road No.5 in Poipet city and special economic zones.</p>
		The WWTP component will include the construction of: <ul style="list-style-type: none"> <li>• WWTP treatment capacity 9,576 m<sup>3</sup>/day using activated sludge with extended aeration (ASP-EA). Site size: 10 ha</li> <li>• Construction of 378 m asphalt access road to the WWTP.</li> </ul> <p>The location of WWTP will be at Raksmei Sereipheap village, sangkat Nimit, Poipet city.</p>
		The stormwater drainage component will include the construction of: <ul style="list-style-type: none"> <li>• Box culvert concrete pipelines: 7.1 km along 3 lines, COI 6.27 - 11.27 m*</li> <li>• Use of existing outfalls from GMS-1 project: 3 (no buffer zones required).</li> </ul>
2	Solid Waste Management System Subproject	The solid waste management component will include the construction of: <ul style="list-style-type: none"> <li>• Sorting plant, composting plant, controlled landfill (capacity 632,784 m<sup>3</sup> - Site size: 20 ha)</li> <li>• Acquisition of 18 compacting trucks (capacity of five tons each):               <ul style="list-style-type: none"> <li>• Improvement of the door-to-door waste collection system in the urban area - acquisition of 14 compacting trucks;</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>Centralized collection system including eight collection points with 10-20 containers with a capacity of 660 L each and requiring three compacting trucks;</li> <li>Biowaste collection system for the six identified markets – six collections points, with 10-20 containers with a capacity of 660 L each and requiring one compacting trucks.</li> <li>Surfacing of 3.5 km of access road.</li> </ul> <p>The component will be located at Thmar Senn village, Sangkat nimit, Poipet city.</p>
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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 location and current condition.

Source: TRTA Consultants.

#### 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 (UDS) workshop in December 2019. Its purpose was to identify the suitability of the sites proposed by the city authorities and by the TRTA Consultants to anticipate and mitigate land acquisition issues and to secure the subproject preparation and implementation process. Four sites were selected based on discussions between the MPWT, the Municipal Administration, and the TRTA Consultants (Table 2.2 and Figure 2.2).

**Table 2.2: Summary of Landfill Site Assessment**

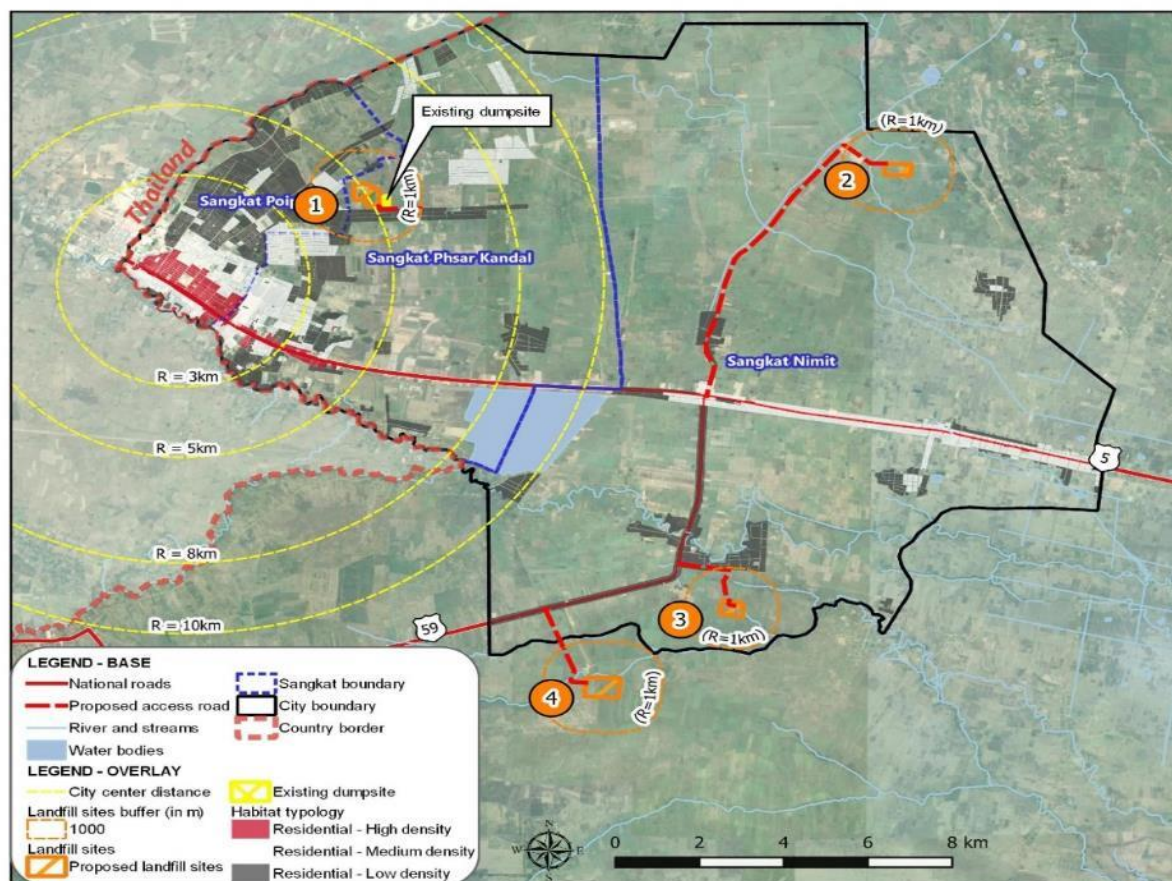
CRITERIA	SITE 1	SITE 2	SITES 3 AND 4
Land area available	17 ha	10 to 20 ha	10 to 20 ha
Owner	Government	Private	Private
Site description	A former quarry, close to the existing dumpsite and MRF facility	Agricultural land and rice fields	Agricultural land and rice fields
Distance from city center	Within the built-up area of the city center	20km	20km (site 3 is not included in the administrative boundaries of Poipet)
Distance from the closest residential area	300m	1,000m	2,00 m
Access road	1 km paved access road required	3.5 km paved access road required	6 km paved access road required
Environmental	Located in the urban expansion area, 40 m depth quarry, no special ecosystem	No flooding, no special ecosystem	Flooding occurrence, humid zone with a small stream

Source: TRTA Consultants

8. Site 1 is located within a residential area, and as such completely unsuitable for SWM. Sites 3 and 4 are in proximity of urban settlement expansion as per Poipet City Master Plan as well as suffer from annual flooding, hence have higher capital cost to backfill the sites above flood level, while also costing more to rehabilitate the access road. Sites 1, 3 and 4 do not fulfil

the criteria set in Technical Guidelines on Urban Solid Waste Management” (MoE, 2016).<sup>3</sup> Therefore, site 2 was chosen as the preferred site by the stakeholders during the workshop held the 12 December 2020. This site complies with the criteria of the technical guideline on urban solid waste management of MoE, 2016 as indicated in footnote 3. The selected location is mainly made of agricultural rice fields (paddy). The site selection was also discussed in detail during multi-stakeholder meeting on 6 October 2021 (Annex C).

**Figure 2.2: Alternative Sites Considered for SWM**



Source: TRTA Consultants

9. An initial assessment of WWTP sites in Poipet was carried out in November 2019 and presented during the UDS workshop in December 2019. Its purpose was to identify the suitability of the sites proposed by the city authorities and by the TRTA Consultants in order to anticipate land acquisition issues and secure the subproject preparation and implementation process. Four sites were selected based on discussions between the MPWT, the Municipal Administration (MA), and the TRAT Consultants. Their locations are shown on the Figure 2.3 and Table 2.3 summarizes the WWTP site assessment.

**Table 2.3: Summary of WWTP Site Assessment**

CRITERIA	SITE 1 (GMS1)	SITE 2	SITE 3	SITE 4
Land area available	14 ha	20 ha	21 ha	4.3 ha
Owner	Government	Private	Private	Private

<sup>3</sup> Selection of landfill sites guidance requirements on distance to receptors are: (i) 1km from any residential property; (ii) 3km from any school/health centre/natural resources and water source; (iv) 5km from any place of worship and resort; (v) 8km from airport; (vi) 10km from town centre; and (vi) 15km from any heritage site. Hydrology restrictions include (i) Not in flooded areas and (ii) depth to ground water must be more than 3m. There are other Cell Design and Drainage system requirements.

<b>Site description</b>	Ou Kaidon Reservoir, located by the side of the National Road no.5	Paddy/rice field (Classified as agricultural in land-use 2030)	Paddy/rice field (Classified as agricultural in land-use 2030)	Land located close to the city center, currently agricultural, residential under project land-use 2030
<b>Distance from city center</b>	9.7km	10.5km	15.0km (Not included in the administrative boundaries of Poipet)	5.6 km
<b>Distance from closest residential area</b>	300m	2.1km	2km	800m
<b>Access road</b>	170 m to National Road no. 5	5.2 km to National Road No.5 2.6km to National Road No.59	2.5 km to National Road No.59	350 m to National Road no. 5
<b>Effluent discharge location</b>	Ou Kaidon Reservoir	Ou Chrov river or stream is belonging to the same river system.	Ou Chrov river or any stream belonging to the same river system.	Ou Chrov river (passing south of the site considered)
<b>Flooding</b>	Currently water body	Low lying area having annual flooding	Seasonal flooding (min. water height = 0.5 m)	No specific flooding issues out of the ones known on the city center.
<b>HH / Activities within the 100m buffer zone</b>	A few industrial buildings	17-20 HH living from farming	The residential area currently under construction	

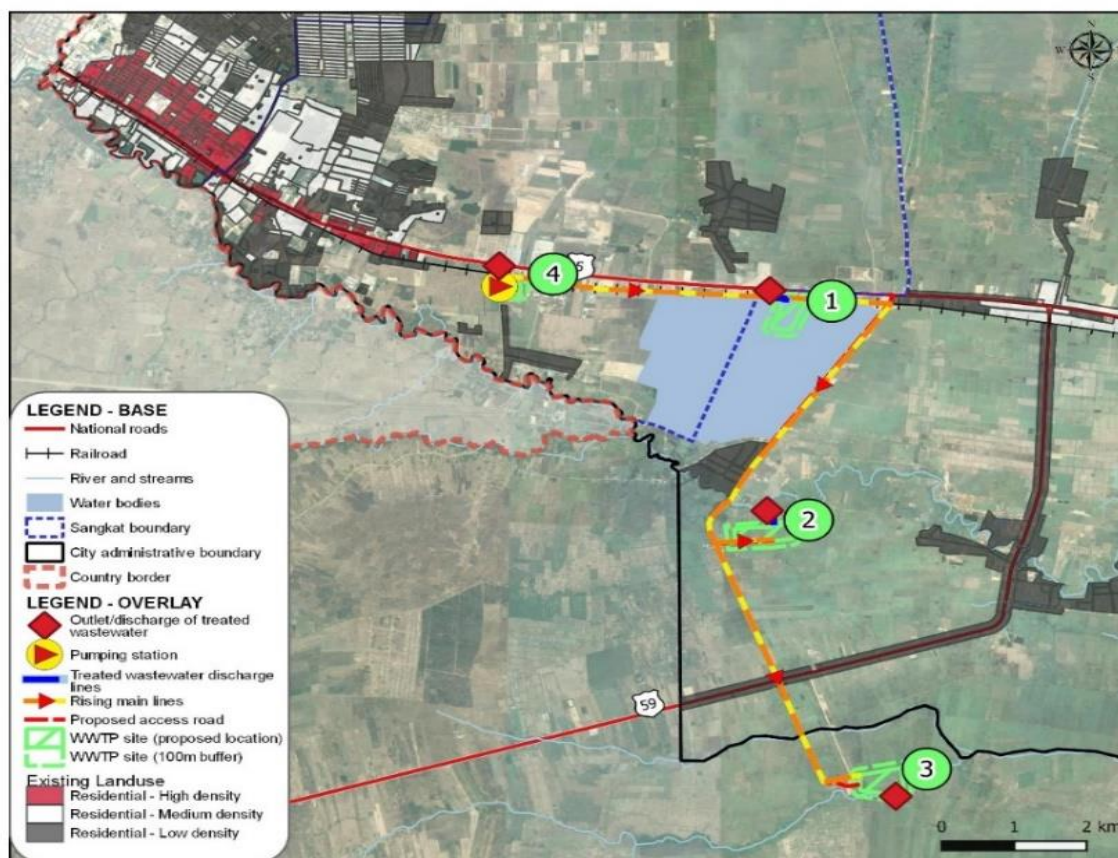
Source: TRTA Consultants

10. Analysis of site features, very high cost of land acquisition, as well as planned land use around and within the WWTP buffer zone have led to Site 4 option being discarded despite this site would have contributed significantly in reducing the burden of operation and maintenance expenses. At the same time, Site 1 is located on a water resource (water body used for water intake for Poipet City) and has already been rejected by ADB during the implementation of the GMS1 project. Because this location might cause water quality issues, this option has also not been considered further. The remaining options, Sites 2 and 3 are relatively equivalent in terms of constraints. However, Site 2 is closer to the city center and therefore, capital cost of the site investment, the cost of transfer is lower, and O&M are much lower than Site 3. Due to the additional distance from Poipet City OPEX for Site 3 is extremely high, rendering the site not feasible.

11. The selected Site 2 option for WWTP is located near Stung Bot Village was selected during the workshop held in Phnom Penh on December 12, 2019. The site is a rice field, approximately 4.0 km from National Road No. 99. It is not completely accessible by road. The first 3.2 km is on good quality asphalt road; however, for the subsequent 800 m to the site, there is no road. 17-20 households are living and farming in the buffer zone area. The effluent from the WWTP can be discharged by gravity to the nearby stream into the Ou Chhrov River.





**Figure 2.3: Alternative Sites Considered for WWTP**



Source: TRTA Consultants

12. Efforts have been made to avoid and if unavoidable, minimize the resettlement impacts in the feasibility study outline design (Table 2.2). Particularly the impact caused by the sewer network and pump stations were mitigated through technically feasible design alternatives. The sewerage network shall be laid in front of existing structures and houses, and along the road. All impact avoidance and mitigation measures were coordinated closely with TRTA engineers.

**Table 2.2: Measures to Minimize LAR Impact on Wastewater Component**

Expected Impact and Avoidance/mitigation Measures Applied	
<p>(1) Alignment connecting to control point 864 crossing private land (land acquisition)</p> 	<p>(2) One house impacted at control points: 1719 to 1721 (primary structure impact)</p> 



### Expected Impact and Avoidance/mitigation Measures Applied

(3) Alignment connecting to control point 1996 crossing private land (land acquisition)



(4) Three houses impacted at control points: 1724 to 1726 (primary structure impact)



(5) Alignment connecting to control point 1579 crossing private land (land acquisition)



(6) Three houses impacted at control points: 1713 to 1714 and 1714 to 661 (primary structure impact)



(7) Alignment connecting to control point 1555 crossing private land (land acquisition)



(8) One house impacted at control points: 1689 to 1691 (primary structure impact)



(9) Alignment connecting to control point 1561 crossing private land (land acquisition)

(10) Alignment between 859 and 2124 very narrow and impact on primary structures all along the alignment (primary structure impact, including relocation of informal settler houses (10 houses)). Narrowed trench width to 0.30 cm width with 0.5cm free space on both sides of the pipe for constructor's staff to operates



### Expected Impact and Avoidance/mitigation Measures Applied



(11) Pumping station PS\_FS\_01 located on inappropriate land, not enough space to lay the force main, access difficult because of narrow street (land acquisition and significant impact on primary and secondary structures). The pumping station PS\_FS\_01 was moved to Kbal Spean roundabout and an implementation in its middle is recommended.



\* "Control Point" refers to reference points used for inventory of losses (IoL) for COI centerline locations located every 25m.  
Source: TRTA Consultants

13. At the DED stage further measures to minimize LAR impacts shall be provided in more detail during consultations with AHs/APs. The demarcated COIs will be walked through to assess the IR impacts and as a mitigating measure, design alternatives will be adopted in the DED.

### E. Approaches to Land Acquisition and Involuntary Resettlement

14. 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.

15. Where the number of AHs are 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

16. 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.<sup>4</sup>

### (ii) Negotiated Settlement

17. 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.

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

- 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.<sup>5</sup>

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<sup>5</sup> 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

18. Wastewater system collector sewer (55.60 km) will be located on the existing ROW of the streets (see network in Figure 3.1 and Figure 3.2) requiring 92,870 m<sup>2</sup> 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).<sup>6</sup> Sewerage collectors' COI is between 2.4 - 3.3 m (PVC pipes of DN 200 to 930 mm) and force main COI is between 2.4 - 3.3 m (PVC pipes of DN 315 to 500 mm). The existing ROW naturally varies from road to road depending on their classification, and is 16-20 m (8-10 m from centerline) for small roads, 30 m for general roads (15 m from centerline), 50 m for national road (25 m from centerline). The collector lines will provide for the connection to the individual houses/buildings. They will be installed under the sidewalks or under the 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, trees, as well as secondary and other structures built illegally on top of public sidewalks within the existing ROW of the streets. The collector sewer will not have temporary impact on mobile 230 market vendors near the Akeak market (see details in para. 34). The remaining IR impact is unavoidable due to network design, which dictates the depth of sewer lines, flow direction and network connectivity. However, this will be revisited during the DED stage.

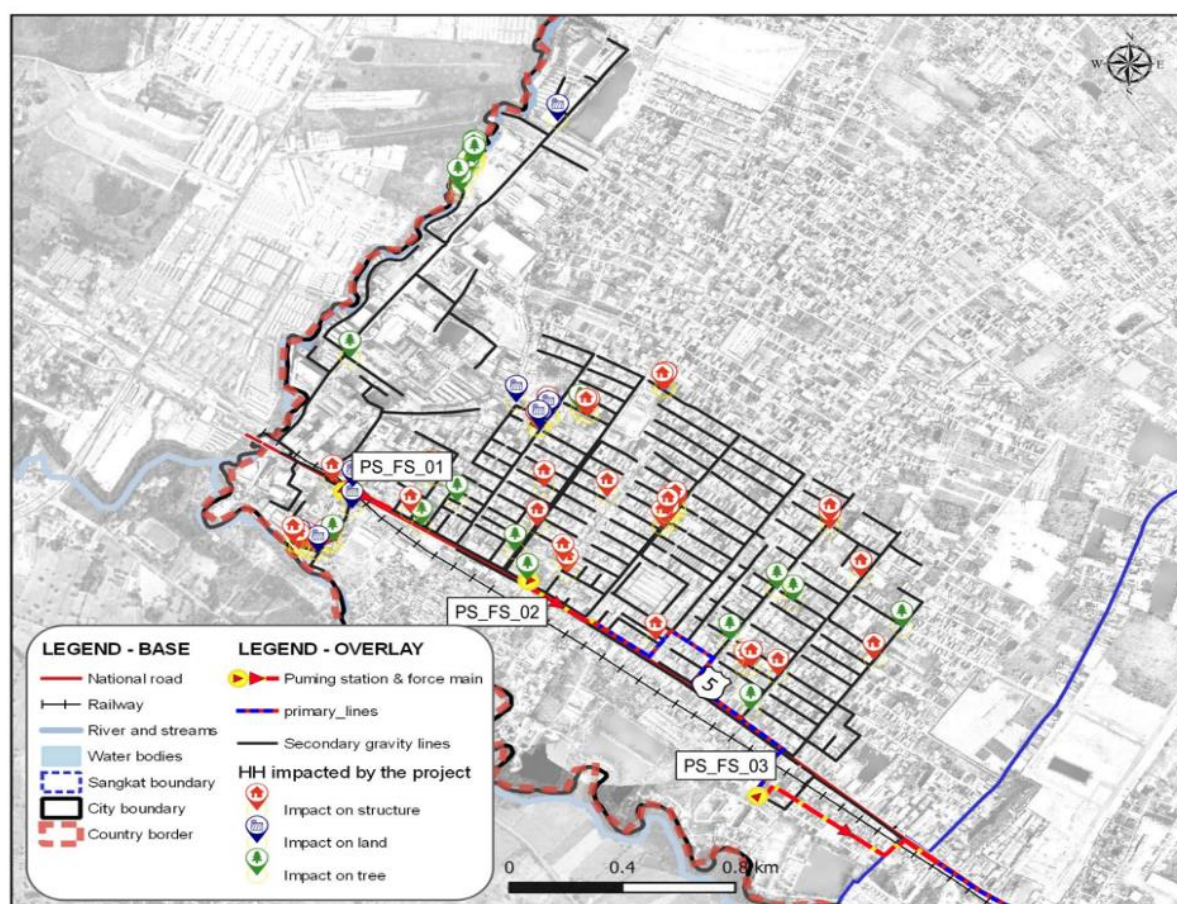
19. The pumping stations are partially on the existing ROW of roads parallel to the pumping station locations, and partially on private land. The overall location of the six (6) pumping stations is critical for network design and operations, and this impact cannot be avoided. The exact locations of the pumping stations will be finalized during DED. The pumping stations are anticipated to require 2,800 m<sup>2</sup> of public land on ROW, administered by the MPWT.<sup>7</sup> Wastewater system force main (11 km) will be located under the national road no. 5, where it does not cause any IR impact.

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<sup>6</sup> Article 8, Letter No. 1221 of Ministry of Interior, dated 24 August 2012

<sup>7</sup> Article 8, Letter No. 1221 of Ministry of Interior, dated 24 August 2012

**Figure 3.1: Wastewater and stormwater drainage component overview in city center for impact on AHs**



Source: TRTA Consultants

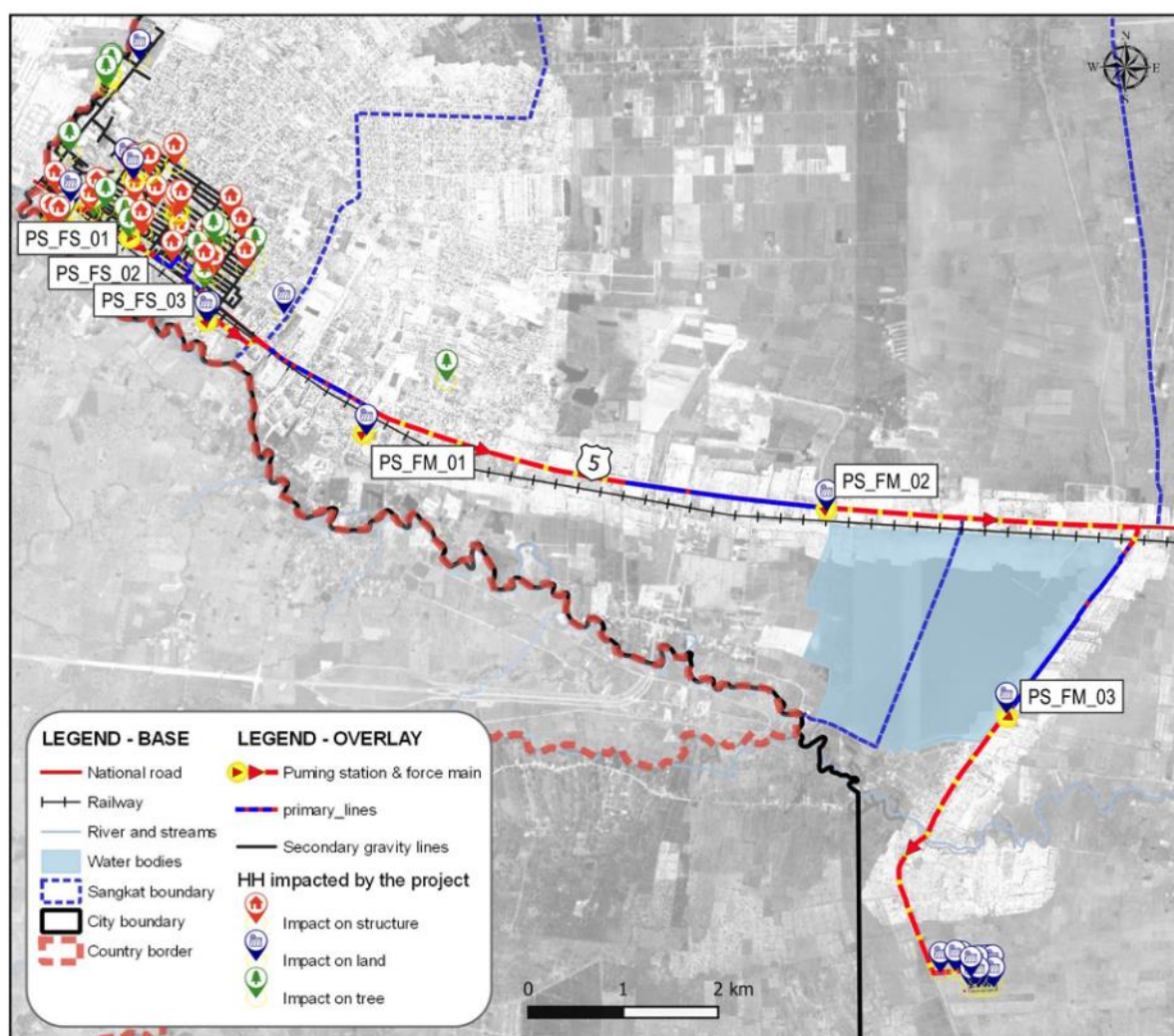
20. The WWTP site (100,000 m<sup>2</sup>) will be located on private land and proposed to be acquired through negotiated settlement as per para. 17. The main access to the proposed site is from the road no. 59 which has recently been upgraded. However, the remaining 378 m to access the WWTP site from the road will need to be constructed along existing dirt path (3,990 m<sup>2</sup> of land impact in addition to land needed for the force main alignment). Effluent discharged from the WWTP site will be to an existing canal next to the access road to the site.

21. The stormwater drainage network (7.10 km) will be built as extension to the existing GMS-1 stormwater drainage and linking to the existing outfalls of the GMS-1 drainage network. The stormwater drainage will be built entirely as box culverts completely placed under the existing roads within their ROW. The stormwater network will not have any IR impact as it is built of box culverts, but will require 32,041 m<sup>2</sup> of public land within the ROW. The ROW for the roads is government owned (public) land, administered by the MPWT.<sup>8</sup> The stormwater drainage network ROW is free of encumbrances.

<sup>8</sup> Article 8, Letter No. 1221 of Ministry of Interior, dated 24 August 2012



**Figure 3.2: Wastewater component overview for impact on AHs**

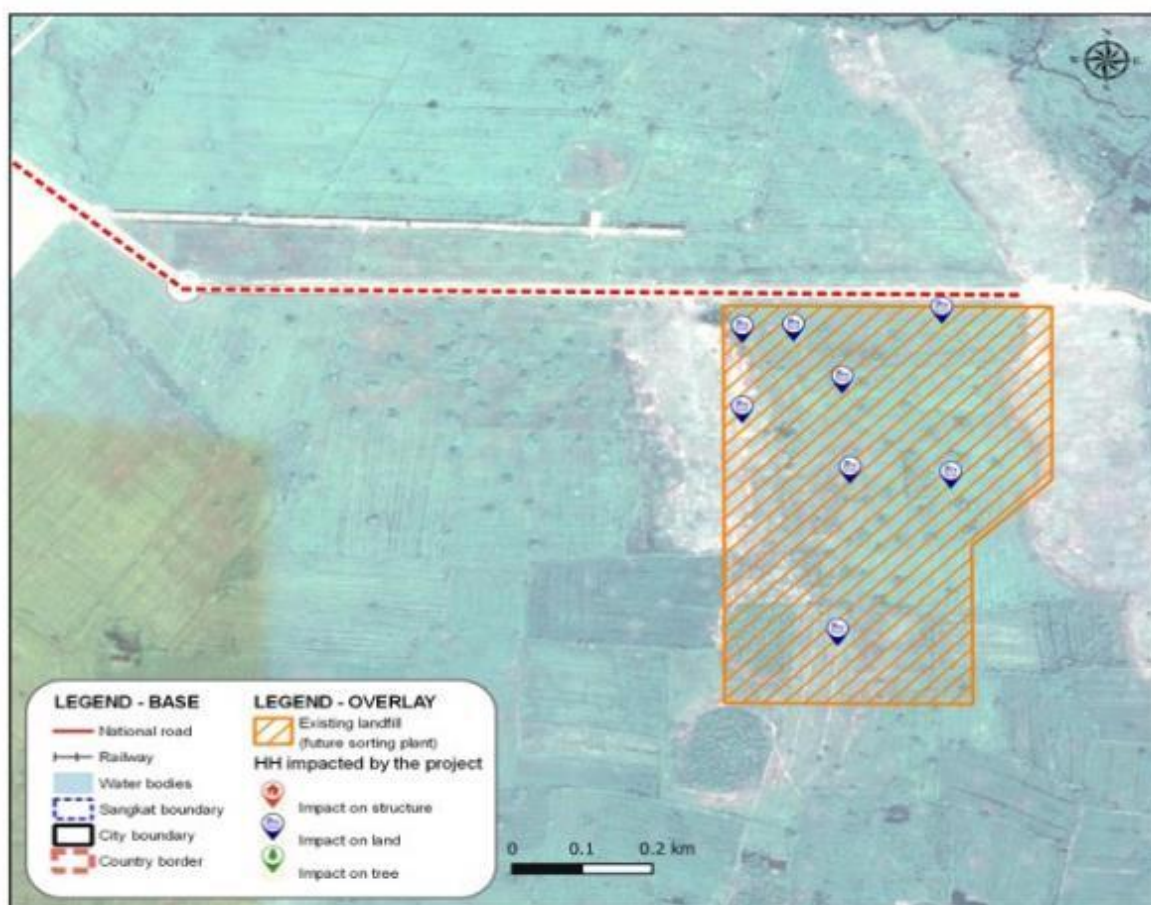


Source: TRTA Consultants

22. The municipal solid waste management (SWM) site (approximately 200,000 m<sup>2</sup> in total) is proposed to be constructed on privately-owned land (Figure 3.3). Privately owned land will be acquired through negotiated settlement. An existing rural road, recently partially upgraded, will be re-surfaced to provide all-year access to a new landfill site. The access road does not require widening, and hence does not have any IR impact.

23. The existing dumpsite has 37 AHs/171 APs of informal waste pickers. The existing dumpsite is located on private land and not going to be closed by the project. Therefore, the subproject will only cause indirect impact on livelihoods of waste pickers and they will be covered under EMP.

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



Source: TRTA Consultants

## **B. Scope of Land Acquisition**

24. An IR impact screening was conducted in September-November 2020 and the Subprojects were 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 consultants from October-November 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 storm water drainage alignment to demarcate the COI, as well as SWM site boundaries. The COI was defined and 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.



25. The cut-off date (COD) was set at **26 October 2020** as the date of beginning of public consultations. The COD was also confirmed with a letter from MPWT to Serei Saophoan Provincial authorities (Annex E). As per COD letter, the Provincial Officials of Serei Saophoan 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

26. The Subproject require total of 456,874 m<sup>2</sup> of land, out of which 127,711 m<sup>2</sup> is government owned (public) land (within ROW). The Subproject will acquire private land for SWM landfill and WWTP sites through negotiated settlement of 300,000 m<sup>2</sup> of private agricultural (both in productive use and unused) from 25 AHs/94 APs. Overall, the Subprojects will impact 102 AHs (325 APs), out of which 88 AHHs are males (86%) and remaining 14 AHHs are females (14%). Out of all AHs, 17 AHs (60 APs) are potentially vulnerable, 18 AHs (78 APs) will have significant impact on their livelihoods due to loss of 10% or more of their agricultural land. A total of 22 AHs/84 APs will lose privately owned agricultural land (328,214 m<sup>2</sup>), 3 AHs/10 APs will lose privately owned unused agricultural land (549 m<sup>2</sup>),<sup>9</sup> 1 AH/1 AP lose privately owned residential land (200 m<sup>2</sup>) and 2 affected legal entity households (2 ALEHs) will lose privately owned commercial land (200 m<sup>2</sup>). A total 25 AHs/ALEHs are the legal and legalizable owners of the land, but 3 AHs did not provide supporting documents on their land ownership status. 1 AH/1 AP will lose use of productive agricultural land (100 m<sup>2</sup>) encroached on the existing ROW / public land. No AHs are relocated or have impact on primary structures, 51 AHs/153 APs will have impact on 61 units of secondary structures (1,058.35 m<sup>2</sup>). 9 AHs/34 APs have impact on 68 timber trees and 20 AHs/54 APs have impact on 50 fruit trees while 12 AHs/48 APs have minor business disruption on their shops located on the walkway, which will be compensated for loss of income. There are 230 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. It was verified by the TRTA engineers that the vendors will not need to move temporarily away from their current locations to allow for night-time construction and move back during the day to continue with their business uninterrupted at their original place of business. There is no cost involved in moving back and forth, and this is standard operations of the vendors on each day of operations at the market. However, the movement of vendors will be closely monitored by DCSC, and if during DMS potential impact arises, the same will be assessed and addressed in the DRP. Summary of LAR impacts are in Table 3.1

27. The stormwater drainage component will not have any IR impacts due to being placed directly under the existing road surfaces (see Figure 8 in Annex B) and construction of the stormwater drainage to be done under night-time construction works schedule only, and hence is not included in the table below.

**Table 3.1: Summary of LAR Impact Type under the SWM and Wastewater Components**

Impact Type		SWM		Wastewater		Total	
		Assets	AHs/ APs	Assets	AHs/ APs	Assets (Quantity / Unit)	AHs/ APs
People	Affected Households/Affected Persons		8/38		94/287		102/325
	Vulnerable AHs/APs		2/10		15/50		17/60
	Major Impact on AHs/APs		8/38		10/40		18/78
Land	Agricultural land (private)	222,444 m <sup>2</sup>	8/38	105,770 m <sup>2</sup>	14/46	328,214 m <sup>2</sup>	22/84
	Unused agricultural land (private)			549 m <sup>2</sup>	3/10	549 m <sup>2</sup>	3/10

<sup>9</sup> 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.

Impact Type	SWM		Wastewater		Total	
	Assets	AHs/ APs	Assets	AHs/ APs	Assets (Quantity / Unit)	AHs/ APs
Residential land (private)			200 m <sup>2</sup>	1/1	200 m <sup>2</sup>	1/1
Commercial land (private)			200 m <sup>2</sup>	2 ALEH	200 m <sup>2</sup>	2 ALEH
Public land / Loss of Land Use (partial loss of productive land)			100 m <sup>2</sup>	1/1	100 m <sup>2</sup>	1/1
Public land (total)	None		127,711 m <sup>2</sup>		127,711 m <sup>2</sup>	
<b>Structures</b>	Primary/Residential structure	None	None		None	
	Secondary/auxiliary structures		1,058.35 m <sup>2</sup>	51/153	1,058.35 m <sup>2</sup>	51/153
<b>Trees</b>	Timber trees		68	9/34	68	9/34
	Fruit trees		50	20/54	50	20/54
<b>Business</b>	Minor business disruption (7 shops (phone, shoe, grocery etc), 4 services (restaurant, barber, tailor etc) and one gasoline station)			12/48		12/48

Source: TRTA Consultants IOL October-November 2020

## D. Anticipated Project Impacts

### (i) Impact on Land

28. The Subproject components cause IR impact on both the public land (estimated total of 95,670 m<sup>2</sup> on wastewater component and 32,041 m<sup>2</sup> on stormwater component) and private land of 28 AHs/95 APs (estimated 325,173 m<sup>2</sup>). The private land impact is on 328,214 m<sup>2</sup> of agricultural land (22 AHs/84 APs), 549 m<sup>2</sup> of unused agricultural land (3 AHs/10 APs), 200 m<sup>2</sup> of residential land (1 AHs/1 APs) and 200 m<sup>2</sup> commercial land (2 ALEHs). The commercial land is owned by private companies (2 ALEHs). The narrow strips of private land required for wastewater network and pump station locations (20 AHs/57 APs) will be acquired through expropriation, whereas land required for SWM and WWTP sites will be acquired through negotiated settlement procedures stated in para. 17 of this BRP. For land impacted within the existing ROW of the roads the 11 AHs (18 APs) will be compensated for structures and trees, but not for the land. Out of these, 1 AH (1 AP) has impact on productive agricultural land, 6 AHs (13 APs) on unused agricultural land, 2 AHs (2 APs) on commercial land and 2 AHs (2 APs) on residential land. For agricultural, commercial, and residential land, the impact on public land / ROW portion for all 11 AHs/18 APs is on average about 2%, but in all cases less than 7% of their total land holdings of the AHs/ALEAHs. Details are summarized in Table 3.2 and Table 3.3 to be confirmed during the DMS stage.

29. There is an impact on estimated total of 328,314 m<sup>2</sup> of productive agricultural land of 22 AHs/84 APs, out of which 100 m<sup>2</sup> agricultural land (1 AH/1 AP) is in use within the publicly owned ROW. The AH encroaching on public land has total agricultural land holding of about 50,000 m<sup>2</sup>, so the total loss inclusive of both land within public ROW and private land impacted by the Subprojects is 0.4% of the total. The AH is using the land without legal right or permit (Table 3.3) but will be compensated for the loss of land use (permanent loss of livelihoods). A total of 18 AHs/78 APs will experience major impact on livelihoods due to loss of more than 10% of their productive agricultural land (see "Major Impact" below for more details).

**Table 3.2: Summary of Land Impact and Land Type for SWM and Wastewater Components**

Component	Land Type*	Total affected		Estimated Total Area of Private Land (m <sup>2</sup> )	Estimated Affected Land (m <sup>2</sup> )
		AHs	APs		
<b>SWM</b>	Agricultural	8	38	470,565	222,444
	Unused Agricultural Land				

	Residential				
	Commercial				
	Public Land / ROW				
<b>Subtotal 1</b> (without double counting)		<b>8</b>	<b>38</b>	<b>470,565</b>	<b>222,444</b>
<b>Wastewater</b>	Agricultural	14	46	610,000	105,770
	Unused Agricultural Land	3	10	8,000	549
	Residential	1	1	10,700	200
	Commercial	2		310,000	200
	Public Land / ROW	11	18	(100.00 public land in cultivation)	127,711
<b>Subtotal 2</b> (without double counting)		<b>24</b>	<b>64</b>	<b>938,700</b>	<b>234,430</b>
<b>Total per Land Type</b>	Agricultural	22	84	1,080,565	328,214
	Unused Land	3	10	8,000	549
	Residential	1	1	10,700	200
	Commercial	2		310,000	200
	Public Land / ROW	11	18	(100.00 public land in cultivation)	127,711
<b>Total with any land impact</b> (without double counting)		<b>32</b>	<b>102</b>	<b>1,409,265</b>	<b>456,874</b>

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

Source: TRTA Consultants IOL October-November 2020

**Table 3.3: Summary of Agricultural Land Loss for SWM and Wastewater Components**

Project Component	Impact		Over 10% of productive land (private + public/ROW)		Total Private Agricultural Land Impacted by Project (m <sup>2</sup> )	Loss of Productive Agricultural Land Within Publicly owned ROW (m <sup>2</sup> )	Total Affected Productive Agricultural Land (m <sup>2</sup> )
	AHs	APs	AHs	APs			
SWM	8	38	8	38	222,444		222,444
Wastewater	14	46	10	40	105,770	100	105,870
<b>Total</b>	<b>22</b>	<b>84</b>	<b>18</b>	<b>78</b>	<b>324,324</b>	<b>100</b>	<b>328,314</b>

Source: TRTA Consultants IOL October-November 2020

30. Out of the 28 AHs having impact on private agricultural land (in use or unused), residential and commercial land, 3 AHs are recognizable legal owners but do not have land title yet (titles are legalizable, but the systematic registration process has not taken place yet for these parcels), and 22 AHs are the legal owners with land title. 3 AHs did not provide land ownership documents at the time IOL/SES, and their land ownership status will be verified during the DMS stage.

## (ii) Impact on Structures

31. There is no impact on primary structures, or houses, and no need for relocation. However, the Subprojects will cause impact on 61 secondary (51 AHs/153 APs) with an estimated total impacted area of 1,058.35 m<sup>2</sup> (15% of the total area), as detailed in Table 3.4 and Table 3.5. All the impact is caused by the wastewater component, whereas SWM component does not cause any structural impact. Some of the AHs can have impact on more than one kind of secondary structures. Details are summarized in Tables 3.4 and 3.5, respectively but will be confirmed during the DMS stage.

**Table 3.4: Summary of Secondary Structures Impact for SWM and Wastewater Components**

Type of Structure	SWM		Wastewater		Total	
	Units	AHs/APs	Units	AHs/APs	Units	AHs/APs
Parking area			5	1/1	5	1/1
Eave (permanent)			180.9	35/123	180.9	35/123
Police box (repairs for shifting damages)			1	1/1	1	1/1
Storage / store			46	3/9	46	3/9
Steel stall			1.2	1/2	1.2	1/2
Stone elephant			1	1/1	1	1/1

Hotel signboard			12	1/1	12	1/1
Pagoda gate			10	1/1	10	1/1
Stall			2	1/1	2	1/1
Brick fence			642.5	6/14	642.5	6/14
Wire fence			74	3/6	74	3/6
Steel door			42.75	1/1	42.75	1/1
Stone stairs			1	1/6	1	1/6
<b>Total</b>	<b>0</b>	<b>0</b>		<b>51/153</b>		<b>51/153</b>

Source: TRTA Consultants IOL October-November 2020

**Table 3.5: Details of Secondary Structure Units and Areas Impacted**

No	Structure	Unit	Total Areas	Affected Areas
1	Parking Area	1	200	5
2	Police Box	1	80	40
3	Steel Stall	1	150	1.2
4	Storage	1	400	40
5	Store	2	29.5	6
6	Extended Eaves	35	931.5	180.9
7	Brick Fence	2	215	55
8	Brick Fence (100mm)	1	24	2
9	Brick Fence (200mm)	4	2,401	585.5
10	Stone Elephant	1	1	1
11	Hotel Sign Board	1	12	12
12	Pagoda Gate	1	30	10
13	Stall	1	20	2
14	Steel Door	4	64.5	42.75
15	Stone Stairs	1	1	1
16	Wire Fence	4	680	74
<b>Total</b>		<b>61</b>	<b>5,239.5</b>	<b>1,058.35</b>

Source: TRTA Consultants IOL October-November 2020.

### (iii) Impact on Trees

32. A total of 20 AHs/25 APs have impact on 50 fruit trees, and 9 AHs/34 APs have impact on 68 timber trees. All the impacted trees are along the wastewater component, whereas there are only shrubs and non-valuable trees at the proposed landfill site as based on the IOL. The 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 species. Table 3.6 summarizes the affected trees by type and component and details of impact on trees per tree type, number and age is in Table 3.7, but will be confirmed during the DMS stage.

**Table 3.6: Summary of Impact on Trees for SWM and Wastewater Components**

Trees	SWM	Wastewater	Total	AHs/APs
Fruit		50	50	20/54
Timber		68	68	9/34
<b>Total</b>	<b>0</b>	<b>118</b>	<b>118</b>	<b>29/88</b>

Source: TRTA Consultants IOL October-November 2020

**Table 3.7: Details on Impacted Trees by Age and Type**

Tree Types	Name of Tree	Unit	Each House Info.		Impact per Tree Types		Age Classification by years			TOTAL
			AHs	APs	AHs	APs	1 to 3 yrs	4 to 5 Yrs	Over 6 yrs	
Fruit Tree	Areca Palm	Tree			1	5	5	8	0	13
	Banana	Cluster	1	2	3	10	7	0	0	7
	Coconut	Tree	2	5	3	7	3	0	3	6
	Custard Apple	Tree	2	7	3	13	2	0	1	3
	Hug Plum	Tree			1	6	1	0	0	1

Tree Types	Name of Tree	Unit	Each House Info.		Impact per Tree Types		Age Clasification by years			TOTAL
			AHs	APs	AHs	APs	1 to 3 yrs	4 to 5 Yrs	Over 6 yrs	
	Jackfruit	Tree	1	6	1	6	1	0	0	1
	Jujube	Tree	1	2	1	2	0	1	0	1
	Longan	Tree			1	4	1			1
	Mango	Tree	9	20	10	21	8	1	2	11
	Manila Tamarind	Tree	2	6	2	6	1	0	1	2
	Palm Tree	Tree	2	6	2	6	1	1	0	2
	Papaya	Tree			2	10	2	0	0	2
<b>Sub-total 1</b>			<b>20</b>	<b>54</b>	<b>30</b>	<b>96</b>	<b>32</b>	<b>11</b>	<b>7</b>	<b>50</b>
Timber Tree	Acasia/Eucalitus	Tree	1	1	1	1	0	0	15	15
	Banyan Tree (Derm Por)	Tree			1	1	0	1	0	1
	Beng	Tree			1	1	5	0	0	5
	Champey	Tree			1	5	2	0	0	2
	Coconut	Tree	1	1	1	1	0	1	0	1
	Derm Luy	Tree			3	9	0	0	21	21
	Derm Pramath Khlar Kmum	Tree	1	4	1	4	1	0	0	1
	Drumstick Tree (Marum)	Tree	1	5	2	8	2	0	0	2
	Moon Tree	Tree	1	5	1	5	0	1	0	1
	Peacock Tree	Tree	1	5	1	5	0	0	1	1
	Santol Tree	Tree	3	13	4	16	12	1	3	16
	Sneang Preuk	Tree			1	5	2	0	0	2
<b>Sub-total 2</b>			<b>9</b>	<b>34</b>	<b>18</b>	<b>61</b>	<b>24</b>	<b>4</b>	<b>40</b>	<b>68</b>
<b>Grand Total</b>			<b>29</b>	<b>88</b>	<b>48</b>	<b>157</b>	<b>56</b>	<b>15</b>	<b>47</b>	<b>118</b>
Percentage (%)							47	13	40	100

Source: TRTA Consultants IOL October-November 2020.

#### (iv) Impact on Businesses

33. There are 12 AHs businesses (48 APs) that will be partially impacted by the Wastewater collector sewer construction with impact on extended eaves of the shops on the walkway (Pictures 3.1). Out of the businesses, 7 are shops (phone, shoe, grocery etc), 4 are services (restaurant, barber, tailor etc) and one is a gasoline station. None of the temporarily impacted businesses are legally registered. As only the shop fronts are impacted, there is 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 which is estimated to be approximately 2-4 working days as per consultation with the design engineers. Based on the DED the estimated duration of business closure required for the civil works on specific sections will be revisited by the engineering team. The shop owners will be consulted in detail during DMS to verify whether the time estimation for closure time is sufficient for resumption of business. The loss of business income from disruption during construction and the impacted secondary structures will be compensated based on business disruption as detailed in the entitlement matrix. The RCS will confirm the temporary income loss from closure of the shops.

**Picture 3.1: Examples of Impact on shop fronts**

34. The Subprojects will also cover the Akeak market area of Poipet (Figure 3.4). The preliminary design suggests that there are approximately 230 mobile and street vendors (to be confirmed during DMS) selling goods along the streets around market who will be temporarily impacted during construction. Night-time work schedule is proposed by design engineers as method for avoidance of business disruption of vendors and PIU. Hence, the vendors will not be temporarily impacted during construction. These mobile street vendors have tables/stalls made of light-weight material which the vendors as part of their standard day-to-day operations at the market move away with their stock from the COI for night-time to their secured storage places. The requirement for nighttime work schedule for the civil works will be included in the bidding documents and EMP, and implementation will be monitored during construction by the 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.

35. 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 is explained in more detail in the Environmental Management Plan (EMP). Discussions on the night-time construction work schedule were not covered during IOL/SES and consultations with the vendors as the detailed plan was not available at the time of IOL/SES. 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



#### (v) Major Impact

36. Total 18 AHs/78 APs will have major impact on their productive agricultural land with impact on over 10% of total productive agricultural land in active farming (wet season rice) (Table 3.8). They are only eligible for IRP when they will permanently lose their primary source of income. All 18 AHs/78 APs are farmers either as main or secondary occupation, hence there is direct impact on their household income level and livelihoods. A total of 9 AHs will lose 100% of their land, 7 AHs will lose 50% of their land and 2 AHs will lose 27-30% of their land. Out of the 18 AHs, 3 AHs are potentially vulnerable. The DMS will confirm whether all the listed AHs who use the agricultural land impacted on their primary source of livelihood and whether the AHs losing 10% or more of their farming land can continue farming on the remaining land. However, based on the IOL and SES results, 6 AHHs are employed in some form and their primary source of livelihood may not be permanent lost. The severity of impact and permanent loss of livelihood source of the final list of AHs that will be entitled to participate in the IRP will be verified during the DMS stage and reflected in the DRP.

37. This productive agricultural land with major impacts will be for WWTP and SWM sites and may be acquired through negotiated settlement based on the procedures stated in para. 17 of this BRP.



**Figure 3.8: Details of Major Impact on Land Assets**

No	AH ID	AP	Household head			Employment		Land			Vulnerable
			Gender	Age	Civil status	Primary	Secondary	Total Area (m <sup>2</sup> )	Impacted Area (m <sup>2</sup> )	Loss (%)	
1	115	3	Male	60	Married	Private sector or NGO employee	Farmer	20000	10000	50.00	
2	116	4	Male	32	Married	Private sector or NGO employee	Farmer	10000	10000	100.00	
3	117	3	Male	44	Married	Farmer		10000	10000	100.00	
4	118	5	Male	47	Married	Govt employee	Farmer	20000	10000	50.00	
5	119	4	Male	48	Married	Farmer	Casual labour	24000	12000	50.00	
6	120	3	Male	35	Married	Farmer	Casual labour	20000	10000	50.00	
7	121	9	Female	47	Married	Farmer		86000	43000	50.00	
8	136	6	Male	60	Married	Farmer		20000	10000	50.00	
9	137	2	Male	46	Married	Farmer	Casual labour	10000	10000	100.00	Yes
10	138	4	Male	46	Married	Farmer	Casual labour	90000	26879	29.87	
11	139	4	Male	51	Married	Govt employee	Farmer	150000	40000	26.67	
12	140	2	Male	47	Married	Farmer		50565	50565	100.00	Yes
13	141	1	Male	45	Widow(er)	Farmer	Construction	10000	10000	100.00	
14	142	3	Male	52	Married	Farmer	Casual labour	10000	10000	100.00	
15	143	8	Female	52	Married	Farmer		10000	10000	100.00	
16	144	5	Male	33	Married	Self-employed or business or trade	Farmer	10000	10000	100.00	
17	145	4	Male	30	Married	Casual labour	Farmer	30000	30000	100.00	
18	146	8	Male	53	Married	Farmer		20000	10000	50.00	Yes
<b>Total</b>		<b>78</b>						<b>600565</b>	<b>322444</b>	<b>54.00</b>	

Source: TRTA Consultants IOL October-November 2020

**(vi) Impact on Vulnerable Groups**

38. The IOL/SES identified 17 AHs/60 APs potentially vulnerable AHs of the wastewater and landfill components, who are all eligible for special assistance for their vulnerability (Table 3.9). 17 AHs/60 APs are anticipated to be classified as poor (by self-reported income, IDPoor categorization and/or to be categorized as poor during DMS/SES due to their household condition). Out of these, 9 AHs/25 APs are self-reportedly poor, 4 AHs/18 APs are IDPoor, and 1 AH/4 APs is both self-reportedly poor and IDPoor. Additionally, there is 3 AHs/13 APs are neither self-reportedly poor nor IDPoor, but based on their household conditions it is anticipated that they are classified as potentially vulnerable (see details in Table 3.9 for AH ID 3, 4 and 17). Three (3) AHs/12 APs of the 17 potentially vulnerable AHs will lose more than 10% of their productive agricultural land and as such will experience major impact. These 3 AHs/12 APs are not landless. Only 5 AHs/16 APs are landless and poor, as identified during IOL/SES and confirmed with the village chief. The landless potentially vulnerable AHs are impacted on extended eaves of their structures and trees only and are not required to relocate. There are no social land concessions available in Poipet for provision of land to the landless AHs. At the DMS stage the vulnerability status of the AHs will be verified and the latest national poverty line will apply, and vulnerability status of AHs will be re-confirmed and reflected in the DRP.



Table 3.9: Details of Vulnerable Group Categories of AHs for SWM and Wastewater Components

No	AH ID	APs	Component	Household head					Vulnerability						Remarks
				Gender	Age	Civil Status	Economic displacement	Ethnicity, if other than Khmer	Poor household under poverty rate (<33 USD/month)	IDPoor	Single female headed households with dependents living below the national poverty	Disabled headed households with no other means of support	Elderly headed households who are landless and with no other means of support	Landless poor living below the national poverty rate	
1	2	2	Wastewater	Male	45	Married			Yes						
2	3	4	Wastewater	Male	48	Married			Yes						
3	19	1	Wastewater	Male	45	N/A	N/A	Cham	N/A						Anticipated to be vulnerable, AH information was no available
4	35	4	Wastewater	Female	71	Widow	Unemployed				Yes				Elderly, single female-AHH (dependents x 2, daughter unemployed), unemployed and no support
5	40	4	Wastewater	Male	46	Married				IDPoor1					
6	46	4	Wastewater	Female	46	Divorced/ Separated			Yes		Yes				With dependants (2)
7	60	3	Wastewater	Female	64	Widow	Unemployed			IDPoor1				Yes	No dependants
8	66	7	Wastewater	Female	66	Widow	Temporary business disruption			IDPoor1	Yes				With dependants (4)
9	69	4	Wastewater	Female	54	Married			Yes	IDPoor1				Yes	
10	77	2	Wastewater	Male	78	Married			Yes				Yes	Yes	
11	80	4	Wastewater	Female	47	Widow	Unemployed			IDPoor1	Yes			Yes	With dependants (1)
12	81	5	Wastewater	Male	36	Married		Cham	Yes						
13	85	1	Wastewater	Male	45	N/A		Chinese	Yes						
14	86	3	Wastewater	Male	58	Married			Yes					Yes	
15	137	2	Wastewater	Male	46	Married	Over 10% agric. land		Yes						Farmer losing 100% of agricultural land, disabled. Will lose means of support
16	140	2	Landfill	Male	47	Married	Over 10% agric. land		Yes						Farmer losing 100% of agricultural land, disabled. Will lose means of support
17	146	8	Landfill	Male	53	Married	Over 10% agric. land					Yes			Farmer losing 50% of agricultural land, disabled. Will lose means of support
<b>Total</b>	<b>17</b>	<b>60</b>						<b>3</b>	<b>10</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>5</b>	

Source: TRTA Consultants IOL October-November 2020.

## **E. Temporary Impact**

39. As the construction of civil works will be carried out within the existing ROW the road, public facilities such as bituminous surface and walkways will be temporarily impacted during construction. Design of the wastewater and stormwater networks include improvement of existing roads and sidewalks along the alignments. Thus, these temporarily affected public facilities will not just be restored but will be improved 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 Subprojects implementation based on actual impacts and in accordance with the national laws and ADB's safeguards policy statement (SPS, 2009).

40. 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 are completed and backfilled, including pavements/walkways, roadside kerbs, signposts, spirit houses and eaves. If reinstatement is not possible, any impact caused by contractor during construction will be compensated at replacement cost based on the entitlement matrix. 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 on the above in lieu of reinstatement, for instance, if any businesses are disrupted. During IOL/SES approximately 200 cases of likely minor temporary impacts during construction were identified that will need to be reinstated by the construction contractor. 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.

41. For any temporary site installation, workers camp, storage, pre-casting site or other area, the contractor will have to propose 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-subproject 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**

42. 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

43. A socio-economic survey (SES) of the 102 AHs/325 APs, or 100% of AHs, was conducted in parallel with IOL for the wastewater and landfill works components in October-November 2020. 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), education attainment levels, 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

44. Out of the 102 AHHs of the Subprojects, the majority or 88 AHHs are males (86%) and remaining 14 AHHs are females (14%). As for age, the largest groups of AHHs are 46-64 years (55%), followed by 31-45 years (33%), over 65 years (9%) and lastly 21-30 years (5%). Average age of AHH is 49 years. There is 1 AHH (2 APs) classified in elderly category (over 65 years) who is considered potentially vulnerable because they are landless and with no other means of support. The landless AHH will be confirmed during the DMS stage. Based on the SES, the remainder of elderly people (total of 8 AHHs), have land or support from their children or other income sources, and hence not categorized as vulnerable AHs.

45. Majority or 78 AHHs (76%) are married, 11 AHHs or 11% are widowed or divorced (1 male AHH and 10 female AHH), 2 AHHs each are single (2%), whereas 11 AHHs did not reveal their civil status. Four (4) AHHs (19 APs) are single female AHHs with dependents living below poverty line, or unemployed and without support. These female headed AHHs are classified as potentially vulnerable but will be confirmed during the DMS stage. All vulnerable AHHs will be confirmed during the DMS stage.

46. All AHHs are Khmer, except for one male Chinese AHH (1 AP) and two male Cham AHHs (6 APs). Two of the non-Khmers are classified as poor and hence vulnerable (income under \$33/person/month), while one AHH income information was not available (AHH was absent during survey and the respondent to SES did not know household income information). For purpose of this BRP budgeting, the remaining one Cham AHH without income information is also assumed poor and as such is a potentially vulnerable AH but will be confirmed during the DMS stage. Table 4.1 summarizes gender and age of AHHs per Subproject component.

**Table 4.1: Summary of Gender and Age of AHHs**

Component	Gender of AHH	< 20 yrs	21 - 30 yrs	31 - 45 yrs	46 - 64 yrs	> 65 yrs	TOTAL	
		No.	No.	No.	No.	No.	AH	%
SWM	Male		1	1	5		7	13
	Female				1		1	87
<b>Sub-Total 1</b>			<b>1</b>	<b>1</b>	<b>6</b>		<b>8</b>	<b>100</b>
Wastewater	Male		4	33	38	6	81	86
	Female				10	3	13	14
<b>Sub-Total 2</b>			<b>4</b>	<b>33</b>	<b>48</b>	<b>9</b>	<b>94</b>	<b>100</b>
<b>Total</b>		<b>0</b>	<b>5</b>	<b>34</b>	<b>54</b>	<b>9</b>	<b>102</b>	
Percentage (%)			5	33	53	9	100	

Source: TRTA Consultants SES October-November 2020.

47. Largest age group in APs is equally 26-45 years and 46-66 years (26%), followed by 6-16 years (18%) and 17-26 years (17%). Average AH size is 3.2 persons/household. Table 4.2 summarizes gender and age of APs per Subproject component.

**Table 4.2: Summary of Gender and Age of APs**

Component	Gender of AP	<5 yrs	6-16 yrs	17-26 yrs	26-45 yrs	46-64 yrs	>65 yrs	TOTAL	
		No.	No.	No.	No.	No.	No	AP	%
SWM	Male	1	1	3	4	7	0	16	42%
	Female	3	6	3	6	3	1	22	58%
<b>Sub-Total 1</b>		<b>4</b>	<b>7</b>	<b>6</b>	<b>10</b>	<b>10</b>	<b>1</b>	<b>38</b>	<b>100%</b>
Wastewater	Male	10	22	27	32	40	6	137	48%
	Female	9	29	23	42	34	13	150	52%
<b>Sub-Total 2</b>		<b>19</b>	<b>51</b>	<b>50</b>	<b>74</b>	<b>74</b>	<b>19</b>	<b>287</b>	<b>100%</b>
<b>Total</b>		<b>23</b>	<b>58</b>	<b>56</b>	<b>84</b>	<b>84</b>	<b>20</b>	<b>325</b>	
Percentage (%)		7	18	17	26	26	6	100	

\* Not available / information not given

Source: TRTA Consultants SES October-November 2020.

### C. Education Attainment

48. A total of 27 AHHs (26%) attained primary education, 19 AHHs (19%) attained secondary education, 17 AHHs (17%) attained high school education and 4 AHHs (4%) attained university education while 5 AHHs (5%) are illiterate (3 male AHHs and 2 female). A total of 30 AHHs (29 male and 1 female) (29%) did not provide information of their educational attainment. The male AHHs of the Subprojects are better educated than females, especially on higher education. During the IOL consultations, the TRTA team assisted the illiterate AHs by reading out all the information in the PIBs to them. 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
SWM	Male			4	2	1		7
	Female			1				1
<b>Sub-Total 1</b>				<b>5</b>	<b>2</b>	<b>1</b>		<b>8</b>
Wastewater	Male	29	3	16	13	16	4	81
	Female	1	2	6	4			13
<b>Sub-Total 2</b>		<b>30</b>	<b>5</b>	<b>22</b>	<b>17</b>	<b>16</b>	<b>4</b>	<b>94</b>
<b>Total</b>		<b>30</b>	<b>5</b>	<b>27</b>	<b>19</b>	<b>17</b>	<b>4</b>	<b>102</b>
Percentage (%)		29	5	26	19	17	4	100

\* Not available / information not given, or not applicable for company AHHs.

Source: TRTA Consultants SES October-November 2020.

49. A total of 116 APs (36%) attained or are in process of attaining primary education, followed by secondary education with 64 APs (20%) and high school education with 46 APs (14%) whereas 41 APs (13%) are illiterate or those who have not started school yet. A total of 39 APs (12%) did not share or disclosed their education levels. Male APs have better education attainment than the female APs. As conducted during IOL/SES and repeated in public consultation during DMS the IRC-WG and PRSC-WG will be provided with support by project implementation consultants to explain written materials with the illiterate AHH. 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	Primary	Secondary	High School	University	Total
SWM	Male		2	7	4	3		16
	Female		6	10	3	2	1	22
<b>Sub-Total 1</b>			<b>8</b>	<b>17</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>38</b>
Wastewater	Male	20	14	36	28	27	12	137
	Female	19	19	63	29	14	6	150
<b>Sub-Total 2</b>		<b>39</b>	<b>33</b>	<b>99</b>	<b>57</b>	<b>41</b>	<b>18</b>	<b>287</b>
<b>Total</b>		<b>39</b>	<b>41</b>	<b>116</b>	<b>64</b>	<b>46</b>	<b>19</b>	<b>325</b>
Percentage (%)		12	13	36	20	14	6	100

\* Not available / information not given, or not applicable for company AHHs

Source: TRTA Consultants SES October-November 2020.

## D. Occupation, Income and Expenditure

50. For the Subprojects, 39 AHHs (38%) are self-employed, followed by 12 AHHs (9%) who are farmers and 9 AHHs (9%) who are government employees. The percentage of self-employed is high due to Poipet's proximity to the international border post. A total of 15 AHHs did not disclose their primary occupation. Out of 102 AHHs, only 16 male and 1 female AHHs (together 17%) have secondary occupation as farmers, casual workers/construction workers or self-employed or private sector/NGO employee. The Subprojects does not cause permanent business disruption, but impact on productive agricultural land is significant for 18 AHH (76 APs). The loss of agricultural land significantly impacts the income of the farmer AHHs. Table 4.5 summarizes the primary occupation of the AHHs.

**Table 4.5: Summary of Primary Occupation of AHHs**

Component	Gender (AHH)	N/A*	Not working/unemployed	Casual labour/construction	Farmer	Gov't employee	Private sector/employee	Self-employed/business/trade	Others	Total
SWM	Male			1	5	1				7
	Female				1					1
<b>Sub-Total 1</b>				<b>1</b>	<b>6</b>	<b>1</b>				<b>8</b>
Wastewater	Male	15	2	3	5	7	8	32	9	81
	Female		3	1	1	1		7		13
<b>Sub-Total 2</b>		<b>15</b>	<b>5</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>8</b>	<b>39</b>	<b>9</b>	<b>94</b>
<b>Total</b>		<b>15</b>	<b>5</b>	<b>5</b>	<b>12</b>	<b>9</b>	<b>8</b>	<b>39</b>	<b>9</b>	<b>102</b>
Percentage (%)		15	5	5	12	9	8	38	9	100

\* Not available / information not given, or not applicable for company AHHs

Source: TRTA Consultants SES October-November 2020.

51. The most common occupation amongst the APs is also self-employment (88 APs or 27%), the second is private sector employment (32 APs or 10%) and farmers (25 APs or 8%). 141 APs (43%) are not working, unemployed or are students/retired. Table 4.6 summarizes the primary occupation of the APs.

**Table 4.6: Summary of Primary Occupation of APs**

Component	Gender (AP)	Not working/unemployed	Casual labor/construction	Farmer	Gov't employee	Private sector/employee	Self-employed/business/trade	Others	Total
SWM	Male	3	2	8	1	2			16
	Female	12	2	6		2			22
<b>Sub-Total 1</b>		<b>15</b>	<b>4</b>	<b>14</b>	<b>1</b>	<b>4</b>			<b>38</b>
Waste water	Male	48	4	6	8	20	39	12	137
	Female	78	1	5	2	8	49	7	150
<b>Sub-Total 2</b>		<b>126</b>	<b>5</b>	<b>11</b>	<b>10</b>	<b>28</b>	<b>88</b>	<b>19</b>	<b>287</b>
<b>Total</b>		<b>141</b>	<b>9</b>	<b>25</b>	<b>11</b>	<b>32</b>	<b>88</b>	<b>19</b>	<b>325</b>
Percentage (%)		43	3	8	3	10	27	6	100

Source: TRTA Consultants SES October-November 2020.

52. Regarding income, majority or 66 AHs (65%) reported household monthly income of less than \$600/month/AH and 9 AHs (9%) reported income more than \$1,000/month/AH while 15 AHs (15%) did not reveal their monthly income level during IOL (Table 4.7).

**Table 4.7: Summary of Income Level of AHs**

Income Rank (\$)	Landfill			Wastewater			TOTAL	
	Male	Female	Total	Male	Female	Total	AHs	Percentage (%)
0 - 50				6		6	6	5.88
50 - 100	1		1	6		6	7	6.86
100 - 200					4	4	4	3.92
200 - 300	3		3	13	2	15	18	17.65
300 - 400	1		1	7	2	9	10	9.80
400 - 500	1		1	3	1	4	5	4.90
500 - 600				15	1	16	16	15.69
600 - 700	1		1	4		4	5	4.90
700 - 800				4	1	5	5	4.90

800 - 900								0.00
900 - 1000				2		2	2	1.96
Over 1000		1	1	6	2	8	9	8.82
N/A (Don't Know)				15		15	15	14.71
Total	7	1	8	81	13	94	102	100.00
Percentage (%)	6.86	0.98	7.84	79.41	12.75	92.16	100.00	

Source: TRTA Consultants SES October-November 2020.

53. Housing expenditure for 67 AHs (66%) was under \$300/month/AH and for 19 AHs (19%) between \$300/month/AH to \$700/month/AH while 15 AHs (15%) did not reveal their monthly expenditure level during IOL/SES (Table 4.8).

**Table 4.8: Summary of Expenditure Level of AHs**

Expenditure Rank (\$)	Landfill			Wastewater			TOTAL	
	Male	Female	Total	Male	Female	Total	AHs	%
0 - 50	1		1	21	2	23	24	23.53
50 - 100				1	2	3	3	2.94
100 - 200	2		2	12	6	18	20	19.61
200 - 300	2		2	18		18	20	19.61
300 - 400	1		1	8	2	10	11	10.78
400 - 500				2		2	2	1.96
500 - 600				2	1	3	3	2.94
600 - 700	1	1	2	1		1	3	2.94
700 - 800								0.00
800 - 900								0.00
900 - 1000								0.00
Over 1000				1		1	1	0.98
N/A (Don't Know)				15		15	15	14.71
Total	7	1	8	81	13	94	102	100.00
Percentage (%)	6.86	0.98	7.84	79.41	12.75	92.16	100.00	

Source: TRTA Consultants SES October-November 2020.

## E. Poverty

54. 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 implementation.<sup>10</sup>

55. 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 subproject were reviewed based on the criteria established by the Royal Government of Cambodia and self-reported income status or IDPoor<sup>11</sup> registration during the SES. At the time of IOL/SES, 14 AHs have self-reported income below poverty line of Cambodia (Table 4.7). Out of these, 10 AHs are self-reported poor, 5 IDPoor 1 or 2 (with IDPoor documentation checked during IOL/SES) and one of the AHs is both self-reported poor and IDPoor. As a verification measure, Ministry of Planning IDPoor Program definition and allocation of poor category to AHs was used to verify self-reported income information by checking IDPoor documentation of all

<sup>10</sup> 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.

<sup>11</sup> 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

IDPoor potentially vulnerable AHs. Based on SES self-reporting and IDPoor categorization, 14 AHs of the Subproject are classified as potentially vulnerable AHs due to being poor, their vulnerability status will be confirmed during the DMS stage.

**Table 4.7: Summary of Vulnerable Group Categories of AHs for SWM and Wastewater Components**

Subproject	Gender (AHH)	Poor household under poverty rate (<\$33/month)	IDPoor 1 or 2	Single female headed households with dependents living below the national poverty	Disabled headed households with no other means of support	Elderly headed households who are landless and with no other means of	Landless poor living below the national poverty rate	Indigenous people or ethnic minorities, and poor
SWM	Male	1			1			
	Female							
<b>SubTotal 1</b>		<b>1</b>			<b>1</b>			
Wastewater	Male	7	1			1	2	3
	Female	2	4	4			3	0
<b>SubTotal 2</b>		<b>9</b>	<b>5</b>	<b>4</b>		<b>1</b>	<b>5</b>	<b>3</b>
<b>Total</b>		<b>10</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>3</b>

Source: TRTA Consultants SES October-November 2020.

## F. Indigenous Peoples

56. One (1) ethnic Chinese AHH and two (2) Cham AHHs are impacted by the Project. However, the level of language capabilities, having same rights as mainstream citizens and integration to the Cambodian society could not be established during IOL/SES with the 3 AHHs due to AHHs not being available personally for the SES interview. As the AHs were not available for the survey personally, it was also not possible to establish their citizenship status. Therefore, at the time of IOL/SES no indigenous peoples (IP) were confirmed, but their status will be verified during DMS, and IP impact, list of vulnerable AHs, resettlement budget and other details will be updated and reflected in the DRP.

## G. Women

57. As demonstrated by the SES data, women are equally affected by the resettlement impacts as men under the Subprojects. 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.



#### IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

58. 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, banners and drawings. During the IOL consultations, the PIU/TRTA team explained the Project/Subproject 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 PIB to them.

##### A. Meaningful Consultation and Participation During BRP Preparation

59. The **first meaningful public consultation meetings (PCM)** in Poipet were conducted during the feasibility study of the Subproject between 26 to 28 of October 2020 with AHs of the Subproject areas (Annex F). The PCMs was conducted prior to the commencement of IOL/SES. A total of three (3) PCMs were conducted with 107 participants (67 male and 37 female). The PCMs were also attended by 9 (8 male and 1 female) representatives from local authorities. The summary of the topics discussed, and questions and answers provided are in Tables 5.1 and 5.2 respectively. The PIB, including the Project/Subproject details as well as key contact persons were distributed and explained in detail to all attendees (Annex G) ensuring that they were properly informed about the Project and Subprojects and the LAR policies and principles.

**Table 5.1: Summary of Consultations**

No.	Date and time	Location	Topic	Participants
1	Date: 26 October 2020 Time: 14:10 pm	Existing dumpsite (Tuol Pongro village, Sangkat Phsar Kandal)	Initial consultation with affected households and beneficiaries. Presentation of details on: <ul style="list-style-type: none"> <li>Project scope, location, Works and schedule</li> <li>standard procedure on resettlement policies (ADB and Government of Cambodia)</li> </ul>	55 (33 male / 22 female)  Local authorities 1 male / 0 female
2	Date: 27 October 2020 Time: 14:00 pm	Sangkat Poipet (Office)	<ul style="list-style-type: none"> <li>types of impacts</li> <li>standard entitlements, eligibility, allowances and typical entitlement matrix</li> </ul>	31 (27 male / 4 female)  Local authorities 5 male / 1 female
3	Date: 28 October 2020 Time: 08:00 am	Sangkate Phsar Kandal	<ul style="list-style-type: none"> <li>compensation rates, RCS and compensation process</li> <li>cut-off date</li> <li>GRM and complaint process</li> <li>IOL/SES process.</li> </ul>	18 (7 male / 11 female)  Local authorities 2 male / 0 female
Total: 104 (67 male/37 female) participants and 9 local authorities (8 male/1 female)				

60. Table 5.2 summarizes the key discussion points and on the 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: 26 October 2020 Time: 14:10 pm	(i) Does the subproject allow us to continue waste picking at new landfill?  (ii) If possible, can we request from the subproject to support us with a trailer to cart segregated waste when the existing landfill is closed	(i) As of this enquiry, the decision has not been finalized. This is a matter, which needs to be addressed with the city hall and provincial authorities, to determine whether such activities will be eligible to continue. we will provide further information on this matter in the upcoming meeting.  (ii) This request will be reviewed in DRP update stage when the income restoration program is finalized.
2	Date: 27 October 2020 Time: 14:00 pm	(i) When will the subproject start construction or civil work?  (ii) Does the subproject connect all areas in Poipet city?	(i) The proposed LCIP is at its initial stage of the feasibility study. After the ADB has approved the BRP and loan, the LCIP will be subject to DED. After DED is substantially completed, the DED will be consulted with the AHs and local authorities to seek their views and suggestions to improve the DED. The DED will then be finalized, and consultation will commence to conduct the DMS/SES/RCS to prepare the DRP. The DRP will be approved by IRC and cleared by ADB. Budget for compensation will be approved by the MEF and contracts will be prepared on affected assets for compensation to the AHs. Once the compensation payments are made and the land is vacated by the AHs, the contractor will commence the construction of civil works. It is estimated that the construction will start in late 2022 pending the time taken to get the LCIP and DRP approved by the ADB.  (ii) According to the current plan, the scope of work will cover 3 Sangkat and few villages only. Please look to the maps on the wall and in the PIB. So, the red line is the scope of work under the subproject proposed at the feasibility study stage
3	Date: 28 October 2020 Time: 08:00 am	(i) Will this construction separate the wastewater and the stormwater drainage?  (ii) Could you please provide details of the compensation rates	(i) Upon the completion of the construction the two categories of water will be separated. The wastewater will be treated at the WWTP, but stormwater drainage will feed directly to the river.  (ii) After DED, DMS and RCS will be conducted in parallel. The RCS will be conducted by an independent RCS Consultant recruited by IRC/GDR who will determine the current market rates of the affected assets. Based on these rates, compensation payments will be made to the AHs of their affected assets and resettlement assistance.

## **B. Meaningful Consultation and Participation During DRP Preparation**

61. The IRC-working group (WG) and Provincial Resettlement Sub-Committee (PRSC)-WG supported by project implementation consultants will conduct meaningful consultation with APs during the DRP preparation while ensuring the consultations are gender inclusive and special attention will be made to ensure the participation of women and the vulnerable group of APs. All efforts will be made to incorporate mitigation measures to address their concerns, where relevant and possible.

62. 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 the commune/village representatives and the updated PIB with final Subproject information including the entitlements and GRM procedures will be provided and explained to all AHs after completion of the DED. A PCM will be conducted with the AHs prior to the DMS stage and will be undertaken jointly by the IRC-WG and 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.

63. In case Covid-19 situation in Cambodia worsens and causes increased risks, number of precautions will be adopted in the Project/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 the PCMs. In situations where PCMs are too risky, either one-on-one individual consultations will be conducted during the DMS/SES, or the survey questionnaires are to be completed via telephone with pre-recorded subproject presentation made available to the AHs followed by field verification of impacted assets only.

64. 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. For Cham, adequate translation from Khmer to Cham will be provided unless they are fluent in Khmer. The detailed guidelines on GRM will be included in the updated PIB as an attachment. Updated PIBs will be read out and explained to the illiterate AHs. 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 with poor and vulnerable and those entitled to participate in the IRP will be conducted after the DMS data has been analyzed.

65. The updated PIB will also be shared and explained to individual APs during the house-to-house DMS and measurements of the affected 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. Meaningful Consultation and Participation During DRP Preparation**

66. The schedule for contract signing with deadlines and the legal requirements with AHs to receive the compensation (national ID, evidence of land ownership etc) will be explained in consultation meetings after the DRP approval by IRC and concurred by 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.

67. 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 Subproject, 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**

68. 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 subproject (Annex G).

69. 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.

70. 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.

71. For these 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

72. 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. Grievance Redress Process

73. A Provincial Grievance Redress Committee (PGRC) will be established in Poipet Province for the Subproject in 2023 prior to commencement of DMS. 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.

74. 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 oof 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 GMS1 for the Poipet 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. Jn addiion, APs will have the flexibility to convey their grievances or concerns either through complaint/suggestions 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 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](http://www.adb.org/site/accountability-mechanism/main).

79. The GRM details have been circulated and explained the Guidelines for GRM to the AHs during the PMC during the BRP preparation.<sup>12</sup> 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

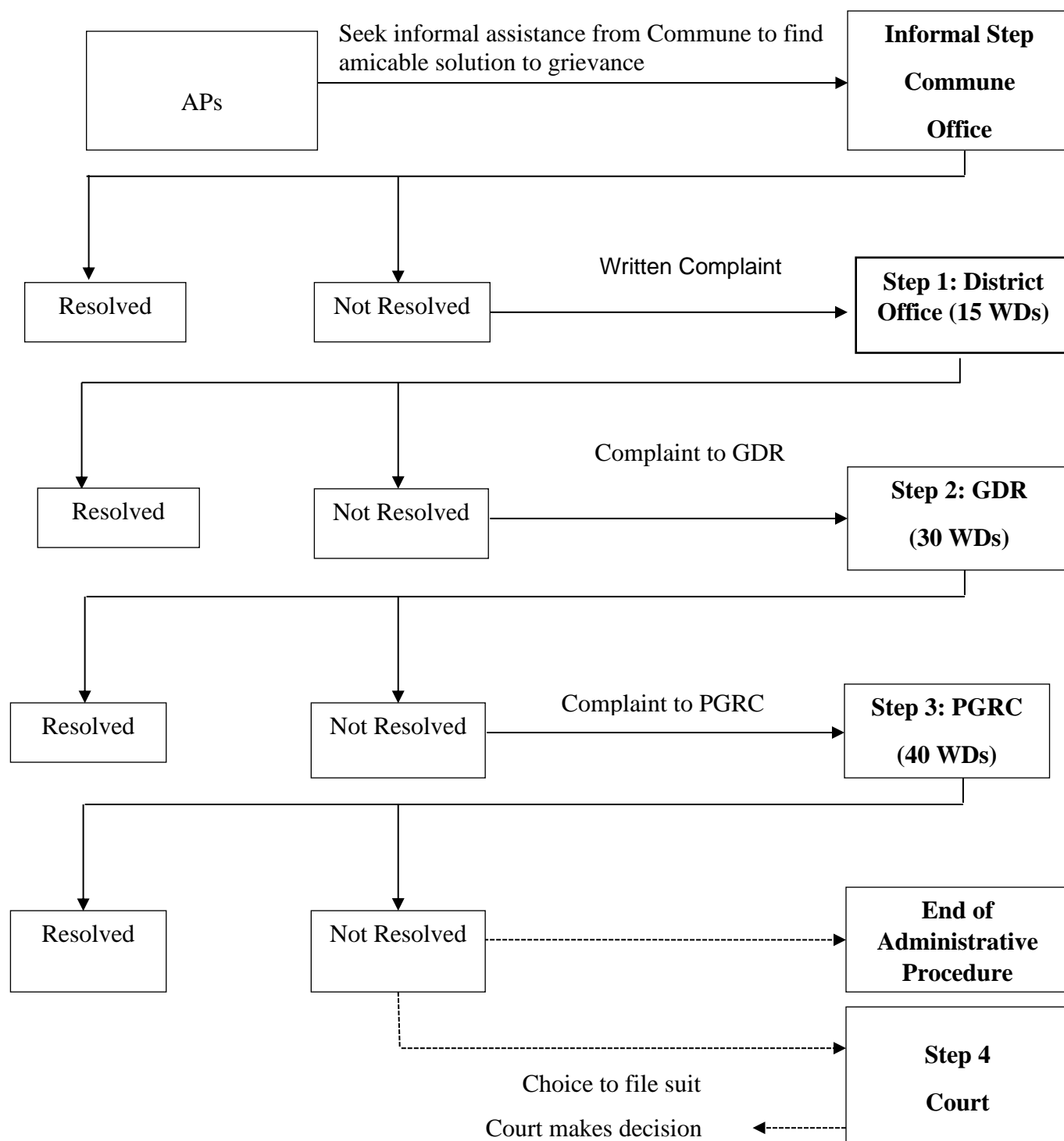
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<sup>12</sup> Land Acquisition and Involuntary Resettlement: Standard Operating Procedures (SOP) for Externally Financed Projects in Cambodia (2018) details the GRM process, registers, records and documentation. The forms are in Appendix 8.1 to 8.3 of the SOP that records grievances on for individual complaint form, register of complaint and Letter from Head of District-Khan to be used for grievance documentation.



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.) are 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**



**B. 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. Annex H includes the 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 ADB's 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).<sup>13</sup> 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.

<sup>13</sup> Accessible at [https://www.mef.gov.kh/documents/laws\\_regulation/LAR-SOP-Final-13032018.pdf](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.<sup>14</sup>

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<sup>14</sup> Indigenous people will be identified in accordance with ADB SPS Safeguards Requirement 3.

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"> <li>Carry out Meaningful consultations with APs including vulnerable groups (VGs), relevant stakeholders and information disclosure on entitlements and resettlement options.</li> <li>(VGs include: those below poverty line, the landless, the elderly, female headed households, women and children, IPs, and those without legal title to land).</li> <li>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)</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>Also, there is no mention of disclosure of monitoring reports. The SOP does not specifically mention about particular attention to women and vulnerable groups for their inclusion during consultation.</li> </ul>	<p>Some of the proposed clarification include:</p> <ul style="list-style-type: none"> <li>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.</li> <li>RPs/updated RPs/resettlement monitoring reports contain summary of AP consultations (including VGs) through- out the project cycle.</li> <li>RPs/updated RPs/resettlement monitoring reports are disclosed on the ADB and project websites and Khmer versions left at communes and district levels offices.</li> <li>SOP para. 120; generic information for the PIB includes the compensation policy (the generic entitlements) as stated in para 119.</li> <li>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.</li> </ul>



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"> <li>• ADB staff may participate in consultation meetings.</li> <li>• Efforts will be made to consult with potentially vulnerable affected people (as defined in para 53-55) and will be done throughout implementation.</li> </ul>
2.	<p>Grievance Redress Mechanism</p> <ul style="list-style-type: none"> <li>• Establish a grievance redress mechanism that is understandable, readily accessible, transparent procedures, gender responsive and culturally appropriate.</li> </ul> <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"> <li>• 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.</li> </ul>		<ul style="list-style-type: none"> <li>• Status of complaints at the commune level will be included in the periodic monitoring report to ADB.</li> <li>• Appendix 8.2 is the Register of Complaint, however when reporting, the status of complaints will be included.</li> </ul>

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"> <li>• Provide physically and economically APs with compensation and needed assistance</li> </ul> <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"> <li>• The SOP includes the compensation and transition/disturbance allowance to the APs in its entitlement.</li> <li>• 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.</li> <li>• SOP has provisions for loss of livelihoods for all DPs (limited to selection of 1 out of 3 pre-defined programs)</li> <li>• 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.</li> </ul>		<ul style="list-style-type: none"> <li>• SOP EM 2b transitional allowance to be commensurate with the time taken to relocate the business.</li> <li>• Livelihood restoration will be commensurate with the impact assessed during DMS social economic survey of the APs.</li> <li>• For vulnerable groups except for illegal squatters, provision of legal and affordable access to adequate housing and income sources.</li> <li>• Valuation rates are valid for a period of one year from the date of endorsement of RCS report by the IRC and thereafter updated.</li> <li>• Affected people with legal rights both with hard and soft titles are treated the same.</li> </ul>
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"> <li>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.</li> <li>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.</li> </ol> <ul style="list-style-type: none"> <li>• A negotiated settlement will offer adequate and fair price for land/or other assets.</li> </ul>

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"> <li>• 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.</li> <li>• Negotiated settlement procedures will follow para 25 of Appendix 2 of SPS and agreed with ADB.</li> </ul>
5.	<p>AHs (without titles or recognizable rights to land)</p> <ul style="list-style-type: none"> <li>• 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</li> </ul> <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"> <li>• No compensation for land will be paid for AP occupying land in the ROW.</li> </ul> <p>Section C of the SOP states that:</p> <ul style="list-style-type: none"> <li>• 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:</li> <li>• Legal owners and holders of title or rights to land, including customary rights.</li> <li>• Tenants and leaseholders, including employees, workers and hawkers.</li> <li>• Those who have no formal title or rights to the land (illegal occupiers) who are engaged in farming or businesses.</li> <li>• Poor and vulnerable groups.</li> </ul>	<p>Clarification needed for how poor and vulnerable APs are provided legal and affordable access to land.</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• GDR will provide information if there is any social land concession program available in the Project area in its monitoring report</li> </ul>

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 Subprojects which is categorized in the Entitlement Matrix 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 may be upgraded but will not be downgraded during DRP preparation and updated accordingly.

### 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 **26 October 2020** during public consultations. The COD was also confirmed with a letter from MPWT to Banteay Meanchey 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. In the letter the MPWT expressed the importance and purposes of the COD in the ADB Safeguards Policy Statement (2009) are to: (a) prevent influx of population in the subproject area, (b) prevent illegal encroachment of public land, (c) fix assets within the ROW to be legally compensated by the project, and (d) inform local residents and Provincial Authorities of keeping ROW clear of obstructions. The MPWT urged the Provincial Officials of Banteay Meanchey 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 Subprojects.

### B. Unit Rates of Affected Assets

96. The IOL confirmed that there will be no relocation, and the Subprojects causes loss of land, structures, trees and access to land use under the Subprojects. For the purpose of resettlement budgeting, indicative pricing from a recent RCS of similar Projects in the region have been used for this BRP.<sup>15</sup> Adjustments were not made to the unit rates. Hence a full RCS will be conducted after DMS to update the resettlement budget and all unit rates included in this BRP. Therefore, 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 land, 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 land, housing, house types,

<sup>15</sup> 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).

and construction materials. In applying this method of valuation, depreciation of structures and assets will not be considered.

97. 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: Preliminary Entitlement Matrix**

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
<b>1. Loss of Land</b>					
<b>1a</b>	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>22 AH/84 APs productive agricultural land</p> <p>3 AHs/10 APs unused agricultural land</p>	<ul style="list-style-type: none"> <li>For the affected portion of the private land: cash compensation at full replacement cost</li> <li>Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable.</li> </ul>	<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 Project.</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 Cadastral Office to title documents.</p>



No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
1b	Loss of Land	Residential and commercial 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>1 AH/1 AP residential land</p> <p>2 companies (2 ALEH) commercial land</p>	<ul style="list-style-type: none"> <li>For the affected portion of the private land: cash compensation at full replacement cost</li> <li>Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable.</li> </ul>	<p>In case the remaining land is not viable for continued use (to be determined during DMS by IRC-WG 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 Project.</p> <p>If the head of household is married, compensation will be paid at the presence of both husband and wife.</p> <p>Compensation for affected legal entities (ALEH) will be paid to the legal representative of the ALEH.</p> <p>Land title adjustments will be made by MLMUPC to title documents.</p>
1c	Loss of Land	Agricultural, residential and commercial land	<p>Tenants and Leaseholders</p> <p>No AHs/APs</p>	<ul style="list-style-type: none"> <li>No compensation for loss of land as not legal owners of land, but compensation for any improvements made to the land.</li> </ul>	
1d	Loss of Land		<p>Illegal occupiers/squatters without legal titles or rights to land</p> <p>11 AH/18 AP</p>	<ul style="list-style-type: none"> <li>No compensation for loss of land as not legal owners of land, but compensation for any improvements made to the land.</li> </ul>	

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
1e	Loss of land use	Income Restoration	AHs losing productive agricultural land inside ROW or on public land  1 AH/1 AP	<ul style="list-style-type: none"> <li>Cash compensation for improvements on the land and loss of income potential.</li> </ul>	<p>RCS will determine the compensation amounts.</p> <p>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</p>
<b>2. Loss of Trees</b>					
2a	Loss of Fruit and Timber Trees	Agricultural land	<p>All AHs regardless of land ownership/tenure status.</p> <p>9 AHs/34 APs for timber trees</p> <p>20 AHs/54 APs for fruit trees</p>	<ul style="list-style-type: none"> <li>For fruit trees, replacement cost of loss based on the following formula:  <math display="block">[(\text{Quantity Harvested per Year}) \times (\text{Market Price}) \times (\text{Number of years it will bear fruit})] + \text{cost of seedlings.}</math> </li> <li>Timber trees that have a growth period of more than 5 years are classified as follows: <ul style="list-style-type: none"> <li>Sapling trees under 1 year: not compensated as it can be replanted. Cost of seedling provided;</li> <li>Young tree (1 to 3 years): valued at one-third of its full price as it can be replanted plus cost of seedlings;</li> <li>Young tree (3 to 4 years): valued at two-thirds of its full price plus cost of seedlings;</li> <li>Mature tree (more than 5 years): valued at full price plus cost of seedlings</li> </ul> </li> </ul>	<p>RCS will determine the rates.</p> <p>Market Price is based on Farm-Gate Price.</p> <p>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.</p>
<b>3. Loss of Structures</b>					
3a	Loss of, or damage, to houses and structures	Residential, commercial	All owners of the structures whether or not	<ul style="list-style-type: none"> <li>Cash compensation equivalent to replacement value of lost portion of the house/building/structure. If the owner</li> </ul>	<p>RCS will determine the rates. Viability of the remaining house/structure to be</p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
		structures and other assets	land is owned; with or without building permit  51 AHs/153 APs for secondary structures	<p>rents or leases, compensation for any improvements/ construction carried out by the renter/leaseholder will be deducted from the compensation payment to the owners.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p>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>
<b>3b</b>	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"> <li>Cash compensation at replacement cost for any improvements or construction by the tenants or leaseholders.</li> <li>In case of no improvements or construction, no compensation is paid.</li> <li>Transfer/Disturbance Allowance equivalent to 1 month of rental or lease amount.</li> </ul>	<p>RCS will determine replacement cost.</p> <p>Documentary evidence or confirmation by the owner/commune/village, as relevant, is required.</p>
<b>3c</b>	Loss of, or damage, to houses and structures	Residential, commercial structures and other assets	<p>Illegal occupiers/squatters without legal titles or rights to land</p> <p>No AHs/APs</p>	<ul style="list-style-type: none"> <li>Cash compensation equivalent to replacement value of loss of structures constructed by illegal occupier/squatters</li> </ul>	<p>RCS will determine replacement value.</p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
3d	Loss of Houses and Structures (Transport Allowance)	Transport allowance for household and personal goods	AHs  No AHs/APs	<ul style="list-style-type: none"> <li>Fixed Lump Sum allowance per AH based on average cost of transportation to new relocation place.</li> <li>Up to 5 km.</li> <li>More than 5 km.</li> </ul>	RCS will determine the lump sum amount for the 2 rates.
<b>4. Loss of Livelihood and Income Restoration</b>					
4a	Permanent Loss of Livelihood Source	Income Restoration	AHs who lose their source of livelihood permanently  12 AHs/53 APs	<ul style="list-style-type: none"> <li>Entitled to participate in any one of the Livelihood Restoration/Support Programs:</li> <li>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.</li> <li>In case of unavailability of suitable land, the AHs can opt for either employment or business-based livelihood program.</li> <li>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.</li> </ul> <p>OR</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><b>3 months of income based on poverty rate= (Monthly Poverty Rate X Number of Members in DH X 3).</b></p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
				<ul style="list-style-type: none"> <li>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.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>\$200 cash assistance and \$300 instead of IRP vocational training</li> </ul>	<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 <b>any one of the above three options</b>.</p>
4b			Poor and Vulnerable AHs 3 AHs/12 APs	<ul style="list-style-type: none"> <li>For <b>Poor and Vulnerable AHs</b>. In addition to skills training, (i) above lump sum cash grant will be <b>doubled</b> 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 <b>employment opportunity</b> under the Subprojects.</li> </ul>	
4c	Loss of Income during Transition Period - Subsistence Allowance	Business Income Loss	<p>AHs who are engaged in business and have to relocate or temporarily close business during construction.</p> <p>12 AHs/48 APs</p>	<ul style="list-style-type: none"> <li>Cash compensation equivalent to the daily net income (as reflected in tax receipts or other documentation) multiplied by the days of business disruption.</li> </ul> <p>OR</p>	<p>Details to be determined during DMS and RCS.</p> <p>Both registered and unregistered businesses are compensated except when the nature of business is illegal.</p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
				<ul style="list-style-type: none"><li>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.</li></ul> <p><b>Monthly Poverty Rate X Number of Members in AH X 3</b></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.
4d		Loss of Employment Income	APs who loss income from temporary loss of employment in businesses disrupted  No APs	<ul style="list-style-type: none"><li>Cash compensation equivalent to the daily net income (as reflected in tax receipts or other documentation) multiplied by the days of business disruption.</li></ul> OR <ul style="list-style-type: none"><li>Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by the Government.</li><li>Monthly Poverty Rate X Number of Members in AH X 3</li></ul>	
5. Special Assistance					
5a	Vulnerable Households	Income Restoration	17 AHs/60 APs	<ul style="list-style-type: none"><li>Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by RGC.</li><li>Monthly Poverty Rate X Number of Members in AH X 3</li></ul>	<p>Vulnerable households to be verified during the DMS. In case vulnerable are identified, provisions of the EM will apply to them.</p> <p>At the DRP stage, the latest poverty line will be applied, and vulnerability status reconfirmed</p>

No	Type of Loss	Application	Category of AH / AP	Entitlements	Clarification / Implementation
					based on the latest poverty line as provided by MOP.
<b>6. Temporarily affected properties during construction</b>					
<b>6a</b>	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"> <li>Contractor will pay rent for any land/structure required for construction workspace outside the ROW.</li> <li>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-project 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.</li> <li>For assets impacted by contractor outside of COI, then principles of the EM apply and cash compensation at replacement cost to be paid.</li> </ul>	<p>As part of the civil works contract, all pavements, walkways, access road, 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>
<b>7. Unanticipated Impact</b>					
<b>7a</b>	Unanticipated involuntary resettlement Impacts	Any impact not accounted for	Eligible displaced persons  TBD	<ul style="list-style-type: none"> <li>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.</li> </ul>	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

98. 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

99. The AHs (including heads of the households and household members) who will lose permanently their source of income/livelihood will be entitled to participate in the income restoration program (IRP). Based on the results of the IOL/SES, 6 AHs/25 APs do not permanently lose their source of income/livelihood. Therefore, 12 AHs/53 APs are identified as potentially having permanent loss of livelihoods due to loss of more than 27% of their productive agricultural land will be entitled to participate in the IRP. During IOL/SES, breakdown of income sources or possibility to continue farming with the remaining land was not surveyed. Therefore, the severity of impact and permanent loss of income/livelihood of the 12 AHs/ 53 APs and any other potential AHs will be verified during DMS to be eligible to participate in the IRP. The IRP has been preliminarily designed during the preparation of this BRP and will be updated during preparation of the DRP. The IRP will be implemented in parallel with the DRP with the active involvement of the participating AHs.

100. 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. The IRP will include provision of financial management training to AHs to help ensure that income earned from livelihood activities and transition allowances will be utilized in an efficient manner. 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

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

102. **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.<sup>16</sup>

103. **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

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<sup>16</sup> 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.



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 Subprojects.

104. **Business-based Livelihood Restoration Program.** (i) Provision of business skills training focusing on micro- or home-based businesses, and (ii) Financial support in the form of a lump sum cash grant of \$200/AH to assist in starting or re-establishing micro or home-based businesses.

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

### C. Poor and Vulnerable Group Special Assistance

106. There is 17 AHs/60 APs classified as potentially vulnerable identified during IOL/SES who 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 Bantey Meanchey Province, and during the DMS stage, any identified vulnerable AH will be linked to the CFWP.

107. **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 Subprojects.

### D. Consultations

108. During the IOL/SES interest of the AHs for IRP training was asked. Out of all eligible AHs, 3 AHs were interested in training, 3 AHs did not know and remaining were not interested. The 3 AHs were mostly interested in enterprise-based (business) training, followed by agricultural-based and employment-based training. Further detailed consultations with the eligible AHs for IRP will be conducted the DMS data is analyzed the number of AHs eligible for IRP is determined during the DRP preparation especially on the IRP options and suitable training for each AHs interest and specific economic and educational situation.

109. During the preparation of the DRP, consultation will be conducted with the AHs/APs who will experience permanent loss of livelihood source due to land acquisition who are entitled to participate in the IRP under the Subprojects. A meaningful consultation will be conducted by the IRC-WG and PRSC-WG assisted by Local Authority and the PMC. 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 further 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 concurred by ADB with the active involvement of the participating AHs/APs.

## **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, conduct consultations and draft contracts for compensation payments with AHs. Compensation payments will be done in full after the contracts have been signed.

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. Implementation, Administration and Contingency Costs

114. Administrative costs relative to the implementation of the BRP, in addition to the cost of monitoring, are included in other budget items of the whole 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 LAR activities under the approved DRP.

### **115. Estimated Cost of Resettlement**

116. 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 under other recent RCSs conducted for ADB funded projects in the Tonle Sap region and is indicative only.<sup>17</sup> In general, Poipet prices are higher than those in the two ADB funded TS2 town subprojects used for estimation of unit rates. Final unit rates will be

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<sup>17</sup> 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).

established in completed RCS after DMS has been completed in DRP preparation stage. The estimated cost of resettlement for the Subprojects, including a 10% of administrative and contingency amount is **\$4,145,586.25**. 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 DED and DMS.

117. The estimated budget includes: (i) \$3,450,988.55 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, IRP skills training or cash assistance to AHs entitled to participate in IRP, and allowances for temporary business disruption and market vendor relocation; (ii) \$2,000.00 for replacement cost study; (iii) administrative costs and contingency amount each of \$345,098.86 each. Table 11.1 summarizes the estimated resettlement costs and Figure 11.1 illustrates the fund flow diagram.

**Table 11.1: Estimated Resettlement Cost**

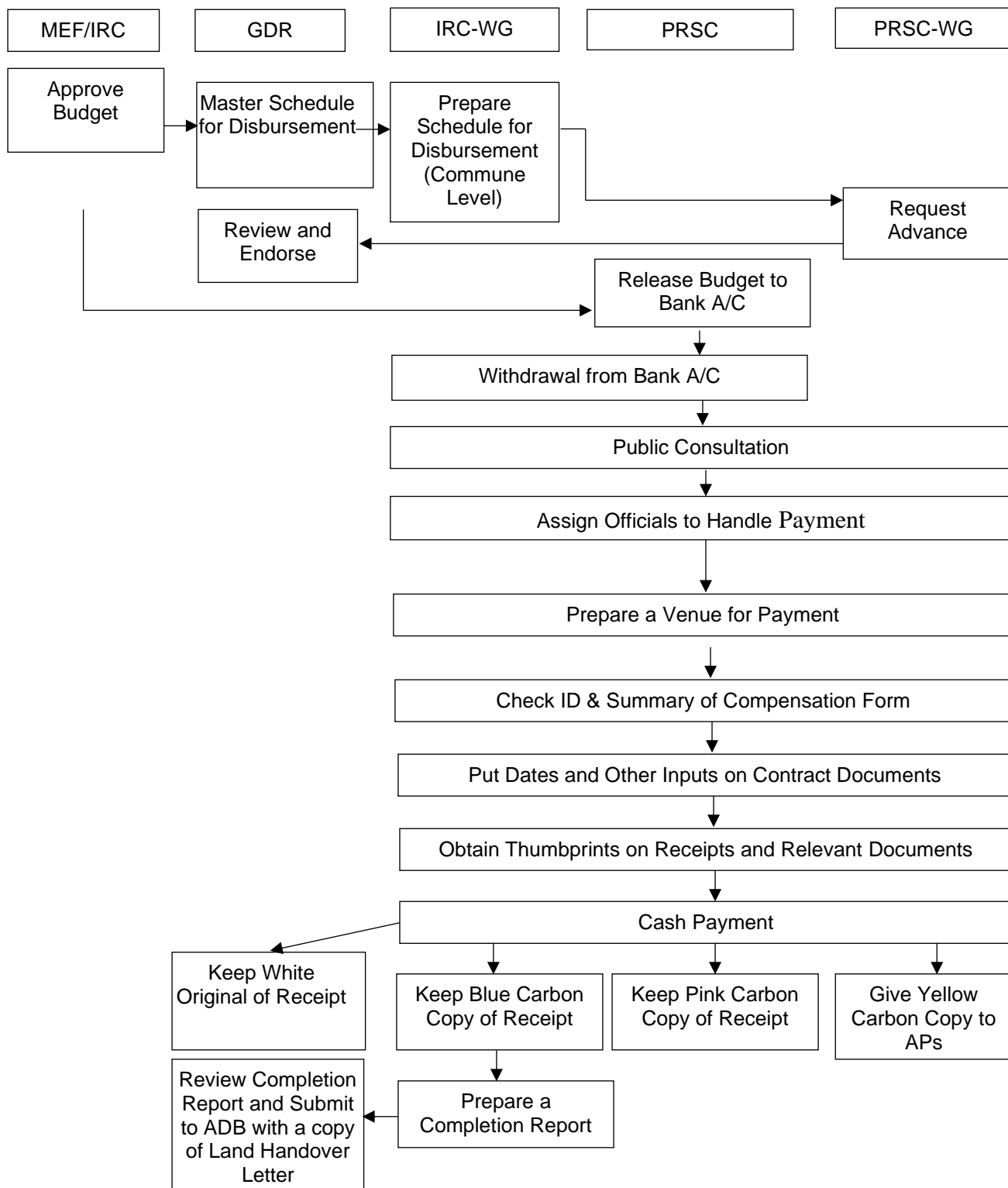
No.	Components	Unit	Quantity	Estimated Unit Cost (\$)	Total (\$)
<b>A</b>	<b>Loss of Land</b>				
1	Privately owned residential land	m <sup>2</sup>	200.00	300.00	60,000.00
2	Privately owned commercial land	m <sup>2</sup>	200.00	300.00	60,000.00
3	Privately owned agricultural land (used)	m <sup>2</sup>	328,214.00	10.00	3,282,140.00
4	Privately owned agricultural land (unused or unimproved)	m <sup>2</sup>	549.00	7.00	3,843.00
	<b>Total A</b>				<b>3,405,983.00</b>
<b>B</b>	<b>Secondary and other structures</b>				
1	Parking area	m <sup>2</sup>	5.00	40.00	200.00
2	Eave (permanent)	m <sup>2</sup>	180.90	17.00	3,075.30
3	Police box (repairs for shifting damages)	structure	1	200.00	200.00
4	Storage / store	m <sup>2</sup>	46.00	20.00	920.00
5	Steel stall	m <sup>2</sup>	1.20	25.00	30.00
6	Stone elephant	structure	1	200.00	200.00
7	Hotel signboard	m <sup>2</sup>	12.00	100.00	1,200.00
8	Pagoda gate	m <sup>2</sup>	10.00	48.00	480.00
9	Stall	m <sup>2</sup>	2.00	17.00	34.00
10	Brick fence	m <sup>2</sup>	642.50	30.00	19,275.00
11	Wire fence	m <sup>2</sup>	74.00	6.00	444.00
12	Steel door	m <sup>2</sup>	42.75	15.00	641.25
13	Stone stairs	structure	1	300.00	300.00
	<b>Total B</b>				<b>26,999.55</b>
<b>C</b>	<b>Loss of Trees*</b>				
1	Fruit trees (average rate)	Tree	50	40.00	2,000.00
2	Timber trees (average rate)	Tree	68	10.00	680.00
	<b>Total C</b>				<b>2,680.00</b>
<b>D</b>	<b>Income Restoration Program (IRP)</b>				
1	IRP	AH	12	500.00	6,000.00
	<b>Total D</b>				<b>6,000.00</b>
<b>E</b>	<b>Impacts on Vulnerable AHs</b>				
1	Special Assistance	AH	3	200.00	600.00
2	Vulnerability assistance	AP	60	99.00	5,960.00
	<b>Total E</b>				<b>6,560.00</b>
<b>F</b>	<b>Temporary Loss of Income (Transitional Period or Subsistence Allowance)</b>				
1	Loss of land use**	AH / m <sup>2</sup>	100	0.14	14.00
2	Loss of business impact	AH	48	99.00	4,752.00
	<b>Total F</b>				<b>4,766.00</b>

No.	Components	Unit	Quantity	Estimated Unit Cost (\$)	Total (\$)
	<b>Total Direct Cost (A) + (B) + (C) + (D) + (E) + (F)</b>				<b>3,452,988.55</b>
	Replacement Cost Study (lump sum)				<b>2,000.00</b>
	Administration Cost (10% of direct cost)				<b>345,298.86</b>
	Contingency (10% of direct cost)				<b>345,298.86</b>
	<b>Total Resettlement Cost</b>				<b>4,145,586.26</b>

\* 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).

**Figure 11.1: Fund Flow Diagram**



## XI. INSTITUTIONAL ARRANGEMENT

118. **Ministry of Public Works and Transport (MPWT).** The Subprojects will be implemented by MPWT as the executing agency (EA) 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.

119. **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.

120. **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.

121. **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 Poipet LCIP 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 focus group discussions 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.

122. 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 reports to MPWT and semi-annual social safeguard monitoring reports to ADB, the later report for review and disclosure.

123. **Cadastral Administration Office.** The Cadastral Administration Offices under the Ministry of Land Management, Urban Planning and Construction (MLMU) 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.

124. 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.

125. **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.

126. **Provincial Resettlement Sub-Committee (PRSC).** The PRSC will be established by the Poipet 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.

127. **Provincial Resettlement Sub-Committee Working Group (PRSC-WG).** The PRSC-WG will be established by the Poipet 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.

128. **Design and Construction Supervision Consultants (DCSC).** The DCSC consultant 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 GDR RD2 of any bottlenecks posed by resettlement during the construction phase of the Project/Subproject.



## XII. IMPLEMENTATION SCHEDULE

129. 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: Tentative Resettlement Implementation Schedule**

<b>BRP PREPARATION</b>			
<b>Activity Description</b>	<b>Responsibility</b>	<b>Start</b>	<b>Completion</b>
Preparation of the BRP	TRTA Consultant	October 2020	December 2020
Community Consultations and Focus Group Discussions	TRTA Consultant	October 2020	November 2020
IOL and SES	TRTA Consultant	October 2020	November 2020
Submission of the draft BRP to GDR and ADB for comments and approval	TRTA Consultant	December 2020	December 2020
ADB/GDR comments addressed	TRTA Consultant	February 2021	March 2021
Submission of the draft BRP to GDR for comments and approval	GDR	May 2021	June 2021
Submission of the draft BRP to ADB for comments	ADB	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
<b>DRP PREPARATION AND IMPLEMENTATION</b>			
<b>Activity Description</b>	<b>Responsibility</b>	<b>Start</b>	<b>Completion</b>
Establishment of PMU/Social Safeguards Consultant Team and PIU	EA	October 2021	August 2022
Review DED for impact mitigation and avoidance	DCSC	October 2022	December 2022
Establish IRC and IRC-WG	IRC/MEF	December 2021	December 2021
Establish PRSC and PRSC-WG	Poipet Governor	December 2021	December 2021
Establish PGRC	Poipet Governor	January 2022	March 2023
Operationalize GRM	GDR/DIMDM	February 2022	March 2022
Consultation with AHs regarding Project scope, entitlements and replacement cost	DCSC	April 2023	May 2023
Detailed Measurement Survey	IRC-WG and PRSC-WG	April 2023	May 2023
Replacement Cost Survey	RCS consultant	May 2023	May 2023
Draft DRP and submit to ADB	GDR/DCSC	April 2023	June 2023
ADB Review and Approval of DRP	IRC/ADB	June 2023	June 2023
Disclosure of DRP	ADB/PMU	June 2023	July 2023
DRP Implementation started	GDR	August 2023	September 2023

Handing over of the land to the EA with a copy of DRP implementation report	MPWT/PMU	October 2023	November 2023
Commencement of civil works	PMU/Contractor	December 2022	
<b>CONTINUOUS TASKS</b>			
<b>Activity Description</b>	<b>Responsibility</b>	<b>Start</b>	<b>Completion</b>
Internal Monitoring: Quarterly monitoring reports for submission to MPWT*	DIMDM/GDR	Every Quarter after DRP approval. Actual dates will be specified in the DRP	
Semi-annual social safeguards monitoring reports for submission to ADB*	DIMDM/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 subprojects are completed.

### **XIII. MONITORING AND REPORTING**

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

#### **A. Internal Monitoring**

131. 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.

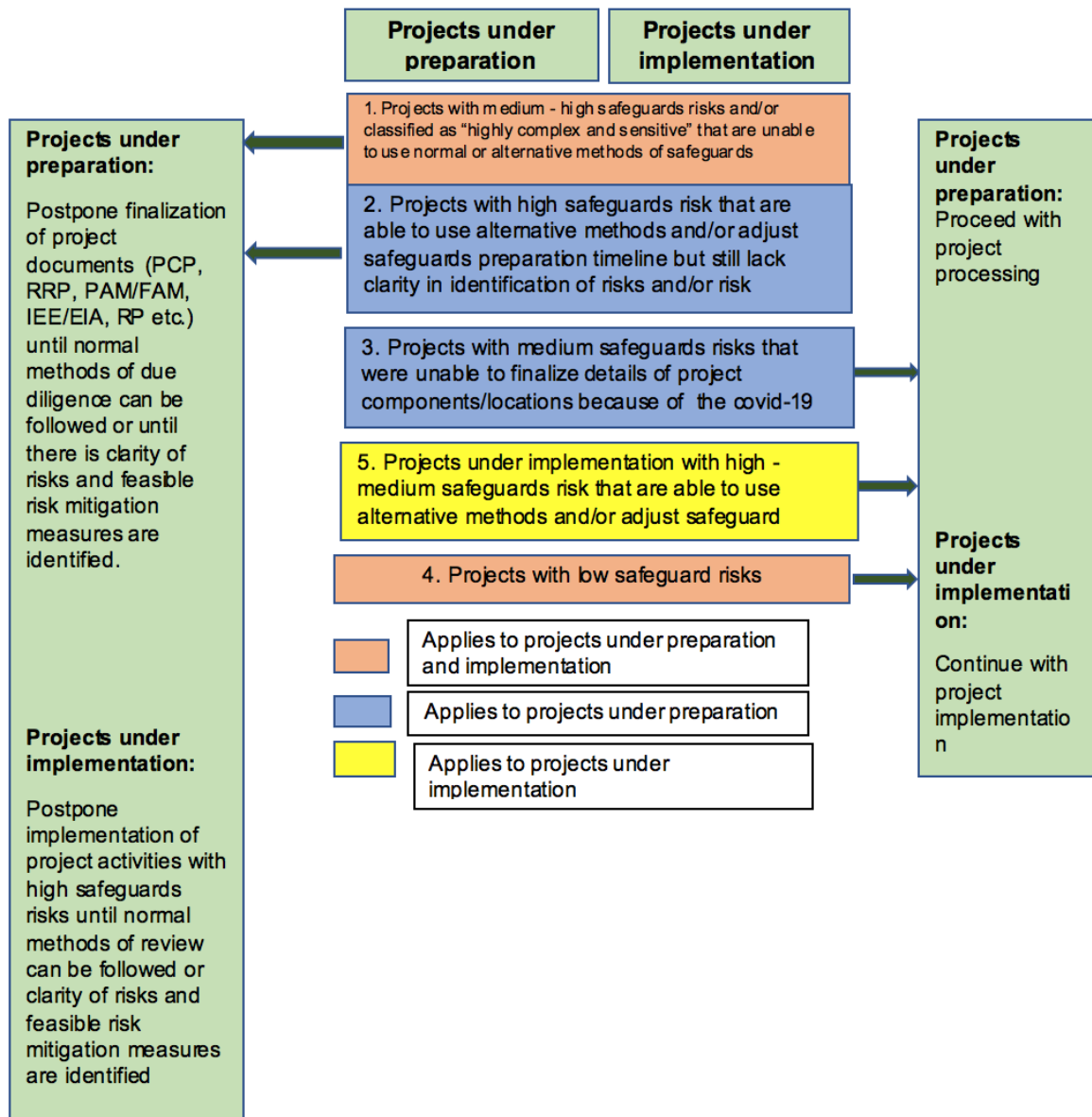
132. The internal monitoring indicators are in Annex I of this BRP. The internal monitoring report summarizes progress on resettlement activities and notifies ADB of approval by IRC-GDR's of any changes, as required, to the implementation of the DRP. The contents of the report include the status of the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

133. 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



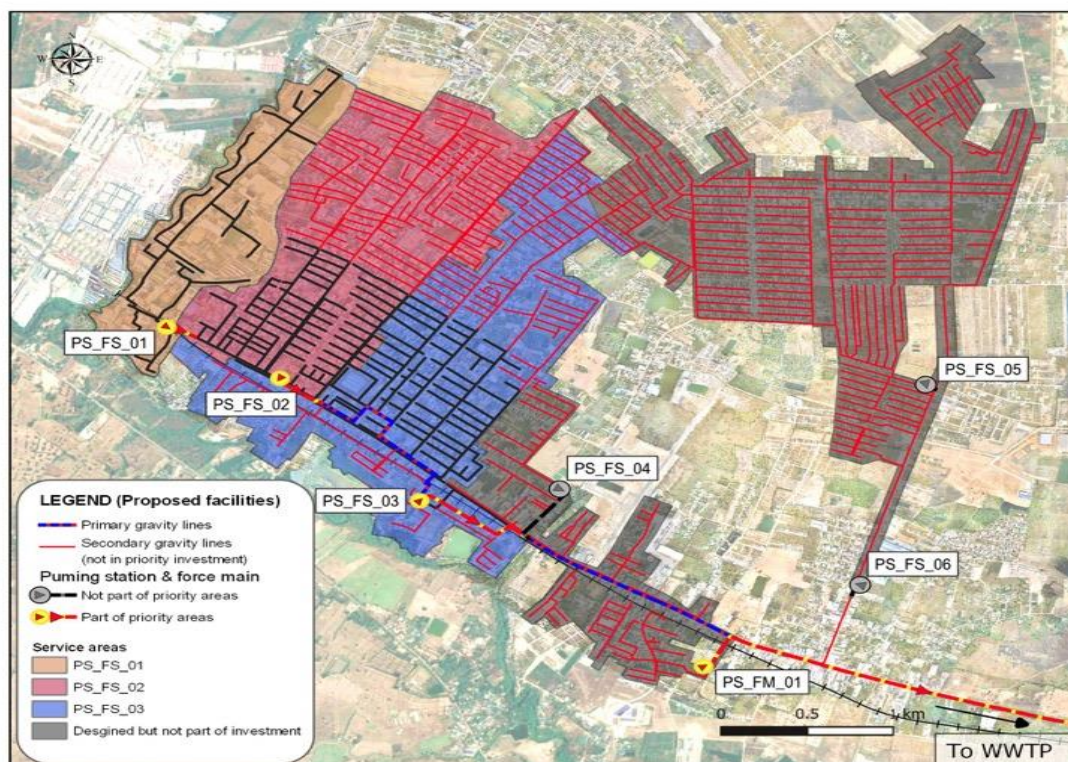
## B. Detailed Salient Subproject Features

### (i) Wastewater

1. Poipet municipality comprises built-up areas and rural areas with a total population of 104,156 (2018), which includes a large number of temporary migrant workers. The Project centralized wastewater treatment plant (WWTP) will serve the built-up areas of Poipet and their extensions for medium (2030) and long-term horizon (2040). As per the Master Plan, the total population connected to the wastewater system will be 45,203 people by 2025, 62,329 people by 2030 and 103,834 people by 2040.

2. The proposed priority works for the wastewater system in Poipet will consist of wastewater gravity sewer line of 55.6 km, force main 11 km, associated six (6) pumping stations (PS) and a new WWTP. 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” (Figure 1). Each service area corresponds to the whole gravity network connected to a connection point with a pumping station. 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.

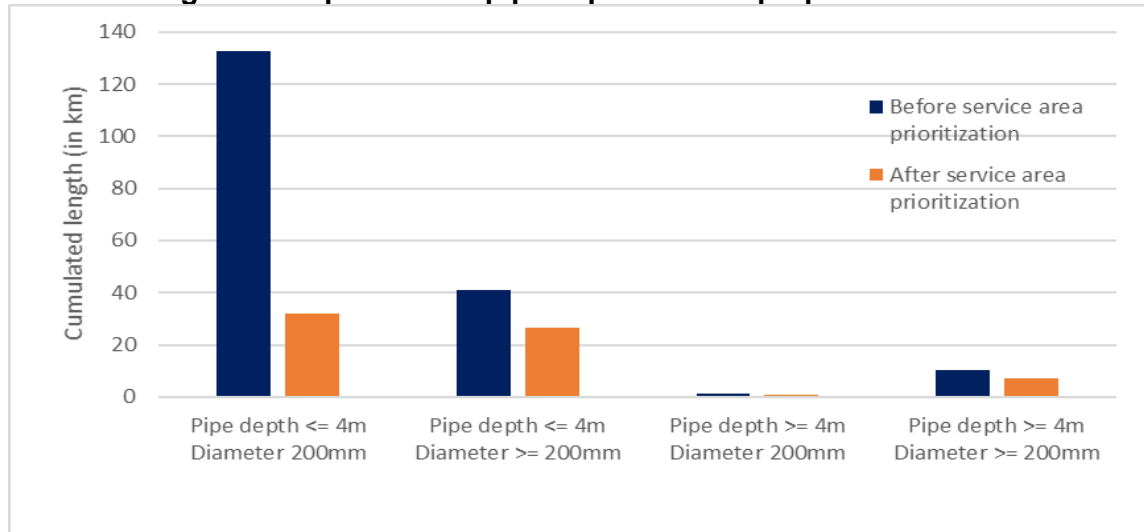
**Figure 1: Sewerage Treatment System Service Areas**



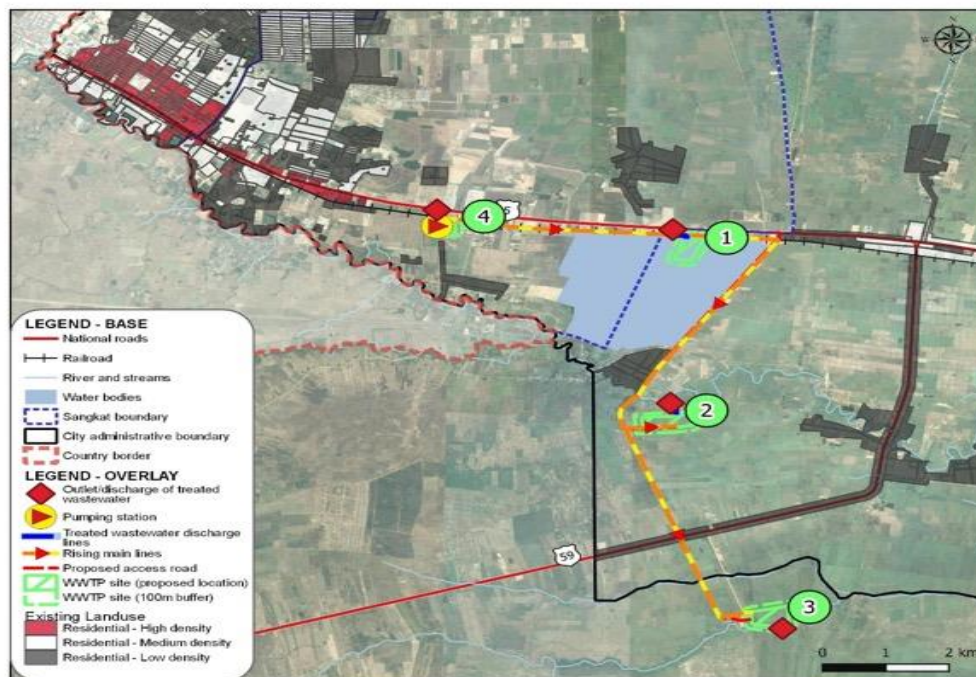
\* Only service areas with yellow highlight for PS will be developed by the project

3. The Figure 2 shows the repartition of pipe depths across the overall catchment designed. A 0.50 m wide clearance reserved as minimum to allow a proper compaction around sewer mains and as construction operations reserve. 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.



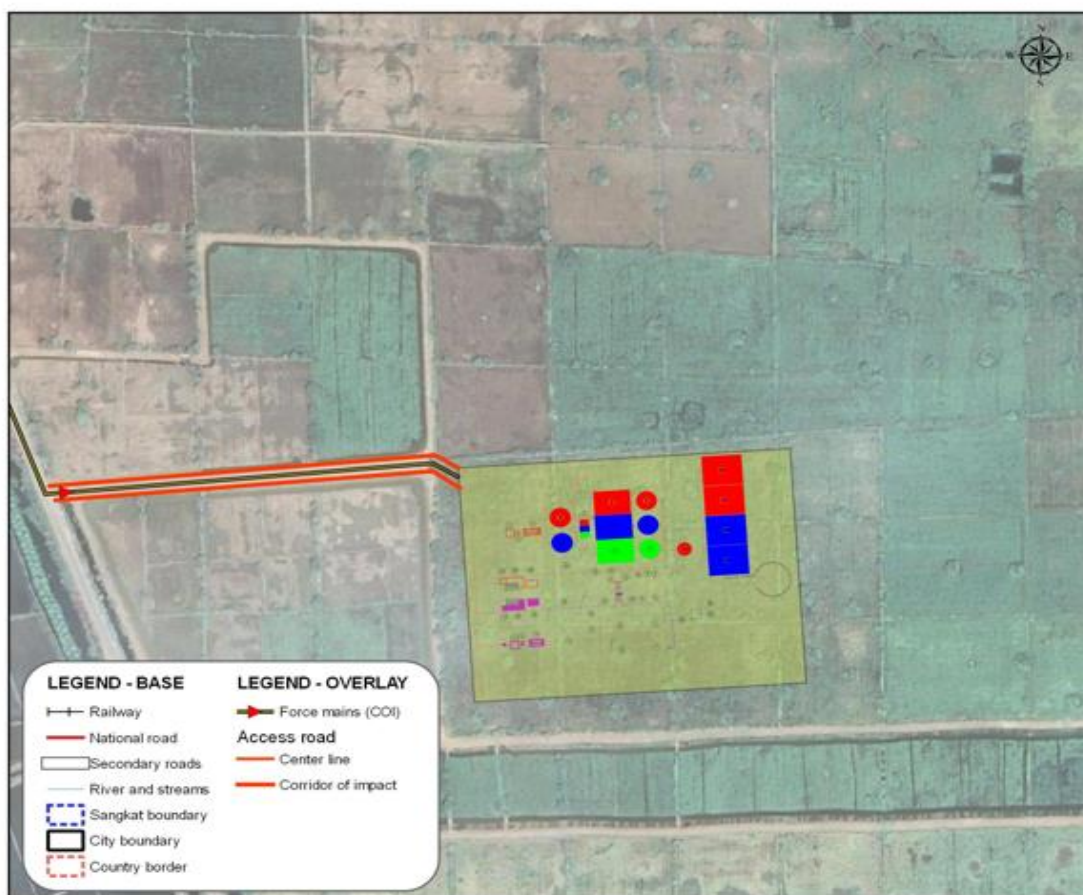
**Figure 2: Repartition of pipe depths for the proposed network**

4. An initial assessment of WWTP sites in Poipet was carried out in November 2019 and presented during a stakeholder workshop in December 2019. Its purpose was to identify the suitability of the sites proposed by the city authorities and by the Consultant in order to anticipate land acquisition issues and secure the project preparation and implementation process. Four sites were selected based on discussions between the MPWT, the Municipal Administration, and the Technical Assistant (Figure 3). Land acquisition problems and costs as well as planned land use around and within the WWTP buffer zone, have led to discard the site 4. The site 1 is located on drinking water resource of the city. Because this location might cause water quality issues, this option has also not been considered. The remain options, sites 2 and 3 are relatively equivalent in term of constraints. However, the site 2 is closer to the city center. For this reason, the cost for wastewater transfer are much lower. Site 2 is proposed for WWTP also due to: (i) low land acquisition price (the WWTP is located on a private land); (ii) low flood risk (seasonal flooding = 0.5m); and (iii) far from existing residential households (see Volume III Wastewater: Section X for details).

**Figure 3: Initial options for location of WWTP site**

5. The proposed WWTP site is 100,000 m<sup>2</sup> and located in Raksmei Sereipheap village (Figure 3). The land is private paddy rice, and therefore, the site requires land acquisition. The site is 4.0 km distant from National Road No. 99 and it is not completely accessible by road. The first 3.2 km is an asphalt road; however, for the subsequent 378 m to the site, there is no road. Therefore, access road construction is required with a COI of 15 m (Figure 4). The access road follows the same alignment as the force main, which is located under the access road. The closest point to connect to the electrical grid is along the National Road (3.3 km from the site or 5 km from No.5). Service water network availability close to site location for serving the domestic needs of WWTP should be assessed during the detailed design phase.

**Figure 4: WWTP Access Road and Site Lay Out Plan**



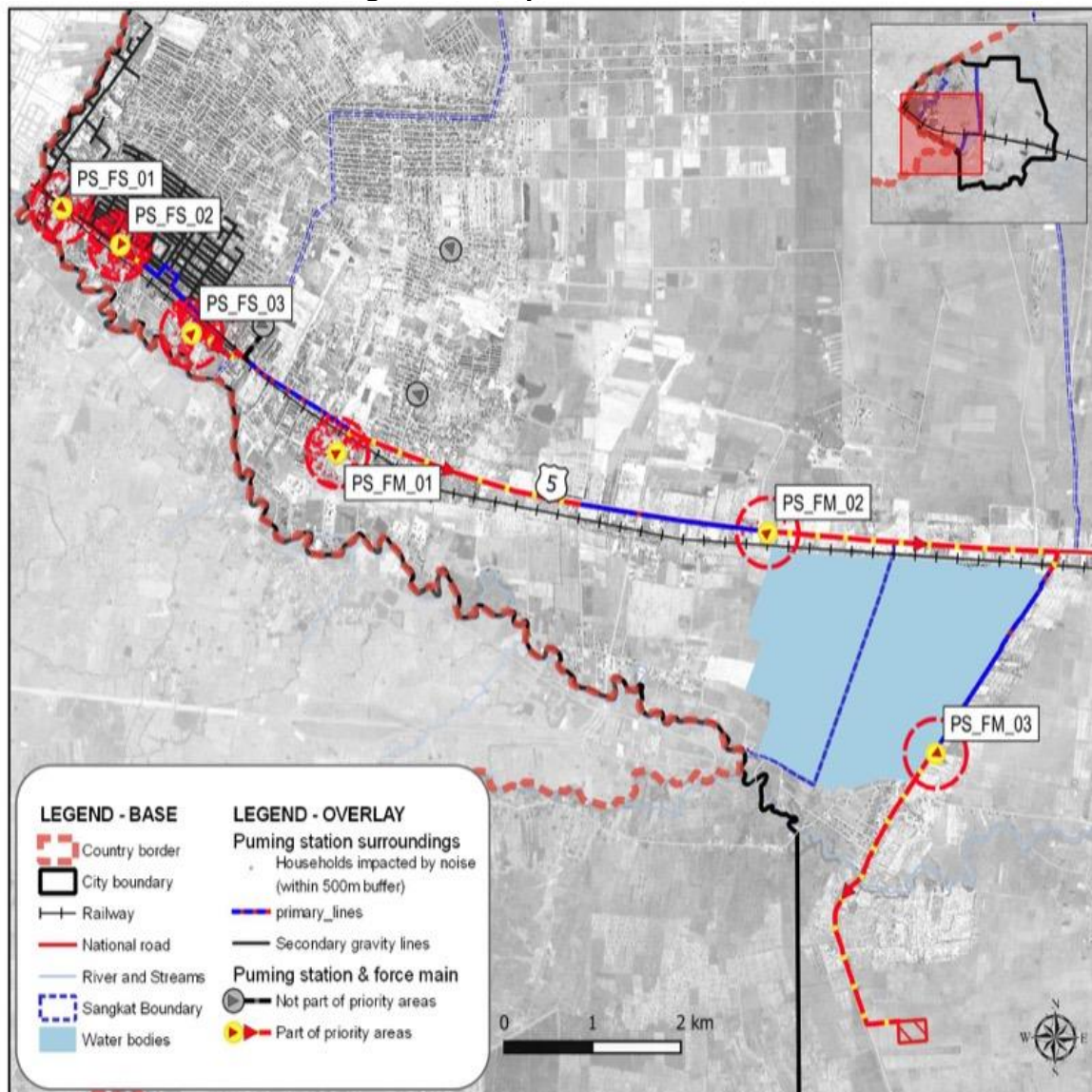
6. WWTP is designed for the medium term (2030) maximum capacity of 9,576 m<sup>3</sup>/day and include activate sludge with extended aeration (ASP-EA) treatment process in order to minimize the land footprint. The WWTP process has been design using proven technology both in western countries and in Cambodia. The Activated Sludge Process comply with the local regulation concerning wastewater water discharge quality. A receiving septage station is implemented in the WWTP site, and the septage is added at the plant headworks, between the screening stage and the grit chamber.

7. There is a drainage canal within 800 m of WWTP where treated effluent will be discharge to an existing canal that is heading northward through agricultural area to the Ou Chrov River through Ou Stueng Bot River. 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. The effluent discharge pipe will be constructed under the access road, and as such will not have any IR impacts.



8. 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  $20\text{m}^2 \times 20\text{m}^2$  (surface of  $400\text{m}^2$ ) is needed for the construction of pumping stations. The sites are all located near existing roads (Figure 5). 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. All but one of the 6 PS will have impact on some private land as well as loss of land use within the existing ROW (30 m) of the roads (Figure 6).

**Figure 5: Pump station locations**





**Figure 6: Pump station sites**



9. 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.

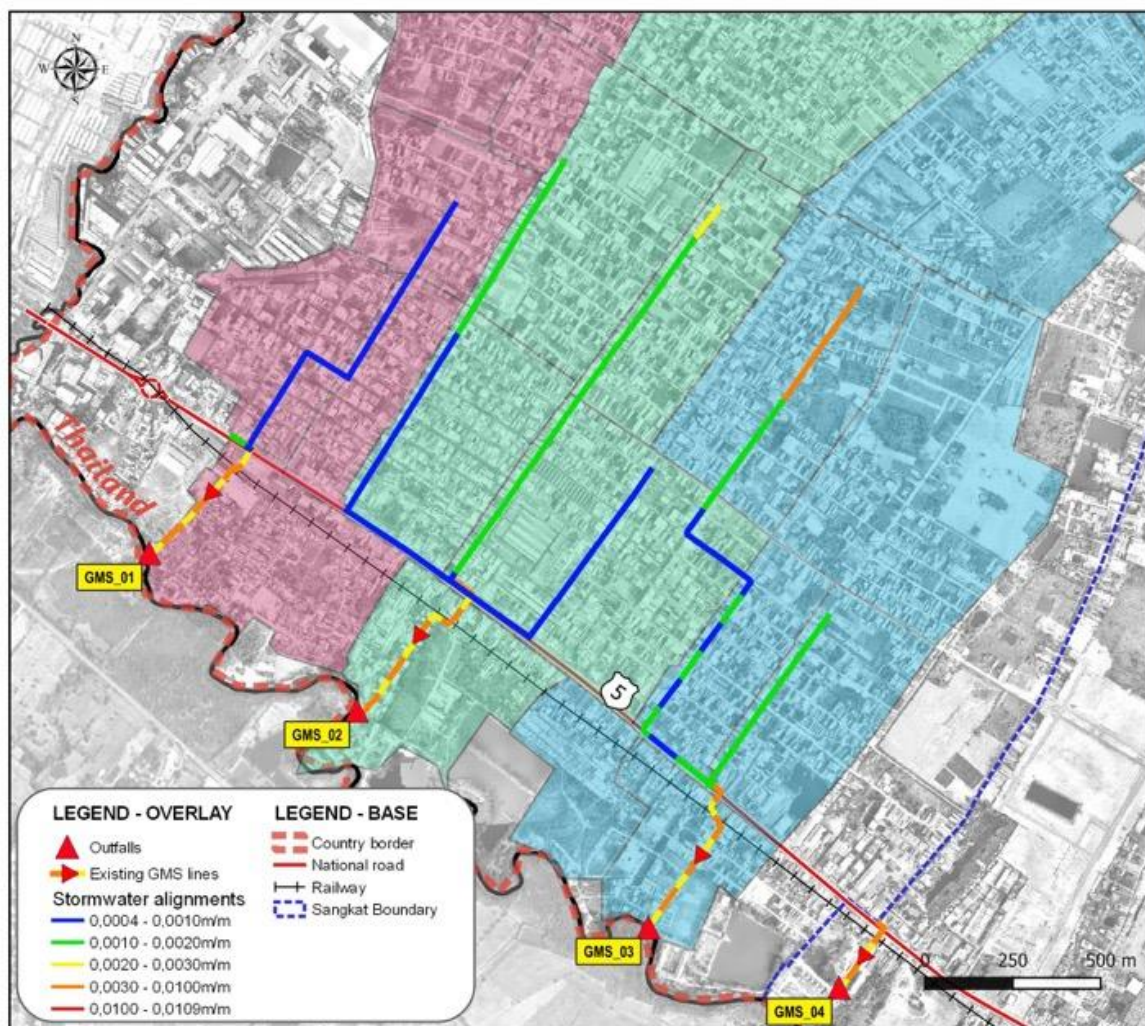
10. A general fact observed in classical Cambodian houses is that toilets are usually located at the back of the house (opposite side of the street). Work inside the household's property is normally paid for by the household. The connection of households will be made from the wastewater collection system 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.

### A. Storm Water Drainage

11. Poipet has 3.3 km of existing open storm water drainage network constructed under ADB Greater Mekong Subregion Corridor Towns Development Project Phase 1 (GMS-1) project. GMS1 includes the construction of 4 storm water gravity lines (box-culvert type) in Poipet city. All the lines are being built as box-culverts, the total length is 1.991km (GMS-1 drainage and outfalls shown in Figure 7). This drainage network will be fully utilized for the drainage extension. However, recurrent floods are reported by inhabitants and local authorities. Main storm water channels are operating properly but their coverage and capacity is not sufficient to ensure proper drainage of the city center, hence requiring expansion of the storm water drainage network.

**Figure 7: Storm Water Drainage System**

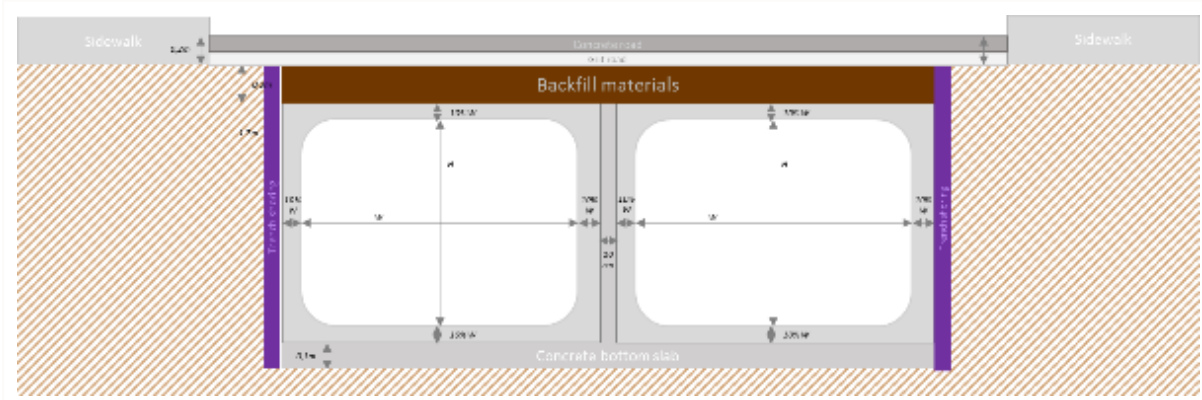


12. The proposed storm water drainage network will cover box culverts for 7.1 km (COI 6.27-11.27 m). The proposed storm water drainage network follows the natural topography and discharges at low points of the road (Figure 9). In urban areas, in order to minimize the risk of blockage by solid waste and problems related to resettlement, only underground network (box-culvert) will be constructed. This choice will ensure there is no IR impacts.



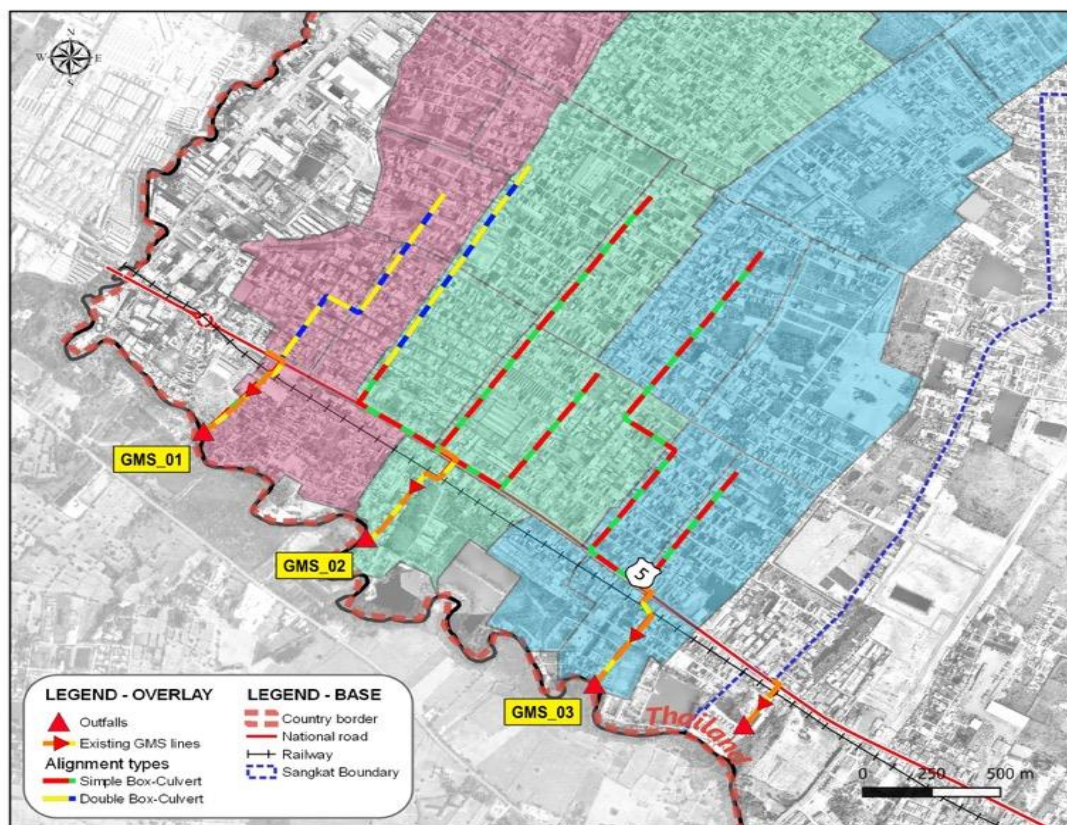
Typical cross-section dimension: 2-2.5 m width and 1-1.5m height, simple or double box culvert. To allow inspection of buried box-culverts, manholes will be disposed every 100m.

**Figure 8: Typical cross-section sketch (8m width road, 6m width double box-culvert) - box-culvert**



13. Except for GMS1 box-culverts under construction, it is not proposed to reuse/rehabilitate existing lines. The existing secondary drainage network needs to be re-connected to the proposed drainage lines to get a consistent strategy for the whole drainage network. Secondary network connections will be studied during the detailed engineering design based on a detailed topographical survey. The proposed solution includes several alignments located upstream the GMS 01 lines named GMS\_1, GMS\_2, and GMS\_3 (Figure 8), while using the GMS-1 outfalls to avoid the need to construct any new outfalls.

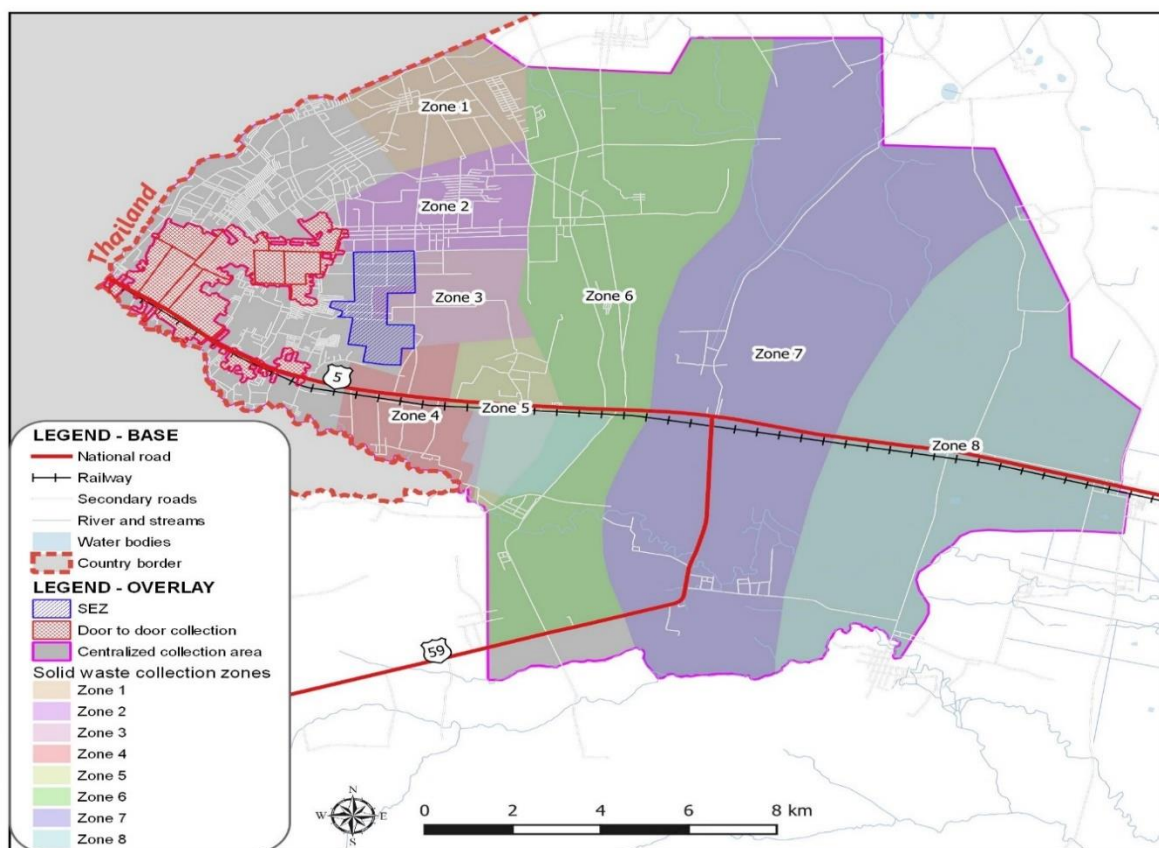
**Figure 9: Storm Water Drainage Box-Culvert Types**



## (ii) Solid Waste Management

14. It is estimated that 88% of the solid waste generated is unsafely managed. The household collection coverage is only approximatively 12%. Currently, the Municipal Solid Waste (MSW) collection is managed by a private company, CINTRI, and is limited to the dense urban area and Special Economic Zones (SEZs). However, a large portion of the MSW is also left uncollected and is dumped directly in the nearby natural environment and/or burnt. It is necessary to improve the collection for the whole city. Hence, the Subproject solid waste management (SWM) Works is aimed at providing improved solid waste collection coverage and diversion rate for Poipet city (Figure 10). 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, would be an opportunity to increase the sorting of bio-waste and therefore the potential for compost production.

**Figure 10: Improved solid waste collection coverage area**



15. Biowaste collection from markets (Ra Thmei, Phsar Thmei, Phsar Trei, Mondul Boun, Samakoum and Kandal) is proposed. 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 will be collected in waste containers of 660L located at markets in a 15m<sup>2</sup> storage area. Three compacting trucks of 5t capacity are required to collect biowaste from all the market. The biowaste collection point will be located within the market area, which is public property, and no iR impacts are anticipated.

16. Recycling facilities for hazardous household waste, such as waste motor oils, car batteries, batteries, paint, solvents, etc. are currently no available within an economically-viable distance of Poipet. To manage this waste, the waste is to be stored at a storage platform

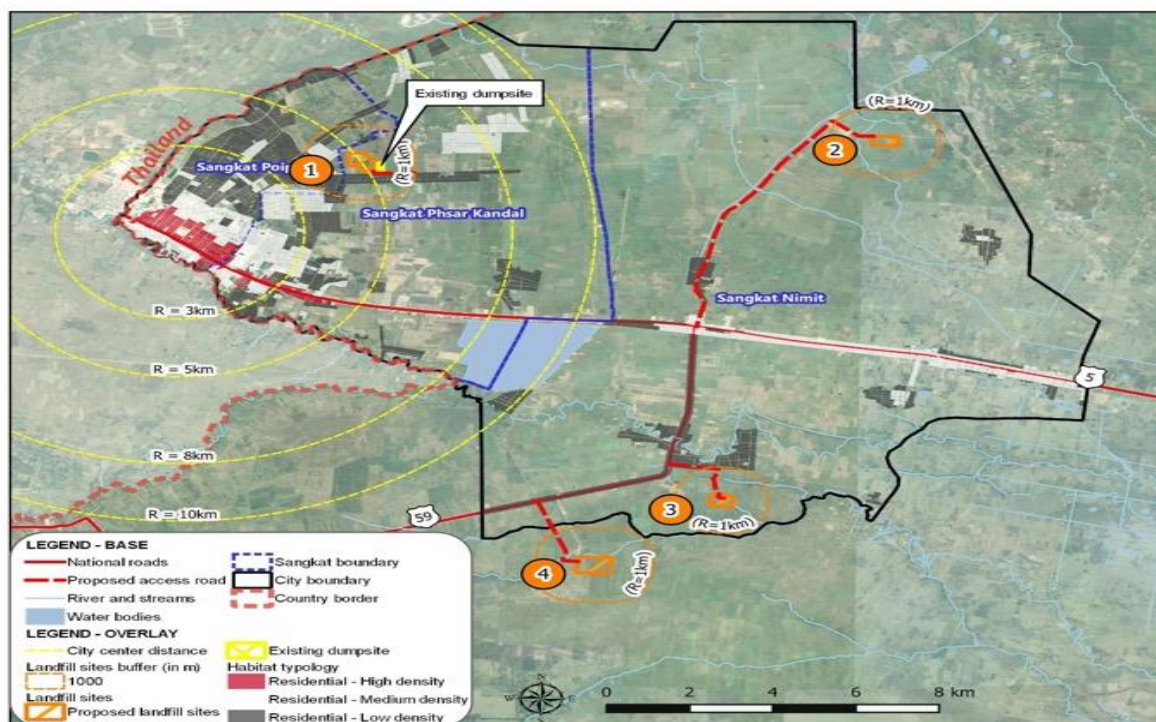


to be created at the sanitary landfill until an economically viable quantity can be collected for shipment to treatment and elimination facilities in Phnom Penh or elsewhere. The hazardous waste can be stored in dedicated container by waste type within lockable standard 20' or 40' shipping containers.

17. 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 m<sup>2</sup>), with access to the containers from the sides of the shelter. There are 8 proposed locations in the rural sangkats 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.

18. An initial assessment of Landfill sites in Poipet has been carried out in November 2019 and presented during a stakeholder workshop in December 2019. Its purpose was to identify the suitability of the sites proposed by the city authorities and by the Consultant in order to anticipate land acquisition issues and secure the project preparation and implementation process. Four sites were selected based on discussions between the MPWT, the Municipal Administration, and the Technical Assistant (Figure 11). The main reason justifying the site selection is its location outside the existing boundaries of the city. In addition, the alternative sites 3 and 4 are more often flooded (including their access road) than site 2. The selected location is mainly made of agricultural rice fields (paddy).

**Figure 11: Initial options for location of SWM landfill site**



19. In terms of 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 as the most appropriate disposal

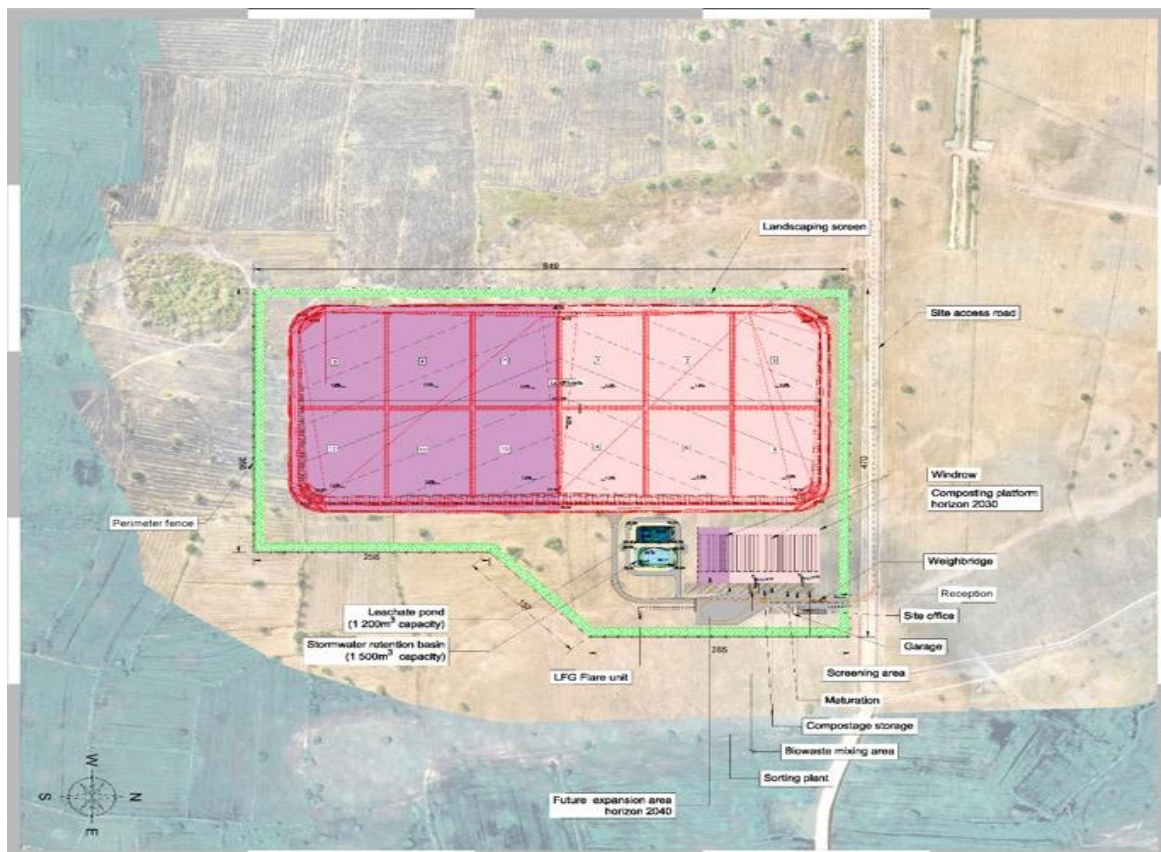
system for most small the city to avoid the harmful dumping and burning of waste. All the treatment facilities will be located in the same perimeter as the landfill (Figure 11).

20. The aim of the sorting plant is to sort the following fractions: valuable plastics, including PET bottles, plastic glasses and plastic bags; cans and metals; and the fraction of green waste >80mm for composting. The sorting plant will receive and sort the waste flow collected by the official collection operator. The residual flow will be transferred to the landfill. The MRF will keep its duty aiming to receipt and transfer recyclables waste collected by waste pickers.

21. Green waste recovered from the sorting line are transferred to the nearby composting plant. The composting facility can also treat sewage sludge from the municipal WWTP (in this case, the moisture content of the sludge should be lower than 80%).

22. The proposed New Controlled Landfill (land to be acquired) will be created in a location different from the proposed sorting plant (Figure 13). The proposed landfill site will cover an area of 20 ha, to be acquired through negotiated acquisition. The void space that will be required in the landfill is estimated at 1,352,000m<sup>3</sup> (with a 632,784 m<sup>3</sup> capacity being delivered under the LCIP project). The landfill cells will cover a total area of 16ha and will be subdivided into 12 cells of approx. 13,000m<sup>2</sup> each, to be filled sequentially over the course of the 20-year design life (Figure 12). 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 landfilling of the waste will be done sequentially, cell-by-cell and in a series of vertical lifts. The aim is to limit the extent of the working landfill face to reduce windblown waste and reduce the vertical infiltration of rainwater into the waste (producing leachate). The waste will be covered periodically with an intermediate or daily cover of soil taken from the on-site stockpile.

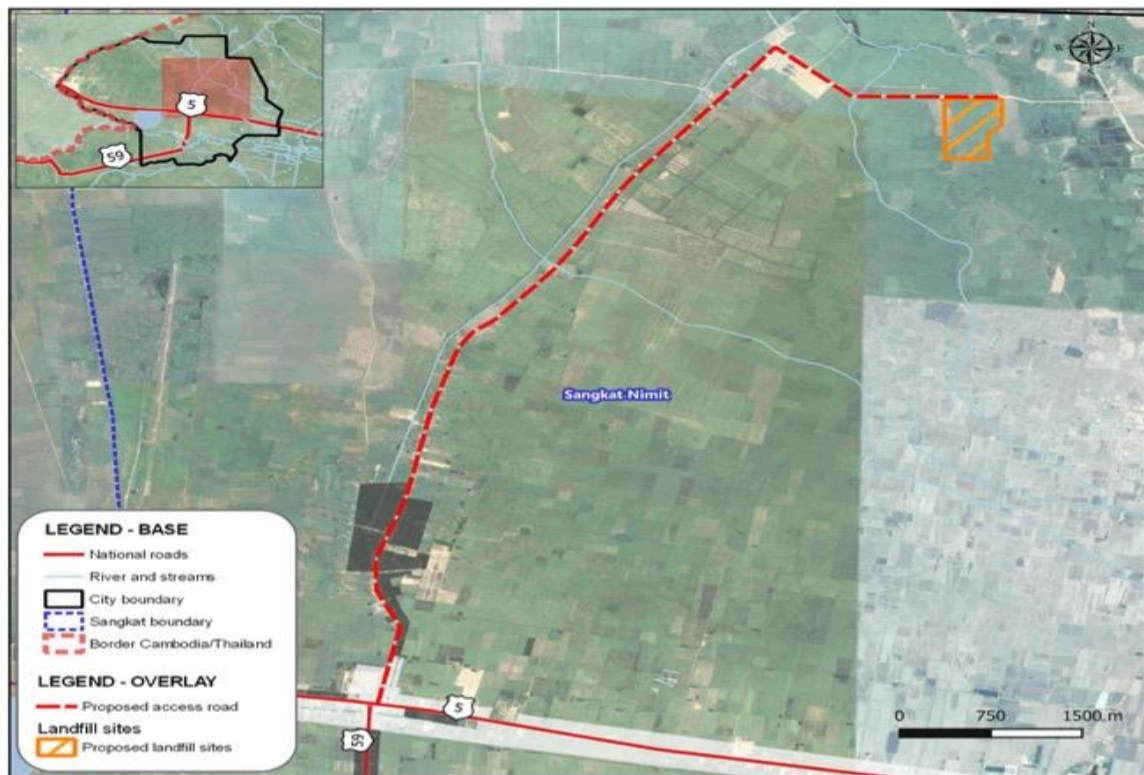
**Figure 12: Controlled Landfill Lay Out**





23. The access road for the controlled landfill will need to be paved over 3.5 km (Figure 13). As the access road is not to be widened, there is only limited IR impact anticipated for the access road.

**Figure 13: Proposed landfill location (SWM)**



24. The existing dumpsite has 37 AHs/ 171 APs of waste pickers working at the site. The existing site is on private land and is not closed by the project. Compensation for waste pickers for indirect loss of income will be included in the EMP.

### **(iii) Temporary Impacts**

25. 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 their pre-project 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)

<b>Date of the meeting</b>	6 <sup>th</sup> Oct.2020
<b>Purpose of the meeting</b>	<b>Orientation Meeting with stakeholders at the Provincial level for Discussion on Feasibility Study results</b>
<b>Issuer</b>	Benjamin Biscan, TL-LCIP project Taing Sophanara, DTL-LCIP project Khoun Komar, Legal specialist - LCIP project
<b>Location</b>	At Provincial Hall, Banteay Meanchey province, Cambodia

### Distribution

<b>Attendants</b>	
<b>MPWT</b>	<b>TA-Consultants Team</b>
H.E. Vong Pisith, Under Secretary of State/PD	Benjamin Biscan – TL/WS expert, Egis
Pu Manith, Deputy director	Teemu Jantunen – Resettlement specialist, Egis
	Taing Sophanara - DTL/WW specialist, KCC
<b>Banteay Meanchey province</b>	Khoun Komar – Legal specialist, KCC
Ngor Mengchruon, Dep. Governor	Huoth Ratanak- Social & Gender specialist, KCC
Chea Sovannthuon, Dep. director of DPWT	Mel Sophanna- Resettlement specialist, KCC
Ang Narith, Dep. director of DLMUPC	Bun Sangvar- Procurement specialist, KCC
Sean Oun, Dep. director of DWA	Nop Sokha- Financial specialist
Khun Vuthy, Dep. director of DASVYR	Pich Linvolak- Admin manager
Lay Sothy, Chief office of DWRAM	<b>MEF/GDR</b>
Ros Sary, Dep. director of DLVT	Et Vannak, Vice office
Pang Sovannaseth, Dep. director of DAFF	Khun Sokleang, Officer
Neng Tin, Chief of EDC	<b>Poipet City</b>
Phay Sophy, Dep. director of DE	Keat Hul, Mayor
Mon Kuntheary, Chief cabinet of provincial hall	Tuoch Mony, Deputy Mayor
Keut Sareoun, Technician of ANCO Water Supply	

<b>Additional distribution list</b>	
Wei Kim Swain, Urban Development Specialist, ADB	



## Agenda

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- Team introductions
- Present the results of FS (CTOP)
- Discussion on priority service areas to be covered
- Discussion on land, resettlement and institutional arrangement
- Commitment from Banteay Meanchey Provincial Administration and Poipet Municipality Administration

## Minutes of Discussion

### Team Introductions

All participants introduce themselves

Warm welcome by the Deputy Governor, on behalf of the Provincial Governor and colleague of different departments and institutions under the provincial administration (PA), and very happy to join the today meeting to review the results of the feasibility study of the LCIP for Poipet city. Mr deputy governor affirmed that Poipet needs for appropriate development and is affirmed his support to the LCIP. He also announced that the 2030 Land Use Master Plan for Poipet has been approved by the MLMUPC, awaiting the official launch to be organized soon.

In terms of infrastructures, there are railways links and national roads link to Phnom Penh and to the seaports, as well to neighboring cities, such as Bangkok of Thailand and Ho Chi Minh City in Viet Nam. A new international border checkpoint with Thailand has been established for trucks and commercial activities. Poipet becomes a potential center for industrial, commercial and tourist activities. Therefore, there is a need for developing Poipet to become a liveable city.

Open remarks by H.E. Vong Pisith, Under-secretary of state of MPWT and Project Director in following points:

- Poipet is a strategic and logistic town, in terms of road links and railways links, which is part of the ASEAN-Kunming railways (Kunming-Bangkok-Phnom Penh- Ho Chi Minh City). He explained the meeting on the development steps from a clean city toward a smart city, which requires step-by-step strategic conditions. We need to establish the basic infrastructures to attract investors setting up businesses and factories in the town to increase jobs and develop the economy.
- Today we need to discuss the proposed subprojects for Poipet, SWM, WWTP and stormwater drainage. Regarding the wastewater, we must manage it and cannot release it to the border river. Thailand used to complain about this. Both the national and sub-national levels must work together closely. Our process is to get the local level involved with the subprojects from a bottom-up approach.

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### Presentation

TA Consultants present the results of the feasibility study (FS) in both languages English and Khmer: starting from city challenge, selected

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scenarios for the priority infrastructures of the sector master plans, and commitment from PA and municipal administration (MA) on land available and institutional model arrangement. The presentation is attached to the MoM.

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### Discussion topic

Following the presentation, 3 key topics were discussed:

- Confirmation of the priority coverage area by the provincial government and the municipality
- Land acquisition and documentation requested
- Institutional arrangement for ensuring sustainable O&M

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### Result from discussion

#### **Topic 1: Priority coverage area and technical options of FS**

- The deputy governor of Banteay Meanchey province drew the attention of the participants to focus first to discuss the issues related to the drainage and flood protection, and then the site for the SWM (landfill) and WWTP later.
- Based on the presentation of the FS team, the governor suggested that drainage should be from Neak Tep to Sras Ta Nguon, and further down to O' Chrauv high school. The consultant team clarified the meeting that the study was made based on a model simulation, including the discussion with concerned parties, as well as the MPWT. The consultant team further stressed that it is very difficult to connect the line as suggested due to the limited space available (this line would require significant width) and the flow capacity for the GMS1 drainage lines. The governor finally agreed with the explanation of the FS team, suggesting that the Subprojects shall be implemented as soon as possible.
- The representative from the provincial department of environment (PDOE) affirmed his readiness to cooperate.
- **After discussion, the PA and MA agreed on the recommended technical option for the wastewater, stormwater and solid waste management subprojects.**

#### **Topic 2: Land acquisition and documentation requested**

- H.E. Vong Piseth: The national and sub-national levels should work together to solve the problem by the end of this year, 2020. We need to speed up the process. He reminded that a subproject of 2m\$ will cause the resettlement cost to be of 4m\$ is not possible. The MPWT drew the attention of the sub-national level to keep and protect the targeted sites, avoiding any opportunists to use them for their own benefits.
- The consultant team clarified the meeting that the FS will be finished by the end of this year. The next step will be the signing of the loan agreement in 2021. The process could be shorter than the previous project under ADB loan if the land is secured for further steps and action. The consultant team reminded the

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meeting about the land title to be secured for the WWTP and SWM sites (by the end of October 2020, if possible), which is the precondition for further steps and action.

- TRTA resettlement specialists shortly explained the ADB involuntary resettlement policies, including compensation for all impact at replacement cost, meaningful consultations, GRM and resettlement process. The specialist especially emphasized that due to the land acquisition being done through negotiated settlement process it was very important to have third-party verification of the negotiated settlement in addition to preparing detailed minutes of meetings, attendance lists and pictures of meetings.
- The TRTA consultant team reminded the meeting regarding the cut-off-date (COD), which shall be set on the date of conducting the first public consultation meeting on corridor of impact (COI) during the inventory of losses being conducted as part of the FS of subprojects under the proposed LCIP in Poipet city. The importance of COD is to prevent the encroaching activities from the people on the proposed subproject 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 subproject sites and monitor that the sites are kept free of any new encumbrances. At the same time, it is not allowed for PA and MA to start any resettlement activities by removing existing private assets or relocating people from the subproject sites until the resettlement documentation has been prepared and approved, and the compensation payments are made to the AHs.
- The MPWT has already (last month) sent the letter to MEF. The appointed team (MPWT & MEF) will visit the targeted sites this week and discuss in detail with GDR before making the final assessment and decision.
- The department of LMUPC will provide with cadastral map and right of way of the subproject study areas in PDF file to the FS team.

**Topic 3: Institutional arrangement for ensuring sustainable O&M**

- For the Deputy Mayor, following the sub-decree No.182 the municipality can manage sanitation system, including stormwater drainage, sewerage system, and solid waste management. However, for solid waste collection, the MA will sub-contract to a private company for collection, transport, and disposal at a nominated landfill site by the municipality. The wastewater system should be managed by the MA.
- Regarding the institutional model for the wastewater and SWM, the subnational level affirmed that there is a need for additional discussion and consideration, as we need additional information and detailed data, whether it should be a public, semi-public or autonomous entity.

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**Closing**

- The deputy governor concluded that the meeting agreeing to the drainage alignment and wastewater system proposed by the FS team as there is no problem relating to resettlement, and concerning the WWTP and landfill sites, we will discuss with MOE during this week to accelerate the task for reviewing and provide comments if necessary.
- Concerning the institutional arrangement, they will be provided to the FS team after meeting between PA, MA and MPWT.
- On behalf of the PA and MA, the deputy governor assured his support for the subprojects and will collaborate with MPWT and FS team for achieving the subproject timeframe and to accelerate the study and implementation of the subprojects to avoid lengthy delays as was in the previous project.

## Pictures



Picture: (left) Ngor Mengchruon, Dep. Governor; (right) H.E. Vong Pisith, Under Secretary of State/PD



Picture: Participant overview

**D. 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. Dependents: APs	
<b>Information about household head (HHH)*</b>			
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)**: [ ] 1 or [ ] 2 16b. if yes, IDPoor:	

**\*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 <sup>2</sup> /ha)	Affected Area (m <sup>2</sup> /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 <b>PARTIALLY or TOTALLY</b> 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\_ Toilet/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
<b>Total</b>					

**1 Type of tree:** 1. Fruit 2. Timber 3. Other \_\_\_\_\_

#### E. Impacted business

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

\* 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!)

<b>1. IF there is a need for relocation, do you prefer:</b> 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? _____
<b>2. Preference of amenities at relocation site (Rating [1] Most important [2] Important [3] Least important)*:</b> 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 ____
<b>3. Is your livelihoods located near your place of residence:</b> 1. Agricultural fields (on legally owned land) ____ 2. Agricultural fields (on public land) ____ 3. Fishing grounds / boat landing ____ 4. Business ____
<b>4. What will cause difficulties in available resettlement site for maintaining livelihoods and income generation (Rating [1] Most important [2] Important [3] Least important)*:?</b> 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

## H. Household Expenditure



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 dump site [ ] Outside dumpsite
5a. If on dumpsite, approximate area of the house _____m2 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?

## E. Cut-Off Date Letter

**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 Poipet.**

1. The Ministry of Public Works and Transport (MPWT) in Poipet has conducted a public consultation meeting on 26th of October 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 26th of October 2020 at the Poipet 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 **26th of October 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 subproject 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 Banteay Meanchey 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 subproject.

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: ០១.៩១.៤.....ស.ក.អទ

ថ្ងៃ ២២ ខែ កក្កដា ឆ្នាំ ២០២០  
រាជធានីភ្នំពេញ, ថ្ងៃទី ០៦ ខែ កក្កដា ឆ្នាំ ២០២០

**គោរពជូន**

**ឯកឧត្តមអភិបាល នៃគណៈអភិបាលខេត្តបន្ទាយមានជ័យ**

**កម្មវត្ថុ:** សំណើសុំកំណត់អសានុវត្តនៃកាលបរិច្ឆេទ (Cut-Off-Date) សម្រាប់អនុគម្រោង (១) ការគ្រប់គ្រងសំណល់រឹង (២)ប្រព័ន្ធដោះទឹកភ្លៀង និង (៣)ប្រព័ន្ធប្រមូលទឹកកខ្វក់ និង ស្ថានីយប្រព្រឹត្តកម្មទឹកកខ្វក់ក្រុងប៉ោយប៉ែត នៃគម្រោងអភិវឌ្ឍន៍ទីក្រុងដែលគួរឱ្យចង់រស់នៅ។

**យោង:** គោលនយោបាយសុវត្ថិភាពបរិស្ថាន (SPS) របស់ធនាគារអភិវឌ្ឍន៍អាស៊ី (ADB-2009) និងបទដ្ឋានដំណើរការនីតិវិធីសម្រាប់ការទទួលបានដី និងការតាំងលំនៅដ្ឋានសារជាថ្មី ដោយ មិនស្ម័គ្រចិត្តរបស់ក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ (SOP-2018)។

សេចក្តីជូនមានចែងក្នុងកម្មវត្ថុ និងយោងខាងលើ ខ្ញុំសូមជម្រាបជូន **ឯកឧត្តមអភិបាល** មេត្តាជ្រាបថា៖ ក្រសួងសាធារណការ និងដឹកជញ្ជូន បានធ្វើកិច្ចពិគ្រោះយោបល់ជាសាធារណៈ នៅថ្ងៃ ទី២៦ ខែតុលា ឆ្នាំ២០២០ នៅសាលាក្រុងប៉ោយប៉ែត ដើម្បីរៀបចំផែនការតាំងលំនៅដ្ឋានសារជាថ្មីបឋម សម្រាប់គម្រោងស្នើសុំគម្រោងវិនិយោគទីក្រុងដែលគួរឱ្យចង់រស់នៅ (LCIP)។ នេះជាផ្នែកមួយនៃតម្រូវការ ពីធនាគារអភិវឌ្ឍន៍អាស៊ី(ADB) និងអគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍ នៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ (GDR) ដើម្បីអនុម័តសម្រេចលើគម្រោង LCIP ពាក់ព័ន្ធនឹងឯកសារ សុវត្ថិភាពនៃការតាំងលំនៅដ្ឋានសារជាថ្មីដោយមិនស្ម័គ្រចិត្ត។

កិច្ចពិគ្រោះយោបល់ជាសាធារណៈ ត្រូវបានប្រារព្ធឡើងនៅថ្ងៃទី២៦ ខែតុលា ឆ្នាំ២០២០ នៅសាលាក្រុងប៉ោយប៉ែត បានផ្តល់ការរៀបចំបង្កើត ជូនដំណឹង និងការយល់ព្រម ស្តីពីការប្រកាស អសានុវត្តនៃកាលបរិច្ឆេទ (COD) ដែលបានកំណត់សម្រាប់សិទ្ធិទទួលបានសំណងពីគម្រោង។ ដូចនេះ COD គឺទទួលបានការយល់ព្រមនា ថ្ងៃទី២៦ ខែតុលា ឆ្នាំ២០២០ សម្រាប់សិទ្ធិទទួលបានសំណងពី គម្រោង។

គោលបំណង និងគុណប្រយោជន៍នៃការប្រកាសអសានុវត្តនៃកាលបរិច្ឆេទចំពោះសិទ្ធិ ទទួលបានសំណងពីគម្រោងគឺ៖ (១)ទប់ស្កាត់លំហូរចូលនៃប្រជាពលរដ្ឋទៅក្នុងទីតាំងគម្រោង (២)ទប់ស្កាត់ ការទន្ទ្រានចូលដោយខុសច្បាប់ទៅលើដីសាធារណៈ/ដីរដ្ឋ (៣)កំណត់ទ្រព្យសម្បត្តិនៅក្នុងចំណីផ្លូវដើម្បី ទទួលបានសំណងស្របច្បាប់ពីគម្រោង និង(៤)ជូនដំណឹងដល់ប្រជាពលរដ្ឋក្នុងមូលដ្ឋាន និងអាជ្ញាធរ ខេត្តរក្សាដីចំណីផ្លូវ (ROW) នៅទំនេរគ្មានការទន្ទ្រានកាន់កាប់ ឬសាងសង់អ្វីឡើយ។

កិច្ចប្រជុំបានពន្យល់យ៉ាងក្បោះក្បាយជូនចំពោះម្ចាស់សំណង់ ម្ចាស់ដីដែលនឹងត្រូវរងផល ប៉ះពាល់ព្រមទាំងអាជ្ញាធរមូលដ្ឋានថា៖ រាល់សំណង់ថ្មី ឬសំណង់បន្ថែម ឬសំណង់ស្នើសុំ ឬដើមឈើ និងតំបន់ដាំដុះថ្មីក្នុងរយៈពេល COD របស់គម្រោង មិនត្រូវបានផ្តល់ជូនសំណងដោយគម្រោងឡើយ

បន្ទាប់ពីអសានុវាទនៃកាលបរិច្ឆេទ។ ក្រសួងសាធារណការ និងដឹកជញ្ជូន ជំរុញឱ្យមន្ត្រីខេត្តបន្ទាយមានជ័យ ធានាបានហ្មត់ចត់អនុលោមតាមការបង្កើតអសានុវាទនៃកាលបរិច្ឆេទ (COD) នេះ និងសហការយ៉ាង ជិតស្និទ្ធជាមួយមន្ត្រីមូលដ្ឋានក្នុងសាលាក្រុង ដើម្បីអនុវត្តការពិនិត្យតាមដាន និងទប់ស្កាត់ការលេចចេញ នូវការសាងសង់ថ្មី និងការអនុញ្ញាតប្រើប្រាស់ដីនៅតំបន់ក្បែរខាងនៃទីតាំងគម្រោង។

ទោះជាយ៉ាងនេះក្តី គ្មានសកម្មភាពនៃការតាំងលំនៅសារជាថ្មីត្រូវបានអនុវត្តដោយរដ្ឋបាល ខេត្តឡើយ ក្នុងពេលនៃការរៀបចំគម្រោងនេះ រាប់ទាំងការផ្លាស់ប្តូរទី ការរុះរើសំអាតទីតាំង ឬការរឹតត្បិត នៃការប្រើប្រាស់ដី ដោយគ្រួសារដែលរងផលប៉ះពាល់ រហូតដល់មានការណែនាំពីក្រសួងសាធារណការ និងដឹកជញ្ជូន បន្ទាប់ពីផែនការលម្អិតនៃតាំងលំនៅដ្ឋានសារជាថ្មី ត្រូវបានអនុម័តដោយធនាគារអភិវឌ្ឍន៍ អាស៊ី (ADB) និងអគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍ (GDR)។

ចុងបញ្ចប់ឯកសារចម្លងមួយច្បាប់ពីដំណោះស្រាយនេះ នឹងត្រូវបិទផ្សាយ នៅសាលាខេត្ត សាលាស្រុក និងសាលាសង្កាត់ និងផ្តល់ជូនទៅធនាគារអភិវឌ្ឍន៍អាស៊ី (ADB) ព្រមទាំងក្រុមទីប្រឹក្សា សិក្សាគម្រោង LCIP សម្រាប់ជាព័ត៌មាន និងអនុវត្តសកម្មភាពឱ្យបានត្រឹមត្រូវ។

អាស្រ័យដូចបានជម្រាបជូនខាងលើ សូម **ឯកឧត្តមអភិបាល** មេត្តាពិនិត្យ និងសម្រេច ដោយអនុគ្រោះ។

សូម **ឯកឧត្តមអភិបាល** មេត្តាទទួលនូវការរាប់អានដ៏ស្មោះស្ម័គ្រអំពីខ្ញុំ។

**ជំនួយនៃក្រសួងសាធារណការ និងដឹកជញ្ជូន**  
**អគ្គនាយកដ្ឋានសាងសង់**  
  
**វ៉ាស៊ីម សុរិយា**

- ចម្លងជូន៖
- ក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ
  - អង្គភាពគ្រប់គ្រងគម្រោង
  - អង្គភាពអនុវត្តគម្រោង
  - សាលាក្រុង ប៉ោយប៉ែត
  - មន្ទីរ-អង្គភាព អាជ្ញាធរពាក់ព័ន្ធ
  - ឯកសារ-កាលប្បវត្តិ

## F. Minutes of 1<sup>st</sup> Public Consultation Meeting in Poipet (26-28 October 2020)

### 1<sup>st</sup> Public Consultation Meeting

Minutes of the Meeting
<p>1<sup>st</sup> Public Consultation Meeting</p> <ul style="list-style-type: none"> <li>• Date: 26 October 2020</li> <li>• Time: 14:10 pm</li> <li>• Venue: Existing dumpsite (Tuol Pongro village, Sangkat Phsar Kandal)</li> <li>• Participants: 55 (33 male/22 female)</li> <li>• Local authorities: 1 (1 male/0 female)</li> </ul>
<p><b>Name:</b> Pin Sreng  <b>Gender:</b> Male  <b>Position:</b> Manager</p> <p>Honourable guests; ladies and gentlemen. Warm welcome to all participants and thank you for participating this afternoon, following our invitation. although you are busy with the waste picking and other obligations. Today, the purpose of our gathering is to conduct public consultation which focuses on the proposed project of Liveable Cities Investment Project (LCIP). The project proposes to install the wastewater system, stormwater drainage and a new landfill in Yeang village, Sangkate Nimith. Hence, today we would like to inform that the processing of the solid waste as we know it, will change. It will no longer be processed in the current way. In this regard, the resettlement specialist will provide details about subproject description and subproject resettlement policy, especially the information related to the existing landfill and the new landfill.</p> <p>I would like to encourage you to comment, provide ideas and suggestions, or ask any question related to the subproject after his presentation. Today is the best opportunity for us to understand and discuss the development and the benefits provided by the subproject to us and our families.</p>
<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Social Safeguards and Resettlement Specialist</p> <p>The Social Safeguards and Resettlement Specialist, Mr. Chan Narith gave a presentation which covered the following topics:</p> <ul style="list-style-type: none"> <li>• Detailed information on project and subproject description, scope and benefits</li> <li>• Details about subproject location and proposed technical solutions in subproject</li> <li>• Details on new landfill and existing dumpsite, including MRF and sorting plant future operation. It may be that due to the operations of controlled landfill is not going to allow waste pickers to continue waste picking. However, MRF will continue at the existing dumpsite, and a new sorting plant and compost facility will be constructed, all which will provide income generating opportunities and jobs for waste pickers who are interested to work there.</li> <li>• Details about RGC (SOP) and ADB policy (SPS 2009) on resettlement under the proposed LCIP loan</li> <li>• Explanation on the Resettlement Framework and Entitlement Matrix in the project</li> <li>• Details about the resettlement activities during feasibility study stage, which are the following:             <ol style="list-style-type: none"> <li>1. Public consultation with local authorities, project stakeholders, communities, organizations, local people, and affected household/people within the proposed subproject areas</li> <li>2. Distribution of the PIB to all participants</li> <li>3. Details about the project description, technical proposal, site selection, subproject benefits,</li> <li>4. Details about project impact with the public and private assets such as;                 <ul style="list-style-type: none"> <li>▪ Impact on land</li> <li>▪ Impact on structures</li> <li>▪ Impact on Tree and crop</li> <li>▪ Impact on business and income loss</li> <li>▪ Impact on people</li> </ul> </li> </ol> </li> </ul>

<ul style="list-style-type: none"> <li>▪ Details about allowance proposed for vulnerable group and IRP</li> <li>▪ Cut-off date and eligibility for entitlements</li> <li>▪ Details about vocational training and short course proposed for training</li> </ul> <ol style="list-style-type: none"> <li>5. Details of the livelihood reinstatement and compensation mechanism <ul style="list-style-type: none"> <li>▪ MEF/GDR carries the compensation responsibility, after the DMS and consultation have been conducted, and after the compensation contract agreement is signed</li> <li>▪ Contractor is responsible of the temporary impact during construction and shall return the state to the original pre-subproject condition.</li> </ul> </li> <li>6. Detail about GRM and how it is processed. <ul style="list-style-type: none"> <li>▪ Details about the subproject composition and responsible after establishing letter for PRSC and PGRC</li> <li>▪ Details about GRM processing and the procedure steps</li> <li>▪ Details about the GRM forms</li> </ul> </li> <li>7. The list of urgent contact persons was provided in case of enquiries.</li> <li>8. Finally, the participants were encouraged to ask and bring up new ideas and discuss them, comment, suggestion, concern, or have any questions to clarify matters.</li> </ol>	
<b>Discussion, Question and Answer</b>	
<p><b>Name:</b> Pin Sreng  <b>Gender:</b> Male  <b>Position:</b> Villager  <b>Comment:</b> We support the proposed project including both subprojects but are mostly interested in the new landfill construction and future operation of MRF. The new solid waste management sounds great, as we have numerous problems in Poipet. The households by the riverside are especially affected and have voiced complains regarding the water quality.</p> <p>Hence, our dearest wish is that within the completion of the subproject, the water quality will be drastically improved, which will have a positive effect on the public health.</p>	
<p><b>Name:</b> Srey Rati  <b>Gender:</b> Male  <b>Position:</b> Waste Picker  <b>Comment:</b> I have no specific question related to the subproject per se, as the presentation has enlightened us on the key details of the development including subproject policy. For us, the waste picker the subproject focus will be more on livelihoods and concerns about our family.</p> <p>I have only one request for the subproject. Please keep us informed about subproject progress and provide information about new landfill operation and inform us about existing landfill. Because when we know clearly about the subproject, we can set up our daily income base on the existing or new landfill.</p>	
<p><b>Name:</b> Map  <b>Gender:</b> Male  <b>Position:</b> Waste Picker  <b>Question:</b> Does the subproject allow us to continue waste picking at new landfill?</p>	<p><b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist  <b>Response:</b> As of this enquiry, the decision has not been finalized. This is a matter, which needs to be addressed with the city hall and provincial authorities, in order to determine whether such activities will be eligible to continue. We will provide further information on this matter in the upcoming meeting.</p>
<p><b>Name:</b> Sophary  <b>Gender:</b> Female  <b>Position:</b> Waste Picker  <b>Question:</b> If possible, can we request from the subproject to support us for trailer to cart waste when the subproject will to close the existing landfill in the future?</p>	<p><b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist  <b>Response:</b> Thank you for raising this request to the subproject. According to the details provided, MRF will provide a truck for transport of large quantities of waste.</p> <p>This request will be reviewed in DRP update stage when the income restoration program is finalized.</p>
<p><b>Name:</b> Sochea  <b>Gender:</b> Female  <b>Position:</b> Waste Picker</p>	<p><b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist</p>

<b>Question:</b> When the MRF begins operation, will we be allowed to continue work here?	<b>Response:</b> This is an important point. However, at this point I have no information as these decisions will be taken by the provincial and city authorities. We will raise this question and report back to you, during DMS and DRP stage.
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## 2<sup>nd</sup> Public Consultation Meeting

Minutes of Meeting
<p>2<sup>nd</sup> Public Consultation Meeting</p> <ul style="list-style-type: none"> <li>• Date: 27 October 2020</li> <li>• Time: 14:00 pm</li> <li>• Venue: Sankat Poipet (Office)</li> <li>• Participants: 31 (27 male/4 female)</li> <li>• Local authorities: 6 (5 male/1 female)</li> </ul>
<p><b>Name:</b> Va Chemnareth  <b>Gender:</b> Male  <b>Position:</b> Deputy-Sangkat chief of Poipet</p> <p>As the representative of the provincial and city authorities, we are truly thankful for your presence and participation today to this public consultation meeting. Today is the day, when we learn about the description of the proposed LCIP and project resettlement policy from the expert of MPWT. I assume that some of you already know about the LCIP through the information campaign by the local authority.</p> <p>Mr. Chemnareth, deputy of sangkate chief of Poipet provided the following details:</p> <ul style="list-style-type: none"> <li>• Introduced the participants today</li> <li>• Project procedures and design proposed for project areas</li> <li>• Encourage all participants to raise concern, comment, suggestion, and detail discussion together about the proposed LCIP and project resettlement policy</li> </ul> <p>This LCIP is very useful for our community to avoid the problem of sanitation and flooding in the future. Hence, please bring up your ideas and discuss them, concern, comment, and request clarifications where necessary. I, thus call upon you to grant the floor to the expert and pay attention to detail.</p>
<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Social Safeguards and Resettlement Specialist</p> <p>The Social Safeguards and Resettlement Specialist, Mr. Chan Narith presented on the following issues:</p> <ul style="list-style-type: none"> <li>• Detailed information on project description, scope and benefits</li> <li>• Details about project location and proposed technical solutions in subproject</li> <li>• Details about RGC (SOP) and ADB policy (SPS 2009) on resettlement under the project loan</li> <li>• Explanation on the Resettlement Framework and Entitlement Matrix in the project</li> <li>• Details about the resettlement activities during design stage, which are the following:             <ol style="list-style-type: none"> <li>1 Public consultation with local authorities, project stakeholders, communities, organizations, local people, and affected household/people within the proposed project areas</li> <li>2 Distribution of the PIBs to all participants</li> <li>3 Details about the project description, technical proposal, site selection, project benefits,</li> <li>4 Details about project impact with the public and private assets such as;                 <ul style="list-style-type: none"> <li>▪ Impact on land</li> <li>▪ Impact on structures</li> <li>▪ Impact on Tree and crop</li> <li>▪ Impact on business and income loss</li> <li>▪ Impact on people</li> <li>▪ Details about allowance proposed for vulnerable group and IRP</li> <li>▪ Cut-off date and eligibility for entitlements</li> </ul> </li> </ol> </li> </ul>

<ul style="list-style-type: none"> <li>▪ Details about vocational training and short course proposed for training</li> </ul> <p><b>5 Details of the livelihood reinstatement compensation mechanism</b></p> <ul style="list-style-type: none"> <li>▪ MEF/GDR carries the compensation responsibility, after the DMS and consultation have been conducted, and after the compensation contract agreement is signed</li> <li>▪ Contractor is also responsible of the temporary impact during construction and shall return the state to the original pre-project condition.</li> </ul> <p><b>6 Detail about GRM and how it is processed.</b></p> <ul style="list-style-type: none"> <li>▪ Details about the project composition and responsible after establishing letter for PRSC and PGRC</li> <li>▪ Details about GRM processing and the procedure steps</li> <li>▪ Details about the GRM form</li> </ul> <p>7 The list of urgent contact persons was provided in case of enquiries.</p> <p>8 Finally, the participants were encouraged to bring up new ideas and discuss them, comment, suggestion, concern, or have any questions to clarify on matters.</p>	
<b>Discussion, Question and Answer</b>	
<p><b>Name:</b> Sokphary  <b>Gender:</b> Male  <b>Position:</b> Chief of village  <b>Comment:</b> Thank you for this detailed explanation regarding the subproject locations and subproject resettlement policy which has been applied to this initiative. this is a great opportunity for our community to improve the public health and to overcome the current problems of sanitation. As we know, Poipet has greatly suffered with solid waste, sanitation, and flooding during the rainy season.</p>	
<p><b>Name:</b> Samorn  <b>Gender:</b> Male  <b>Position:</b> School Director  <b>Comment:</b> Indeed, this would be the first system of its kind in the area and thank you for clarifying the system of developing wastewater and stormwater. This system is well designed for the needs of our community, if everything follows your description.</p>	
<p><b>Name:</b> Sok Sul  <b>Gender:</b> Female  <b>Position:</b> Villager  <b>Question:</b> When will the subproject or civil works construction start?</p>	<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist  <b>Response:</b> The proposed LCIP is at its initial stage of the feasibility study. After the ADB has approved the BRP and loan, the LCIP will be subject to DED. After DED is substantially completed, the DED will be consulted with the AHs and local authorities to seek their views and suggestions to improve the DED. The DED will then be finalized, and consultation will commence to conduct the DMS/SES/RCS to prepare the DRP. The DRP will be approved by IRC and cleared by ADB. Budget for compensation will be approved by the MEF and contracts will be prepared on affected assets for compensation to the AHs. Once the compensation payments are made and the land is vacated by the AHs, the contractor will commence the construction of civil works. It is estimated that the construction will start in late 2022 pending the time taken to get the LCIP and DRP approved by the ADB.</p>
<p><b>Name:</b> Serei  <b>Gender:</b> Male  <b>Position:</b> Villager  <b>Question:</b> Does the subproject connect all areas in Poipet city areas?</p>	<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist  <b>Response:</b> According to the current plan, the scope of work will cover 3 Sangkat and few villages only. Please look to the maps on the wall and in the PIB. So, the red line is the scope of work under the subproject proposed at the feasibility study stage.</p>
<p><b>Name:</b> Sovann  <b>Gender:</b> Male  <b>Position:</b> Villager  <b>Question:</b> How long will the subproject</p>	<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist  <b>Response:</b> Based on the subproject description, the construction will be finished in three years from now. Now I am not 100% sure of the</p>



construction last from start to finish?	construction schedule, but the schedule will be updated, and information provided on each stage of consultation meeting.
<b>Suggestion and Recommendation</b>	
<b>Name:</b> Hok <b>Gender:</b> Male <b>Position:</b> Villager <b>Suggestion/Recommendation:</b> Most of the subproject areas seem to be areas of business and service locations. Hence, I urge the subproject to be completed as swiftly as possible. The compensation is not a problem for my household, but my worry lies with the long endurance of the schedule.	
<b>Closing the consultation</b>	
<b>Name:</b> Pum Sophin <b>Gender:</b> Male <b>Position:</b> Commune Assistant <b>Statement:</b> Given that no-one has any further questions or enquiries, I would like to close the meeting. A lot of details has been provided today by the national resettlement specialist describing the subprojects, project/subproject descriptions, location of subprojects, subproject resettlement policy and especially, the detail about resettlement framework for everyone and affected household to be cleared before the subprojects reach to DED stage or conduct DMS.	
<p>This is a great project for our community especially for the people who are living along the river who will no longer be subject to poor environmental and health conditions. For the presence and contributions by the provincial and city authorities, I would like to thank you all. The project will improve our city and increase aesthetics conditions and public health.</p>	

### 3<sup>rd</sup> Public Consultation Meeting

Minutes of Meeting
3 <sup>rd</sup> Public Consultation Meeting <ul style="list-style-type: none"> <li>• Date: 28 October 2020</li> <li>• Time: 8:00 am</li> <li>• Venue: Sangkate Phsar Kandal</li> <li>• Participants: 18 (7 male/11 female)</li> <li>• Local authorities: 2 (2 male/ 0 female)</li> </ul>
<b>Name:</b> Chear Sarin, <b>Gender:</b> Male <b>Position:</b> Chief of village <p>As we have been informed already, we now have a public consultation meeting with the project affected households and stakeholders together with the resettlement specialist. He will provide details on the proceedings of the project/subprojects. This is the second meeting conducted day with all people of the village for them to be properly informed and explained about the LCIP and the subprojects to be designed and implemented in Poipet City. Hence, we warmly welcome the consultant to enlighten us on the LCIP and its subprojects located in Poipet. I hence ask you to grant the audience to the resettlement expert. After the presentation, there will be a chance for everyone to make any suggestions or come up with new ideas and discuss them or ask questions to clarify any issues you have on the LCIP or its subprojects.</p>
<b>Name:</b> Chan Narith <b>Gender:</b> Male <b>Position:</b> Social Safeguards and Resettlement Specialist <p>The Social Safeguards and Resettlement Specialist, Mr. Chan Narith presented on the following issues:</p> <ul style="list-style-type: none"> <li>• Detailed information on project description, scope and benefits</li> <li>• Details about project location and proposed technical solutions in subproject</li> <li>• Details about RGC (SOP) and ADB policy (SPS 2009) on resettlement under the project loan</li> <li>• Explanation on the Resettlement Framework and Entitlement Matrix in the project</li> <li>• Details about the resettlement activities during design stage, which are the following:</li> </ul>

<ol style="list-style-type: none"> <li>1 Public consultation with local authorities, project stakeholders, communities, organizations, local people, and affected household/people within the proposed project areas</li> <li>2 Distribution of the PIBs to all participants</li> <li>3 Details about the project description, technical proposal, site selection, project benefits,</li> <li>4 Details about project impact with the public and private assets such as; <ul style="list-style-type: none"> <li>▪ Impact on land</li> <li>▪ Impact on structures</li> <li>▪ Impact on Tree and crop</li> <li>▪ Impact on business and income loss</li> <li>▪ Impact on people</li> <li>▪ Details about allowance proposed for vulnerable group and IRP</li> <li>▪ Cut-off date and eligibility for entitlements</li> <li>▪ Details about vocational training and short course proposed for training</li> </ul> </li> <li>5 <b>Details of the livelihood reinstatement compensation mechanism</b> <ul style="list-style-type: none"> <li>▪ MEF/GDR carries the compensation responsibility, after the DMS and consultation have been conducted, and after the compensation contract agreement is signed</li> <li>▪ Contractor is also responsible of the temporary impact during construction and shall return the state to the original pre-project condition.</li> </ul> </li> <li>6 <b>Detail about GRM and how it is processed.</b> <ul style="list-style-type: none"> <li>▪ Details about the project composition and responsible after establishing letter for PRSC and PGRC</li> <li>▪ Details about GRM processing and the procedure steps</li> <li>▪ Details about the GRM form</li> </ul> </li> <li>7 The list of urgent contact persons was provided in case of enquiries.</li> <li>8 Finally, the participants were encouraged to ask and raise up the ideas, comment, suggestion, concern, and any question.</li> </ol>	
<b>Discussion, Question and Answer</b>	
<p><b>Name:</b> Rina  <b>Gender:</b> Male  <b>Position:</b>  <b>Comment:</b> As the representative of Chief of Sangkat Phsar Kandal and the Poipet city, I am excited when I heard your detail explanation about the proposed LCIP and its subprojects to be designed and implemented in Poipet city, including the separate systems for wastewater and stormwater drainage. Especially the solution regarding the landfill to be located at Sangkat Nimit will be greatly beneficial. This is what we have been working towards for a long time to avoid the problems of sanitation and flooding, which again happened this year.</p>	
<p><b>Name:</b> Roth  <b>Gender:</b> Female  <b>Position:</b> Villager  <b>Question:</b> When will the construction start?</p>	<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist  <b>Response:</b> The proposed LCIP is at its initial stage of the feasibility study. After the ADB has approved the BRP and loan, the LCIP will be subject to DED. After DED is substantially completed, the DED will be consulted with the AHs and local authorities to seek their views and suggestions to improve the DED. The DED will then be finalized, and consultation will commence to conduct the DMS/SES/RCS to prepare the DRP. The DRP will be approved by IRC and cleared by ADB. Budget for compensation will be approved by the MEF and contracts will be prepared on affected assets for compensation to the AHs. Once the compensation payments are made and the land is vacated by the AHs, the contractor will commence the construction of civil works. It is estimated that the construction will start in late 2022 pending the time taken to get the LCIP and DRP approved by the ADB.</p>
<p><b>Name:</b> Tib Borey  <b>Gender:</b> Male  <b>Position:</b> School Director</p>	<p><b>Name:</b> Chan Narith  <b>Gender:</b> Male  <b>Position:</b> Resettlement Specialist</p>

<b>Question:</b> Will this construction separate the wastewater and the stormwater drainage?	<b>Response:</b> Upon the completion of the construction the two categories of water will be separated. The wastewater will be treated at the WWTP, but stormwater drainage will feed directly to the river.
<b>Name:</b> Hean <b>Gender:</b> Male <b>Position:</b> Sub-director School <b>Question:</b> How about the compensation? Who is responsible?	<b>Name:</b> Chan Narith <b>Gender:</b> Male <b>Position:</b> Resettlement Specialist <b>Response:</b> This is defined in the PIB including the details about GRM. Please share the information of PIBs who are not currently present at the consultation.  When the LCIP is approved by ADB, the next stage is DED when DMS will be conducted. This means recording all affected assets to be compensated. The compensation is responsibility of MEF/GDR, including the processing of the DMS and making contract agreement with AHs. The temporary impact is responded by contractor to reinstate temporary impacts to their pre-project state.  The details of the compensation are below: <ul style="list-style-type: none"> <li>• ADB approve the DRP report in DED stage.</li> <li>• MEF/GDR completed the contract agreement between AHs and subproject.</li> <li>• Submission of the report to RGC review and approve budget</li> <li>• Will set up the compensate schedule after RGC approved budget around 2 months.</li> <li>• Compensation will be made directly to AHs after checking the document references such as contract agreement, DMS, and also personal legal documents.</li> </ul>
<b>Name:</b> Naly <b>Gender:</b> Female <b>Position:</b> Villager <b>Question:</b> Could you please provide details of the compensation rates	<b>Name:</b> Chan Narith <b>Gender:</b> Male <b>Position:</b> Resettlement Specialist <b>Response:</b> After DMS the compensation rates will be confirmed by the replacement cost study, which is a responsibility of an independent consultant. All the prices are based on current market prices at replacement cost and approved by GDR.
<b>Name:</b> Nga <b>Gender:</b> Female <b>Position:</b> Villager <b>Comment:</b> Yes, I would like to share my ideas for this subprojects. 1 <sup>st</sup> for construction schedule as we discussed. I think it should be proposed to happen during the day time which is better than night time working because: <ul style="list-style-type: none"> <li>• Safety first at each construction site</li> <li>• Avoiding the disturbance to sleep at night-time with noise of machines during construction.</li> <li>• Quality of works perhaps would be much better during daytime because of clear visibility</li> <li>• Easy to communicate with the household owners while digging in front of their house</li> </ul> 2 <sup>nd</sup> The construction of the drainage system should be discussed with the local people living at the subproject site and local authorities about current situation or requirement. 3 <sup>rd</sup> We fully support the subprojects and want to see them proceed to construction stage as soon as possible.	

*Signed attendance lists of participants***1<sup>st</sup> PCM Attendant list of participants**

Location/Venue		Existing Landfill		
Date		26/10/2020		
Time:		14:00 pm to 16:30 pm		
Participant		55 (33 male /22 female)		
Local Authority		1 (1 male/0 female)		
No	Name	Gender	Position/Institution	Tel
1	Pin Sreng	Male	chief of fill land	016 825 842
2	Ly Pov	Male	Villager	067 802 691
3	Hork Pha	Male	Villager	088 441 285 2
4	Pen E	Male	Villager	069 205 570
5	Vorn Chanty	Female	Villager	069 205 570
6	Leang Sophorn	Male	Villager	
7	Leang Brak	Male	Villager	097 912 136 9
8	Leang Srey Neath	Female	Villager	093 404 003
9	Ti Vorn	Male	Villager	
10	Kim Sopheap	Male	Villager	096 803 251 4
11	Chot Art	Male	Villager	097 208 671 1
12	Seng Leak	Male	Villager	015 389 292
13	Beng Sambun	Male	Villager	096 450 019 7
14	Vorn Bunny	Male	Villager	096 443 689 6
15	Sey Rati	Male	Villager	096 666 173 0
16	Thai Soek	Female	Villager	
17	Cheng Soeung	Female	Villager	096 792 333 6
18	Nob Sen	Male	Villager	096 597 255 1
19	Chea Pok	Male	Villager	097 865 357 8
20	Ho Thy	Male	Villager	097 669 461 0
21	Chea Sin	Male	Villager	096 418 474 3
22	Neu Ra	Female	Villager	064 465 647
23	Ray Kunthea	Female	Villager	096 775 026 4
24	Vai Sopheak	Male	Villager	093 603 310 8
25	Chai Narong	Male	Villager	069 251 453
26	Van Sreyya	Female	Villager	097 214 377 9
27	Van Chril	Male	Villager	097 824 066 6
28	Ban Phala	Female	Villager	
29	Ban Channy	Female	Villager	069 985 151
30	Mom Koem Hoeun	Female	Villager	
31	Khuth Sophal	Female	Villager	078 272 614
32	Ni Map	Male	Villager	
33	Yeam Van	Male	Villager	098 482 680
34	Ly Rith	Male	Villager	091 897 959 9
35	Roout Sokheng	Male	Villager	
36	Moul Sophary	Female	Villager	088 669 797 1
37	Sut Thearak	Female	Villager	010 494 954
38	Thuong Theng	Female	Villager	
39	Thuong Than	Male	Villager	097 304 231 5
40	Khuy Khoun	Male	Villager	097 258 695 8
41	Chan Sreyleak	Female	Villager	
42	Cham Mealea	Female	Villager	
43	Phea lina	Female	Villager	088 706 093 2
44	Sun Sovanna	Female	Villager	097 625 888 4
45	Sao Sophorn	Male	Villager	096 228 360 2
46	Nhum Sarueng	Male	Villager	090 672 172
47	Vorn Nang	Male	Villager	096 625 618 3
48	Brak Channa	Male	Villager	096 876 029 0



**បញ្ជីចម្លង កម្មប្រជុំគណៈកម្មាធិការប្រជាជន**

Attendee List

ទីតាំងប្រជុំ (Location) : ភូមិស្រែចម្ការ (សង្កាត់ស្រែចម្ការ) 5 : 30 PM  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : 26-10-2020  
 ពេលវេលាប្រជុំ (Start time) : 16-45 PM 2 : 10 ពេលវេលាប្រជុំ (End time) : 16-50 PM

ល.រ No.	ឈ្មោះ Name	ឈ្មោះ Gender	តំណែង Position	លេខស្រាប់ Signature	ហត្ថលេខា Signature
1	លោក ឈី	F	អគ្គនាយក	06646567	Ch
2	លោក ឈី	F	អគ្គនាយក	06646567	Ch
3	លោក ឈី	M	អគ្គនាយក	06646567	Ch
4	លោក ឈី	M	អគ្គនាយក	06646567	Ch
5	លោក ឈី	F	អគ្គនាយក	06646567	Ch
6	លោក ឈី	M	អគ្គនាយក	06646567	Ch
7	លោក ឈី	F	អគ្គនាយក	06646567	Ch
8	លោក ឈី	F	អគ្គនាយក	06646567	Ch
9	លោក ឈី	F	អគ្គនាយក	06646567	Ch
10	លោក ឈី	F	អគ្គនាយក	06646567	Ch

លេខ : 2/20 ទំព័រ : 1

**បញ្ជីចម្លង កម្មប្រជុំគណៈកម្មាធិការប្រជាជន**

Attendee List

ទីតាំងប្រជុំ (Location) : ភូមិស្រែចម្ការ (សង្កាត់ស្រែចម្ការ) 3 : 00 PM  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : 26-10-2020  
 ពេលវេលាប្រជុំ (Start time) : 2 : 10 PM ពេលវេលាប្រជុំ (End time) : 3 : 00 PM

ល.រ No.	ឈ្មោះ Name	ឈ្មោះ Gender	តំណែង Position	លេខស្រាប់ Signature	ហត្ថលេខា Signature
1	លោក ឈី	M	អគ្គនាយក	06646567	Ch
2	លោក ឈី	M	អគ្គនាយក	06646567	Ch
3	លោក ឈី	M	អគ្គនាយក	06646567	Ch
4	លោក ឈី	M	អគ្គនាយក	06646567	Ch
5	លោក ឈី	M	អគ្គនាយក	06646567	Ch
6	លោក ឈី	M	អគ្គនាយក	06646567	Ch
7	លោក ឈី	M	អគ្គនាយក	06646567	Ch
8	លោក ឈី	M	អគ្គនាយក	06646567	Ch
9	លោក ឈី	M	អគ្គនាយក	06646567	Ch
10	លោក ឈី	M	អគ្គនាយក	06646567	Ch

លេខ : 2/20 ទំព័រ : 1

**បញ្ជីចម្លង កម្មប្រជុំគណៈកម្មាធិការប្រជាជន**

Attendee List

ទីតាំងប្រជុំ (Location) : ភូមិស្រែចម្ការ (សង្កាត់ស្រែចម្ការ) 3 : 30 PM  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : 26-10-2020  
 ពេលវេលាប្រជុំ (Start time) : 2 : 10 PM ពេលវេលាប្រជុំ (End time) : 3 : 30 PM

ល.រ No.	ឈ្មោះ Name	ឈ្មោះ Gender	តំណែង Position	លេខស្រាប់ Signature	ហត្ថលេខា Signature
1	លោក ឈី	F	អគ្គនាយក	06646567	Ch
2	លោក ឈី	M	អគ្គនាយក	06646567	Ch
3	លោក ឈី	F	អគ្គនាយក	06646567	Ch
4	លោក ឈី	M	អគ្គនាយក	06646567	Ch
5	លោក ឈី	M	អគ្គនាយក	06646567	Ch
6	លោក ឈី	M	អគ្គនាយក	06646567	Ch
7	លោក ឈី	M	អគ្គនាយក	06646567	Ch
8	លោក ឈី	M	អគ្គនាយក	06646567	Ch
9	លោក ឈី	M	អគ្គនាយក	06646567	Ch
10	លោក ឈី	M	អគ្គនាយក	06646567	Ch

លេខ : 2/20 ទំព័រ : 1

### 2nd PCM Attendant list of participants

<b>Location/Venue</b>	Sala Sangkat Poi Pet
<b>Date</b>	27/10/2020
<b>Time:</b>	14:00 pm to 16:45 pm
<b>Participant</b>	31 (27male/4 female)
<b>Local Authority</b>	6 (5 male/1 female)

No	Name	Gender	Position/Institution	Tel
1	Pum Sophin	Male	Commune Assistant (Poi Pet)	012 861 216
2	Ky Sarun	Male	Village chief (Palelai I)	012 476 633
3	Chil Sarom	Male	Village chief (Samaki Meanchey I)	089 570 068
4	Theng Sokphary	Male	Village chief	012 675 766
5	Oum Sophay	Male	Village chief	017 720 606
6	Sok Kheng	Female	Sub Chief of Village (Palelai II)	077 642 179
7	Ouk Sen	Male	Sub Chief of Village (Khbal Spen I)	095 970 997
8	Khan Sroy	Male	Team leader	077 774 312
9	Orn Bros	Male	Team leader 2	092 279 169
10	Ung Samorn	Male	School director	078 315 136
11	Som Vandy	Male	Villager	011 777 217
12	Reun Serey	Male	Villager	012 695 218
13	Moeun Meut	Male	Villager	092 552 196
14	Prak Sovann	Male	Villager	
15	Chhuk Vanna	Female	Villager	012 429 948
16	Sok Sol	Female	Villager	011 680 664
17	Kun Phan	Male	Villager	088 183 831
18	Nop Sary	Male	Villager	071 551 548 8
19	Meng Sokna	Male	Villager	089 970 170
20	Pheang Somara	Male	Villager	061 345 676
21	Lim Kuy	Male	Villager	088 666 676 6
22	Sok Makara	Male	Villager	012 416 667
23	Chea Savoeun	Male	Villager	071 454 635
24	You Hok	Male	Villager	071 566 576 2
25	Nov Sinuon	Male	Villager	092 356 659
26	Toek leut	Male	Villager	092 356 659
27	Ngam Mealea	Male	Villager	088 501 348 2
28	Arl Jeb	Male	Villager	089 366 884
29	Sung Suan	Male	Villager	069 654 477
30	Tang Bak Leng	Male	Villager	077 494 905
31	Chuon Reng	Female	Villager	017 392 423

បញ្ជីចម្កល់ កម្មបរដែលបានចូលរួមក្នុងការងារ  
 Attendee List  
 ទីតាំងប្រជុំ (Location) : ការងារសាងសង់ស្រះស្ទឹងស្រីស្រី  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : ២៩/០៩/២០២០  
 ម៉ោងចាប់ផ្តើម (Start time) : ០៨:០០ PM  
 ម៉ោងបញ្ចប់ (End time) : ០៩:៣០ PM

ល.រ No	ឈ្មោះ Name	ភេទ Gender	តំណក់ Position	លេខទូរស័ព្ទ Tel	ហត្ថលេខា Signature
០១	ស្រី លីង	០១	—	០១២៣៤៥៦៧	
០២	ស្រី លីង	០២	—	០២៣៤៥៦៧៨	
០៣	ស្រី លីង	០៣	—	០៣៤៥៦៧៨៩	
០៤	ស្រី លីង	០៤	—	០៤៥៦៧៨៩០	
០៥	ស្រី លីង	០៥	—	០៥៦៧៨៩០១	
០៦	ស្រី លីង	០៦	—	០៦៧៨៩០១២	
០៧	ស្រី លីង	០៧	—	០៧៨៩០១២៣	
០៨	ស្រី លីង	០៨	—	០៨៩០១២៣៤	
០៩	ស្រី លីង	០៩	—	០៩០១២៣៤៥	

សរុប = ៩ នាក់

បញ្ជីចម្កល់ កម្មបរដែលបានចូលរួមក្នុងការងារ  
 Attendee List  
 ទីតាំងប្រជុំ (Location) : ការងារសាងសង់ស្រះស្ទឹងស្រីស្រី  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : ២៩/០៩/២០២០  
 ម៉ោងចាប់ផ្តើម (Start time) : ១០:០០ PM  
 ម៉ោងបញ្ចប់ (End time) : ៣:០០ PM

ល.រ No	ឈ្មោះ Name	ភេទ Gender	តំណក់ Position	លេខទូរស័ព្ទ Tel	ហត្ថលេខា Signature
០១	ស្រី លីង	០១	—	០១២៣៤៥៦៧	
០២	ស្រី លីង	០២	—	០២៣៤៥៦៧៨	
០៣	ស្រី លីង	០៣	—	០៣៤៥៦៧៨៩	
០៤	ស្រី លីង	០៤	—	០៤៥៦៧៨៩០	
០៥	ស្រី លីង	០៥	—	០៥៦៧៨៩០១	
០៦	ស្រី លីង	០៦	—	០៦៧៨៩០១២	
០៧	ស្រី លីង	០៧	—	០៧៨៩០១២៣	
០៨	ស្រី លីង	០៨	—	០៨៩០១២៣៤	
០៩	ស្រី លីង	០៩	—	០៩០១២៣៤៥	

សរុប = ៩ នាក់

បញ្ជីចម្កល់ កម្មបរដែលបានចូលរួមក្នុងការងារ  
 Attendee List  
 ទីតាំងប្រជុំ (Location) : ការងារសាងសង់ស្រះស្ទឹងស្រីស្រី  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : ២៩/០៩/២០២០  
 ម៉ោងចាប់ផ្តើម (Start time) : ០៨:០០ PM  
 ម៉ោងបញ្ចប់ (End time) : ០៩:៣០ PM

ល.រ No	ឈ្មោះ Name	ភេទ Gender	តំណក់ Position	លេខទូរស័ព្ទ Tel	ហត្ថលេខា Signature
០១	ស្រី លីង	០១	—	០១២៣៤៥៦៧	
០២	ស្រី លីង	០២	—	០២៣៤៥៦៧៨	
០៣	ស្រី លីង	០៣	—	០៣៤៥៦៧៨៩	
០៤	ស្រី លីង	០៤	—	០៤៥៦៧៨៩០	
០៥	ស្រី លីង	០៥	—	០៥៦៧៨៩០១	
០៦	ស្រី លីង	០៦	—	០៦៧៨៩០១២	
០៧	ស្រី លីង	០៧	—	០៧៨៩០១២៣	
០៨	ស្រី លីង	០៨	—	០៨៩០១២៣៤	
០៩	ស្រី លីង	០៩	—	០៩០១២៣៤៥	

សរុប = ៩ នាក់

បញ្ជីចម្កល់ កម្មបរដែលបានចូលរួមក្នុងការងារ  
 Attendee List  
 ទីតាំងប្រជុំ (Location) : ការងារសាងសង់ស្រះស្ទឹងស្រីស្រី  
 កាលបរិច្ឆេទប្រជុំ (Date of meeting) : ២៩/០៩/២០២០  
 ម៉ោងចាប់ផ្តើម (Start time) : ១០:០០ PM  
 ម៉ោងបញ្ចប់ (End time) : ៣:០០ PM

ល.រ No	ឈ្មោះ Name	ភេទ Gender	តំណក់ Position	លេខទូរស័ព្ទ Tel	ហត្ថលេខា Signature
០១	ស្រី លីង	០១	—	០១២៣៤៥៦៧	
០២	ស្រី លីង	០២	—	០២៣៤៥៦៧៨	
០៣	ស្រី លីង	០៣	—	០៣៤៥៦៧៨៩	
០៤	ស្រី លីង	០៤	—	០៤៥៦៧៨៩០	
០៥	ស្រី លីង	០៥	—	០៥៦៧៨៩០១	
០៦	ស្រី លីង	០៦	—	០៦៧៨៩០១២	
០៧	ស្រី លីង	០៧	—	០៧៨៩០១២៣	
០៨	ស្រី លីង	០៨	—	០៨៩០១២៣៤	
០៩	ស្រី លីង	០៩	—	០៩០១២៣៤៥	

សរុប = ៩ នាក់



Table 1 : 3rd PCM Attendant list of participants

Location/Venue	Sangkat Phsar Kandal
Date	28/10/2020
Time:	8:00 am to 9:55 am
Participant	18 (7 male/11 female)
Local Authority	2 (2 male/ 0 female)

No	Name	Gender	Position/Institution	Tel
1	Tnoeng Rina	Male	Sub Chief of Village	078 968 896
2	Chea Sarin	Male	Sub Chief of Village	017 774 142
3	Long Samnang	Male	Village chief's assistant	012 214 578
4	Tit borey	Male	School director	012 558 834
5	Phun Hean	Male	Sub-director school	017 411 421
6	Moeuk Kov	Female	Villager	
7	Chea Heang	Female	Villager	
8	Ly Srey Roth	Female	Villager	
9	khlauch braech	Female	Villager	
10	Mc Khorn	Male	Villager	012 882 152
11	Thay Thorn	Male	Villager	
12	Ren Sotheary	Female	Villager	012 199 102
13	Sorn Sengky	Female	Villager	069 835 711
14	Nut Saranng	Female	Villager	089 653 363
15	Si Naly	Female	Villager	088 556 5784
16	Srey Nich	Female	Villager	012 676 935
17	Huot Srey Touch	Female	Villager	011 284 626
18	Chhum Srey Nga	Female	Villager	095 909 010

បញ្ជីចំណូល អង្គប្រជុំសហគមន៍ក្នុងស្រុក

Attendee List

កាលបរិច្ឆេទ (Date of meeting) : ២៨ / ១០ / ២០២០

ទីតាំងប្រជុំ (Meeting place) : ០៩ : ០៩ : ៤៦ ភូមិ

ល.រ	ឈ្មោះ	ភេទ	តំណភ្ជាប់	លេខទូរស័ព្ទ	ហត្ថលេខា
១	ត្រី ឈ្មោះ	ប្រុស	078 968 896		
២	ចៀង ឈ្មោះ	ប្រុស	017 774 142		
៣	ឈ្មោះ	ប្រុស	012 214 578		
៤	ឈ្មោះ	ប្រុស	012 558 834		
៥	ឈ្មោះ	ប្រុស	017 411 421		
៦	ឈ្មោះ	ស្រី			
៧	ឈ្មោះ	ស្រី			
៨	ឈ្មោះ	ស្រី			
៩	ឈ្មោះ	ស្រី			
១០	ឈ្មោះ	ប្រុស	012 882 152		
១១	ឈ្មោះ	ប្រុស			
១២	ឈ្មោះ	ស្រី	012 199 102		
១៣	ឈ្មោះ	ស្រី	069 835 711		
១៤	ឈ្មោះ	ស្រី	089 653 363		
១៥	ឈ្មោះ	ស្រី	088 556 5784		
១៦	ឈ្មោះ	ស្រី	012 676 935		
១៧	ឈ្មោះ	ស្រី	011 284 626		
១៨	ឈ្មោះ	ស្រី	095 909 010		

លេខ ០៩ : ០៩ : ៤៦ ភូមិ

បញ្ជីចំណូល អង្គប្រជុំសហគមន៍ក្នុងស្រុក

Attendee List

កាលបរិច្ឆេទ (Date of meeting) : ២៨ / ១០ / ២០២០

ទីតាំងប្រជុំ (Meeting place) : ០៩ : ០៩ : ៤៦ ភូមិ

ល.រ	ឈ្មោះ	ភេទ	តំណភ្ជាប់	លេខទូរស័ព្ទ	ហត្ថលេខា
១	ត្រី ឈ្មោះ	ប្រុស	078 968 896		
២	ចៀង ឈ្មោះ	ប្រុស	017 774 142		
៣	ឈ្មោះ	ប្រុស	012 214 578		
៤	ឈ្មោះ	ប្រុស	012 558 834		
៥	ឈ្មោះ	ប្រុស	017 411 421		
៦	ឈ្មោះ	ស្រី			
៧	ឈ្មោះ	ស្រី			
៨	ឈ្មោះ	ស្រី			
៩	ឈ្មោះ	ស្រី			
១០	ឈ្មោះ	ប្រុស	012 882 152		
១១	ឈ្មោះ	ប្រុស			
១២	ឈ្មោះ	ស្រី	012 199 102		
១៣	ឈ្មោះ	ស្រី	069 835 711		
១៤	ឈ្មោះ	ស្រី	089 653 363		
១៥	ឈ្មោះ	ស្រី	088 556 5784		
១៦	ឈ្មោះ	ស្រី	012 676 935		
១៧	ឈ្មោះ	ស្រី	011 284 626		
១៨	ឈ្មោះ	ស្រី	095 909 010		

លេខ ០៩ : ០៩ : ៤៦ ភូមិ

បញ្ជីចំណូល អង្គប្រជុំសហគមន៍ក្នុងស្រុក

Attendee List

កាលបរិច្ឆេទ (Date of meeting) : ២៨ / ១០ / ២០២០

ទីតាំងប្រជុំ (Meeting place) : ០៩ : ០៩ : ៤៦ ភូមិ

ល.រ	ឈ្មោះ	ភេទ	តំណភ្ជាប់	លេខទូរស័ព្ទ	ហត្ថលេខា
១	ត្រី ឈ្មោះ	ប្រុស	078 968 896		
២	ចៀង ឈ្មោះ	ប្រុស	017 774 142		
៣	ឈ្មោះ	ប្រុស	012 214 578		
៤	ឈ្មោះ	ប្រុស	012 558 834		
៥	ឈ្មោះ	ប្រុស	017 411 421		
៦	ឈ្មោះ	ស្រី			
៧	ឈ្មោះ	ស្រី			
៨	ឈ្មោះ	ស្រី			
៩	ឈ្មោះ	ស្រី			
១០	ឈ្មោះ	ប្រុស	012 882 152		
១១	ឈ្មោះ	ប្រុស			
១២	ឈ្មោះ	ស្រី	012 199 102		
១៣	ឈ្មោះ	ស្រី	069 835 711		
១៤	ឈ្មោះ	ស្រី	089 653 363		
១៥	ឈ្មោះ	ស្រី	088 556 5784		
១៦	ឈ្មោះ	ស្រី	012 676 935		
១៧	ឈ្មោះ	ស្រី	011 284 626		
១៨	ឈ្មោះ	ស្រី	095 909 010		

លេខ ០៩ : ០៩ : ៤៦ ភូមិ

## Pictures of Public Consultation Meetings











## **G. Public Information Brochure**

### **Proposed Livable Cities Investment Project (LCIP)**

**September 2020**

The purpose of this Public Information Brochure (PIB) 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. This PIB is for the proposed subprojects in Poipet under the proposed LCIP.

#### **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 stormwater 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 Poipet city are: (i) Poipet Solid Waste Management Subproject, (ii) Poipet Wastewater Treatment Subproject and (iii) Poipet Stormwater Drainage Subproject. The map showing the location of the three 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 affected households and affected persons (AHs/APs) 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 AHs/APs 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 subprojects 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 RCs 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.



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

## Contacts Persons Related to Land Acquisition and Resettlement

**Mr. Chanvibol Kim**, Deputy Director, General Department of Resettlement, Ministry of Economy and Finance, Phnom Penh.

Tel: 095 555 699

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

Tel: 092 465 060

**Mr. Chea Sovanthoun**, Project Implementation Unit, Department of Public Works Poipet City

Tel: 012 220 015

Figure 1: Map of Location for Poipet Solid Waste Management Subproject

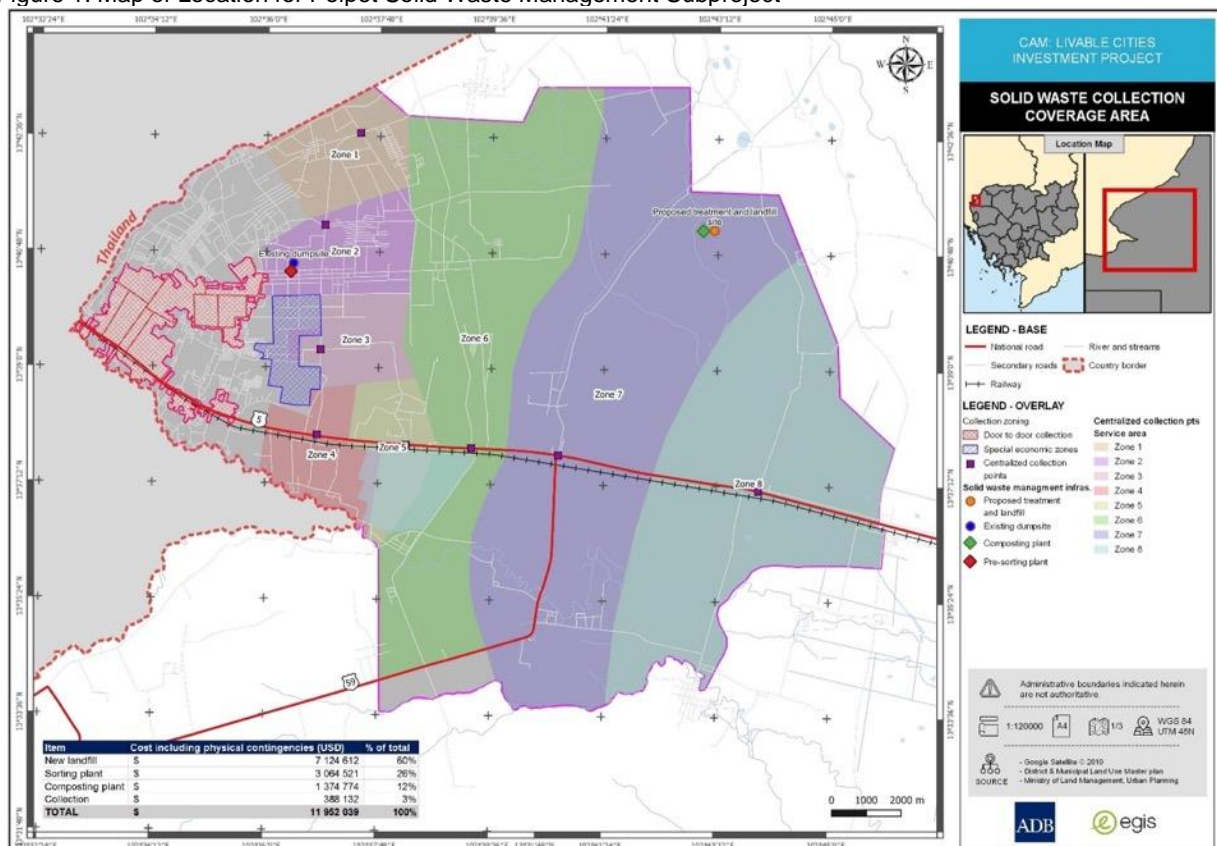


Figure 2: Map of Location for Poipet Wastewater Treatment Subproject

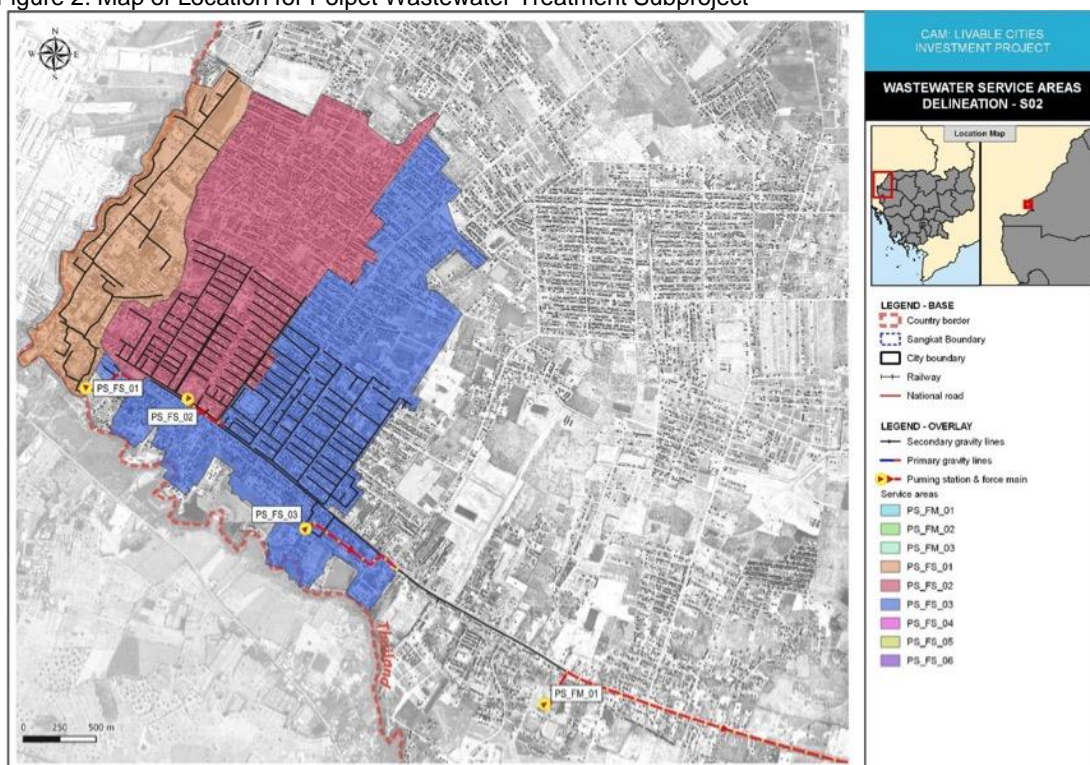
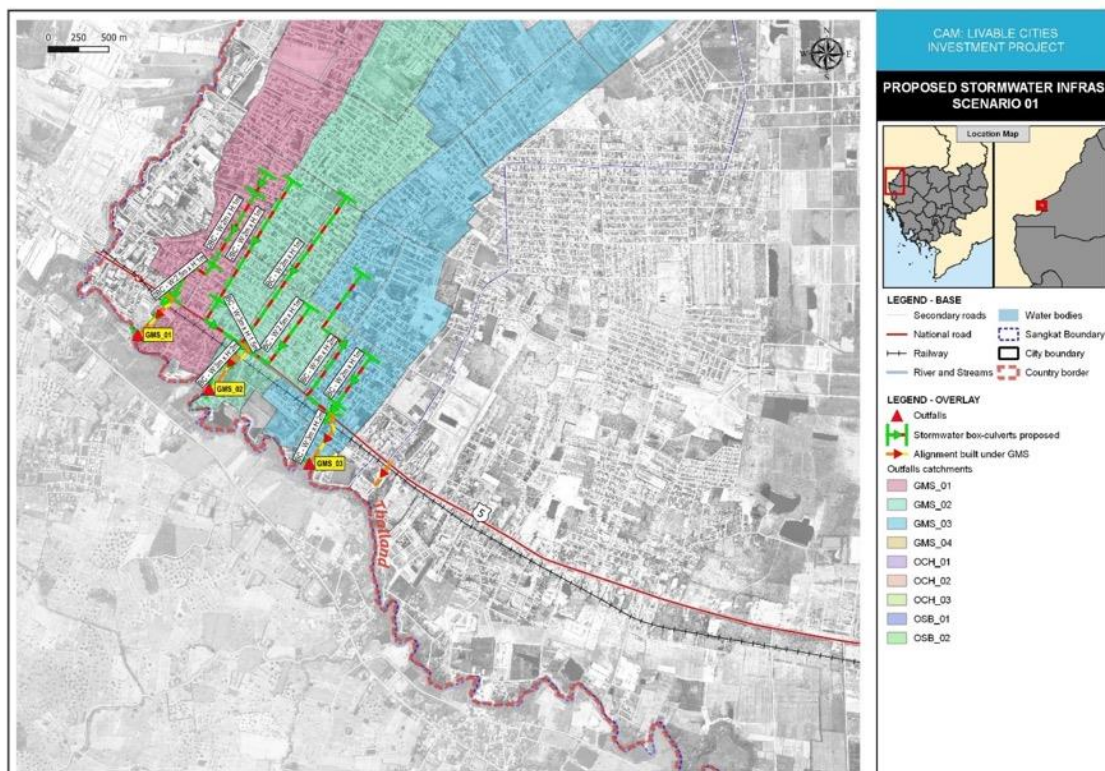


Figure 3: Map of Location for Poipet Stormwater Drainage Subproject



### 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: \_\_\_\_\_

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

**Name:**

**Position:**

**Sign/Thump Print:**

**Date:**

**ខិត្តប័ណ្ណព័ត៌មានសាធារណៈ**

**គម្រោងវិនិយោគវិនិយោគក្នុងគម្រោងប្រចាំរដ្ឋ ( LCIP )**

**ខែ កញ្ញា ឆ្នាំ ២០២០**

គោលបំណងនៃខិត្តប័ណ្ណព័ត៌មានសាធារណៈនេះត្រូវបានផ្តល់ នូវព័ត៌មានពាក់ព័ន្ធទៅនឹង គម្រោងវិនិយោគក្នុងគម្រោងប្រចាំរដ្ឋ (LCIP) ជូនដល់បុគ្គល និងគ្រួសារដែលរស់នៅក្នុង ទីតាំងអនុគម្រោងនៃគម្រោង LCIP ដែលអាចធ្វើ ខូចខាតសំណង់រូបវន្ត (ការផ្លាស់ប្តូរទី លំនៅ ការបាត់បង់ដីលំនៅដ្ឋាន ឬការបាត់បង់ទីជម្រកជាដើម) ឬខូចខាតផ្នែកសេដ្ឋកិច្ច (ការបាត់បង់ដីធ្លី, ទ្រព្យសម្បត្តិ, ផ្លូវចេញចូលមកផ្ទះឬបាងលក់ដូរ, ប្រភពចំណូល មធ្យោបាយទ្រទ្រង់ជីវភាពរស់នៅ) ដែលរងផលប៉ះពាល់ពីគម្រោងសម្រាប់គម្រោង និង ការកាត់ទីលំនៅដ្ឋានសារជាថ្មីដោយមិនមានការស្ម័គ្រចិត្ត។ ខិត្តប័ណ្ណព័ត៌មាន(PIB)នេះគឺ សម្រាប់អនុគម្រោងក្នុងក្រុងប៉ោយប៉ែតក្រោមគម្រោងស្នើសុំ LCIP ។

**A. សាវតាតម្រោង**

**1. តើមានហេតុផលអ្វីដែលត្រូវបានស្នើសុំរាប់គម្រោងវិនិយោគក្នុងគម្រោងប្រចាំរដ្ឋ (LCIP)?**

ធនាគារអភិវឌ្ឍន៍អាស៊ី (ADB) កំពុងគាំទ្រដល់រាជរដ្ឋាភិបាលកម្ពុជា (RGC) ដើម្បីជួយសម្រួល ដល់កំណើនសេដ្ឋកិច្ចប្រកបដោយចីរភាព និងរយៈពេលវែង ។ គម្រោងស្នើសុំ LCIP នេះ នឹង ផ្ដោតលើក្រុងកំរិតទីពីររួមមាន ក្រុងប៉ោយប៉ែត និងក្រុងកំពត ដោយសារតែក្រុងទាំង នោះមានទីតាំង និងសក្តានុពលសេដ្ឋកិច្ច ដែលស្ថិតនៅតំបន់ពាណិជ្ជកម្ម និងទេសចរណ៍សំខា ន់។ ការអនុម័តឥណទានអាចនឹងរំពឹងទុកក្នុងឆ្នាំ 2021 ។ ក្រសួងសាធារណការនិងដឹកជញ្ជូន (MPWT) នឹងក្លាយជាទីភ្នាក់ងារប្រតិបត្តិសម្រាប់គម្រោង LCIP ។

**2. តើអ្វីទៅជាគោលបំណងនៃគម្រោងស្នើសុំ LCIP?**

គោលបំណងនៃគម្រោង LCIP ដែលបានស្នើឡើងគឺដើម្បីធ្វើឱ្យប្រសើរឡើងនូវ៖

- (i) បទប្បញ្ញត្តិបរិស្ថាន
- (ii) ការរៀបចំស្ថាប័ននិងអភិបាលកិច្ចទាក់ទងនឹងវិស័យហេដ្ឋារចនាសម្ព័ន្ធ និង
- (iii) ហេដ្ឋារចនាសម្ព័ន្ធទីក្រុង (ដោយផ្ដោតលើការផ្គត់ផ្គង់ទឹកស្អាតប្រព័ន្ធអនាម័យ ការ គ្រប់គ្រងសំណល់រឹង និងប្រព័ន្ធរំដោះទឹកភ្លៀង) ។

**3. តើអ្វីជាលទ្ធផលរំពឹងទុកនៃគម្រោងស្នើសុំ LCIP ?**

លទ្ធផលរំពឹងទុកនៃគម្រោងស្នើសុំ LCIP មានបីគឺ៖

- (i) ការកែលំអគោលនយោបាយ និងបទប្បញ្ញត្តិបរិស្ថាន
- (ii) ការកែលំអហេដ្ឋារចនាសម្ព័ន្ធទីក្រុងឱ្យមានភាពប្រសើរឡើង និង
- (iii) ការកែលំអស្ថាប័ន និងអភិបាលកិច្ចឱ្យមានប្រសិទ្ធភាព។

**4. តើអនុគម្រោងនៃគម្រោងស្នើសុំ LCIP មានអ្វីខ្លះ?**

អនុគម្រោងនៃគម្រោងស្នើសុំ LCIP សម្រាប់ទីក្រុងប៉ោយប៉ែតរួមមាន៖

- 1) អនុគម្រោងការគ្រប់គ្រងកាកសំណល់រឹង
- 2) អនុគម្រោងការប្រមូល និងធ្វើប្រព្រឹត្តិកម្មសំណល់កាកសំណល់រឹង និង
- 3) អនុគម្រោងប្រព័ន្ធរំដោះទឹកភ្លៀង។

**5. តើទំហំការងារទទួលបានដី និងការកាត់ទីលំនៅដ្ឋានថ្មី និងផលប៉ះពាល់មានអ្វីខ្លះ?**

ផលប៉ះពាល់នឹងមានចំពោះទ្រព្យសម្បត្តិជាប្រភេទដី និងមិនមែនដី ដោយសារសមាសភាពនៃ អនុគម្រោងដែលបានស្នើឡើង។ បន្ទាប់ពីការរចនាប្លង់វិស្វកម្មលំអិត(DED) អង្គភាពគ្រប់គ្រង គម្រោង(PMU) ក្នុងក្រសួងសាធារណការនិងដឹកជញ្ជូន និងក្រុមទីប្រឹក្សាបច្ចេកទេសសិក្សារៀបចំ ប្លង់នឹងបោះបង្គោលព្រំដែនលើដីមុនពេលការចុះវាស់វែងលម្អិត(DMS)ចាប់ផ្តើម។ ការរៀបចំ ផែនការផ្លាស់ប្តូរទីលំនៅ នឹងត្រូវធ្វើឱ្យរួចរាល់ស្របពេលជាមួយគ្នានឹងការរចនាប្លង់លំអិតនៃអនុ គម្រោងស្នើសុំ ហើយរាល់ការទូទាត់សំណង់ទាំងអស់នឹងត្រូវធ្វើឱ្យបានចប់សព្វគ្រប់ មុននឹងចាប់ ផ្តើមការសាងសង់។

**6. តើដីចំណីផ្លូវ (ROW) និងទំហំដីដែលរងការប៉ះពាល់ (COI) មានអ្វីខ្លះនៅក្នុងអនុគម្រោង?**

ROW គឺជាដីដែលគ្រប់គ្រងដោយរដ្ឋប្រដាប់អាវុធនៃក្រសួងសាធារណការនិងដឹកជញ្ជូន ត្រូវបានបម្រុងទុកសម្រាប់ការពង្រីកឬ សាងសង់ហេដ្ឋារចនាសម្ព័ន្ធសាធារណៈនាពេលអនាគតដូចជា ផ្លូវ ប្រព័ន្ធរំដោះទឹក និងបណ្តាញ ល្ង។ COI គឺជាទំហំដីដែលនឹងត្រូវរងផលប៉ះពាល់ដោយផ្ទាល់ នៅកន្លែងការងារដែលអនុ គម្រោងស្នើសុំនឹងត្រូវអនុវត្ត។

វិមាត្របស់ COI ពិតប្រាកដ គឺត្រូវមានការកែតម្រូវបន្ទាប់ពីការបញ្ចប់ការរចនាប្លង់វិស្វកម្មលំអិត (DED) ។ ការពិគ្រោះយោបល់បន្ថែម នឹងត្រូវធ្វើឡើង ជាមួយគ្រួសារ/ជនដែលរងផលប៉ះពាល់ (AHs/APS)នៅថ្នាក់ឃុំឬភូមិបន្ទាប់ពីការបញ្ចប់ DED ដើម្បីជូនព័ត៌មានអំពី DED និងការកែសំរួល ណាមួយចំពោះ COI ។

**7. តើកាលបរិច្ឆេទបញ្ចប់សម្រាប់ការទទួលបានសិទ្ធិជាអ្វី?**



កាលបរិច្ឆេទបញ្ចប់ (COD) គឺជាកាលបរិច្ឆេទដែលត្រូវបានបង្កើតឡើងដោយរាជរដ្ឋាភិបាល កម្ពុជា ដែលសិទ្ធិទទួលបានរបស់គ្រួសារ/ជនដែលរងផលប៉ះពាល់ (AH/AP) ដើម្បីទទួលបាន សំណងនិងជំនួយការតាំងទីលំនៅថ្មី ក្រោមអនុគម្រោងដែលបានស្នើសុំ។ មានតែAHs ដែលស្ថិតនៅក្នុង COI ឬបាត់បង់ទ្រព្យសម្បត្តិរបស់ពួកគេមុនពេលCODប៉ុណ្ណោះ ដែលនឹងមានសិទ្ធិទទួលបានសំណង។ ជនណាកាន់កាប់ដីធ្លីបន្ទាប់ពី COD នឹងមិនមានសិទ្ធិទទួលបានសំណងឡើយ។ ម៉្យាងវិញទៀត រាល់ការសាសង់សំណង់ថ្មី ឬការពង្រីករចនាសម្ព័ន្ធដែលមានស្រាប់នៅក្នុងCOI ត្រូវបានចាត់ទុកថា ខុសច្បាប់ហើយមិនមានសិទ្ធិទទួលបានសំណងឡើយ។

គ្រួសារ/ជនដែលរងផលប៉ះពាល់ (AHs/APs)នឹងត្រូវចាកចេញពី COI បន្ទាប់ពីការទូទាត់សំណងបានធ្វើរួចរាល់ ដើម្បីឱ្យការងារសាងសង់របស់គម្រោងចាប់ផ្តើម។

**8 តើអ្វីទៅជាសារពើភ័ណ្ឌនៃការខាតបង់ និងការស្ទង់មតិរាល់ដំណាក់កាល ហើយពេលណាទើបអនុវត្ត?**

ការធ្វើជំរឿន ការស្ទង់មតិសេដ្ឋកិច្ចសង្គម (SES) និងសារពើភ័ណ្ឌនៃការខាតបង់ (IOL) គឺជាការព្យាករណ៍ដំបូងនូវទំហំនៃផលប៉ះពាល់ទៅលើទ្រព្យសម្បត្តិឯកជន និងសាធារណៈដោយអនុគម្រោងស្នើសុំ ដោយមានរួមបញ្ចូលទាំងដី, រចនាសម្ព័ន្ធ, ដំណាំ, ដើមឈើ, អាជីវកម្ម និងការបាត់បង់ផ្សេងទៀតក្នុងដីរោងចក្រ។ ការរួមបញ្ចូលគ្នា IOL និង SES នឹងត្រូវបានធ្វើឡើង ដោយក្រសួងសាធារណការចុះបន្ទាប់ពីការរចនាគ្រោងនៃអនុគម្រោងស្នើសុំ ត្រូវបានបញ្ចប់ ហើយការពិគ្រោះយោបល់ជាសាធារណៈលើកដំបូងជាមួយពលរដ្ឋដែលរងផលប៉ះពាល់នឹងត្រូវអនុវត្ត។ វានឹងអនុញ្ញាតឱ្យមានការប៉ាន់ប្រមាណដំបូងនៃផលប៉ះពាល់ ការប៉ាន់ស្មានបឋម និងការកាត់បន្ថយផលប៉ះពាល់ដោយផ្ទាល់ និងការបញ្ចៀសហេតុប៉ះពាល់ក្នុងកំឡុងពេលរចនាលម្អិត។ ជំរឿន នឹងកំណត់បញ្ជីឈ្មោះគ្រួសារដែលរងផលប៉ះពាល់(AHs) ដែលមានសិទ្ធិទទួលបានសំណងសម្រាប់ការបាត់បង់ទ្រព្យសម្បត្តិរបស់ពួកគេ។

ការវាស់វែងលម្អិត (DMS) គឺជាការចុះអង្កេតលម្អិតនិងការវាយតម្លៃទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់ទាំងអស់រួមទាំងដី ផ្ទះនិងរចនាសម្ព័ន្ធ, ហាង, ដំណាំ, និងដើមឈើរបស់គ្រួសារដែលរងផលប៉ះពាល់ទាំងអស់។ ការចុះអង្កេតលម្អិតនឹងត្រូវបានធ្វើឡើងចំពោះគ្រួសារដែលរងផលប៉ះពាល់នីមួយៗ ដើម្បីកត់ត្រានិងឯកភាពលើរាល់ការបាត់បង់ ទ្រព្យសម្បត្តិរបស់ពួកគេ។ ការការចុះអង្កេតស្ទង់មតិនេះក៏នឹងប្រមូលព័ត៌មាននិងទិន្នន័យស្តីពីស្ថានភាពសេដ្ឋកិច្ចសង្គម ប្រភពនៃការទ្រទ្រង់ជីវភាព ប្រាក់ចំណូល កំរិតវប្បធម៌របស់គ្រួសារ ដែលរងផលប៉ះពាល់ និងជនដែលរងផលប៉ះពាល់ ជនងាយរងគ្រោះ។ល។ វាត្រូវបានធ្វើឡើងដោយមានវត្តមានរបស់គ្រួសារដែលរងផលប៉ះពាល់ និងសក្សីដោយសន្តិវិធីប្រតិបត្តិ។ DMS នឹងក្លាយជា មូលដ្ឋានសម្រាប់ការគណនាការបាត់បង់សំណងសម្រាប់ គ្រួសារដែលរងផលប៉ះពាល់នីមួយៗ ។ DMS នឹងត្រូវបានធ្វើឡើងបន្ទាប់

ពី DED ត្រូវបាបបញ្ចប់។ ប្រជាជនដែលរងគ្រោះនិងអាជ្ញាធរមូលដ្ឋាន នឹងត្រូវជូនដំណឹងជាមុនអំពីអំពីសកម្មភាពនេះ ។

**9. តើសំណងនិងសិទ្ធិទទួលបានអ្វីខ្លះ?**

គ្រួសារ/ជនដែលរងផលប៉ះពាល់ដោយគម្រោង ស្នើសុំមានសិទ្ធិទទួលបានសំណងសម្រាប់ទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់ ក្រោមគោលការណ៍សំណងសំខាន់ៗដូចខាងក្រោម៖

- ការផ្តល់សំណងសមរម្យ និងយុត្តិធម៌ជាមុន
- សំណងពេញលេញដែលត្រូវបង់ មុនធ្វើអស្សាមិករណ៍ ឬរុះរើសំអាត
- សំណង គឺផ្អែកលើតម្លៃនៃការផ្លាស់ប្តូរ ការបាត់បង់ទ្រព្យសម្បត្តិ តាមតម្លៃលើទីផ្សារដែលនឹងត្រូវកំណត់ដោយទីប្រឹក្សាឯករាជ្យតាមរយៈការសិក្សាតម្លៃទូទាត់ស (RCS) ដោយគ្មានការកាត់ចេញដែលធ្វើឡើងសម្រាប់ការរំលោះសម្ភារៈនិងថ្លៃប្រតិបត្តិការ។

**(a) តើខ្ញុំនឹងទទួលបានសំណងចំពោះការបាត់បង់ដីឬទេ?**

ដីចំណីផ្លូវ (ROW) គឺជាដីរបស់រដ្ឋ ហើយគ្រួសារដែលរងផលប៉ះពាល់កាន់កាប់ដីដែលជាចំណីផ្លូវនេះនឹងមិនត្រូវបានទទួលសំណងឡើយ។ ទោះជាយ៉ាងនេះក្តី ពួកគេនឹងត្រូវបានផ្តល់សំណងសម្រាប់ការបាត់បង់ដែលបណ្តាលមកពីការប្រើប្រាស់ដីនេះ ជាឧទាហរណ៍ សំណងអគារ តូបកំពង់លក់ដូរ ឬ ដំណាំដាំដុះឬដើមឈើហូបផ្លែ។

ក្នុងករណីបន្ទាប់ពីការបញ្ចប់នៃការរចនាវិស្វកម្មលម្អិត (DED) ចាំបាច់ត្រូវធ្វើការទូទាត់លើដីឯកជនសម្រាប់ខ្សែបន្ទាត់ថ្មី ឬទំហំដីដែលគ្រួសារដែលរងផលប៉ះពាល់មានសិទ្ធិស្របច្បាប់ដែលដីនោះស្ថិតនៅក្រៅដីចំណីផ្លូវ (ROW) បន្ទាប់មកសំណងនឹងត្រូវបង់តាមតម្លៃទូទាត់សងនៃដីដែលត្រូវទទួលបាន។

**(ខ) តើខ្ញុំនឹងទទួលបានសំណងសម្រាប់ផ្ទះនិងសំណង់ដែលរងផលប៉ះពាល់ដែរឬទេ?**

ពិតជាទទួលបាន។ ផ្ទះឯកជននិងសំណង់ដែលរងផលប៉ះពាល់ដោយសារអនុគម្រោងស្នើសុំនឹងត្រូវបានសងដោយតម្លៃទូទាត់សំណង។ តម្លៃទូទាត់សំណង មិនកាត់បន្ថយទឹកប្រាក់សម្រាប់ថ្លៃរំលោះចំពោះការប្រើប្រាស់ ឬថ្លៃសម្ភារៈឡើងចុះ និងតម្លៃអន្តរកាលទេ។ សំណង់ទាំងនោះរួមមាន ៖ របង អណ្តូងទឹក បង្គន់អនាម័យ ផ្លូវក្រាលបេតុង ក្លោងទ្វារនិងសំណង់ស្រដៀងគ្នាផ្សេងទៀតដែលគ្រួសារដែលរងផលប៉ះពាល់បង្ហាញពីភាពជាម្ចាស់។ ប្រសិនបើផ្ទះឬសំណង់ផ្សេងៗត្រូវបានរងផលប៉ះពាល់ដោយផ្នែកខ្លះៗ នោះសំណងនឹងត្រូវបានបង់សម្រាប់តែផ្នែកដែលរងផលប៉ះ



ពាល់លើកលែងតែត្រូវបានបង្ហាញថាផ្នែកដែលនៅសល់មិនអាចមានប្រយោជន៍ទៀតទេបន្ទាប់ពីផ្នែកដែលរងផលប៉ះពាល់ត្រូវបានដកចេញ ។ ក្នុងករណីបែបនេះសំណងនឹងត្រូវបង់សងសម្រាប់សំណងទាំងមូល។

(c) តើខ្ញុំនឹងទទួលបានសំណង សម្រាប់ដំណាំនិង ដើមឈើរបស់ខ្ញុំទេ?

ពិតជាទទួលបាន។ ចំពោះដំណាំប្រចាំឆ្នាំដែល បានផ្តល់ផលិតផល តាមរដូវកាលប្រចាំឆ្នាំ ដូចជាស្រូវ នឹងត្រូវបានផ្តល់សំណងសម្រាប់ ប្រាក់ចំណូលប្រចាំឆ្នាំសុទ្ធ សម្រាប់មួយឆ្នាំ។ លើសពីនេះទៀត ការជូនដំណឹងគ្រប់គ្រាន់ នឹងត្រូវផ្តល់ជូនគ្រួសារដែលរងផលប៉ះពាល់ ដើម្បីឱ្យពួកគេអាចប្រមូលផលដំណាំបានទាន់ពេលវេលា។ ក្នុងករណីនេះ គឺគ្មានសំណងត្រូវបានបង់សម្រាប់ដំណាំដែលបានប្រមូលផលរួចហើយ។ ចំពោះដំណាំដែលកំពុងរងចាំទុំប៉ុន្តែ មិនអាចប្រមូលផលបាន នៅពេលដែលការទទួលបានដីសម្រាប់គម្រោង គ្រួសារដែលរងផលប៉ះពាល់នឹងត្រូវផ្តល់សំណងសម្រាប់ដំណាំដែលបាត់បង់ដោយផ្អែកលើតម្លៃទូទាត់សំណងជាមូលដ្ឋាន ។

ចំពោះដំណាំដែលមានអាយុច្រើនឆ្នាំ (ដើមឈើដែលមានផ្លែច្រើនឆ្នាំដូចជាដើមស្វាយ) គ្រួសារដែលរងផលប៉ះពាល់នឹងត្រូវទូទាត់សងសម្រាប់ការបាត់បង់ផ្លែឈើដែល នឹងគិតត្រូវពីការបាត់បង់ចំណូលសក្តានុពល និងពេលវេលាដែលត្រូវការដើម្បីដាំដើមឈើដែលមានអាយុច្រើនឆ្នាំឡើងវិញ ។

(d) ប្រសិនបើខ្ញុំត្រូវផ្លាស់ប្តូរទីលំនៅ ឬហាងរបស់ខ្ញុំតើមានជំនួយផ្លាស់ប្តូរទីតាំងដែរឬទេ?

ពិតជាមាន។ កិច្ចខិតខំប្រឹងប្រែងទាំងអស់នឹងត្រូវធ្វើឡើងក្នុងដំណាក់កាលរចនាលម្អិតនៃអនុគម្រោងដើម្បីជៀសវាងការផ្លាស់សំណង់នានារបស់គ្រួសារដែលរងផលប៉ះពាល់។ ចំពោះការផ្លាស់ប្តូរទីលំនៅសំណង់លំនៅដ្ឋាន ឬសំណង់ប្រហាក់ប្រហែលគ្នាពីដីដែលគម្រោងសាងសង់ផ្លូវត្រូវការ(COI) នឹងត្រូវផ្តល់ប្រាក់ឧបត្ថម្ភផ្លាស់ប្តូរទី និងជំរើសក្នុងការផ្លាស់ទី។ អាចមានការផ្លាស់ប្តូរទីនៃតូបដែលពួកគេ នឹងតម្រូវឱ្យផ្លាស់ប្តូរតាមទីតាំងដែលចាងបានដោយខ្លួនឯង ឬខិតទៅក្រោយខាងក្រៅដីចំណីផ្លូវ។ ក្រៅពីសំណង់សម្រាប់ការផ្លាស់ប្តូរទីសំណង់ទាំងនោះ ប្រាក់ឧបត្ថម្ភអន្តរកាលនឹងត្រូវបង់ដូចខាងក្រោម៖

- (i) ប្រាក់ឧបត្ថម្ភដឹកជញ្ជូនសរុបមួយចំណែកសម្រាប់ការជីកស្រែសម្បត្តិ; និង
- (ii) ការបាត់បង់ប្រាក់ចំណូលពីអាជីវកម្មក្នុងករណីតូបដែលធ្វើអាជីវកម្ម។

ក្នុងករណី គ្រួសារដែលរងផលប៉ះពាល់ត្រូវបានចាត់ថ្នាក់ជាអ្នកក្រ និងងាយរងគ្រោះ នោះប្រាក់ឧបត្ថម្ភក្នុងចំណុច(ii)ខាងលើនឹងត្រូវកើនឡើងទ្វេដង។

(e) ក្នុងករណីដែលជីវភាពរបស់ខ្ញុំរងផលប៉ះពាល់តើខ្ញុំនឹងទទួលបានសំណងយ៉ាងដូចម្តេច?

ការចុះអង្កេតវាស់វែងលម្អិត(DMS) នឹងកត់សំគាល់ពីជីវភាពរបស់គ្រួសារដែលរងផលប៉ះពាល់ថាតើមានផលប៉ះពាល់អ្វីខ្លះដល់ពួកគេ ។ នៅក្រោម អនុគម្រោងស្នើសុំ សម្រាប់គ្រួសារដែលរងផលប៉ះពាល់ជីវភាពរបស់ពួកគេ ពួកគេនឹងត្រូវបានផ្តល់ទូទាត់ចំពោះការខាតបង់ប្រាក់ចំណូលឬការគាំទ្រការស្តារឡើងវិញ៖

- (i) ការបាត់បង់ប្រាក់ចំណូលក្នុងកំឡុងពេលអន្តរកាល ដែលត្រូវការការផ្លាស់ទីលំនៅថ្មី។ វានឹងគ្របដណ្តប់លើការបាត់បង់ប្រាក់ចំណូលក្នុងកំឡុងពេលផ្លាស់ប្តូរទីលំនៅដោយខ្លួនឯង។
- (ii) នៅពេលដែលប្រភពចម្បងនៃការចិញ្ចឹមជីវិត ត្រូវបានបាត់បង់ជាអចិន្ត្រៃយ៍កម្មវិធីស្តារនិងទ្រទ្រង់ជីវភាព នឹងត្រូវបានផ្តល់ជូនដល់គ្រួសារ/ផែនការដែលរងផលប៉ះពាល់ ដើម្បីជួយកសាង/ស្តារជីវភាពរបស់ពួកគេឡើងវិញ។

ក្នុងករណីគ្រួសារដែលរងផលប៉ះពាល់ត្រូវបានចាត់ថ្នាក់ជាអ្នកក្រ និងងាយរងគ្រោះជំនួយថវិកាទាំងនេះក្រោមការស្តារនិងគាំទ្រជីវភាពដែលបានជ្រើសរើសនឹងកើនឡើងទ្វេដង ។ លើសពីនេះទៀត អនុគម្រោងស្នើសុំ នឹងត្រូវផ្តល់ឱកាសការងារក្នុងកំឡុងពេលសាងសង់។

10. តើផ្លែទូទាត់សងគិតយ៉ាងដូចម្តេច, និងការផ្តល់សំណងគណនាដោយវិធីណា?

ការទូទាត់សំណង នឹងត្រូវធ្វើឡើងដោយផ្អែកលើតម្លៃលើទីផ្សារ ឬតម្លៃពេញលេញនៃទ្រព្យសម្បត្តិដែលបាត់បង់ដោយមិនចាំបាច់កាត់ប្រាក់សម្រាប់តម្លៃឡើងចុះ តម្លៃរំលោះសម្ភារៈ ឬតម្លៃអន្តរកាលឡើយ។ ការសិក្សាតម្លៃទូទាត់សាង (RCS) នឹងត្រូវបានអនុវត្តដោយអ្នកពិគ្រោះយោបល់ឯករាជ្យដែលមានលក្ខណៈសម្បត្តិគ្រប់គ្រាន់ក្នុងមូលដ្ឋានជាមួយ នឹងបទពិសោធន៍ចាំបាច់ក្នុងការវាយតម្លៃទ្រព្យសម្បត្តិដើម្បីកំណត់អត្រាលើទីផ្សារទូទៅ។ ការងារនេះនឹងត្រូវបានធ្វើតាមរបៀបបន្ទាប់ពីDMS ។ ទីប្រឹក្សាពិគ្រោះយោបល់សម្រាប់RCS នឹងអនុវត្តការវិភាគលំអិតនៃអត្រាទីផ្សារសម្រាប់ទ្រព្យសម្បត្តិគ្រប់ប្រភេទដែលមាននៅក្នុងតំបន់អនុគម្រោងស្នើសុំ ហើយរៀបចំអត្រាតម្លៃឯកតា សម្រាប់ប្រភេទនីមួយៗនៃទ្រព្យសម្បត្តិដែលបាត់បង់។ ទាំងនេះនឹងត្រូវបានប្រើដើម្បីគណនាតម្លៃទូទាត់សង។ អត្តនាយកដ្ឋាននៃការតាំងទីលំនៅថ្មី (GDR) នៃក្រសួងសេដ្ឋកិច្ចនិងហិរញ្ញវត្ថុ នឹងជ្រើសរើសទីប្រឹក្សាពិគ្រោះយោបល់ RCS មុនពេលចាប់ផ្តើម DMS ។

11. តើខ្ញុំមានសិទ្ធិប្តឹងតវ៉ាគំរាមមិនចុះសម្រុងបញ្ជាសំណងការតាំងទីលំនៅថ្មីឬបញ្ជាដែលទាក់ទងផ្សេងទៀតទេប្រសិនបើមាន?

ពិតជាមាន។ អ្នកមានសិទ្ធិដាក់ពាក្យបណ្តឹងរបស់អ្នកទៅកាន់គណៈកម្មាធិការដោះស្រាយបណ្តឹងតវ៉ា (GRC) ប្រសិនបើអ្នកមិនច្បាស់ឬមិនសប្បាយចិត្ត នឹងសកម្មភាពតាំងទីលំនៅថ្មីក្នុងអំឡុងពេលអនុវត្តអនុគម្រោង។ សមាជិកនៃ GRC គ្រប់ពេលវេលាត្រៀមខ្លួនជួយអ្នក។ ការព្យាយាមដោះស្រាយបណ្តឹងតវ៉ារបស់អ្នកនឹងចាប់ផ្តើមនៅថ្នាក់ភូមិតាមរយៈមេភូមិ។ ម្យ៉ាងវិញទៀត អ្នកអាចដាក់ពាក្យបណ្តឹងដោយពាក្យសុំដីទៅកាន់សមាជិកណាមួយនៃ GRC (ឧទាហរណ៍នៅភូមិឃុំ ឬក្រុមការងារតាំងទីលំនៅថ្មី) ។ GRC នឹងកត់ត្រានិងចងក្រងពាក្យបណ្តឹងរបស់អ្នកហើយណែនាំអ្នកអំពីដំណោះស្រាយ។

**12. តើខ្ញុំត្រូវទាក់ទងអ្នកណាក្នុងករណីដែលខ្ញុំត្រូវការការបំភ្លឺឬមានបញ្ហា/បណ្តឹង?**

នៅដំណាក់កាលនៃការរៀបចំ LCIP ដែលបានស្នើសុំនេះ សូមទំនាក់ទំនងទៅឈ្មោះ និងលេខទូរស័ព្ទរបស់ពួកគេដែលបង្ហាញជូននៅក្នុងប្រអប់ខាងក្រោម ដែលអាចផ្តល់ឱ្យអ្នកនូវការបំភ្លឺអំពីបញ្ហាបច្ចេកទេសដែលទាក់ទងនឹងអនុគម្រោង។ នៅពេលនេះនៅក្នុងពេលវេលាសិទ្ធិទទួលបានការខាតបង់ទ្រព្យសម្បត្តិ DMS និងកញ្ចប់សំណងមិនត្រូវបានគេសម្រេចនៅឡើយទេ ហេតុដូច្នេះហើយពាក្យបណ្តឹងដែលទាក់ទងនឹងពួកគេនឹងមិនត្រូវបានផ្តល់ឡើយ។

ដោយលើកឡើងថាគំរោងស្នើសុំ LCIP មិនទាន់ត្រូវបានយល់ព្រមដោយធនាគារអភិវឌ្ឍន៍អាស៊ី គណៈកម្មាធិការតាំងលំនៅថ្មីអន្តរក្រសួងនៃក្រសួងសេដ្ឋកិច្ចនិងហិរញ្ញវត្ថុមិនទាន់បង្កើតយន្តការដោះស្រាយបណ្តឹងតវ៉ា (GRM) ដែល RCs នឹងត្រូវបានបង្កើតឡើងនៅថ្នាក់ស្រុកនិងនៅថ្នាក់ខេត្តនៅឡើយទេ។ គណៈកម្មាធិការទាំងនេះនឹងត្រូវបានបង្កើតឡើងនិងធ្វើប្រតិបត្តិការមុនពេលចាប់ផ្តើម DMS។ រាល់បណ្តឹងតវ៉ាឬការតវ៉ាអំពីផ្នែកណាមួយនៃកញ្ចប់សំណង នឹងចាំបាច់ត្រូវបញ្ជូនទៅគណៈកម្មាធិការទាំងនេះដើម្បីរកដំណោះស្រាយ។ PIB ដែលបានធ្វើបច្ចុប្បន្នភាពជាមួយនឹងព័ត៌មានលម្អិតទាំងអស់ស្តីពី GRM នឹងត្រូវបានផ្សព្វផ្សាយនិងពន្យល់លម្អិតដោយ GDR ដល់គ្រួសារដែលរងផលប៉ះពាល់ក្នុងអំឡុងពេលប្រជុំពិគ្រោះយោបល់សាធារណៈដាច់ដោយឡែកមុនពេលចាប់ផ្តើមនៃ DMS ។

ប្រសិនបើអ្នកមានសំណួរនិងយោបល់បន្ថែមសូមទាក់ទងមកយើងខ្ញុំតាម៖ អ្នកទំនាក់ទំនងដែលទាក់ទងនឹងការទទួលបានដី និងការតាំងទីលំនៅថ្មី

**លោក ចាន់វិបុល គឹម** អគ្គនាយករងនៃអគ្គនាយកដ្ឋានការតាំងទីលំនៅថ្មីនៃក្រសួងសេដ្ឋកិច្ចនិងហិរញ្ញវត្ថុរាជធានីភ្នំពេញ។

ទូរស័ព្ទលេខ ០៩៥ ៥៥៥ ៦៩៩

**លោក វង្ស ជាតុន្ទា** ប្រធានគម្រោងអង្គភាពគ្រប់គ្រងគម្រោងក្រសួងសាធារណការនិងដឹកជញ្ជូនរាជធានីភ្នំពេញ

ទូរស័ព្ទលេខ ០៩២ ៤៦៥ ០៦០

**លោក ជា សុវណ្ណធួន** អង្គភាពអនុវត្តគម្រោងមន្ទីរសាធារណការក្រុងប៉ោយប៉ែត

ទូរស័ព្ទលេខ ០១២ ២២០ ០១៥

ពាក្យបណ្តឹងបុគ្គល

គម្រោងកែលម្អគ្រប់គ្រងបរិស្ថានក្រុងជុំវិញបឹងទន្លេសាប 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/ ត្រួសារ	

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

លិខិតពីអភិបាលខណ្ឌ-ស្រុក

ក្រុង-ស្រុក-ខណ្ឌ: \_\_\_\_\_

រាជធានី-ខេត្ត: \_\_\_\_\_

បណ្តឹងបុគ្គល		
ករណីលេខ៖		
ឈ្មោះអ្នកដាក់ពាក្យបណ្តឹង		
កាលបរិច្ឆេទបណ្តឹង		
សេចក្តីសង្ខេបនៃពាក្យបណ្តឹង ( ដូចគ្នានឹងពាក្យសុំចុះឈ្មោះបណ្តឹងឥតឈ្មោះ )		
កិច្ចប្រជុំគណៈកម្មការដោះស្រាយបណ្តឹងឥតឈ្មោះ		
កាលបរិច្ឆេទ:	ម៉ោង:	ទីតាំង:
អ្នកចូលរួម		
សេចក្តីសង្ខេបនៃការពិភាក្សា		
កាលបរិច្ឆេទនៃការចុះពិនិត្យទីតាំង ប្រសិនបើ ( មាន		
លទ្ធផលនៃការប្រជុំ/សេចក្តីសម្រេច		

បដិសេធ - គ្មានមូលដ្ឋានយោងតាមការវាយតម្លៃទទួលបានសំណង

សមនឹងទទួល - បណ្តឹងបញ្ជូនបន្តទៅអគ្គនាយកដ្ឋានដោះស្រាយជំនាញដោះស្រាយប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍ដើម្បី ចាត់វិធានការ

ឈ្មោះ:

តួនាទី:

ហត្ថលេខា/ស្នាមមេដៃ:

កាលបរិច្ឆេទ:



**H. 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: \_\_\_\_\_

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

**Name:**

**Position:**

**Sign/Thump Print:**

**Date:**

## I. 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