

Resettlement Plan

August 2012

CAM: Greater Mekong Subregion Corridor Towns
Development Project

BATTAMBANG WASTEWATER TREATMENT

CURRENCY EQUIVALENTS

(as of 4 June 2012)

Currency unit	–	riel (KR)
KR1.00	=	\$0.00025
\$1.00	=	KR4,060

LIST OF ABBREVIATIONS

ADB	–	Asian Development Bank
APs /AHs	–	Affected Persons/Affected Households
CBO	–	Community Based Organization
COI	–	Corridor of Impact
DMS	–	Detailed Measurement Survey
DP	–	Displaced Person
EA	–	Executing Agency
EMO	–	External Monitoring Organization (also known as IMO - Independent Monitoring Organization)
FHH	–	Female Headed Household
HH	–	Household
HOH	–	Head of Household
IOL	–	Inventory of Losses
KII	–	Key Informants Interview
MPWT	–	Ministry of Public Works and Transport
NGO	–	Nongovernment organization
PMU	–	Project Management Unit
PPWT	–	Provincial Public Works and Transport
RCS	–	Replacement Cost Study
RoW	–	Right of Way
RP	–	Resettlement Plan
RSWG	–	Resettlement Sub Committee Working Groups

GLOSSARY

Cut-off Date	–	This refers to the date prior to which the occupation or use of the project area makes residents/users of the same eligible to be categorized as DP. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).
Affected Households /Affected Persons	–	In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.
Detailed	–	With the aid of the approved detailed engineering design, this

Measurement Survey		activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
Entitlement	–	Refers to a range of measures comprising compensation and assistance, income restoration support, etc. which are due to the DPs, depending on the type and severity of their losses, to restore their economic and social base.
Host community	–	Means the community already in residence at a proposed resettlement or relocation site.
Income Restoration	–	This is the re-establishment of sources of income and livelihood of the affected households.
Inventory of Losses (IOL)	–	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 (RoW) are identified, measured, their owners identified, their exact location pinpointed, and prices of the affected property were surveyed during the IOL. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of DPs will be determined.
Land Acquisition	–	Refers to the process whereby an 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.
Relocation	–	This is the physical relocation of a DP from her/his pre-project place of residence and/or business.
Replacement Cost Study	–	This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Severely Affected Households	–	This refers to affected households who will (i) being physically displaced from housing (ii) lose 10% or more of their productive assets (income generating),
Vulnerable Groups	–	These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads with no other means of support, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, (vi) indigenous people or ethnic minorities.

NOTES

- (i) The fiscal year (FY) of the Government of Cambodia ends on 31 December.
- (ii) In this report, "\$" refers to US dollars.

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EXECUTIVE SUMMARY

A. Introduction

1. At the request of the Governments of Cambodia, Lao PDR and Viet Nam, the Asian Development Bank (ADB) approved the Project Preparatory Technical Assistance (PPTA) for the Greater Mekong Sub-region (GMS) - Corridor Towns Development Project (CTDP). The GMS-CTDP is designed to facilitate the transformation of transport corridors into economic corridors that would attract further investments in economic and environmental infrastructures to spur economic growth and sustained development. The two sub-projects are proposed for funding from the ADB and have therefore to fully comply with the ADBs' safeguard policies. The proposed subprojects are:

2. **Wastewater Treatment Plant (WWTP):** WWTP in the Western Side will includes Rehabilitation of existing treatment facilities, upgrading and construction of a new inlet pump, rehabilitation of 1,500m of outlet canals, and construction of administration Office. For WWTP in Eastern Side contains construction of new WWTP, installation of 60.4km of storm drain canals and 62.4km of sewage pipes in Sangkat Rotanak and Praek Preah Sdach.

3. **Flood Protection.** Construction of damaged Flood Protection structures with 200 m length at Wat Sophy and 100 m length at Apsara Market.

B. Summary of LAR Impact

4. **WWTP.** The IOL has identified a total of 744 AHs (4091 APs) under the WWT subproject with limited impact on front house slap, fence or roof extended inside the road corridor. Of these 353 are settled in Praek Preahsdach, 382 from Rotanak; 8 in Norea and only 1 from Anlong Village. A total of 249 AHs (1369 APs) include 146 AHs (803 APs) who will lose main housing structure fully; 103 AHs (566 APs) who will have partial loss of main structure. However, they will not require any relocation and all the 249 AHs will rebuild on the remaining viable land. The remaining 495 AHs (2722 APs) will lose secondary structures. 118 AHs out of 495 AHs will lose 708 trees. There are no households that will be affected in the area within the 3.8 hectares of the treatment plant that belongs to the government where no households are residing.

5. **Flood Protection.** There are 5 households (33 APs) that will be affected in the Flood Protection that are encroaching in government land within the existing RoW of the proposed sub project. These households will require relocation.

Table 1-1: Affected Households

WWT	AHs	APs
Total number of Affected Households	744	4091
AHs w/ fully affected main structures/business, w/ remaining viable land (public)	146	803
AHs with partially affected main structures/business with remaining viable land (public)	103	566
AH with affected secondary structures/trees	495	2722
Flood Protection		
AHs that will require relocation	5	33

6. The 3.8 hectares required for the wastewater treatment plant belongs to the government which has been donated to the project. The IOL confirmed that there are no affected households or assets that will be impacted by land acquisition. The government intends to buy an additional 10 hectare land if necessary.

C. Legal Policy and Entitlement

7. The land acquisition and compensation of AHs will be governed by the national laws, and of the ADB's Safeguard Policy Statement. The resettlement policy adopted the following principles: (i) land acquisition should be minimized as much as possible, (ii) ensure that affected people receive compensation at full replacement cost and with relocation assistance so that they will be at least similar or at least in better condition as they would have been before the project took place. A fundamental objective of the project resettlement policy is to replace and compensate lost assets based on the principle of replacement cost. Compensation and various forms of assistance will be provided and income restoration programs, as needed, will be put in place during the RAP implementation, in a way that will ensure that their standards of living are at least restored to their pre-project levels, and that those in the category of vulnerable groups (such as poor households,) are assisted to help improve their socioeconomic status. In addition to compensation at replacement cost, AHs will receive additional entitlements such as allowances/cash assistance for those who will lose their productive land of 10% or more and those who will be relocated.

8. **Cut-off date.** The cut-off date is established as the last date the IOL is completed, which is December 21 2011. A validation of the master list of APs will be undertaken during the detailed measurement survey (DMS) following approval of the detailed design. Any households that may emerge after the cut off date will not be entitled to receive compensation, unless the APs could show proof that he has been inadvertently missed out during the IOL survey. The Inter-ministerial Resettlement Committee (IRC) is responsible to deal with all the land acquisition and resettlement issues.

D. Participation, Grievance Redress and Disclosure

9. Two rounds of public consultation meetings were done participated by various stakeholders comprising of local officials, affected households, women, youth, and business sectors. Keeping the AHs informed and getting them involved will continue during the updating and implementation of the RP consistent with the project's participatory approach. Consultations have been carried out throughout the resettlement plan preparation and will again be carried out during the RP implementation. A grievance redress mechanism will be designed to ensure that the complaints and grievances of AHs are addressed and resolved in a timely and satisfactory manner. A grievance committee will be established at provincial level with a process starting from Commune Offices where grievances can be dealt with more effectively by the grievance process. Tasks are addressed the issues and concerns of affected households. Projection information has been disseminated to the AH during the public consultation and will continue throughout the project cycle. Draft Project Information Booklet (PIB) will be made available at the commune office before project appraisal and the updated PIB will be distributed to each AH during the DMS. In compliance with ADB's SPS, satisfactory draft and final RPs endorsed by IRC will be placed at relevant Commune Offices and will be uploaded on the ADB's website in compliance with the disclosure requirements of ADB's SPS.

E. Institutional Arrangements

10. The Ministry of Public Works and Transport (MPWT) is the executing agency, and the Provincial Department of Public Works and Transport (PDPWT) is the implementing agency covering the project civil works. The Inter-ministerial Resettlement Committee (IRC) of which MPWT is a member is overall responsible for the satisfactory implementation of the RP. The RP shall be carried out in collaboration with the project management unit (PMU) and IRC and the Resettlement Department of the Ministry of Economy and Finance. The PMU and IRC needs to ensure that the designated staff has relevant capacity and experience in implementing resettlement activities, and has been involved in other ADB or development partners' (DPs) funded projects. The tasks include updating, implementing and financing the RP. A Provincial Resettlement Sub-Committees (PRSC) and its Working Group (WG) shall be organized as counterpart to assist the IRC and the MPWT at the local level. The Project will hire Project Implementation Support Consultants to assist in the RP implementation. Updating of the RP will commence following approval of the detailed engineering design. An independent agency specialized in affected properties appraiser will be hired by the IRC to conduct detailed assessment on replacement cost which will be used for compensation. The IRC will submit the updated RP to ADB for review and approval.

11. Displacement of people from land, other assets, and sources of income and livelihood cannot commence until the updated RP has been reviewed and approved by the ADB. Moreover, construction activities in any specific component of the proposed sub-project cannot begin until compensation has been paid, and agreed rehabilitation assistance is in place, and that said section is free of all encumbrances. Below is an indicative schedule of the updating and implementation of the RP.

Table 1-2: Resettlement Implementation Schedule

Resettlement Activities	Schedule
RP Preparation	Month 1- Month 2
ADB Approval of Draft RP	Month 3
DMS and RP Updating	Month 5-8
Submission and ADB Approval of Updated RP	Month 9 -10
Consultation	Month 1- Month 40
Delivery of Compensation and Allowances/Development of Relocation Sites	Month 10-16
Grievance Redress Mechanism	Month 10- Month 40
Shifting of DPs and Implementation of Income Restoration Program	Month 17-21
Implementation of Income Restoration Program	Month 22-34
Internal Monitoring (submission of quarterly) reports	Month 16, 19, 22 25, 28, 31,34
External Monitoring (submission of semi annual reports)	Month 22,28,34
Post-resettlement Evaluation by External Monitor	Month 40

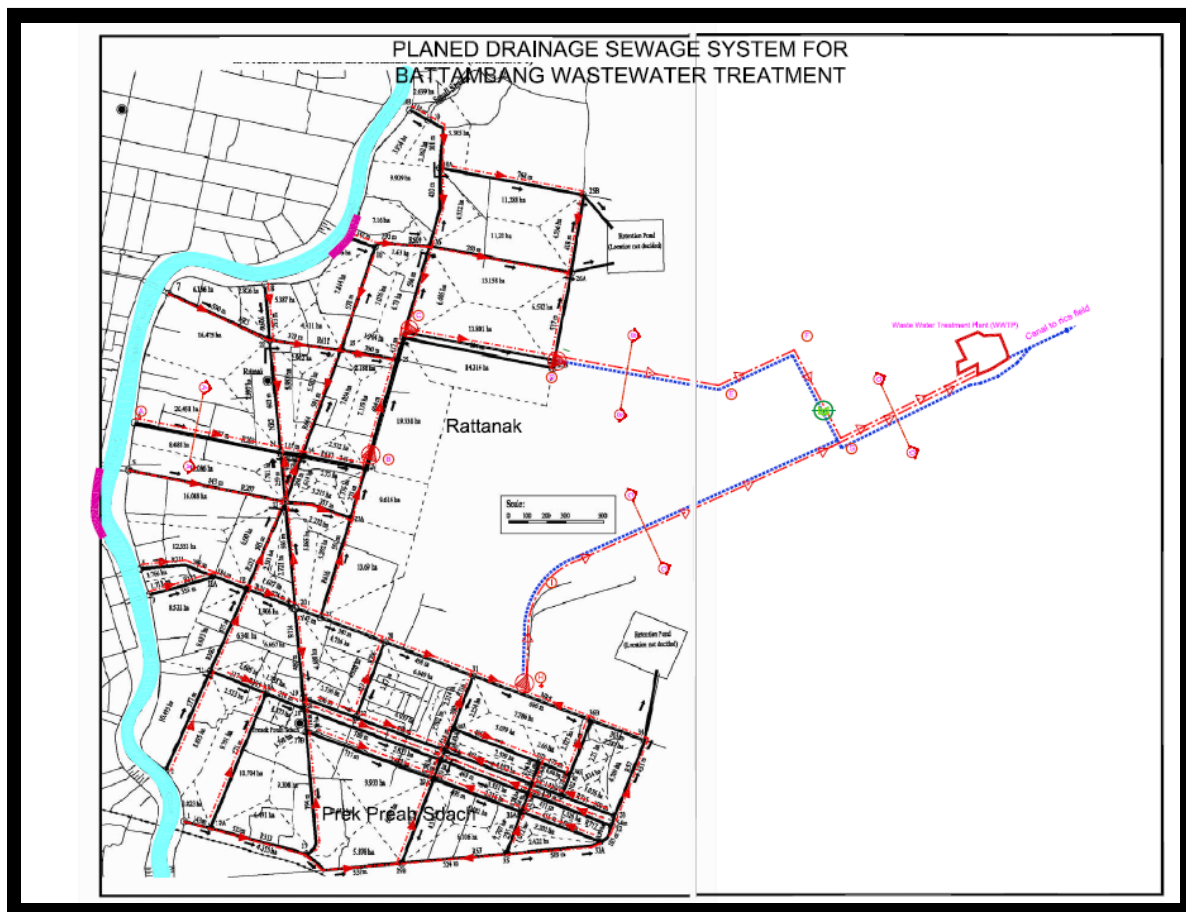
F. Monitoring and Evaluation

12. The executing agency will be responsible for internal monitoring of resettlement activities, through the IRC, ensuring that the RP is updated and implemented according to the approved project resettlement plan. The IRC will engage the services of an external monitoring organization (EMO) at the start of updating of the RP. The internal monitoring report will be submitted quarterly by MPWT (the EA) to ADB. The EMO will submit semi-annual external monitoring report to IRC and MPWT; and then IRC will forward the external monitoring report to ADB. The EMO will also suggest corrective measures for any problems it identifies and will likewise conduct a post-resettlement evaluation study 6 months after the completion of RP implementation.

G. RP Cost and Flow of Funds

13. The resettlement cost for WWTP and Flood Protection is estimated at **US\$ 1,358,203.87**. These include: (i) direct cost of compensation for secondary affected structures, trees and crops and allowances for affected households. Monitoring (5%); administrative cost (15%) and contingency of cost (10%). The cost of grievance redress mechanism will be covered under the administration cost.

Figure 1: Map of the Planned Drainage Sewage System for BWWTP



CHAPTER I: PROJECT DESCRIPTION

A. Project Background

1. At the request of the Governments of Cambodia, Lao PDR and Viet Nam, the Asian Development Bank (ADB) Approved the Project Preparatory Technical Assistance (PPTA) to establish the basis for the proposed investment in priority urban infrastructure and capacity building measures for institutional strengthening in selected towns along two of the transport corridors in the Greater Mekong Sub-region (GMS). The Corridor Towns Development Project (CTDP) is designed to facilitate the transformation of transport corridors into economic corridors that would attract further investments in economic and environmental infrastructures to spur economic growth and sustained development. The expected impact of the CTDP will result in the corridor towns becoming the nucleus of economic activities, thereby contributing to the emergence of economic growth center along the transport corridors in the GMS. The outcomes of the CTDP will lead to provision of adequate urban and infrastructure and essential services to facilitate growth and increase urbanization.

2. Potential investments subprojects in Cambodia include the improvement and upgrading of the urban roads and drainage systems, riverbank protection and Flood Protection, wastewater treatment and collection system, expansion of the water supply and sanitation system, solid waste management (including a materials recovery facility), establishment of a dry port and logistics facility, and establishment of market trading center and transport terminal. The Battambang Wastewater Treatment Plant (BWWTP) is one of the priority urban environment infrastructures that have been included for investment support under the ADB financed GMS CTDP.

B. Project Description

3. The proposed sub-projects for Battambang will include the following components:

1) Wastewater Treatment Plant

Western Part. Rehabilitation of existing treatment facilities include cleaning of ponds and restore dikes around the ponds, removing of sludge and construction of a new inlet pump station including office facilities. A simple laboratory room will also be included.

Rehabilitation of the outlet canal from WWTP to rice fields, approximately 1500m.

Eastern Part. (Rotanak and Praek Preahsdach Sangkats). Construction of a separate system for sewage and drainage including the following main components:

- 23.6 km of Drainage pipes in Rotanak Sangkat;
- 25.7 km of Sewage pipes in Rotanak Sangkat;
- 36.7 km of Drainage pipes in Praek Preahsdach Sangkat;
- 36.7 km of Sewage pipes in Praek Preahsdach Sangkat;
- Site development and installation of a wastewater treatment plant in a 10 hectares public land in Rangkat Sangkat.

2) Flood Protection

- Civil work for new construction of damaged Flood Protection structures with 200m length at Wat Sophy;
- Civil work for new construction of damaged Flood Protection structure with 100m length at Apsara Market.

C. Measures to Minimize Impacts and Resettlement

4. **Waste Water Treatment Plant.** Efforts to minimize displacement of people, assets and business were done by constructing the sewage collection pipe and the construction of storm concrete pipe parallel to the existing drainage, and limiting the construction works within the corridor of impact (COI), which is set at 2 meters from both sides of the existing main road.

5. Efforts to avoid or minimized impacts on structures were done by redesigning an alternative option. The original design showed that a total of 835 households will be affected by the project. Some 70 households were identified as recipients of the HABITAT project where they will receive special assistance and benefits. In order to avoid double compensation, these household were excluded, thus the total households that remained were 765. Option 1 of the proposed alignment would be passing through private lands which created strong resistance from the residents. As such, an alternative design was done to avoid private land, which reduced the number of AHs from 765 to 744, and minimizing impact on private land and affected structures.

Table 1-1: Impact Mitigation Measures

Commune	Option 1	Option 2	Beneficiaries of HABITAT	Total
PraekPreahsdach	353	353	70	323
Rotanak	403	382	0	403
Anlongvill	1	1	0	1
Norea	8	8	0	8
Sub-Total	765	744	70	835
Flood Protection (Rotanak)	42	5	0	0

6. Likewise, appropriate measures to ensure that only a limited portion of structures will be lost so that the remaining part will still be viable for use. For households whose business will be affected, adequate time will be provided to restore their shops prior to commencement of civil works so that they can still continue with their livelihoods. Where there are affected trees and crops, APs will be allowed to harvest before any construction takes place.

7. Compensation measures at replacement value for the portion of partially affected structures will also be given according to the entitlement policy set out in the RP.

8. **Flood Protection.** At the early stage of the study, the original design was to construct 16 river embankments on various spots of the river and 3 Flood Protection points with a total length of 1,120m². However, further assessment showed significant impact on land acquisition and resettlement of structures. In consultation with the government of Battambang, it was

agreed to redesign by retaining only 2 Flood Protection points and exclude the 16 river embankments. The new design significantly reduced the impact on land acquisition and involuntary resettlement from 42 households to only 5.

CHAPTER II: SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Methodology

9. The magnitude of the potential impact on land and other losses were determined using the Inventory of Losses (IOL) questionnaire (Appendix B-IOL and Socio-economic survey questionnaire). Details on the IOL obtained information on names of AHs and all assets that are within the scope of the right of way (RoW) which include productive land, secondary structures, and other miscellaneous items such as fence, wells, and communal assets.

10. Training of enumerators was done on December 20, 2011 on the administration of the IOL survey instrument. Prior to the survey, coordination with the local communes and consultation with affected households were done to facilitate local support and cooperation. The consultation utilized a focus group discussions (FGDs) method in order to incorporate the views of the AHs and obtain their acceptability and support on the sub-project. A documentation of this process and the minutes are attached as Appendix D - Minutes of FGD Meetings.

11. In order to determine the scale of impact on land and other assets, the IOL survey team was assisted by the technical team together with a representative from the local government to establish the corridor of impact (COI). About 2 meter easement was prescribed from both sides of the road representing the RoW and scope of COI for the sub-project. The study team utilized a meter stick to measure the defined RoW assisted by a representative for the local government.

12. The establishment of the scope of the impact was further supplemented by a topographic survey, to establish and validate the boundaries. The topographic survey, along with the meter survey, gave accurate measurement of land, which was then mapped out by the IOL survey team, indicating land ownership.

13. During the course of the survey, the data gathered from the IOL and SES were encoded using SPSS software generated in tabular format. A master list of AHs was drawn with corresponding types of losses, attached as Appendix E- Master List of AHs. These will be further updated during the DMS.

B. Cut –off Date

14. Prior to the conduct of the IOL, a consultation meeting was done with the local commune officials to discuss the procedures of the survey and information on the cut-off date. The cut-off date refers to the date prior to which the occupation or use of the project area makes users of the same eligible to be categorized as affected people. Persons not covered in the census after the cut-off date which is set on December 21, 2011, will not be eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the inventory of losses (IOL); or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).

15. The cut-off date is then established as the last date the IOL is completed which is December 21, 2011. A validation of the master list of AHs will be undertaken during the detailed measurement survey (DMS) following detailed design. The Inter-ministerial

Resettlement Committee is responsible to deal with all the land acquisition and resettlement issues and shall pronounce the final date of the cut-off date.

C. Determining Replacement Cost

16. The objective of the resettlement cost study (RCS) is to establish compensation rates for land, structures, trees and crops that are sufficient for AHs to acquire or purchase a replacement for assets lost to the project, without deductions for taxes, and/or costs of transaction. A rapid study was conducted on the prevailing cost of land and assets in the area by the study team, which followed the results of the study conducted by a professional land appraiser for ADB project in the nearest area. The reference on the cost was further validated by the local commune officials on the prevailing market price of land in the area, supported by the current sales receipt of land, if purchase was done within the current period. An indicative replacement cost is used to calculate the compensation for lost assets based on the methods described above. (Appendix F: Prices Survey of Affected Assets)

D. Summary of LAR Impacts

a) Affected Households

17. **WWTP.** The IOL has identified a total of 744 AHs (4091 APs) under the WWT. Of these 353 are settled in Praek Preahsdach, 382 from Rotanak; 8 in Norea and only 1 from Anlong Village. A total of 249 AHs (1369 APs) include 146 AHs (803 APs) who will lose main housing structure fully; 103 AHs (566 APs) who will have partial loss of main structure. A total of 495 AHs (2722 APs) will lose secondary structures. 118 AHs out of 495 AHs will lose 708 trees. There will be no relocation of any households. All the 249 AHs will rebuild in the remaining viable land. There are no households that will be affected in the area within the 3.8 hectares of the treatment plant. The land belongs to the government where no households are residing.

18. There are no households that will be affected in the area within the 3.8 hectares of the treatment plant. The land belongs to the government where no households are residing.

19. **Flood Protection.** There are five households (33 APs) that will be affected in the Flood Protection. They are living in Rotanak commune. These households are encroaching in government land within the existing RoW of the proposed sub project. These households will require relocation.

Table 2-1: Summary LAR impact

WWT	Amount of Land(M ²)	AHs	APs ¹
Total number of Affected Households	27693.86	744	4091
AHs w/ fully affected main structures/business, w/ remaining viable land (public)	4510	146	803
AHs with partially affected main structures with remaining viable land (public)	1963	103	566

¹ Number of AHs is based on average HHs members of 5.5 as per SES results requiring validation during DMS.

AH with affected secondary structures/trees	20980.86	495	2722
Flood Protection			
AHs that will require relocation	240	5	33

b) Status of Land

20. **WWTP.** Within the project scope of the subproject, the land use includes residential land, commercial land, and farm land and unused land belonging to the government. There are in total 376 households out of 744 that are residing in the specified COI of the sub project which include: 111 households that are residing on public residential land, 261 households on unused swampy land, 2 AHs on commercial public land and 261 on vacant land. The 111 households (610 APs) are encroaching on the RoW of the proposed sub project. Total area occupied by these households is about 8,390.4 m². Of the 111 AHs, 66 AH (363 APs) will be affected with the loss of main structure fully. The remaining 45 AHs (247 APs) will lose partially affected main structure. Only 1 household (5 persons) possess land use rights certificate. One AHs is renting the land from another person with LURC; 4 AHs (22 APs) have permission to occupy land. The remaining 265 AHs (out of 376) comprise of 83 AHs that will be affected by the loss of main structures fully, bringing the total number of AHs with fully affected structures to 146 AHs. Fully and partially affected structures will be paid at replacement cost along with other benefits. Households will also be allowed to keep the salvaged materials.

21. The 3.8 hectares required for the wastewater treatment plant belongs to the government. The IOL and SES result have both affirmed that there are no affected household and assets that will be impacted by land acquisition.

22. In anticipation for additional land requirement for WWTP, the government intends to buy 10 hectares of private land for the expansion of the wastewater treatment plant, adjacent to the existing 3.8 hectares of land. The existing 3.8 hectares is not sufficient for the requirement of the treatment plant. Since the land is still unidentified, the project needs to conduct a due diligence study to assess the impact on land to be acquired.

23. **Flood Protection.** The IOL confirms that there is no private land that will be affected by the project. The use of land where AHs are currently settled is classified as a public property to be developed under the land use plan of Battambang.

c) Impact on Structures

(i) Fully affected structures

24. **WWTP.** The sub project will affect various categories of structures belonging to 249 out of 376 households that are within the COI. Of the 249 structures, 146 structures will be fully affected and removed as these are encroaching on the RoW. The categories of structures include house, house-cum-shop and independent shop/kiosk which serve as residential and small scale business shops, measuring 4510m². These structures will be rebuilt on the remaining portion of government land on same location. About 103 AHs (566 APs) will loss partial of their structures measuring 1963m². These AHs will remain in their existing location as the remaining portion of structure is still viable for use. AHs could still use the salvaged materials to rebuild the lost portion of structure on the remaining land.

25. Fully and partially affected structures of the 249 households AHs will be entitled for compensation at replacement cost plus other cash assistances (allowances) in the form of one-time cash assistance for (i) severely affected AHs (Relocating AHs), ii) transport/removal allowances, and (iii) vulnerable AHs (i.e. poor households). A total of 495 secondary structures will be removed with an aggregate area of 20,980m².

Table 2-3: Affected Structures

Commune	Type of Structure	Fully Affected			Partially Affected			Total		
		HHs	No.	M ²	HHs	No.	M ²	HHs	No.	M ²
Praek Preahsdach	Main House	64	64	2,196	20	20	413	84	84	2,610
	Shop/Kiosk	22	22	253	27	27	505	49	49	759
	House cum shop	5	5	111	13	13	321	18	18	432
	Sub-Total	91	91	2,560	60	60	1,240	153	153	3,799
Rotanak	Main House	20	20	875	13	13	249	33	33	1,124
	Shop/Kiosk	9	9	157	25	25	357	34	34	514
	House cum shop	25	25	909	4	4	98	29	29	1,007
	Sub-Total	54	54	1941	42	42	704	99	99	2,645
Norea	Shop/Kiosk	1	1	9	1	1	20	2	2	29
	Sub-Total	1	1	9	1	1	20	2	2	29
TOTAL		146	146	4,510	103	103	1963	249	249	6473

Table 2-4: Other Structures

Secondary Structure	No. Of Structures	Area (m ²)
Fence (F1-F2)	102	1484
Front house-	255	14,690.55
	1	4
Terracotta	62	3,132.96
Bridge access to house	3	37.5
Front roof extension (thatch/leaves)	20	653
Terracotta (concrete block)	6	205.75
Front roof extension (metal roof)	45	753.1
Water tank	1	20
Grand Total	495	20,980.86

26. **Flood Protection.** The IOL has identified 4 housing structures belonging to 4 households and one (1) house cum shop utilized for business. All structures are classified as “class D” (light and temporary materials). All structures will be fully affected and removed with an aggregate area of 240 m², while the house cum shop has an area of 28 m². There is no available land where AHs can move their structures on the same location. As such, the five households will either be resettled on the government’s resettlement site or a land will be identified during the DMS which will accommodate the 5 AHs (33 APs). The cost of site development is incorporated in the RP.

Table 2-5: Affected Households and Assets

Flood Protection	Name of AHs	No	Affected House (m²)	Affected Business(m²)	Trees
1	Lao Bunly	0	0	28	0
2	Pol Roth	1	120		0
3	Prak Sokhon	1	24		1 custard apple
4	Ath Pov	1	20		0
5	Oun Aol	1	40		2 bamboo
Total		4	204	28	3

d) Impact on Businesses

27. **WWTP.** There will be temporary loss of income for 171 (940 APs) during the laying down of sewage pipes and construction of drainage, as they rebuild their structures. These are households with various types of small scale business which include food vending, small groceries, and other home based income generating activities. AHs will rebuild their structures. The impact on loss of business has been included in the budget as assistance for lost income, along with other entitlements as specified in the entitlement policy. Loss of waged labor has not been accounted as mostly the businesses are home based managed by family members particularly women.

28. **Flood Protection.** In the Flood Protection, the river bank is commonly used for informal trading of goods or to sell food during night time. It is a strategic place for small scale income generation to augment income of families. The removal of 5 households (33 APs) from their current place will have an impact on their economic base, resulting to possible decrease of household income. Assistance for lost income is provided in the RP budget.

e) Impact on Trees and Crops

29. **WWTP.** A total of 708 fruit bearing trees and other wood trees will be removed belonging to 118 households. A list of these trees is set out in database attached as an annex to the RP along with its cost.

Flood Protection. In the Flood Protection only three trees will be removed; custard apple (1) and bamboos (2). The types and amount of affected trees are shown in the Table 2-6.

Table 2-6: Types and Quantity of Affected Trees

Types of Trees	Unit	Quantity
Mango	Tree	172.00
Coconut	Tree	167.00
Tamarind	Tree	12.00
Jack	Tree	64.00
Sugar Palm tree	Tree	19.00
Persimon tree	Tree	4.00

Pring trees	Tree	1.00
Kantuort	Tree	3.00
Jujube	Tree	15.00
Chom-phu	Tree	9.00
Oy Moy	Tree	13.00
Sandoricum tree	Tree	7.00
Makak	Tree	24.00
Longan	Tree	7.00
Grape	Tree	8.00
Noni tree	Tree	5.00
Phnheav	Tree	2.00
Areca nut tree	Tree	22.00
Sapodilla	Tree	13.00
Guava	Tree	23.00
Teuk Doh Kor	Tree	10.00
Korki	Tree	17.00
Sdav		3.00
Banana	Tree	14.00
Papaya	Tree	13.00
Others (\$4 to \$14)	Tree	7.00

f) Relocation Requirements

30. **WWTP.** There will be no households that will be relocated to another location. The structures of the 146 AHs who will be removed will be rebuilt in the remaining area of government land on same location.

31. **Flood Protection.** Five AHs will be displaced from their existing location. A suitable land will be identified and provided by Battambang Authority during the RP implementation.

CHAPTER III: SOCIO-ECONOMIC INFORMATION AND PROFILE

A. Profile of Affected Households

32. This section presents the baseline information on the socio-economic status of affected households of Battambang affected by the Wastewater Treatment which is taken from the Socio-economic survey (SES) represented by 203 households who are within the COI of the proposed WWT. The SES was supplemented further by an in-depth interview of directly affected households represented by 27% of directly affected households (AHs). Focus group discussions (FGDs) were also held among those affected settled within the circumference of impact (COI).

33. **WWTP.** Of the 744 affected households, there are in total 203 household respondents that were interviewed representing 27% of households. Of these, 144 respondents (71%) are male and 59 (29%) are female. Male members are predominant (64.6%) among respondents in Praek Preahsdach while female are more in numbers (42.4%) in Rotanak.

Table 3-1: Gender of Household Respondents

WWT	Respondents	Sex categories of Respondents			
		Male	%	Female	%
Rotanak	76	51	35.4%	25	42.4%
Praek Preahsdach	127	93	64.6%	34	57.6%
TOTAL	203	144	71.0%	59	29%
Flood Protection	5	3	60	2	40

34. Total household members of 203 household respondents are 1127, having an average family size of 5.5 members. Of these, 524 (46%) are male while 603 (53%) are female.

Table 3-2: Profile Respondents and Household Members

Commune	Characteristics of households, size, members and age								Total Members		Total Members	HH Size
	0 to 4		5 to 14		15 to 60		Over 60		M	F		
	M	F	M	F	M	F	M	F				
Rotanak	9	38	32	152	128	19	12	32	181	241	422	5.55
Praek Preahsdach	36	52	71	229	226	20	10	61	343	362	705	5.55
Total	45	90	103	381	354	39	22	93	524	603	1127	5.55

35. **Flood Protection.** In the Flood Protection the 5 household respondents comprise of 3 men and 2 women. Of these, 3 are married and 2 are widows. All respondents are Khmer. Total household members of respondents are 33 having an average family size of 6.6. The majority of household members are within the age range of 15-60.

a) Working Members

36. **WWTP.** In Rotanak, there are more women (54%) who are working full time than men (46%), while it is rather the opposite in Praek Preahsdach, 46% for women and 54% for men. There is a slight difference among men (48%) who are working part time than women (52%) in Praek Preahsdach. The SES reveals that there is no one who works part time in Rotanak.

37. In the Flood Protection, of the 33 household members, 19 (57.5%) are working. Of these, 12 are men and 7 women who are working full time.

Table 3-3: Working Members by Gender

WWT	Working Members Full Time					Working members Part Time				
	Male	%	Female	%	Total	Male	%	Female	%	Total
Rotanak	90	46	106	54	196	0	0	0	0	0
Praek Preahsdach	165	54	140	46	305	14	48	15	52	29
Total	255	100	246	100	501	14	48	15	52	29
Flood Protection										
Rotanak	12	63.16	7	36.84	0	0	0	0	19	

b) Household Income and Expenditures

38. **WWTP.** In terms of household income, the household survey shows that there are variations in household income of affected households in terms of range. Poor households are those whose incomes are below \$ 65/month according to Statistics in Cambodia. The SES results showed that of the 203 respondents 5 (2%) households are classified as “poor” with a monthly income of below US\$ 65 or 260,000 Riel. About 5% are classified as having low-income with a monthly income between the range of US\$ 65-\$100 or 400,000 Riel. The majority 93% have an income of over US\$100 per month. Given an average family size of 5.5 gives a per capita income of US\$ 0.60 (2,400 Riel) per day.

39. It must be noted however, that these incomes may be understated as most often households do not reveal their true income. The IOL further reveals that about 15 households (7%) are considered as vulnerable needing special rehabilitation assistance for their vulnerability.

40. **Flood Protection.** The household income reveals that 4 out of 5 affected households are earning above Riel 261,000-400,000 (US\$ 100) economic, which is categorized as low-income classification. 1 AH belongs to middle to high-income classification.

Table 3-4: Income Range and Classification of Households

WWTP	Income Class (Based on Monthly Household Income)					
	Poor (below \$65) Riel 260,000		Low-income (\$66-\$100) 261,000-400,000		Middle to High Income (More than \$100) 401,000-above	
	AHs	%	AHs	%	AHs	%
Rotanak	1	1.3%	1	1.3%	74	97
Praek Preahsdach	4	3.5%	9	7%	114	89.5
Total	5	2.4	10	5	188	92.6
Percent	2%		5%		93%	
Flood Protection						
Total	0	0	4	80%	1	20%

41. On the other hand, the SES showed that household expenses are higher compared to household income with about 12% who are spending below 400,000 Riel. The spending pattern is almost twice as much over income among households. As such, the expenditures showed more realistic picture of the disposable income of households. The SES results indicate that over 77% of the households can afford to spend from between the ranges of 400,000 Riel-1.8 million Riel per month.

Table 3-5: Household Expenses

Income Range	Total	Rotanak	%	P. Preahsdach	%
Less than 200,000 Riel	2		0	2	100
200,000 - 400,000 Riel	25	4	16	21	84
400,000 - 600,000 Riel	43	15	35	28	65
600,000 - 800,000 Riel	26	5	19	21	81
800,000 - 1,200,000 Riel	19	7	37	12	63
1,200,000 - 1,400,000 Riel	40	17	42.5	23	57.5
1,400,000 - 1,600,000 Riel	8	6	57	2	25
More than 1,600,000 Riel	40	22	55	18	45
Total	203	76	37	127	63

c) Living condition

42. The housing condition is one indicator of economic status of households as this indicates the capacity of households to invest in housing. Years of stay in the commune for over 15 years reflect stability to majority of households.

d) Livelihood

43. WWTP. Majority of the households are working either in full time or part time jobs. The IOL has identified 171 APs who will lose temporary income due to acquisition of secondary structures utilized for business. AHs who would lose temporary income will be compensated with one-time cash assistance of US\$50 in addition to compensation on structure

44. Flood Protection. The 5 AHs will lose a small house cum shop utilized for business. As the 5 AHs (33 members) will be resettled, there will be a permanent loss on their livelihood if they cannot find a resettlement site or a place to establish back the house/shop immediately. A temporary impact on employment may be experienced by 17 household members (12 male, 7 female) who are employed full time as they are bound to assist in the demolition of their homes and re-establish their dwelling units. There will also be an impact on 7 working female members who are working full time if they are resettled far away from their current place of work that would require more travel time. The 5 AHs will be compensated with a one-time cash assistance of US\$ 50/AHs in addition to compensation on structures.

B. Vulnerable Households

45. WWT. The IOL has identified about 63 households (346 APs) who are considered as vulnerable. These include those who are living below the poverty line (15) and other 48 APs belonging to widows, aged, household headed by women. Vulnerable APs will be provided with a one-time cash assistance of US\$100.

46. Flood Protection. All 5 AHs (33 APs) in the Flood Protection are included in the severely affected AHs and will receive one-time cash assistance of US\$200. They also will be entitled for income restoration program under the sub-project.

C. Impact on Women

47. The loss of housing structures is expected to give stress and add burden on working women as they establish back their dwelling units and adapt to their new environment. The social cost associated with this impact most often outweighs the physical cost of compensation. Social integration must be undertaken as part of the program of resettlement to streamline affected households into their new environment. The resettlement site jointly developed by the Battambang Provincial Administration and UN-Habitat has a better environment with access to employment and production opportunity and better civic service and infrastructure. This was discussed and recommended that these 5 AHs to be relocated into this resettlement site.

D. Ethnic Minorities

48. There were no ethnic minorities in both sub projects.

CHAPTER IV: PARTICIPATORY COMMUNICATION PROCESS

A. Objectives

49. The RP Communication Process is established below in order to keep the communication lines open between the IRC and the AHs during the RP implementation, the objectives to be reached and how the project phases and components are communicated to affected communes and the APs. Consultations will be carried out throughout the resettlement plan preparation and implementation. Specifically, the objectives of the participatory process aim to:

- 1) Establish a process that will ensure project affected people and stakeholders are informed of the project development;
- 2) Proactive involvement of APs and stakeholders in resettlement planning and enable them to participate in the assessment of impacts and risks;
- 3) Transparency in information and communication;
- 4) Obtain acceptability of the project and cooperation in resettlement activities;
- 5) Understand the role of stakeholders and APs in the resettlement activities.

B. Identification of Project Stakeholders

50. The project primary stakeholders consist of the following:

Affected Persons: Households and individuals affected by physical or economic displacement due to acquisition of land for the construction of the project.

Institutional Stakeholders: Provincial, district, commune, IRC, government agencies and village chiefs in the project area as well as mass organizations whose mandates include addressing issues and persons impacted by the project. These include agencies such as NGOs and other civil organizations.

C. Participatory Approaches Adopted in RP Planning

51. Participation of stakeholders is essential to reach the objectives of the resettlement policy as recognized and practised by the RGC manifested in the participatory process in the planning of the National Socioeconomic Development Plan.

52. Meaningful consultation is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. In compliance to ADB's SPS and parallel to the RGC's participatory process, project information was disseminated through close consultations and will continue throughout the project cycle with communities,

groups, or people affected by proposed projects, and with civil society will be required through information disclosure, consultation, and informed participation in a manner commensurate with impacts on affected communities.

a. Project Scoping

53. **Consultation meetings and workshops:** Meetings with stakeholders which include provincial officials, commune leaders and project officials gave significance to the range of project issues and data acquired to reinforce further determination of project efficiencies and required social mitigation actions, as well as input to RP planning. Consultation with commune leaders and affected households were done twice during the project dissemination and presentation of alternative option. Women (45%) were actively participating during the consultation.

b. Data Gathering

54. **FGDs and Key Informants' Interview:** A participatory and rapid appraisal was conducted in affected communes through, which inputs from APs provided insight into community and household needs and aspirations and identification of positive project impacts and risks requiring mitigation. Particular arrangement was done to conduct interviews targeting women, including a selected number of household heads, commune leaders, and other key informants in the affected communes.

55. **IOL and Socio-economic survey:** The IOL and SES were undertaken simultaneously with the FGDs and Key Informant Interviews (KIIs) in Rotanak and Praek Preahsdach. Information from 250 sample representatives of households from primary and secondary impact areas was collected, analysed and processed which formed the benchmark for resettlement planning.

D. Disclosure

56. **Meeting with IRC and AHs:** . The salient points of the draft RP, particularly on project impacts and the key principles of the proposed project resettlement policy, have been disclosed to the DPs and concerned local authorities during the public consultations held in Nov-Dec 2011. Similarly, the RP will be translated into local language and the draft project information booklet (PIB) specifying summary of RP will be posted at relevant commune prior to the project appraisal and an updated PIB will be distributed to each AH at the time of DMS.. A copy of the draft RP in Khmer shall be posted at relevant commune offices. Draft RP and final RP will be available at commune office and uploaded in the ADB's website in compliance with the ADB's SPS disclosure requirement. Overall, the participatory activities are summarized in Table 4.1 below.

Table 4-1: Participatory Activities in RP Preparation

Activities	Date	Participants	Outputs	Responsibility
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<p>A. Feasibility Stage</p> <ul style="list-style-type: none"> • Project Scoping • Workshop • Consultation meetings at provincial and commune levels 	<p>2-3rd week of May 2011</p>	<p>IRC Provincial Heads and Local communes Affected Households</p>	<p>Awareness of the Sub-Project Initial social impact assessment of sub-project</p>	<p>Consultants</p>
<p>B. Data Gathering</p> <ul style="list-style-type: none"> • Focus Group Discussion • Key Informants Interview • IOL and SES 	<p>December 22-28, 2011</p>	<p>Affected Households Local commune leaders Women 25% sample Households</p>	<p>Baseline data Perception of the project Mitigation measures Recommendations on RP</p>	<p>Consultant and local counterpart</p>
<p>C. Disclosure</p> <ul style="list-style-type: none"> • Consultation Meeting 	<p>to be undertaken</p>	<p>Affected households Inter Ministerial Resettlement Committee</p>	<p>Acceptability of the RP Endorsement of the RP</p>	<p>IRC –WG and ESO</p>
<p>D. Updating and Implementation Stage</p> <ul style="list-style-type: none"> • Establish Resettlement committees • Detailed Measurement Study • Second Disclosure • Approval and Implementation • Monitoring and Evaluation 	<p>To be undertaken</p>	<p>IRC – WG Consultant IRC IRC EMO</p>	<p>Institutional structure in place Final drafting of RP and cost Secured budget requirement Assessment of target objectives and results</p>	<p>IRC Consultant IRC External Monitoring Organization</p>

E. Summary of Issues and Concerns

57. The following issues and concerns highlight the results of the community consultation meetings. Details of these are found in Appendix D-Minutes of FGD Meetings.

Table 4-2 Summary of Issues and Recommendation

Date /Type of consultation/participants	Issues	Recommendations
<p>Date: November 11, 2011 Participants: Affected households Purpose of meeting:</p>	<p>Positive Protection from flood for the commune Improvement in the environment Improvement in the local economy</p>	

Project Information and dissemination	Negative	
Number of Participants: 132 Men:80 Women:52	Loss of land Loss of structure Loss of income Affect the living condition Impact on vulnerable households	Government to provide compensation based on replacement rate Relocation should be near basic services

58. **Attitude towards the project:** Overall, there is positive attitude towards the project and high level of acceptability as benefits expected are wide ranging. Expected benefits in the provision of wastewater treatment will result to clean environment, improved health and sanitation, increase in land value, and improve condition of women and children

59. Amount to be compensated is a common concern among AHs particularly in Flood Protection project. Residents through the FGDs conducted in December 2011 perceived that compensation is based on government's negotiated price. The AHs were informed that compensation for affected assets is based on the replacement cost and reflect the present market prices.

F. Planned Consultation during RP Implementation

60. The project information has been disseminated to the AHs during the process of public consultation at the time of preparation of resettlement plan and this will continue throughout the project cycle. Draft Project Information Booklet (PIB) will be disclosed at relevant commune offices before project appraisal and the updated PIB will be distributed to each AH during the DMS. Draft and final RPs will be placed at relevant Commune Offices and will be uploaded on the ADB's website in compliance with ADB's SPS. Particular attention will be paid to ensure the participation of the vulnerable or otherwise those at risk of marginalization such as households headed by women and the disabled. The location as well as timing of consultation meetings will be arranged to foster attendance and cause least disruption to AHs work and family responsibilities. Invitations to attend consultation meetings will be addressed to both spouses of households. All consultation and disclosure activities will be properly documented and minutes of meetings and attendance sheets will be prepared and recorded.

61. A project information booklet (PIB) will be distributed to all APs indicating general contents which include the following items: (i) project profile (ii) project impacts (iii) compensation and entitlements; (iv) grievance redress mechanism (v) resettlement procedures, timing of payments and schedule. Social monitoring reports will also be uploaded in ADB's website. A sample of the PIB is attached as Appendix G.

CHAPTER V: GRIEVANCE REDRESS MECHANISMS

62. This section presents information and arrangement for addressing conflicts and appeal procedures regarding eligibility and entitlements as well as the implementation of the resettlement activities.

63. A well-defined grievance redress and resolution mechanism will be established to address APs grievances and complaints regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. All APs will be made fully aware of their rights, and the detailed procedures for filing grievances and an appeal process will be published through an effective public information campaign. The grievance redress mechanism and appeal procedures will also be explained in the public information booklet (PIB) that will be distributed to all APs.

64. AHs grievance will be received and solution for AH concerns and grievances on land acquisition and the implementation can be facilitated under agreed policy provided in the approved resettlement plan. AHs complaints can be made verbally or in written form. In the case of verbal complaints, the committee on grievance will be responsible to make a written record during the first meeting with the AHs.

65. A grievance committee will be established at provincial level with a process starting from Commune Offices. As practised, the grievance committee include the local commune or village leaders only. The use of NGO is allowed only to assist APs in filing complaints, particularly for those who do not know how to prepare written complaints. The designated commune officials shall exercise all efforts to settle AP's issues at the commune level through appropriate community consultation. All meetings shall be recorded in each grievance process and copies shall be provided to AHs. A copy of the minutes of meetings and actions undertaken shall be provided to IRC and ADB upon request.

66. The procedures for grievance redress are set out below

- a. Stage 1: Affected Household (AH) will submit a letter of complaints/requests to the Village or Commune Resettlement Sub-committee or IRC working group and, if he or she wishes, to the nominated NGO working on the GRC. The NGO will record the complaint/request in writing and accompany the AH to the Village or Commune Resettlement Sub-Committee. The Sub-Committee will be obliged to provide immediate written confirmation of receiving the complaint. If after 15 days the aggrieved AH does not hear from Village or Commune Resettlement Sub-Committee, or if the AH is not satisfied with the decision taken by in the first stage, the complaint may be brought to the District Office.
- b. Stage 2: The District office has 15 days within which to resolve the complaint to the satisfaction of all concerned. If the complaints cannot be solved in this stage, the district office will bring the case to the Provincial Grievance Committee.
- c. Stage 3: The Provincial Grievance Redress Committee meets with the aggrieved party and tries to resolve the complaint. The Committee may ask for a review of the DMS by the EMO. Within 30 days of the submission of the grievance the Committee must make a written decision and submit a copy of the same to MPWT, the EMO, the IRC and the AH.
- d. Stage 4: **the Court Procedures.** If the aggrieved AH is not satisfied with the solution made by the Provincial Grievance Redress Committee based on the agreed policy in the RP, the committee shall file administrative procedures against the AHs with the participation of provincial prosecutors. The case will be brought to the Provincial Court and the same will be litigated under the rules of the court. During the litigation of the case,

Royal Government of Cambodia will request from the court that the project proceed without disruption while the case is being heard. If any party is unsatisfied with the ruling of the provincial court, that party can bring the case to a higher court. The Royal Government of Cambodia shall implement the decision of the court. This mechanism will not impede AHs access to the country's judicial and administrative remedies.

67. All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the executing agency

68. In cases where AHs do not have the writing skills or are unable to express their grievances verbally, it is a common practise that AHs are allowed to seek assistance from any recognized local groups or NGO or other family members, village heads or community chiefs to have their complaints or grievances written for them. AHs will be allowed to have access to the DMS and contract document to ensure that where disputes do occur, all the details have been recorded accurately enabling all parties to be treated fairly. Throughout the grievance redress process, the responsible committee will ensure that the concerned AHs are provided with copies of complaints and decisions or resolutions reached.

69. If efforts to resolve disputes using the grievance procedures remain unresolved or unsatisfactory, AHs have the right to directly discuss their concerns or problems with the ADB Urban and Water Division, Southeast Asia Department through the ADB Cambodia Resident Mission (CARM). If AHs are still not satisfied with the responses of CARM, they can directly contact the ADB Office of the Special Project Facilitator (OSPF). The OSPF procedure can proceed based on the accountability mechanism in parallel with the project implementation.

CHAPTER VI: RESETTLEMENT POLICIES

A. Policies on Land Acquisition and Resettlement

70. There are existing laws that govern land acquisition and resettlement in Cambodia. Some of these laws are cited below. These laws, along with the ADBs SPS shall govern the procedures for land acquisition and resettlement. The overall objectives of the resettlement policy are to: (i) ensure that AHs are provided with compensation at replacement cost, (ii) rehabilitation assistance to restore lost livelihood; (iii) protection of vulnerable groups; (iv) ensure that quality of life is restored to pre-project level or even better.

1) 1993 Constitution

71. The *1993 Constitution of Cambodia* has established governing principle pertaining to land acquisition.

Article 44 states that

All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall have the right to own land.

Legal private ownership shall be protected by law.

The right to confiscate properties from any persons shall be exercised only in the public interest as provided for under the law and shall require fair and just compensation in advance.

2) 2001 Land Law

72. The rights to land and property in Cambodia is governed by the 2001 Land Law which is primarily based on the provisions of the 1993 Constitution. The law defines the scope of ownership of immovable properties, such as land, trees and fixed structures.

73. The Article 5 of the Land Law states that “No person may be deprived of his ownership, unless it is in the public interest. Land acquisition shall be carried out in accordance with the governing procedures provided by law and regulations, and after the payment of fair and just compensation in advance.”

74. Other provisions of the Land Law that are relevant to land acquisition, compensation and resettlement include:

- a) Only legal possession as provided by law can be transformed to land ownership. (Article 6)
- b) Any regime of ownership of immovable property prior to 1979 shall not be recognized. (Article 7)
- c) Article 15 states that "the following properties are included as public properties of state and public legal entities: a) any property that has a natural origin, such as forests, courses and banks of navigable and floatable rivers or natural lakes and seashores; b) that is made available for public use such as quays of harbors, port, railways, railways station and airports; or, c) any property which is made available,

either in its natural state or after development, for public use such as roads, tracks, oxcart ways, pathways, gardens or public parks and reserved lands.

- d) Article 18 states that "the following are null and void and cannot be made legal in any form whatever: a) any entering into possession of public properties of State and public legal entities and any transformation of possession of private properties of State into ownership rights that was not pursuant to the legal formalities and procedures that have been stipulated prior to that time, irrespective of the date of creation of possession or transformation; e) any entering into possession of private properties of State, through any means, that occurs after this law comes into effect".
- e) Article 19 states that "any persons whose land title or factual circumstance fall within the scope of article 18 of this law shall not have the right to claim compensation or reimbursement of expenses paid for the maintenance or management of immovable property that was illegally occupied.

Any illegal and intentional or fraudulent acquisition of public properties of state or of public legal entities shall be penalized pursuant to article 259 of this law.

The penalties shall be doubled where any occupation of public properties cause damages or delay to works undertaken in the general interest, especially the occupation of roadway reversed land".

- f) Ownership of immovable properties described in Article 25 is granted by the state to indigenous minorities² as collective ownership. This collective ownership includes all of the rights and protections as enjoyed by private owners. The exercise of collective ownership rights shall be subject to the responsibility of the traditional authorities and decision-making mechanisms of the indigenous community, according to their customs and subject to the laws of general enforcement related to immovable property such as the law on environmental protection. (Article 26)
- g) Persons with legally valid possession of land for five years (at the time the law came into effect) are allowed to be registered as the owner of the land (Article 30). Persons who (at the time the law came into effect) held legal possession but had not yet completed the five years were allowed to remain in possession until they were eligible to be registered as the owner. (Article 31)
- h) Any beginning of occupation for possession shall cease when this law comes into effect (article 29). After this law comes into force, any new occupant with title to an immovable property belonging to the public bodies or private persons shall be considered as illegal occupant and shall be subject to the penalties provided in Article 259 of this Law (Articles 34)
- i) Article 38 states that "in order to transform into ownership of immovable property, the possession shall be unambiguous, non-violent, notorious to the public, continuous and in good faith"

² As per Article 23 of the Land Law, "An indigenous community is a group of people that resides in Cambodia whose members manifest ethnic, social, cultural and economic unity and who practice a traditional lifestyle, and who cultivate the lands in their possession according to the customary rules of collective use.

- j) Landless people may apply for land for residential and subsistence farming purposes at no cost, as part of a social land concessions scheme. The concessionaire may obtain ownership of this land after fulfilling conditions set out in a separate Sub-Decree on Social Land Concessions. (Articles 50, 51)

3) Expropriation Law Feb 2010 - procedures for acquiring private properties for national or public interest

Article 2: the law has the following purposes: (i) ensure reasonable and just deprivation of a legal right to ownership of private property; (ii) ensure payment of reasonable and just prior compensation; (iii) serve the public and national interests; and (iv) development of public physical infrastructure.

Article 7: Only the state may carry out an expropriation for use in the public and national interests.

Article 8: The state shall accept the purchase of the remaining part of the real property left over from an expropriation at a reasonable and just price at the request of the owner of land/or the holder of rights in the expropriated real property, if he is no longer able to live near the expropriated scheme or build a residence or conduct any business.

Article 22: Stipulates the amount of compensation to be paid to the owner of and/or holder of rights in the real property, which is based on the market value of the real property or the replacement cost as of the date of the issuance of the *Prakas* on the expropriation scheme. The market value or the replacement cost shall be determined by an independent commission or agent appointed by the expropriation committee.

B. Other Relevant Policies

75. The private ownership of land was re-established in 1989, and confirmed in the 2001. Land Law (Article 4). Cambodians are able to register the land they occupy with the local Cadastral Administration Office, whereupon a certificate of land title is granted. Issuing land titles is a lengthy process and most offices have a major backlog of applications. People are given a receipt and until the official title deed is issued, this receipt is accepted as a proof of real occupant of the land for land purpose or sale.

76. The present legal status of land use in Cambodia can be classified as follows:

- a) Privately owned land with title: The owner has official title to land, and both owner and the Cadastral Administration Office have a copy of the deed.
- b) Privately owned land without title: The owner has made an application for title to land, and is waiting for the issuance of a title deed. The Cadastral Administration Office recognizes the owner.
- c) Land use rights certified by the Government: In this case, a receipt for long-term land use has been issued. This land use right is recognized by the Cadastral Administration Office.
- d) Lease land: The Government or private owners lease the land, usually for a short period. There is provision for the owner to reclaim land if it is needed for development.
- e) Non-legal occupation: The user has no land use rights to State land that he occupies or uses. The Cadastral Administration Office does not recognize the use of this land.

77. **Sub-Decree on Social Land Concession, March 2003** -provides for allocations of free private state land to landless people of residential or family farming, including the replacement of land lost in the context of involuntary resettlement..

78. **Prakas No. 6**, entitled “Measures to Crack Down on Anarchic Land Grabbing and Encroachments”, sets ROW for road and railway. In support of this Prakas, MEF on 6 April 2000 issued Decree No. 961 prohibiting compensation for structures and other assets located in the ROWs.

Table 6-1: Road and Railways ROW Dimensions

Road Category	ROW Dimensions under Prakas N_o. 06	ROW Dimensions under Sub-decree N_o. 197
NR 1, 4, and 5	30 m from the centerline	
Other 1-digit NRs	25 m from the centerline	30 m from the centerline
2-digit NRs	25 m from the centerline	25 m from the centerline
Provincial roads	20 m from the centerline	not specified
Commune roads	15 m from the centerline	not specified
Railway outside city, province and crowned place	30 m from the centerline	30 m from the centerline
Railways in forest area	100 m from the centerline	100 m from the centerline

C. ADB Safeguard Policy Statement

79. The new ADB Safeguard Policy Statement (2009) consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment. The objectives of the IR policy are to (i) avoid involuntary resettlement by exploring alternatives to avoid resettlement, (iii) provide compensation at replacement cost; (iv) measures to restore livelihoods and (i of v) ensure that living condition of AHs are restored to the same or even better than before the project took place. The IP policy objectives are to (i) design and implement projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural uniqueness as defined by IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of projects, and can participate actively in projects that affect them.

80. ADB's policy on Resettlement are as follows:

- 1) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- 2) Carry out meaningful consultations with affected persons, host communities, and concerned non government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of 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 affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.

Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- 3) Improve, or at least restore, the livelihoods of all displaced persons 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.
- 4) Provide physically and economically displaced persons 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.
- 5) Improve the standards of living of the displaced poor and other vulnerable groups, including women, 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.
- 6) 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.
- 7) Ensure those displaced persons without titles to land or any recognizable legal rights to and are eligible for resettlement assistance and compensation for loss of non land assets.
- 8) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- 9) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- 10) 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.

- 11) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- 12) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

D. Guidelines and Principles on Resettlement

81. The guidelines for land acquisition, resettlement and rehabilitation are established to provide general principles and directions that must be observed in resettlement process. These guidelines are consistent with the governing laws; ADB SPS and takes into account the views of AHs which were taken from focus group discussions conducted during the initial surveys and meetings.

- a) Involuntary resettlement and impacts on land, structures and other fixed assets will be minimized where possible by exploring all alternative options.
- b) Compensation will be based on the principle of replacement cost as per agreed RCS³.
- c) Affected households (without any discrimination such as household headed by women, disabled, elderly, landless and people living below the national poverty line) confirmed to be residing in, doing business, or cultivating land or having right over resources within the subproject ROW or land to be acquired or used for the subproject during the conduct of the IOL and census of affected household (cut-off date), to be validated and confirmed later during the DMS, are eligible for resettlement assistance and compensation for non-land assets at replacement cost.
- d) Meaningful consultation will be carried out with the AHs, indigenous households, affected communities and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of AHs and communities will be taken into account.
- e) The final draft and any updates on the RP will be disclosed at relevant Commune Offices in a form and language(s) understandable to them after approval from the Government and ADB.
- f) Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- g) Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as indigenous households, households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- h) Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved. Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.

³ Compensation to be paid within a period of 12 months from the date of replacement cost survey

E. Mainstreaming of Gender Concerns

82. The ADB Policy on Gender and Development (1998) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for development activities. The ADB SPS also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive project benefits.

83. The following specific actions were undertaken to address gender issues in the Battambang Wastewater Project during the RP preparation and shall be undertaken in the remaining stages of the project.

- (i) During public consultation meetings, women were widely represented. Women were encouraged to articulate their needs and give comments and recommendation to improve the project design.
- (ii) Prior to DMS updating, an orientation shall be done to enable the DMS teams to discuss their respective tasks in relation to gender issues and concerns.
- (iii) During the DMS, both male and female APs will be encouraged to participate in discussions related to land acquisition and other resettlement issues.
- (iv) In the planning of the income restoration program, female APs shall be actively involved. Appropriate economic activities for women will be included in the program in order to avoid any marginalization of women's contribution to the household economy.
- (v) Compensation will be given to both men and women.
- (vi) Replacement of land will be registered in the name of both husband and wife. Disaggregated monitoring indicators by gender, ethnicity, and gender of the head of AHs that will be developed for monitoring capacity development training program, livelihood program, participation, and other resettlement activities.

F. Reconciliation of Government and ADB Policy on Resettlement

84. Although the Cambodia Constitution requires fair and just compensation for land acquisition, there are no further supporting procedures or regulatory frameworks that have been developed. There are no clearly defined mechanisms and standards for land acquisition or for determining levels of compensation. IRC decides on entitlements, land values, and other forms of compensation; APs have no right to appeal and are obliged to sell their assets at values set by IRC

85. The differences as well as compatibilities between the RGC Laws and Decrees and ADB Policy with regard to resettlement and compensation are provided Table 6-1 and Table 6-2 respectively.

86. In general, in view of the gaps between the laws of RGC with that of ADB's SPS, past experience of the government in ODA funded project⁴ showed that laws that were not consistent with ODA policies were waived, in favour of ODA's policy requirement. For the proposed sub-project, the provisions and principles adopted in this resettlement plan shall supersede the provisions of the relevant government decrees particularly if such policy is not consistent with the ADB's SPS.

Table 6-1: GAPS Between the RGC Laws vis-a-vis ADB Policies and Recommended Project Policy

Key Issues	State Legislation	ADB Policy	Project Policy
Eligibility for compensation & assistance does not include APs without land title.	Illegal occupants are not entitled to compensation due to violation on declared land use plan; or if they have constructed without permit or have encroached on demarcated land for RoW.	Those without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. Improve the standards of living of the displaced poor and other vulnerable groups, particularly women.	All AHs without any discrimination whether or not land is owned are eligible for resettlement assistance and compensation for loss of non-land assets. Particular focus on improving the standards of living of the displaced poor and other vulnerable groups, including women.
No compensation for those illegally settled on the RoW	The MEF Prakas is consonant with the position of the 2001 Land Law that individuals who have illegally occupied the RoW or public properties are not entitled to any compensation or social support, regardless of their being an AP or a member of vulnerable groups.	Compensation for loss on non-land based	All APs, including those without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
Immoveable Assets	Any regime of ownership of immovable property prior to 1979 shall not be recognized. (Article 7)	All affected person shall be entitled for resettlement assistance and compensation for non-land based assets.	All APs, including those without titles, or are within the RoW are eligible for resettlement assistance and compensation for loss of non-land assets.

⁴ Phnom Penh –Ho Chi Minh city Highway Improvement Project (Loan 1659-CAM)

Key Issues	State Legislation	ADB Policy	Project Policy
Imprisonment on failure to vacate land according to schedule.	Failure to vacate illegally occupied land in a timely manner is subject to fines and/or imprisonment. (Article 19)	Protection and improvement on the quality of life of APs.	Sufficient time and resettlement support given to APs during transfer such as transportation and demolition assistance, including food allowance during transfer and settlement for a specified period approved by the IRC.
Voluntary Deed of Donation	Not compensated for portion of land donated for the sub-project	Not covered in ADB's SPS	<p>a. Donation of land shall not exceed 300m2 and should not affect the living standard of AHs.</p> <p>b. Vulnerable households shall be excluded from donating land.</p> <p>c. Land for donation shall apply only to households whose affected lands do not exceed 10% of land holdings.</p> <p>d. . Vulnerable households such as poor, households headed by women shall be exempted from donating land.</p> <p>e. The execution of the voluntary deed of donation will be further strengthened by the Witness of the act to firm up the transaction, and observance of the protocol requirement.</p>
Unregistered Businesses	Recognizes businesses or economic entities only if they hold a business certificate (i.e. excludes non-registered businesses);	Inclusion of APs in assistance to livelihood restoration and compensate for loss of income	Inclusion of those who are economically displaced, even those who are not formally registered (e.g., unregistered businesses, employees without labor contracts) they will be assisted to ensure that their income sources are restored to at least pre-project levels.
Voluntary Deed of Donation	Not compensated for portion of land donated for the sub-project	Not covered in ADB's SPS	Inclusion of those who are economically displaced even if land has been voluntarily donated, especially if head of household is considered vulnerable and is dependent on land as primary source of income. This will apply to all HHs losing over 10% of land.
Entitlements on severity of losses	No specific legislation on severity of losses on productive land	ADB policy includes loss incurred to APs from at least 10 per cent or more of	APs who lose from over 10% - 30% of their agricultural land whose major economic source is dependent on productive land will be provided with additional

Key Issues	State Legislation	ADB Policy	Project Policy
		productive land or assets	assistance.
Land Valuation	The price for land compensation is calculated based on the prevailing cost of land at the time of land acquisition which is defined by the IRC. Land payment is usually based on negotiated price between land owner and the government "willing buyer-willing seller" approach.	Bank's policy requires an independent land Appraiser who has working knowledge on property valuation and the methodology that the ILA will use is consistent with international standards.	An independent land Appraiser will be engaged to conduct replacement cost studies during the DMS for the project which will be used for compensation of the updated RP, to be approved by the provincial government.

Table 6-2: Compatible Elements between the RGC vis-a-vis ADB Policy

ADB's Policy	Application of ADB Policy in Resettlement Activities in Cambodia
Explore all alternative options to reduce or minimize resettlement impacts.	Mitigation measures are adopted through redesigning of sub-project and/or exploring alternative sites and narrowing the RoWs of sub-projects.
Restore to at least equal or better condition of APs quality of life than before the project took place. Compensation at replacement value.	<p>Provision of various resettlement options such as cash compensation for all affected assets or land exchange with similar features. However, in some projects, cash compensation is based on negotiated price (Provincial Road Project, Battambang) and not at replacement value. Additional cash assistance or incentives have been extended to cover cost of removal and transport of materials.</p> <p>The protocol requirement on negotiated price must include:</p> <ul style="list-style-type: none"> a. Severely affected households losing more than 10% of productive land must be provided with income restoration measures to ensure that their living standards will be restored to former or better condition before the project took place. b. Make reference on the RCS and cost will be applied whichever is higher. c. Informed decision of land owners on the prevailing market value of land; e. There should be mutual agreement between government and land owners and that a witness will be present in negotiation.
Rehabilitation measures to restore livelihood.	Limited examples on project with full rehabilitation measures to restore livelihood.
Payment of compensation before project starts.	The Land law specifies payment of compensation in advance before land acquisition starts.

CHAPTER VII: ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Objectives

87. The project's entitlements, assistance and benefits stipulated below are governed by the laws of the land and take into account the extent of losses incurred by APs resulting from land acquisition. The objectives of the RP are to ensure that the following objectives are met:

- Adverse social and physical impacts of sub-projects are avoided, minimized, and or mitigated;
- Affected persons are provided with appropriate compensation and assistance for lost assets which will contribute to an improvement of, or at least maintain quality of life before the project took place;
- Assistance to vulnerable groups

B. Project Policies and Principles

88. In order to achieve the above RP objectives, the project will adhere to the policies and principles of the RP as set forth:

- a) Involuntary resettlement and impacts on land, structures and other fixed assets will be minimized where possible by exploring all alternative options.
- b) Compensation will be based on the principle of replacement cost as per agreed RCS.
- c) All the affected households (without any discrimination such as household headed by women, disabled elderly, landless and people living below the national poverty line) confirmed to be residing in, doing business, or cultivating land or having right over resources within the sub project affected area or land to be acquired or used for sub project during the conduct of IOL and census of AH (Cut off Date) are eligible for resettlement assistance and compensation for non-land assets at replacement cost as mentioned in the entitlement matrix.
- d) Meaningful consultation will be carried out with the AHs, indigenous households, affected communities and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of AHs and communities will be taken into account.
- e) The draft, final and any updates on the RP will be disclosed to AHs households in a form and language(s) understandable to them in compliance with disclosure requirements.
- f) Resettlement identification, planning and management will ensure that gender concerns are incorporated.

- g) Provide all affected households requiring relocation with needed assistance including the following; assistance and allowances, secure tenure to the relocated land, and better living conditions⁵ at resettlement sites.
 - h) Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as indigenous households, households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
 - i) Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved.
 - j) Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.
 - k) Adequate resources will be identified and committed during the preparation of the RP, which shall include sufficient budgetary support and made available to cover resettlement costs within the agreed implementation period.
- l) There will be no civil works that shall take place for any segment of the sub-project, until (1) compensation has been fully paid to AHs; (ii) agreed rehabilitation measures are in place (iii) the acquired land is free from all encumbrances.

C. Principles for Valuation

89. All compensation will be based on the principle of replacement cost. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset without deduction for taxes and/or costs of transaction as follows:

- a. Productive Land (agricultural and aquaculture) based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes or in the absence of such sales, based on productive value.
- b. Residential land based on actual current market prices, as per agreed RCS⁶, that reflect recent land sales, and in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes; fees and taxes for land.
- c. Houses and other related structures based on actual current market prices, as per agreed RCS, of materials and labor without depreciation or deduction for salvaged building materials.
- d. Annual crops equivalent to current market value of crops as per agreed RCS.

D. Eligibility

⁵ This refers to improvements in amenities including (i) provision of a toilet and other sanitation facilities, (ii) drainage to ensure the plot does not flood, (iii) ensured connection to electricity and water, and have access roads.

⁶ Compensation to be paid within a period of 12 months from the date of replacement cost survey

90. All the affected households identified in the project-impacted areas on the cut-off date, to be validated and confirmed during the DMS, will be entitled to compensation and/or assistance for their affected assets as described in the section below. Those who encroach into the project area and build any new structures after the cut-off date will not be entitled to compensation or any other assistance.

E. Entitlement Matrix

91. The project entitlements have been defined in accordance to the degree of various impacts which are taken from the results of the IOL and socio-economic survey. The eligibility on entitlements generally applies to all households affected by the project which are categorized in the Entitlement Matrix. The Entitlement Matrix is attached as Table 7-1 indicating each type of loss and degree of impact with corresponding benefits applicable to the specific condition and impacts on AHs.

Table 7-1: Entitlement Matrix

Item	Type of loss	Entitled persons	Compensation policy	Implementation issues
A. Loss of Structures				
1	Residential/commercial structure and any other assets (Partial or full)	<p>Owners of the structure whether or not land is owned;</p> <p>WTTP 146 AHs with fully affected main structures but can be shift back on the remaining land</p> <p>103 AHs with partially affected structures (Main structure 6473,2m2)</p> <p>495 AHs with secondary structures (Secondary structure 20,980m2)</p> <p>Flood Protection</p> <p>5AH need to be displace to new place</p>	<p>1) For non-relocating households: compensation in cash for all affected structures at 100% of the full replacement cost for materials and Labour. The amount will be sufficient to rebuild the structure at current market prices;</p> <p>2). Compensation and assistance will be provided in the form of cash without any deductions for depreciation or salvageable materials. The calculation of rates will be based on the actual affected area and not the useable area.</p> <p>3) For relocating Households, a suitable relocation site will be identified and determined during the DMS in close consultation with the AHs</p>	<p>If the head of household is married, compensation will be paid at the presence of both husband and wife. Vulnerable households to be identified during DMS</p> <p>IRC together with PRSC will find a suitable location to relocate the 5 AHs. Relocating site is to be determined during the updating RP</p>
B. Loss of Productive Trees and Crops				

Item	Type of loss	Entitled persons	Compensation policy	Implementation issues
2	Fruit trees	Custom or legal owner(s) of land; owners of crops or trees (whether have legal or customary title to land or not) 708 trees (118 AHs)	Compensation for affected fruit/nut trees at full replacement cost, which shall be based on average annual value of the produce multiplied by five years;	Compensation for standing crops and productive trees
3	Standing crops		Compensation for annual crops at replacement cost, which shall be based on the locally prevailing current market prices for the produce.	Advance notice to harvest at least three month before civil work.
4	Standing timber/industrial trees		the Project shall re-establish a plantation at a new site, where applicable, and provide additional compensation to cover the cost of weeding and other plantation maintenance activities;	
C. Loss of Livelihood				
5	Temporary Loss of income full / partial from	Owner of small shops, house cum shop. (171AHs–WTT 1 AH-Flood Protection)	One-time cash assistance of US\$50	
D. Impacts on vulnerable AHs				
6	Any loss or impact; significant impacts on vulnerable AHs	Vulnerable households; 63 AHs	(i) One-time cash assistance of \$100 per vulnerable AH. (ii) Employment priority in project construction	
E. One-time Cash Assistance				
	Structures made of light and temporary materials (Type 1A to 2D) with floor area is less than 60m ² (Rebuild on same land)	Owner of House or shop regardless land tenure 85 AHs	One-time cash assistance of \$33 per household	
	(i) Structures made of light and temporary materials (Type 1A to 2D) with floor area is 60m ² or more OR (ii) All structures made of permanent materials (Type 2E to 4C)	Owner of House or shop regardless land tenure 164 AHs	One-time cash assistance of \$100 per household	

Item	Type of loss	Entitled persons	Compensation policy	Implementation issues
	(Rebuild on same land)			
	All structure to be relocating to new place regardless types	Owner of House or shop regardless land tenure (5 AHs)	(i) One-time cash assistance of \$200 per household (ii) Entitled to Income Restoration Program	The 5 AHs are entitled for Income Restoration Program
F. Transport Allowances				
	Street stalls made of light and temporary materials easily to uprooted	Owner of House or shop regardless land tenure 85 AHs	A lump sum of \$10 for removing cost.	The removal will not cause damage to the structure
	Small shops and houses can be categorized into type and require shifting back	Owner of House or shop regardless land tenure 164 AHs	A lump sum of \$40 for removing cost.	
	Small shops and houses can be categorized into type and require move other area in the same village	Owner of House or shop regardless land tenure	A lump sum of \$60 for removing cost.	
	House moving to other village	Owner of House or shop regardless land tenure 5 AHs	A lump sum of \$70 for removing cost.	
G. Unforeseen Impact				
10	Unforeseen Impact if any during project implementation		Appropriate mitigation measures and same entitlement will be applied to any AHs that will emerge due to changes, if any during the detailed design.	Compensation will not apply to new occupants after the cut-off date.
F. Temporary affected properties during construction				
11	Damage to crops and trees during construction (temporary impact)	Owners of crops	1). Contractor will be required by contract to pay these costs. 2). Compensation for lost production in cash at replacement cost (value	1). Construction and maintenance will be carried out so as to minimize damage. 2). Construction will be required by

Item	Type of loss	Entitled persons	Compensation policy	Implementation issues
12	Damage to fields and associated infrastructure including bund walls, drains, channels, etc.		of lost production within ROW or for access) for the period of construction or maintenance. This will be a minimum of one harvest where damage occurs during growing season.	Contract to stay within PRW. 3). As part of the civil works contract, all access roads/driveways to properties adjacent to the road will be repaired or replaced including culverts and other facilities, to a condition equal or better than the present. 4). The disruption period will be minimized as much as possible.

CHAPTER VIII: INCOME RESTORATION AND REHABILITATION

92. The IOL has identified 171 households (out of 249 AHs) who utilize their main house, kiosk or shops for business. These households will lose their income temporarily as their structures will be removed during construction of the drainage and sewer pipes. The 171 AHs still have remaining land to build their lost business. Shop owners will be allowed to construction replacement for their stall before demolishing the existing ones in order to minimize, if not, avoid lost of income. However, affected business of households will be given a one-time cash assistance of \$50

A. Special Measures to Support Vulnerable Groups

93. Vulnerable AHs are entitled to additional one-time cash assistance of US\$100 per household. Priority for employment will be provided in project construction.

CHAPTER IX: RESETTLEMENT BUDGET

A. Procedures for Flow of Funds

94. The budget for resettlement will be covered from the funds of the EA which will represent as their counterpart for the project. At the official request of the IRC, the executing agency (EA) shall provide the funds for the implementation of the RP in a timely manner through the Provincial Department of Economy and Finance.

95. An accounting procedure and format for the disbursement of compensation will be prepared by the RD-MEF for approval by the IRC. Payment of compensation and allowances shall be given to the AHs in the office of the commune by the Provincial Department of Economy and Finance with the presence of IRC-WG, Provincial Resettlement Subcommittee (PRS), commune/village chief or committee, the EMO and representatives of the AHs.

B. Resettlement Budget

96. The resettlement cost for WWTP and Flood Protection is estimated at **USD 1,314,029.94⁷** as indicated in Table 10-1 - Resettlement Cost. These include: (i) direct cost of compensation for secondary affected structures, trees and crops and allowances for affected households. An additional amount has been added to cover cost of monitoring (05%); administrative cost (8%) and contingency cost (10%). The costs for consultations and the grievance redress mechanism will be covered under the administration charges. Details on the budget are shown in Table 10-1.

Table 10-1: Resettlement Cost -WWTP and Flood Protection

No.	Description	Unit	Rate in USD	Quantity	Amount
A	Structures				
A1	Main Structure				
1	1A	m2	7.63	98.20	749.27
2	1B	m2	9.00	12.00	108.00
3	1C	m2	13.63	136.00	1,853.68
4	1D	m2	10.47	16.80	175.90
5	1E	m2	16.47	48.00	790.56
6	1F	m2	12.71	35.00	444.85
7	2A	m2	10.70	246.75	2,640.23
8	2B	m2	13.20	151.90	2,005.08
9	2C	m2	17.68	568.50	10,051.08
10	2D	m2	24.88	952.95	23,709.40
11	2F	m2	20.18	102.00	2,058.36
12	2G	m2	26.18	1,310.25	34,302.35

⁷ The total estimated cost will be updated during project implementation based on the DMS and the RCS conducted during the DMS.

13	2H	m2	22.55	983.26	22,172.51
14	2I	m2	24.05	313.40	7,537.27
15	2J	m2	39.93	604.00	24,117.72
16	2K	m2	60.00	978.84	58,730.40
17	2L	m2	61.22	53.00	3,244.66
18	3A	m2	59.89	44.20	2,647.14
19	3B	m2	52.76	21.50	1,134.34
Subtotal A1					198,472.78
A2	Other Structures				
20	F1	LM	0.95	137.00	130.15
21	F2	LM	1.43	54.00	77.22
22	F3	LM	12.00	64.50	774.00
23	F5	LM	4.04	217.50	878.70
24	F6	LM	7.99	126.00	1,006.74
25	F7	LM	31.31	530.00	16,594.30
26	F8	LM	58.95	355.00	20,927.25
27	Front-house concrete slab without reinforced	m2	6.00	14,690.55	88,143.30
28	Front-house concrete slab with reinforced	m2	13.00	4.00	52.00
29	Terracotta	m2	7.78	3,132.96	24,374.43
30	Concrete block/Karela	m2	5.59	205.75	1,150.14
31	Bridge access to house/walk passage	m2	3.69	37.50	138.38
32	Front roof extension (thatch/leaves)	m2	5.50	653.00	3,591.50
33	Front roof extension (metal roof)	m2	14.00	753.10	10,543.40
34	Water tank made of concrete ring 80cm	set	35.00	20.00	700.00
Subtotal A2					169,081.51
B	Crops and Trees				
35	Mango	Tree	46.24	172.00	7,953.28
36	Coconut	Tree	42.75	167.00	7,139.25
37	Tamarin	Tree	39.17	12.00	470.04
38	Jack Fruit	Tree	49.71	64.00	3,181.44
39	Sugar Palm tree	Tree	51.50	19.00	978.50
40	Persimon tree	Tree	12.44	4.00	49.76
41	Pring tree	Tree	25.00	1.00	25.00
42	Kantuort	Tree	6.31	3.00	18.93
43	Jujube	Tree	6.00	15.00	90.00
44	Chom-phu	Tree	5.33	9.00	47.97
45	Oy Moy	Tree	6.88	13.00	89.44
46	Sandoricum tree	Tree	17.00	7.00	119.00
47	Makak	Tree	12.88	24.00	309.12
48	Longan	Tree	12.00	7.00	84.00
49	Grape	Tree	5.00	8.00	40.00
50	Noni tree	Tree	5.00	5.00	25.00
51	Phnheav	Tree	15.00	2.00	30.00

52	Areca nut tree	Tree	17.50	22.00	385.00
53	Sapodilla	Tree	25.00	13.00	325.00
54	Guava	Tree	6.58	23.00	151.34
55	Teuk Doh Kor	Tree	31.25	10.00	312.50
56	Korki	Tree	15.00	17.00	255.00
57	Sdav		12.75	3.00	38.25
58	Papaya	Tree	5.33	13.00	69.29
59	Banana	Tree	2.60	14.00	36.40
60	Custard apple	Tree	7.98	1.00	7.98
61	Bamboo	Thicket	10.32	2.00	20.64
62	Other trees	Tree	10.00	7.00	70.00
Subtotal B					22,322.13
C	One-time Cash Assistance				
62	Relocating AHs on site (Partially Affected)	AH	100	164	16,400.00
63	Shop/Kiosk/Stall to be rebuilt remaining land	AH	33	85	2,805.00
64	Vulnerable AHs	AH	100	63	6,300.00
Subtotal C					25,505.00
D	Allowances				
65	Transport Allowance for house to be rebuilt at new site	AH	70	5	350.00
66	Transport Allowance for shop/Kiosk/Stall to be rebuilt remaining land	AH	10.00	85.00	850.00
67	Transport Allowance for house to be rebuilt in remaining land	AH	40.00	164.00	6,560.00
68	Cash Assistance for Temporary Loss of Business Income	AH	50.00	173.00	8,650.00
Subtotal D					16,410.00
F	Cash Assistance for Income Restoration	AH	200.00	5.00	1,000.00
G	Total Resettlement Cost				441,441.42
H	Additional Cost for Land Acquisition for WWTP				600,000.00
I	Relocation Site Development	AH	5000	5	25,000.00
Subtotal cost for Resettlement and Land Acquisition					1,066,441.42
J	Replacement cost study				10,000.00
K	External monitoring and evaluation (5%)				22,072.07
L	Administrative cost (8%)				159,966.21
M	Contingencies (10%)				55,550.24
Grand total					1,314,029.94

CHAPTER X: INSTITUTIONAL ARRANGEMENTS

A. Executing Agency

97. The Executing Agency is the Ministry of Public works and Transport (MPWT) and the Implementing Agency is the Provincial Public Works and Transport (PPWT). The EA has the overall responsibility and accountability of the proposed sub-project.

B. Project Management Unit

98. A project management unit (PMU) shall be established by the EA to coordinate the project activities. The PMU shall designate focal persons in charge of resettlement and has been involved in other ADB or donor funded projects to be a member of IRC and IRC-WG and will work closely with the Resettlement Department of the MEF (RD-MEF) relative to the preparation, updating, and implementation of the RP. Specific tasks include the following:

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

99. The PMU will provide technical assistance to the local administrative authorities, including resettlement planning and implementation. Together with the Project Implementation Support Consultants, the PMU will work closely with the administrative authorities and concerned departments such as the local authorities (commune council/village development council, district and provincial local authorities, community-based organisations).

C. IRC and the Resettlement Departments

100. Based on the Prime Minister Decision No. 13, dated March 18, 1997, the Inter-Ministerial Resettlement Committee (IRC) was firstly established in 1999 for the ADB Loan 1659 CAM: Phnom Penh-Ho Chi Minh City Highway Project. The IRC is a collective entity composed of representatives from different line ministries, such as the Council of Ministers (COM); the MPWT; and the Ministry of Agriculture, Forestry and Fisheries (MAFF), including representatives from the affected Municipalities, the Governor and Deputy Governor of provinces with sub-projects. The IRC then emerged as decision making body and has since been involved in other foreign-assisted government infrastructure projects with involuntary resettlement. The MEF is the permanent Chair of the IRC and reconstitutes it for every development partners' project.

101. The IRC shall assume the function of a quasi-regulatory body, ensuring that funds for resettlement are spent properly and that the RP is carried out as intended. The technical arm of the IRC is RD-MEF tasked to assist the IRC in carrying out the following:

- Review and approve the RP, ensuring that the RP is consistent with ADB's 2009 Safeguard Policy Statement (SPS) and, later, the loan agreement;
- Endorsing the approved RP to ADB;

- Establishing or convening the Provincial Resettlement Committee (PRSC) and its Working Group (WG);
- Orienting, as needed, the PRSC and its working group (PRSC-WG) on their tasks relative to RP updating and implementation;
- Securing from the national treasury the budget for carrying out the RP, ensuring that funds are available in a timely manner and in sufficient amounts;
- Approving all disbursements connected with the implementation of the RP, such as payment of compensation and other entitlements, acquisition and preparation of replacement plots, operational expenses of personnel, etc.;
- Ensuring that funds for resettlement are spent judiciously; and
- With assistance from an independent organization, monitoring the implementation of the RP, ensuring that this is carried out in compliance with the project resettlement policy in the approved RP and with the loan agreement.

D. Provincial Resettlement Sub-Committee

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

103. The technical arm of the PRSC is the Working Group (PRSC-WG). The PRSC-WG is headed by the Chief or Deputy Chief of Provincial Cabinet and with a Director (or a representative) of the Provincial Department of Public Works and Transport (PDPWT) as members. The PRSC-WG has a counterpart at the district level and commune level composed of personnel from various line agencies.

104. 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 project and resettlement activities;
- Participate in the DMS and updating of the census of AHs, including the updating other 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.

E. Project Implementation Support Consultants

105. The Project Implementation Support Consultants (PISC) shall have one international resettlement specialist and at least one local resettlement specialist on an intermittent basis to assist and supervise all social and resettlement-related activities. Their responsibilities include the following:

- Assist in the conduct of the information campaigns and community participation;
- Assist in the verification of census, inventory of losses and detailed measurement survey activities;
- Check the accuracy of the APs database prepared and provide improvements if necessary;
- Assist in the preparation of an updated RP;
- Assist and improve, if necessary, procedures for the coordination of resettlement and compensation activities;
- Ensure that grievances are addressed promptly and properly;
- Establish and implement liaison mechanisms to ensure proper technical and logistical support to PMU, local administrative authorities, resettlement committees and concerned government departments;
- Establish and implement procedures for ongoing internal monitoring;
- Design and deliver capacity development activities for all relevant agencies, as needed.

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

CHAPTER XI: IMPLEMENTATION SCHEDULE

A. Indicative Implementation Schedule of the RP

107. All resettlement activities will be coordinated with the civil works schedule. Land acquisition and relocation of affected households cannot commence until the updated RP has been reviewed and approved by ADB. The EA will not allow construction activities in affected sites until all resettlement activities have been satisfactorily completed, agreed rehabilitation assistance is in place, and that the site is free of all encumbrances.

108. It is estimated that compensation and relocation of households will be completed within the first two years of project implementation.

Table 12-1: Indicative Implementation Schedule

Resettlement Activities	Schedule
RP Preparation	Month 1- Month 3
ADB's Approval of Draft RP	Month 3
Replacement Cost Study, DMS and RP Updating	Month 5-8
Submission and ADB's Approval of Updated RP	Month 9
Consultation	Month 1- Month 40
Delivery of Compensation and Allowances	Month 10-16
Grievance Redress Mechanism	Month 10- Month 40
Implementation of Income Restoration Program	Month 15-21
Internal Monitoring (submission of Quarterly report)	Month 16-19-22-25-28-31-34
External Monitoring (submission of semi-annual reports)	Month 22, 28-34
Post-resettlement Evaluation by External Monitor	Month 40

*Private appraiser may need to update replacement cost during RP implementation if there's delay in disbursing of funds to DPs.

CHAPTER XII: MONITORING AND REPORTING

A. Internal Monitoring

109. The executing agency will be responsible for internal monitoring of resettlement activities, through the IRC, ensuring that the RP is updated and implemented according to the approved project resettlement plan. The internal monitoring report will be submitted quarterly by MPWT to ADB.

110. The EA will ensure that the reports of the project implementation support consultants include in their progress reports, the status of the resettlement plan implementation, information on location and numbers of people affected, compensation amounts paid by item, and assistance provided to AHs.

111. The objectives of the monitoring program are (i) to ensure that the standard of living of AHs are restored or improved; (ii) to monitor whether the overall project and resettlement objectives are being met; (iii) to assess if rehabilitation measures and compensation are sufficient; (iv) to identify problems and risks; and (v) to identify measures to mitigate problems.

112. The range of activities and issues that need to be recorded and verified, include:

- Compensation, allowance payments and delivery of assistance measures;
- Re-establishment of APs settlements and business enterprises;
- Reaction of APs, in particular, to resettlement and compensation packages; and
- Re-establishment of income levels.

a. Internal Monitoring Indicators

113. The principal indicators for internal monitoring of resettlement activities include the following:

- Timely and complete disbursement of compensation to APS according to the compensation policy agreed in the RP;
- Timely and complete delivery of relocation, income restoration and rehabilitation allowances and measures;
- Allocation of replacement land and development of individual and/or group resettlement sites and infrastructure;
- Public information dissemination and consultation procedures;
- Adherence to grievance procedures and identification of outstanding issues that require further attention and resolution;
- Attention given to the priorities of APs regarding the options offered;
- Completion of resettlement activities required before the award of civil works contracts.

b. Internal Monitoring Data Collection and Report

114. The EA will establish a database for resettlement monitoring data. It will establish procedures for the collection of data on a monthly basis, and update the database.

115. The internal monitoring report will summarise progress on resettlement activities and will notify ADB of approval by the EA of any changes, as required, to the implementation of the RP. The scope of the report will include:

- (i) The number of AHs by category of impact, district, commune and village, and the status of compensation payments, AHs relocation and income restoration measures for each category.
- (ii) The status of disbursement of cash and allocation of replacement land and housing.
- (iii) The amount of funds allocated and disbursed for a) resettlement program operations and b) compensation, assistance and resettlement activities.
- (iv) The activities, levels of participation, outcomes and issues of the Information Dissemination and Consultation Program.
- (v) The status and outcomes of complaints and grievances and any outstanding issues requiring further attention by provincial or district authorities, or ADB assistance.
- (vi) Implementation problems, including delays, lack of personnel or capacity, insufficient funds, etc.; proposed remedial measures; and, revised resettlement implementation schedule.

B. External Monitoring and Evaluation

116. The External Monitoring Organization (EMO) will be recruited by the IRC and will commence its work prior to or during the DMS, and will carry out independent semi-annual reviews of RP to determine whether intended goals are being achieved, and if not, what corrective actions are needed and will likewise conduct post resettlement evaluation study six months after the completion of RP implementation. The IRC will prepare the terms of reference (TOR) and submit it to ADB for review and comments before engaging the EMO.

C. External Monitoring Objectives, Indicators and Issues

117. Apart from reviewing and assessing the activities during RP updating, the general objective for external monitoring is to verify results of the internal monitoring and to provide an independent periodic review and assessment of (i) the achievement of resettlement objectives, (ii) changes in living standards and livelihoods, (iii) the restoration of the economic and social conditions of the APs, (iv) the effectiveness, impact and sustainability of assistance measures, (v) the need for further mitigation measures, if any; and, (vi) to identify strategic lessons for future policy formulation and planning. The table in this section presents a range of indicators to be included in the external monitoring of the resettlement program.

118. The external monitoring organization (EMO) will be responsible for checking the procedures and resolutions of grievances and complaints. The EMO may recommend further measures to be taken to redress unresolved grievances. The EMO will submit semi-annual external monitoring report to IRC and MPWT, then IRC will forward the EMO report to ADB. The Project Implementation Support Consultants will provide the necessary training to improve grievance procedures and strategy for the grievance committee members when required.

D. Methodology

119. The methodology for conducting monitoring and evaluation of implementation of the resettlement plan will include the following activities:

- Review Detailed Measurement Survey Database

120. The detailed measurement survey (DMS) i.e. the land acquisition and census survey based on detailed design, is to provide data on 100 percent of AHs. The census will help to create a database for each AH in terms of his/her social-economic status, the nature and extent of losses suffered, compensation and entitlements etc. This database will become the basis for compensation and for monitoring the benefits as well as entitlements the AP receives during the process of implementation.

121. As soon as the detailed design is finalized and marked on the ground is established, the RCS and implementing agencies will carry out the DMS for all AHs. The data will be made available to the EMO to enable them to create their initial database.

- Conduct Follow-Up Sample Socio-Economic Survey

122. A socio-economic survey will be required during post evaluation on resettlement implementation so as to provide a clear comparison of success/failure of the resettlement action plan. The survey will be conducted among a sample of 20% of AHs. A baseline socio-economic survey will be used the one conducted during the PPTA.

- Reporting

123. The EMO will be required to submit the findings of the periodic monitoring on semi-annual basis. These monitoring reports will be directly submitted to IRC which will be further sent to ADB.

- Monitoring Report Follow-up

124. The monitoring reports will be discussed in a meeting between the EMO, IRC and implementing agencies held immediately after submission of the report. Necessary follow-up action will be taken based on the problems and issues identified in the reports and follow-up discussions.

- Post-Evaluation

125. The external monitor will conduct resettlement process and impact evaluation 6-12 months after completion of all resettlement activities, using the same survey questionnaire and sample as used during the monitoring activities.

Table 13-6: Monitoring and Evaluation Indicators

Type	Indicator	Examples of Variables
PROCESS INDICATOR	Consultation, Participation	Number of consultation and participation programs held with various stakeholders

Type	Indicator	Examples of Variables
	Procedures in Operation	<ul style="list-style-type: none"> • Census and asset verification/quantification procedures in place • Effectiveness of compensation delivery system • Number of land transfers effected • Coordination between implementing agencies and other agencies
OUTPUT INDICATOR	Secondary Structures	<ul style="list-style-type: none"> • Number, type and size of private houses/structures acquired • Number, type and size of business establishments acquired
	Trees and Crops	<ul style="list-style-type: none"> • Number and type of private trees acquired • Number and type of government/community trees acquired • Number and type of crops acquired • Crops destroyed by area, type and number of owners
	Compensation and Rehabilitation	<ul style="list-style-type: none"> • Number of households affected (land, buildings, trees, crops) • Number of owners compensated by type of loss • Amount compensated by type and owner • Number and amount of payment paid • Household compensation payments made to both male and female heads of households • Number of persons with severely affected livelihoods provided with income restoration assistance; • Types of livelihood restoration assistance provided by number of persons and types of livelihoods impacted; • Disbursement of livelihood restoration assistance by type of assistance, types of impacted livelihoods and number of beneficiaries; • Data to be disaggregated by gender
IMPACT INDICATOR	Restoration of Livelihoods	<ul style="list-style-type: none"> • Level of restoration of impacted livelihoods/income sources by type of impacted livelihood; • Effectiveness of income restoration measures to create/restore livelihoods;
	Changes to Status of Women	<ul style="list-style-type: none"> • Participation in community-based programs; • Participation in commercial enterprises; • Changes in livelihood activities, income and control of self earned income.
	Changes to Status of Children	<ul style="list-style-type: none"> • School attendance rates (male/female) • Education achievement levels (male/female) • Health and access to health services (vaccinations up to date, health monitoring, malnutrition rates 0-5 years.)
	Settlement and Population	<ul style="list-style-type: none"> • Growth in number and size of settlements; • Satisfaction with resettlement site living conditions; • Maintenance of establishment of new social networks; • Growth in local market areas;