

Resettlement Planning Document

Resettlement Plan (NR 56 and NR 68-B) Appendix 4
Document Stage: Final
Project Number: 42358-01
May 2009

Cambodia: Greater Mekong Subregion: Northwestern Provincial Road Improvement Project

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

PUBLIC INFORMATION BOOKLET

1. QUESTION: What is the ADB Transport Infrastructure Development and Maintenance Project?

ANSWER: The Royal Government of Cambodia proposes to improve the **Transport Infrastructure Development and Maintenance Project** of Cambodia on NR 56 (Sisophon-Samraong), a distance of 113 km, Banteay Meanchey and Oddar Meanchey province funded by ADB.

2. QUESTION: Who is responsible for the Project?

ANSWER: The Royal Government of Cambodia represented by Interministerial Resettlement Committee will supervise the resettlement plan implementation. The Ministry of Economy and Finance and the Ministry of Public Works and Transport had set up the Inter-Ministerial Resettlement Committee (IRC) and Social and Environmental Unit (SEU) to implement and monitor Resettlement Plan for affected houses, land on the roads.

3. QUESTION: Is the improvement of the road intended to benefit us?

ANSWER: Yes. The improved road will allow the transportation of goods and people to be quicker, more efficient and cheaper between towns and villages and also from Thailand to all parts of Cambodia. It will help everybody to market their products, get supplies, reduce poverty, and to reach public services.

4. QUESTION: If there will be road improvements along our road, will we be affected?

ANSWER: The Transport Infrastructure Development and Maintenance Project will lead to the use of land and some houses, trading stalls, and gardens and entrances in the government owned right-of-way (ROW). During detailed design, these potential effects may be avoided or minimized since actual alignments of the improved road will be determined through consultation with you and the rest of the local communities.

In case the effects on land, house and structures cannot be avoided, affected persons (APs) will be properly compensated in cash or in kind for their land use, houses, structures, crops and trees, and even communal properties in order for them to restore their lost asset, resource, or income. Rehabilitation assistance will also be provided to APs who will be required to relocate in another location.

5. QUESTION: What if my land will be affected by the Project?

ANSWER: For affected land, compensation can be in the form of replacement land or cash at current market value. If land has been the agreed form of compensation between APs and the Project, the replacement land should be of equal or better productive capacity of the lost land and satisfactory to APs. However, the project will not compensate for land in the ROW but for land use.

6. QUESTION: What are the entitlements that we have in order to be compensated?

ANSWER: Those APs who have occupied and used the land prior to **July 12, 2008** are entitled to compensation if the project construction affects their land and structure. And for anyone who has encroached and occupied the land after **July 12, 2008**, which is the cut off date for eligibility for compensation, will not be eligible for compensation.

7. QUESTION: Does compensation apply to my affected houses or structures?

ANSWER: Yes. Houses and structures that will be affected by the Project shall be compensated at replacement cost without deduction for depreciation or salvageable materials.

8. QUESTION: What about my crops and trees?

ANSWER: For annual crops, APs will be given 2-month notice that the land on which their crops are planted will be used by the Project and that they must harvest their crops in time. If standing crops are ripening and cannot be harvested, eligible APs can be compensated for the loss of the unharvested crops at the current market value.

For perennial crops, APs will be compensated for the loss of fruit and timber trees located within the ROW. The value will be calculated as the annual produce value multiplied by a five-year factor. This will compensate for lost income until the newly planted seedlings bear fruit. APs will be awarded the full value of any lost crops where the plants are near or ready to harvest.

9. QUESTION: What about our common property resources like school building, pagoda, fence of pagoda and school, irrigation, well and ponds?

ANSWER: For common property resources, the affected land will be replaced in areas identified in consultation with affected communities and relevant organizations. Affected building and structures will be restored to original or better condition.

10. QUESTION: If in case there will be relocation of houses or businesses involved, how can the Project help me rebuild my house during relocation?

ANSWER: To facilitate these business involved, APs are given option to choose. Option one is to shift back the structure/shop within ROW. The project will compensate for the cost of removing and shifting and for the big structure the compensation will be based on replacement cost.

In case that there is no space left to shift back, option two will be given. This means the house or shop has to be relocated in an area not exceeding 5 km from the original. APs will be paid for the cost of transport and rebuilding with new materials. For big building/structure compensation will be based on replacement cost.

-Allowances

- **Household transition allowances** will be provided to all severely affected household, relocating APs, and APs losing more than 10% of their total productive landholding. Either \$40 or the price of 6 months rice consumption for all members of the household, whichever is greater, to assist in restoration of income during the transition period.

- **Assistance for training and employment** will be provided to all severely affected farmers and to households that lose more than 10% of their total productive landholding. Advice and support of the Provincial and local authorities in obtaining training and employment for household members.
- **Transport allowance** will be provided as either provision of transportation by local authorities or cash sufficient to be able to transport transport possessions.
- **Labour and Office:** APs having office and labour will be paid during building of road. Cash payment will be equal to their exact monthly loss of salary or \$40.
- **Tax** will be exempted for APs. The Government will pay the tax imposed on APs.

11. QUESTION: When will the detailed measurement survey be conducted?

ANSWER: The activity will be carried out after the actual alignment has been identified. The DMS survey team will be composed of
 -the Representative of IRC;
 -Team of Working Group MPWT;
 -Provincial Sub-Committee Involved;
 -District Representative, Commune and Village authority;
 -External Monitoring Organization.

The activity will only be carried out in the presence of the APs. The APs and the local authorities will be informed prior to the activity.

12. QUESTION: If there will be disagreements or problems that arise during project implementation such as compensation, technical, and general project-related disputes, do I have the right to voice my complaint?

ANSWER: Yes. If the AP is not clear about or not satisfied with the compensation package offered or, if for any reason, the compensation does not materialize according to the agreed schedule, the AP has the right to lodge a complaint.

The APs may present their complaints to the local administrative officials and grievance committee

concerned. The complaint can be elevated to the Project Management Unit of MPWT in writing. Attempts will be made to settle the issues at the village level through community consultation, involvement of social and resettlement experts as required, mediators, and facilitators, if required.

The resettlement committees concerned will properly document all complaints and resolutions.

APs will be exempted from all taxes, administrative and legal fees.

13. QUESTION: When would the above project be started?

ANSWER: The project will be started in 2010.

14. QUESTION: How will you know if these undertakings are kept and the objectives of this Project are met?

ANSWER: All project activities will be monitored by:
 -The Social and Environmental Unit (SEU) of the Ministry of Public Works and Transport;
 -Provincial Sub-Committee; and
 -External Monitoring Organization.

Monthly Report and Quarterly Reports will be prepared and submitted to ADB. A post-resettlement impact evaluation will also be undertaken to assess whether impacts of the Project have been mitigated adequately and the pre-project standard of living of APs have been restored as a result of the resettlement and project. ADB will also monitor these activities in its regular supervision missions during project implementation.

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

-Ministry of Public Works and Transport, Norodom Blvd, Phnom Penh, Cambodia. Tel: 023 723 513;

-Siem Reap Hall, Banteay Meanchey Hall, and Oddar Meanchey Hall, also

-Provincial Department of Public Works: Banteay Meanchey and Oddar Meanchey.



KINGDOM OF CAMBODIA
Nation Religion King

Ministry of Public Works and Transport
Social and Environmental Unit

Public Information Booklet
for the
Resettlement Action Plan
of the
Transport Infrastructure
Development and
Maintenance Project



2009