CAM: Rural Roads Improvement Project II

Prepared by the Ministry of Rural Development for the Kingdom of Cambodia and the Asian Development Bank.

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Ministry of Rural Development
Project Number: 42334

Rural Roads Improvement Project II

Due Diligence Report on Social Safeguards
CW4B: Improving Road No.153 from laterite road to DBST pavement

November 2018

Prepared by
Social and Environment Office (SEO)
Project Name: Rural Roads Improvement Project II
Project ID: ADB LOAN 3151-CAM/GRANT 0401-CAM/GRANT 0402-CAM
Report Name: Due Diligence Report on Social Safeguards
CW4B: Improving Road No. 153 from laterite road to DBST pavement

PREPARATION, REVIEW AND AUTHORISATION

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ABBREVIATIONS

ADB : Asian Development Bank
APs : Affected Persons
CIF : Commune Investment Fund
DBST : Double Bituminous Surface Treatment
MRD : Ministry of Rural Development
PAH : Project Affected Households
PMU : Project Management Unit
PDRD : Provincial Department of Rural Development
RRIP : Rural Roads Improvement Project
RRIP II : Rural Roads Improvement Project, Phase II
RF : Resettlement Framework
SEO : Social and Environment Office
SPS : Safeguard Policy Statement

WEIGHTS AND MEASURES

Kilometer – km
Meter – m
Due Diligence Report on Social Safeguards
CW4B: Improving Road No. 153 from laterite road to DBST pavement

1. Background

1. Rural Roads Improvement Project II will rehabilitate about 1,200 kilometers (km) of rural roads in ten provinces to DBST paved condition. The rehabilitated roads will provide poor rural provinces with a safer, cost-effective rural road network with all-year access to markets and other social services. There are five key outputs in this project (i) rural road improvements; (ii) rural road asset management; (iii) rural road safety and community awareness program; (iv) project management support; and (v) connectivity improvements for Mekong River Islands.

2. Rural Road Improvements is a first output of the project. ADB aims to improve rural roads to climate resilient paved condition. Out of the twelve civil works contracts under this output, one will be a pilot performance-based contract over a 5.5-year duration. This output also includes green planting and design and implementation supervision consulting services.

3. The project has been categorized as "B" for environment and "C" for Involuntary Resettlement and Indigenous people under ADB's Safeguard Policy Statement (SPS). Paved rural roads will significantly benefit poor and physically isolated rural residents in the project provinces, including women and children. Local economic development depends on improved connectivity, and paved roads reduce travel time, increase convenience, and make it safer for women and girls to travel farther from home. Better access to services will improve rural residents’ health and educational attainment. The social assessments in the project areas during project design confirmed that there is no presence of indigenous peoples.

4. The contract package of CW4B under Additional Financing of RRIP II has been awarded to Guangdong Provincial Changda Highway Engineering Co. Ltd. on 27 December 2017. In the detailed design, the scope of work for this contract package was to improve 6 roads (87.8 km) with DBST pavement condition in Kampong Chhnang Province.

5. The total length of project road of KCH 11 in Kampong Chhnang Province under the Contract CW4B under Additional Financing of RRIP II is 19.5km. A part of this road, 7.5 km, has been overlapped with the MPWT implemented road project. Therefore, it is necessary to delete the overlapped section and to include another priority road section within the same District as substitute. The MRD proposed the Road No.153, the total length of which is 16.5 km, is branched from the National Road No.5 and is connecting to the RRIP II project road of KCH 12. MPWT agreed with the MRD's proposal, which swaps from KCH11 to road No.153 (from PK 05+000 to the end point.) based on letter No.: 2715 អអ/ឃីព័ត៌មាន dated Friday 12th July 2018, in order to improve from laterite road to DBST pavement. The beginning part of 2.0km is DBST paved road. The Additional Financing will improve 7.5km of this road from the end point of existing DBST paved section plus 3.0km. And the MRD also propose to improve the remaining laterite road section (7.0km) in order to enhance connectivity utilizing contingency of Contract CW4B.

6. During the initial inspection one project road section, KCH11, - Due to the change of the project road from KCH11 to road N.153, MRD conducted Due Diligence to verify and confirm the land acquisition, involuntary resettlement impact status. The Due Diligence Report (DDR) has been prepared in compliance with the ADB's Safeguard Policy Statement 2009 and the laws and regulations of the Kingdom of Cambodia.

2. Purpose and Objective of the Report

7. Ministry of Rural Development (MRD) assisted by the project consultants conducted Due Diligence on social safeguard after receiving the request to build the road N.153 with DBST pavement from the Ministry of Public Works and Transport. This report has been prepared to assess the project’s impact in terms of land acquisition, resettlement or livelihood impacts. The objective is to confirm
that whether the improvement of the proposed road project may anticipate resettlement impacts or other livelihood impact on community living along the road section which may trigger involuntary resettlement.

3. Current Status of the Road N.153

8. Road N.153 has been under routine maintenance by the Provincial Department of Public Works and Transport of Kampong Chhnang province. The existing laterite roads are slippery during rainy season and become dusty during dry season. Currently, local authorities and local residents are facing health problem because of breathing with dust every day due to relatively high volume of traffic.

9. To improve this laterite road with climate resilience purpose, about 11.2 km of road was supposed for DBST pavement with the width of 8 meters (6 meters DBST and 2 meters shoulder). Project location and typical cross section figures of road N.153 are presented below.

Figure 1: Project Location Map

Figure 2: Typical road cross section of design
4. Methodology for Impacts Assessment

10. Free, prior and informed consultations were conducted by SEO team at road N.153. The SEO team cooperated with commune chiefs to conduct a consultation meeting with local authorities and vendors along the road section in order to discuss and exchange opinions and get their views or concerns about proposed road section improvement. The objective of meeting is to confirm the environment and social impacts, both positive and negative, as well as social impacts, i.e. livelihood and involuntary resettlement. The project information including grievance redress mechanisms, leaflets were distributed to participants. In addition, site observation and verification has also been conducted together with local authority with participation from villagers.

5. Social Impact Assessment

5.1 Consultation and Participation

11. After receiving the letter from MPWT, the SEO team of the Project Management Unit (PMU) of RRIP II made a site visit from 21-24 August 2018 to conduct Due Diligence on Social Safeguards for the proposed road No.153 in Kraing Leav and Thlok Vien commune, Samakki Meanchey district, Kampong Chhnang province. Commune chiefs and local authorities and vendors along road No.153 were well informed about the consultation prior to the mission date. The objective of meeting was precisely announced by SEO team and well understood by all participants. The consultation meetings and site visits have been successfully completed as the planned schedule with the fruitful results. Local authorities and residents expressed their very warm welcome to the SEO team and participated in the meeting with attention. They are happy to participate in the project and eager to see its implementation.

12. Total participants in the consultation was 159 of people (70 women) were met and consulted, discussed and exchanged opinions and views. They were very impressive to have DBST pavement for the road in their commune and no problem with the minor disturbance during construction. However, it is suggested that dust should be controlled during construction. And SEO team in response told participants that this issue will be minimized and is highlighted in the EMP, as part of bidding document; and it is the obligation of the Contractor to control with strictly supervision from MRD. People are encouraged to participate in the monitoring of the impact and can report back of any issue during implementation to the PMU or through project grievance redress mechanism (GRM).

13. Another suggestion from the consultation was the proposal of installation of drainage system along the road section. And this suggestion was supported by the residents living along the road and local authorities. However, SEO team advised to participants that this proposal will be raised to the project technical team to study and consider.
14. During the site visit, the team observed that there will be disturbance to small table vendors during construction. However, these stalls are located far enough and will not be affected by the construction of the proposed road section. After discussion with SEO team, they were happy to cooperate with the project and agreed to move back more if required by the project. Below photos are the vendors who are happy and grateful to the project.

Mrs. Som Song, A small shop owner.
Mrs. Chheam Vannna, A small shop owner.
Mrs. Mey Mom, A small shop owner.

15. Road No.153 is a laterite road which already constructed and maintained by MPWT. From site observation, the road width varies between 10 meters and 13 meters. This project road is enough to accommodate 6-meter DBST pavement and 2-meter road shoulder. Base on the actual width of the road No.153, there was no apparent resettlement impact for improving from laterite road to DBST pavement as shown in below pictures.

Starting Point (PK 00+000) Road Width = 10 Meters
(PK 06+100) Road Width = 12 meters

(PK 06+600) Road Width = 13 meters
Ending Point (PK 11+200) Road Width = 12 meters

5.2 Field Observation and Impact Verification
16. SEO team conducted a site visit to a project road N.153. The detail Engineering design (DED) was used to verify the existint proposed road width and check if there is impact. As results from the measurement, there is no land acquisition, resettlement or livelihood impact as existing width is wide enough for 6 meters DBST pavement and 1 meter of shoulder both sides of the road.
17. It is observed that few temporary and mobile stalls are operating business along the project road but they located far enough from the road and no impact will be anticipated. Some environmental impact will be anticipated such as dust, disturbance during construction but all these minor impacts will be able to mitigate through Environmental Management Plan (EMP). The sellers met, however, were happy and express their eager to see the road construction/upgrading and willing to participate in the project if required.

6. Grievance Redress Mechanism

18. All participants, during the consultation, have been informed about generic grievance redress mechanism\(^1\). SEO noted that local authorities and local residents were well aware of the project and understood the way how they can address complaint in case they are affected. However, all conflicts are encouraged to resolve at the village, commune or district level. None of concerned issues have been raised during the consultation.

19. Complaints are to be redressed through three stages (described below) before potentially being elevated to a court of law as a last resort.

   - First stage (commune level), an aggrieved Project Affected Households (PAH) may bring his/her complaint to the commune leader. The commune leader will call for a meeting of the group to decide on a course of action to resolve the complaint within 15 days. If complaint cannot be solved in commune level then it will be forwarded to District level.

   - Second Stage (District level), the district office has 15 days 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 Redress Committee.

   - Third Stage (Provincial Grievance Redress Committee), within 30 days of the submission of the grievance to the Provincial Grievance Redress Committee a written decision must be made and a copy of the decision MRD.

20. If the aggrieved PAH is not satisfied with proposed remedies developed by the Provincial Grievance Redress Committee based on agreed policies in the RF-RP, the AHS can file complaints to provincial court. If any party is not satisfied with the ruling of the provincial court, that party can bring the case to a higher court.

21. The GRM is the responsibility at the project level for issue that may arise during construction while Accountability Mechanism of the ADB allows people affected by ADB-financed projects to submit complaints to ADB. The Accountability Mechanism provides an independent forum and process whereby people can voice their problems and seek resolution and report alleged violations of ADB’s operational policies and procedures. The Accountability Mechanism comprises two separate but related, phases, namely: (i) a consultation phase, led by ADB’s special project facilitator to assist project-affected people in finding solutions to their problems; and (ii) a compliance review phase, led by a three-member panel that investigates alleged violations of ADB’s operational policies and procedures, as defined by the Board of Directors, including safeguard policies, that have resulted or are likely to result in direct adverse and material harm to project affected people and recommends how to ensure project compliance with those policies and procedures.

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\(^1\) GRM from the RF of RRIP-II was used to explain APs during the consultation. Four stages are from village to district, province, and finally to court as last resort.
7. Findings and Conclusion

22. The site visits and verification revealed that:

a) No land acquisition, resettlement or impacts on livelihood are required for the proposed DBST pavement of road section No.153 crossing Thlork Vien and Kraing Lvea commune.

b) No cultural or heritage site in the project area or in the village were found.

c) No present of indigenous in the project area.

d) No anticipated significant environment impact was observe. Dust, noisy and vibration disturbance are expected to happen during road construction. However, the mitigation measure is designed as indicated in the EMP and will be strictly monitored by the PMU and SEO.

e) Local authorities and villagers expressed high interest and eager to see the project implementation soonest.

f) Improving road No.153 to DBST pavement will surely upgrade the local resident living standard, community economic growth, time-saving in traveling, and especially for better health center accessibility.
Kingdom of Cambodia

Nation Religion and King

Ministry of Rural Development
Rural Roads Improvement Project II
Social and Environmental Office

Phnom Penh, 24 August 2018

H.E Dr. Chan Darong
Director General for Technical Affairs
Project Director
Ministry of Rural Development
Corner of Street 169 & Russian Federation Blvd.
Phnom Penh, Cambodia


Enclosure: 2 copy of Minutes of Consultation Meeting

Subject: The report of Resettlement Impact study before improving from laterite road to DBST pavement in additional co-financing package (CW-4B) of Rural Roads Improvement Project II, in Kampong Chhnang province

Dear Excellency,

I would like to inform you that on 21st to 24th August 2018 Ms. Srey Samai, Ms. Hor Bola, Ms. Von Sedtha and Mr. Hang Sopolik, the resettlement and environment officers of Rural Roads Improvement Project II, conducted a study on resettlement impact of one road name Salalek Bram to Krang Lvea (road N. 153) and discussed with the local authorities at Thlok vean commune and krang lvea commune as below:

I. The purpose of the meeting

- The comments of local authorities and local people before road construction
- Interview with vendors and people along the road

II. Project Road information

Road name Salalek Bram to Krang Lvea (road N.153) in kampong Trolach and Samaki Meanchey district are the laterite pavement passing through 3 communes: Pea Ny commune, Thlok Vean commune and Krang Lvea commune with total 9 villages,
4 schools, 1 Health Care center, 1 police office, 4 pagodas and road maintenance by Provincial Department of Public Work and Transport in Kampong Chhnang province.

III. Resettlement Impact Monitoring

MPWT have agreed to provide road N.153 to Ministry of Rural Development in order to improve from laterite road to DBST pavement according to MPWT's letter No.: 2715 PW/RKhVChhN dated 12 July\textsuperscript{nd} 2018.

The road N.153 which was monitored before improving from laterite to 6-meter DBST pavement of road width and 1-meter road shoulder for both sizes is from PK 05+00 to (KCH12) length 11,200 km.

By measuring from the beginning point at 5\textsuperscript{th} kilometer post to the ending point, the actual road width is between 10 meters and 13 meters. Anyway, the impact such as fruit tree, shade trees, and temporary stalls are not affected. The trees and mobile stalls are not on the sidewalk.

IV. Authority Meeting

The SEO officers have a meeting with the local authorities and local people to take note their comments and the resettlement impact along the project road N.153 for two communes: Thlok Vean and Kraing Lvea commune before improving from laterite road to DBST pavement.

Mr. Mea Neang, Thlok Vean commune chief and Mr. Klang Vy, Krang Lavea commune chief said that the road N.153 was the existing road which has a big width and routine maintenance by the provincial department of public work and transport in kampong chhnang province. Therefore, there were no resettlement impact like trees and temporary stalls since they were not on the sidewalk.

The two commune chiefs have recommended that during construction road N.153 to DBST pavement they were very happy because it reduced the dust, easy travelling, and their children easy go to school and creating new job to support their family. For the resettlement impact like trees and temporary stalls which were not on the sidewalk they donate without any compensation in case the project is needed.

V. Local People Interviewing

The SEO officers interviewed with the non-affected local people along the road N.153 such as Ms. Soum Song, Ms. Cheam Vanna and Ms. Mey Mom, small vendors and the owner of temporary stalls, Ms. Sok Oun and Ms. Sok Nhoy, residents along road N.153. After interviewed and consultation, they agreed to donate without asking for compensation if the project need them to move their stalls back.

Requesting:
- Please quickly construct to DBST pavement, they are experiencing health problems due to dust.
- The local people and authorities please suggest installing pipe system along side of the project road.

VI. Provide the Grievance Redress Mechanism

During meeting with local authorities and interviewed with local people along the project road, the SEO officers provided the road information about the road N.153 and Grievance Redress Mechanism for them to resolve complaints for residents having the right to protest or to oppose.

VII. Conclusion

The SEO team made the following conclusion as below:
- There was no resettlement impact on road N.153. It is an existing road with a large width and it is maintained by provincial department of public works and transport in Kampong Chhnang province.
- Improving road N.153 form laterite road to DBST pavement doesn’t cause any problem for local residents but road accessibility does contribute for their community economic growth and healthier.

Please accept, H.E Chan Darong, the assurance of my highest consideration.

Sincerely yours,

Mr. Hang Sopolik
Kingdom of Cambodia
Nation Religion King

Minutes of Consultation Meeting

Meeting with local authorities and local residents in Kraing Lvea Commune
On “resettlement study before the project of road construction (Road N.153)
From Sala Lekbrom to Kraing Lvea Commune”

On 22nd August 2018 at 2:00 pm, there was a meeting at Kraing Lvea Pagoda about resettlement study for a road construction project from Sala Lekbrom to Kraing Lvea Commune (Road N.153).

Enclosure: one copy of participant list

After all participants were present at the meeting, Mr. Klaing Ry, the chief of kraing Lvea commune talked about the road construction project from Sala Lekbrom to Kraing Lvea. The road would pass through three villages, two schools, and one Pagoda in his commune.

After greeting, Mr. Hang Sopolik, RRIP-II officer of MRD, added that Road N.153 was improved from laterite road to DBST with two layers, starting from PK 05 until intersection of KCH12 in Kraing Lvea Commune, Samaki Meanchey District, Kampong Chhnang province. DBST pavement was 6 meters in width with one-meter shoulders on both sides. During road construction, there would be a small resettlement impact on shopping stalls or fruit crops whether you (local residents) agreed to donate or move back or not. As a result, all participants agreed to remove their trees and temporary stalls without asking for compensation because they needed a DBST road.

At the end, chief of the meeting showed the appreciation to local residents that they were willing to remove their trees and stalls during the road construction.

The meeting ended at 3:45 pm on the same day with happy and understanding environment.

(Note: there was no indigenous people living in this commune)

Seen and Approved
22nd August 2018

Chief of the Meeting & Commune chief

(Signed & stamped)
KLAING RY

Recorder
(Signed)
PHANN SOVANNRITH
Kingdom of Cambodia
Nation Religion King
Minutes of Consultation Meeting
Meeting with local authorities and local residents in Thlok Vien Commune
“Resettlement Study before road construction project (road N.153)
From Sala Lekbram to Kraing Lvea Commune”

On 21st August 2018 at 8:30 am, there was a meeting in Thlok Vien Commune office about resettlement study for road N.153 from Sala Lekbram to Kraing Lvea Commune.

Enclosure: one copy of participant list

After all participants were present at the meeting, Mr. Mea Neang, the chief of Thlok Vien commune, certified that this road passed through five villages, three schools, one health center, one police office and one commune office. There were 7101 people living in Thlok Vien commune in total.

After that, Mr. Hang Sopolik, RRIP-II officer of MRD, clarified that road N.153 was improved from laterite road to DBST with two layers, starting from PK 05 towards the intersection with KCH12 in Kraing Lvea Commune, Samaki Meancheay District, Kampong Chhnang province. DBST pavement was 6 meters in width with one-meter shoulders on both sides. During road construction, there would be a small resettlement impact like shopping stalls or fruit crops whether you (local residents) agreed to donate or move back or not. As a result, all participants agreed to remove their trees and temporary stalls without asking for compensation because they needed a DBST road.

At the end, the meeting panel showed the sincere thanks to local residents that they were willing to remove their three and stalls during the road construction.

The meeting ended at 10:15 pm on the same date with a happy and understanding environment.

(Note: there was no indigenous people living in Thlok Vien commune)

Seen and Approved
21st August 2018

Recorder
(Signed)

MOK NY

Chief of the Meeting & Commune chief
(Signed & stamped)

MEA NEANG
Annex 2: MPWT’s Letter
Kingdom of Cambodia
Nation Religion King

(Logo)
Ministry of Public Works and Transport
No.: 2715 PW/RKhVCNhN

To
Minister of Rural Development

Objective: Solution procedures with development partners for duplicate 6640-meter road construction project located in Chhean Leoung commune, Samakki Mean Chey district, Kampong Chhnang province.

Ref: Letter No. 0977/18 K.Or.Chh dated Friday 22nd June 2018 of the Ministry of Rural Development.

According to the above-mentioned objective and reference, I would like to inform H.E that the Ministry of Public Works and Transport expressed sincere gratitude for the mutual understanding about bridge-road infrastructure construction so far on overall principles to protect the profit of people and the country. The Ministry of Public Works and Transport agreed upon the request for construction of road N.153 from laterite road to DBST pavement.

MPWT would like to request the Ministry of Rural Development to build the provincial road N.153 with DBST pavement, starting from PK 05+000 as in 2018, MPWT provided the budget to the Kampong Chhnang Provincial Department of Public Works and Transport for the construction of the same road N.153 from PK 03+000 to PK 05+000. After finishing the construction with the valid duration, MPWT would like to request MRD to handover periodic maintenance of road N.153 to the Kampong Chhnang Provincial Department of Public Works and Transport.

Accordingly, please His Excellency begin the construction of provincial road N.153 from PK 05+000.

Please His Excellency accept my highest consideration.

Senior Minister
Minister of Public Works and Transport
(initialed)
(Signed & stamped)
SUN Chanthol

CC:
- The cabinet of H.E Dr. Senior Minister and Minister of the Ministry of Economy and Finance
- H.E Secretary of State in charge of public works
- H.E General Director of Public Works
- H.E General Director of Technical Affairs
- Director of Kampong Chhnang provincial department of public works and transport
- Chronicles-archives
Annex 3: Grievance Redress Mechanism