

Social Due Diligence Report

December 2021

Cambodia: Second Greater Mekong Subregion Corridor Towns Development Project

CW02: Construction of Kampot Landfill (VO1 Additional Works)

ABBREVIATIONS

ADB	Asian Development Bank
AHs	Affected Households
APs	Affected Persons
BRP	Brief Resettlement Plan
CTDP	Corridor Town Development Project
COI	Corridor of Impact
DDR	Due Diligence Report
DED	Detailed Engineering Design
DMS	Detailed Measurement Survey
DPWT	Department of Public Works and Transport
EMP	Environmental Management Plan
GDR	General Department of Resettlement
GDR-MEF	General Department of Resettlement – Ministry of Economy and Finance
GMS	Greater Mekong Region
GRM	Grievance Redress Mechanism
IOL	Inventory of Loss
IR	Involuntary Resettlement
IRC	Inter-Ministerial Resettlement Committee
IRC-WG	IRC Working Group
MEF	Ministry of Economy and Finance
MPS	Main Pumping Station
MPWT	Ministry of Public Works and Transport
LARP	Land Acquisition and Resettlement Plan
NGO	Non-Government Organization
PGRC	Provincial Grievance Redress Committee
PIB	Public Information Booklet
PISCB	Project Implementation Support and Capability Building
PIU	Project Implementing Unit
PMU	Project Management Unit
PK	Post Kilometer
PRSC	Provincial Resettlement Sub-Committee
RC	Reinforced Concrete
ROW	Right of Way
SES	Socio-Economic Survey
SOP	Standard Operating Procedures
SPS	Safeguards Policy Statement
UD	Urban Drainage
WWTP	Waste Water and Treatment Plant

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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Due Diligence Report on Land Acquisition and Resettlement

Access Road Improvement to Kampot Landfill

1.0 INTRODUCTION

1.1 Project Overview

1. The Royal Government of Cambodia (RGC) has received a loan from the Asian Development Bank (ADB) for the Second Greater Mekong Subregion (GMS2) Corridor Town Development Project (the Project) under Loan No. 3314-CAM. The loan was approved on 13 November 2015 and declared effective on 26 February 2016. The physical completion and loan closing dates are 31 December 2020 and 30 June 2021 respectively. The Project is aimed at strengthening competitiveness of the Greater Mekong Subregion (GMS) economic corridors through the provision of environmental infrastructure for the towns of Kampot and Sihanoukville. The recommended subprojects and their corresponding components to be carried out are in Kampot and Sihanoukville towns.
2. The scope of the Project is broken into four civil works (CW) subprojects which are: (i) CW 01 - Kampot Wastewater Collection and Treatment (WWCT) and Urban Drainage Works; (ii) CW 02 - Kampot Solid Waste Management (SWM); (iii) CW 03 - Sihanoukville Urban Drainage Works; and (iv) CW 04 - Sihanoukville Solid Waste Management. The Project will be implemented by the Ministry of Public Works and Transport (MPWT) and assisted by Project Implementation Supervision Capacity Building (PISCB) Consultants; the latter funded by the Project.
3. The Government of Cambodia on 16 October 2019 requested the cancelation of the two subprojects in Sihanoukville (SHV), namely CW03-Urban Drainage and CW04- Solid Waste Management. On 12 July 2021 ADB approved the amendments on scope of works, implementation arrangements and reallocation of loan proceeds and the loan agreement was amended accordingly.
4. A draft resettlement plan (RP) for all Kampot Subprojects was prepared in August 2015 that covered land acquisition and involuntary resettlement (LAR) activities relating to: (i) WWCT subproject (ii) urban drainage works subproject; and (iii) SWM subproject. In accordance with ADB Safeguard Policy Statement (2009), the Project was been classified as Category B for Involuntary Resettlement (IR). Subsequently, the resettlement documents for WWCT and urban drainage (UD) works was merged into one due diligence report (DDR) except for UD Line 4B which had the detailed resettlement plan.

1.2 Background of the Landfill

5. The existing dump site is in a flat and hilly area, 10 km north of the Kampot Town in Prey Khmum commune, Teuk Chhou district, and is accessible through a 3-km unsealed track off the main highway. The dump site was originally divided into 80m x 30m x 4m deep cells. However, the current facility is an uncontrolled dump with no leachate collection or cell management. The cells are not distinguishable. Garbage is dumped over a wide area close to the access road without organized compaction or regular covering with earth. Garbage is periodically burned.
6. The existing dumpsite was investigated to determine the nature of landownership and extent of the dumpsite. The dumpsite has an area of 55, 426.40 m² located in Wat Ang Village, Prey

Khmum Commune, Teuk Chhuo District, Kampot Province. The former owner of this parcel of land was Mr. Sok Khut but sold this land to the present owner, Mr. Kim Sophorn, 55 years old with ID # 110013699. A certification was issued by Mr. Kuy Ya, Commune Chief of Prey Khmum on July 22, 2019 attesting to the real owner of the land.

7. The original proposed solid waste management subproject site was a 19-ha lot located in Prey Khmum Commune, Teuk Chhou District, Kampot Province. This was included in the August 2015 brief resettlement plan. Based on the inventory of loss conducted in 2015 for the proposed original landfill site, 19 HHs (95 APs) earning revenues from the tree plantations will be affected by the loss of the following trees: 628 mangos, 233 cashews, and 133 other trees. Another HH (4 APs) will be compensated for the removal of a temporary resting shelter.
8. However, when people who attended the project consultation learned that the proposed landfill subproject will be located in a government land, some persons began planting durian and other trees while other persons dug a barrow pit and began extracting aggregates. In addition, the boundaries of the reserved land for the landfill were not clearly demarcated by boundary poles which further encouraged people to encroach on this reserved land. These adverse land claims forced the provincial government to file a court case contesting the claims/rights of these people to possess/occupy/own the said land. As a result, MPWT had to look for a new site for the proposed solid waste management subproject to avoid unnecessary delays to the subproject.
9. One of the primary considerations for site selection was the degree of resettlement impacts. It would be ideal if the prospective landfill site is government owned and there are no inhabitants or economic activities in the prospective site. This would mean no physical and economic displacement. However, there were no government lands available and MPWT considered two privately owned sites. MPWT chose Site A which has an area of 20.10 ha and is located approximately 6 km from National Road 3 and about 13 km from Kampot town center.
10. The proposed landfill site has 10 parcels of land owned by 6 households. Based on the chosen site, ADB required the preparation of a detailed resettlement plan (DRP) to address the resettlement impacts on the new landfill site. The cut-off date was established as of May 27, 2019, the day before the conduct of the census and DMS. A replacement cost study was commissioned by GDR and was submitted on July 2019. Based on the DMS, there were 10 parcels of affected lands with a land area of 20.10 ha (6 AHs/26DPs - 100% impacts), 5 secondary structures (5AHs/23DPs), 1,096 trees (4AHs/18DPs). In addition, one AH/7DPs was identified as vulnerable.
11. GDR tried its best to enter into a negotiated land settlement as provided in the Safeguards Policy Statement (SPS), wherein these 10 parcels of land owned by 6 AHs will be bought by GDR voluntarily from the landowners. Five of the AHs owning 10.4 ha out of the total of 20.10 ha refused to sell their lands for various reasons. Only the land owner of the 9.7 ha was amendable to sell his land for the subproject. Based on these developments, the DRP for this new landfill site was never submitted officially to ADB because majority of the covered lands in this drafted DRP was excluded for its coverage..
12. Based on the results of the DMS, this landowner who was amendable to sell his land under a negotiated land agreement will only be affected by the acquisition of his land. There were no secondary structures or crops and trees that will be affected by the subproject. This land was an old borrow pit site which was used for construction of National Road No 3 and other roads in Kampot town. Grassland and bushes covered the whole 9.7 ha area. In the Aide Memoire dated September 2-5 2019, the Mission requested that if the process of “willing-buyer-willing-seller” is applied, that ADB be granted access to all the documentation for on-site verification at GDR’s office so that it may prepare a note to file for records.

13. On May 27, 2020, GDR entered into a negotiated land settlement with the owner of the 9.7 ha., wherein both parties voluntarily agreed on the purchase price of the land (**Appendix 7**. On October 7, 2020, the Ministry of Economy and Finance (MEF) handed over the said land for the Kampot landfill to MPWT (**Appendix 8**).
14. In the meantime, the DED for SWM was submitted to MPWT on the second week of September 2020 based on the reduced area from 20.1 ha to 9.7 ha. An involuntary resettlement (IR) impact screening of the new site has been carried and the subproject is classified Category C. Since the drafted DRP for the whole 20.10 ha already identified the resettlement impact (only land, no impacts for structures, crops or trees) on the 9.7 ha, no further action was required.
15. There is now a plan to improve the road access from the Kampot town to the landfill. The construction of the landfill is on-going. This plan for access road improvement as additional works to the on-going Kampot landfill is included in a Variation Order (VO) 01 with Ref. No. HS-MPWT-CWO2-01 dated 24 August 2021 in anticipation to the completion of the Kampot Landfill.

1.3 Background of the Proposed Additional Works

16. The proposed access road improvement to the Landfill in Kampot is an additional work under the Kampot Solid Waste Management Subproject, one of the project sub-components under for the Second Greater Mekong Subregion (GMS2) Corridor Town Development Project (the Project) under Loan No. 3314-CAM.
17. The civil works implementation for the Kampot Landfill is still on-going and nearing completion. The landfill is around 13 kilometers from Kampot town, and it is served by NR No. 3 for about 7 kilometers to the access road's entrance, then by the existing laterite road for another 6.1 kilometers to the landfill. This road is classified as a commune road and was been built in 2013. The maintenance of this road is under the commune. However, around 2016, a quarry company located around 4km from the town undertook the maintenance of the road. The access road from NR3 to the gate of the quarry operation is being maintained by the quarry operator to enable his trucks and other vehicles easy access.
18. It is proposed that the road starting from the entrance of the landfill (PK 0+000) to the gate of the quarry operator (PK 3+100) be improved to facilitate the transport of solid waste from the town to the landfill. Further down this laterite road, there are two communes namely Thmei and Stueng Kaev which will provide more benefit to Thmei and Wat Por villages especially with around 600 households.
19. This proposed additional works will greatly benefit these 600 households because it will facilitate their commute to villages, plantations and the town of Kampot. Their agricultural produce will be easier to transport to town and transport back the household requirements from the town. The proposed additional works will also facilitate the education of students living in these two communes because of easier access to higher educational facilities located in town.

1.4 Objective of Due Diligence Study

20. ADB experiences indicate that involuntary resettlement under development projects, if unmitigated, could give rise to severe economic, social, and environmental risks. Safeguard Policy Statement (SPS) on Involuntary Resettlement outlines the requirements that borrowers/clients are required to meet in delivering involuntary resettlement safeguards to projects supported by the Asian Development Bank (ADB).
21. The main objective of this due diligence report (DDR) is to confirm that the proposed scope of work does not entail IR impacts and there is no need for acquisition of privately owned land or

assets, neither there is impact on livelihood or incomes. This DDR will also show that if some temporary resettlement impacts will arise during construction, these impacts can be mitigated to further lessen these temporary impacts.

1.5 Methodology

22. The due diligence and screening activities were conducted through field visits, public consultations, key informant interviews and desk review of the documents. An ocular inspection dated 28 August, 2021 was undertaken by the PIU officer, Project Implementation, Support and Capability Building (PISCB) Consultant with the contractor to make an initial assessment of the possible resettlement impacts. A public consultation ensued attended by village officials and residents
23. Following the completion of the road design, another field assessment was conducted on October 22, 2021. This visit was done by the representatives of PMU, PIU, PISCB and the technical staff of the contractor to determine the nature of the land and the extent of the existing COI and the proposed COI. Secondary data were gathered from the documents of the on-going Kampot Landfill subproject.

2.0 DESCRIPTION OF THE ADDITIONAL WORKS

24. The access road improvement is an additional work under the Kampot Solid Waste Management Subproject. There are three components in the Kampot sub-project, these are the waste water and treatment plant, urban drainage and solid waste management. The coverage of this due diligence report (DDR) is the proposed additional works under the solid waste management (SWM) component.

2.1 Proposed Additional Works

25. The existing laterite access road to the landfill is located at Thmei Village, Thmei Commune, Teuk Chhou District of Kampot Province. It is about 7.3 Km from Kampot central town (durian roundabout) to the entrance of access road to Kampot landfill. Location maps of the additional works and the access road are shown as **Figure 1** and **Figure 2**.

Figure 1: Location Map of Proposed Additional Works (colored red)



Figure 2: Access Road from Landfill to NR3



2.2 Current Conditions of the Access Road

26. The physical condition of the existing laterite road of approximately 3.1 km (from the entrance of the landfill to junction point of the gate of the quarry site is in very poor condition and narrow (3.5m to 4.5m wide) and is prone to deterioration under passages of heavy vehicles. The road right of way is 30m from NR3 to the landfill. Considering its current condition and anticipated regular passages of heavy dump trucks transporting solid wastes to landfill site, this laterite road will continue to deteriorate and needs to be improved by widening and/or paving with more durable surfacing material to all weather access road that would need lower maintenance costs, reduction of travel time and reduce dust pollution.

2.3 Proposed Scope of Works

27. Based on site survey and consultations, the proposed additional works will be concentrated on the 3.1 km length road starting from the entrance of the landfill to junction point of the gate of Hok Chenda quarry site. This road will be improved by placing, compacting and grading better quality materials on the existing road surface. Specifically, the scope of works will involve the following activities;
 1. Clearing and grubbing, including removal and disposal of materials off-site;
 2. Excavation/Moving cut to formation level;
 3. Removal unsuitable materials at a depth exceeding 100mm of external road;
 4. Side-drain 1,000m PK: 0+300 1+300;
 5. Backfill with compaction 95% of MDD;
 6. Sub-base (300 mm thickness);
 7. Pipe culvert with diameter 1000mm = 5 PSC; and
 8. Upgrade from existing laterite road to concrete pavement surface;
28. A certification that the access road to the Kampot Landfill has a road right-of-way (RROW) of 30 meters from the gate of the landfill to the gate of the quarry operator was signed by at least seven (7) government agencies, including the Provincial Department of Land Management, Urban Planning, Construction and Cadastral. The certification is shown in **Figure 3**.
29. The carriageway as used in **Table 1** is defined as the width of the road runway with shoulders on both sides. The corridor of impact is defined as sum of the carriageway plus the slopes and drains. The road right-of-way (RROW) means state land along a road with fixed distances from the centerline of existing or proposed road development. In the case of the additional works, this means as 30m width as determined by the Royal Government of Cambodia. These definitions are included in this DDR to avoid using the same terms as COI which have different meanings in social safeguards and in civil works.
30. The width of the carriage way of the existing road varies from 7m to 5m while the slopes and drains of the existing road varies from 4m to 2m. Overall, the total width of the corridor of impacts for the existing road varies from 9m to 7m.
31. In the proposed road improvement, the width of the carriageway includes the shoulder on both sides of the road and varies from 14m in the first 300 meters and after this wide section, the rest of the road section has a uniform width of 7m (See Appendix 3 for road cross sections). The variable width occurs in the proposed slope and drain improvements which is highly dependent on the terrain of the land. There are some sections wherein the width of the proposed slope and drains is wider than the carriage way. The details are shown in **Table 1** which shows the width of the proposed road improvement every 100m for better accuracy.

Figure 3: Certification of the 30 Meter Road Right of Way

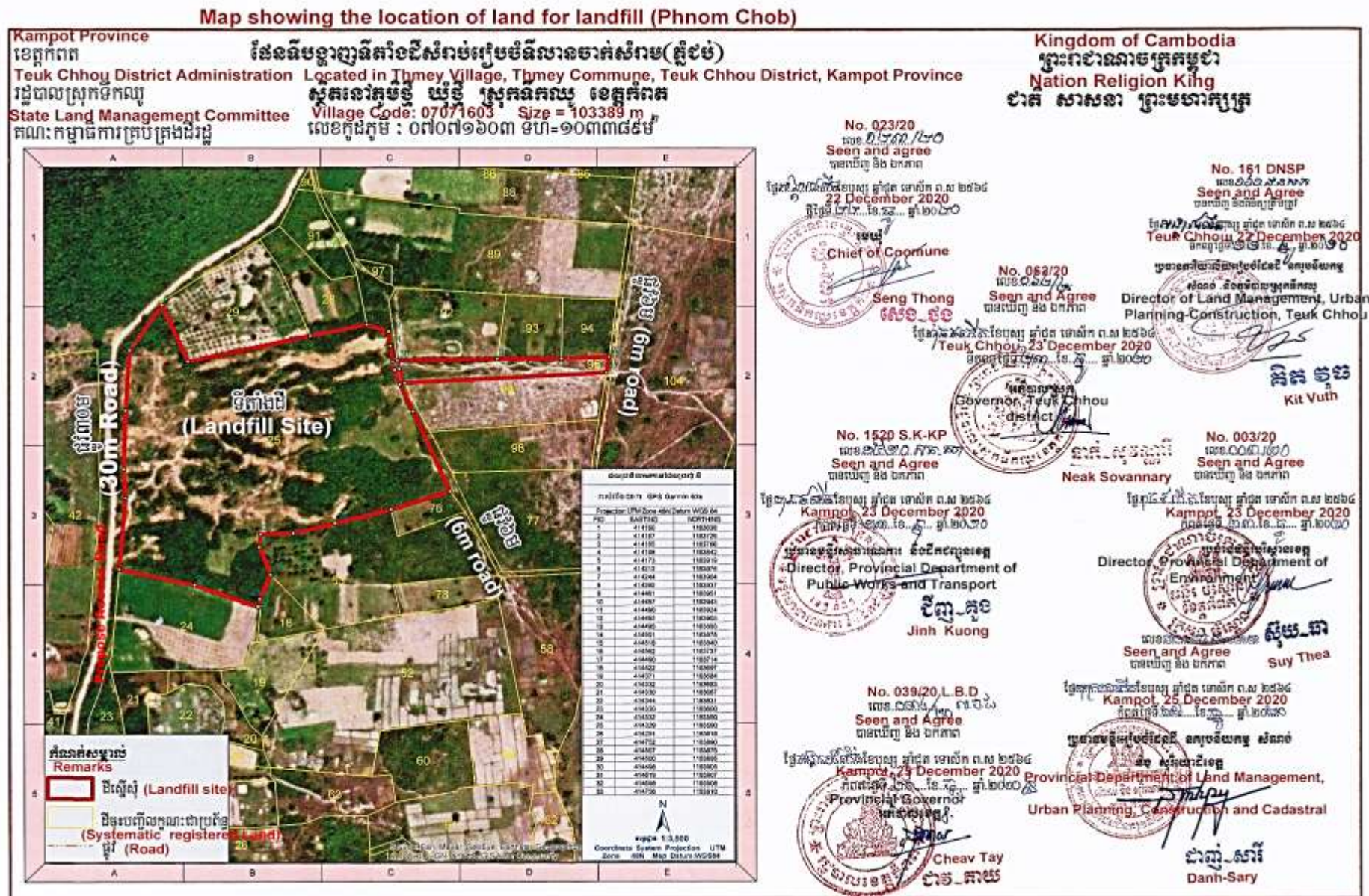


Table 1: Details of the Corridor of Impacts and Road Carriageway

Road section	Existing Conditions			Proposed Improvement		
	Carriage Way	Slopes/ Drains (both sides)	Total COI	Carriage Way	Slopes/ Drain (both sides)	Total COI
PK 0+000 to PK 0+100	7	2	9	14 (1+12+1)	3.00	17.00
PK 0+100 to PK 0+200	7	2	9	14 (1+12+1)	2.55	16.55
PK 0+200 to PK 0+300	5	2	7	14 (1+12+1)	2.91	16.91
PK 0+300 to PK 0+400	5	4	9	7 (0.5+6+05)	6.90	13.90
PK 0+400 to PK 0+500	5	4	9	7 (0.5+6+05)	7.05	14.05
PK 0+500 to PK 0+600	5	4	9	7 (0.5+6+05)	4.97	11.97
PK 0+600 to PK 0+700	5	4	9	7 (0.5+6+05)	6.82	13.82
PK 0+700 to PK 0+800	6	3	9	7 (0.5+6+05)	7.47	14.47
PK 0+800 to PK 0+900	6	3	9	7 (0.5+6+05)	7.69	14.69
PK 0+900 to PK 1+000	6	3	9	7 (0.5+6+05)	6.09	13.09
PK 1+000 to PK 1+100	6	3	9	7 (0.5+6+05)	8.39	15.39
PK 1+100 to PK 1+200	6	3	9	7 (0.5+6+05)	7.15	14.15
PK 1+200 to PK 1+300	6	3	9	7 (0.5+6+05)	7.95	14.95
PK 1+300 to PK 1+400	5	4	9	7 (0.5+6+05)	6.98	13.98
PK 1+400 to PK 1+500	5	4	9	7 (0.5+6+05)	7.08	14.08
PK 1+500 to PK 1+600	5	4	9	7 (0.5+6+05)	8.20	15.20
PK 1+600 to PK 1+700	5	4	9	7 (0.5+6+05)	8.00	15.00
PK 1+700 to PK 1+800	5	4	9	7 (0.5+6+05)	4.76	11.76
PK 1+800 to PK 1+900	5	4	9	7 (0.5+6+05)	7.66	14.66
PK 1+900 to PK 2+000	5	3	8	7 (0.5+6+05)	6.79	13.79
PK 2+000 to PK 2+100	5	3	8	7 (0.5+6+05)	7.61	14.61
PK 2+100 to PK 2+200	5	3	8	7 (0.5+6+05)	7.86	14.86
PK 2+200 to PK 2+300	5	3	8	7 (0.5+6+05)	6.72	13.72
PK 2+300 to PK 2+400	5	3	8	7 (0.5+6+05)	9.16	16.16
PK 2+400 to PK 2+500	5	3	8	7 (0.5+6+05)	8.08	15.08
PK 2+500 to PK 2+600	5	3	8	7 (0.5+6+05)	6.73	13.73
PK 2+600 to PK 2+700	5	3	8	7 (0.5+6+05)	5.23	12.23
PK 2+700 to PK 2+800	5	3	8	7 (0.5+6+05)	7.34	14.34
PK 2+800 to PK 2+900	5	3	8	7 (0.5+6+05)	6.08	13.08
PK 2+900 to PK 3+000	5	3	8	7 (0.5+6+05)	7.07	14.07
PK 3+000 to PK 3+100	5	3	8	7 (0.5+6+05)	5.2	12.20

32. The proposed additional works will not cause any resettlement impacts on private land, structures or crops and trees. There will be no loss of business and/or livelihood. The land use will be the same and there will be no restriction to access to land or community resources.

33. The construction period is estimated to be 3 months and is expected to hire an additional 10 skilled and 20 unskilled workers. The civil works contractor of the landfill will be required by MPWT to hire as many as possible local residents to be employed in this additional works.

34. To ensure the rehabilitated road remains in good condition, MPWT will include in the bidding documents that the winning landfill operator be also responsible for the maintenance of the whole 6.1 km access road to ensure that the garbage collection trucks can haul the garbage from Kampot Town to the landfill smoothly.

3.0 SCOPE AND NATURE OF RESETTLEMENT IMPACTS

3.1 Land Acquisition

35. The proposed additional works will take place within the existing 30m road right of way (RROW) which is classified as state land. There will be no affected private land.
36. The detailed engineering design of the proposed additional works took into consideration the available space along the RROW to design the road in such a way that the width of the COI totally avoided any resettlement impacts. This was done by measuring the available space and adjusting the COI to totally avoid some trees. There were no affected lands, structures or crops and trees for the additional works.
37. There will be also no economic displacement because the existing road serviced only the quarry factory and the two communes. The road is not favorable for road side vending because of the limited vehicular and pedestrian traffic as well as the poor condition of the existing road.

3.2 IR Screening Results

38. The following checklist (
39. **Table 2**) was used for Involuntary Resettlement screening for the Access Road Improvement under the Second Greater Mekong Sub-Region (GMS2) for implementation since this additional works is a variation order of the Kampot Solid Waste Management subproject. The main objective of the checklist is to determine the categorization of the subproject.

Table 2: Involuntary Resettlement Impact Screening Checklist

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		√		• Propose additional works will be carried out on existing public road with a road right of way of 30m. Within the RROW, there is a clear width of 20m. (reference to location map for access road attached as Annex 3).
2. Is the site for land acquisition known?		√		• There is no land acquisition required.
3. Is the ownership status and current usage of land to be acquired known?		√		• Proposed additional works is public road (reference to location map for landfill of Kampot attached). (see Google Earth images attached)
4. Will easement be utilized within an existing Right of Way (ROW)?		√		• Access road widening is not required, currently 7-14m wide but in poor condition (laterite). Concrete pavement will be required but the corridor of impact is within the ROW and will not cause any impact. • The access road is free of encumbrance
5. Will there be loss of shelter and residential land use due to land acquisition?		√		• There will be no structure or residential land that will be affected by the proposed additional works from PK0+00 to PK3+100.
6. Will there be loss of agriculture and other productive assets due to land acquisition?		√		• The improvement of the existing laterite road will not impact on agricultural production and productive assets.
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		√		• There are no crops, trees or fixed assets within the COI.

8. Will there be loss of businesses or enterprises due to land acquisition?		√		• There are no businesses operating in the COI.
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		√		• There is no loss of income sources and means of livelihood within the COI.
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		√		• Site has no common resources, communal facilities or services. On the contrary, it will improve access of people traveling in this road.
11. If land use is changed, will it have an adverse impact on social and economic activities?		√		• The project is road rehabilitation. No land use will be changed and road improvement will not cause any adverse impacts.
12. Will access to land and resources owned communally or by the state be restricted?		√		• No communal resources on site. Anyone can use the rehabilitated road.
Information on Displaced Persons:				
Any estimates of the likely number of persons that will be displaced by the Project? <i>If yes, approximately how many?</i>	[√] No [] Yes			
Are any of them poor, female-heads of households, or vulnerable to poverty risks?	[√] No [] Yes			
Are any displaced persons from indigenous or ethnic minority groups?	[√] No [] Yes			

Involuntary Resettlement Category Based on Field Assessment			
[√] New [] Recategorization – Previous Category []			
Category A <input type="checkbox"/>	Category B <input type="checkbox"/>	Category C <input checked="" type="checkbox"/>	Category FI <input type="checkbox"/>

40. The proposed additional works will not cause any resettlement impacts on private land, structures or crops and trees. There will be no loss of business and/or livelihood. The land use will be the same and there will be no restriction to access to land or community resources. In fact, the additional works will enhance access to their lands and community resources. Based on the IR resettlement impact checking list above, the involuntary classification of the additional works is Category C.

3.3 Impacts During Construction

41. The proposed additional works is classified as **Category C** on involuntary resettlement. The design of the road even took into consideration the required working space of the contractor. It is expected that there will be no temporary impacts on the assets, business or livelihood of residents in the area. However, in the remote possibility that there will be some temporary

resettlement impacts, provisions in the contract of the contractor are sufficient to address these matters.

42. It should be noted that this is an additional work of the contractor for the implementation of civil works in the Kampot landfill. This additional works is covered by a variation order under the Kampot SWM subproject, meaning, the terms and conditions of the contract for the landfill is still applicable also to this additional works. The succeeding paragraphs and **Table 3** are lifted from the documents of the contract of the contractor of the Kampot SWM in case there are some temporary impacts during construction.
43. It was provided in the contract that there is a “the need to keep disruption to the general public to an absolute minimum. It envisaged that concrete culverts will be precast, either whole or in part, at a yard to be determined by the Contractor. It is envisaged this will reduce the width of excavation and also help ensure the works are installed in a quick and efficient manner. The design of the pre-cast concrete culverts is to be carried out by the Contractor and submitted to the Engineer for acceptance.”
44. Unless identified in the Contract as to be demolished, the Contractor shall be responsible for safeguarding all utilities and structures (including but not limited to electricity and communications pole lines and ducts, drainage pipelines and structures, water mains, utility service connections, service collection and distribution facilities, dikes, head walls, culverts, bridges, abutments, marker posts, signs, fences, boundary walls, building foundations and superstructures).

Table 3: Particular Specifications in the Contract

Possible Impact	Mitigating Measure
Notification to Stakeholders	The Contractor shall hand deliver to each residence and business close to the site, a written notice which shall state when operations will start and approximately when they will end. The notices shall be printed on A4 paper with wording similar to that shown as follows in Khmer and English.
Contractor's use of the Site.	Contractor is responsible for obtaining the site for his compound and storage area including obtaining all necessary permissions including the supply of water and electricity and provisions for the disposal of all human waste and sewage.
Location of Drainage system	All construction operations and facilities over the entire length of sewer and drain construction shall be confined to within road and other rights-of-way and drainage reserve boundaries and the boundaries of designated working areas.
Underground utilities, obstructions/ culvert foundations	Unless identified in the Contract as to be demolished, the Contractor shall be responsible for safeguarding all utilities and structures) and the like in the vicinity of the Site and shall ascertain from the private and public utility authorities' positions of all existing underground services and shall maintain and protect or divert them as required
Construction Areas	Concrete culverts will be precast, either whole or in part, to reduce the width of excavation and also help ensure the works are installed in a quick and efficient manner
	In developed urban areas, the sides of trench excavations in road and other rights of way and designated working areas shall be vertical and shall be supported by a system of sheeting bracing, shoring and other supporting installations necessary to safeguard the work and the workmen.
	No additional payment will be made to the Contractor for working in a confined space or if the position of the Works precludes the use of mechanical excavators or the storage of excavated materials next to the excavations
Access	Where directed by the Engineer, the Contractor shall provide access, vehicular or pedestrian, across sewer or drain trench excavations.
Excavated Unsuitable Materials	Unless approved by the Engineer in each and all instances, excavated material unsuitable for use in the Works shall not be stockpiled on the Site. These shall be hauled off within 2 days. Excavated material shall not be stockpiled on road or other rights of way or designated site working areas.

4.0 INFORMATION DISCLOSURE, PUBLIC CONSULTATION AND PARTICIPATION

45. On August 28, 2021, the first public consultation was conducted in the landfill office, near the Thmei commune by the PMU representative, PIU site engineer, Thmei officials and participated by some residents or owners of residences and farmlands along the road (see **Appendix 1** for the minutes of the public consultation. There were 16 participants with 8 males and 8 females.
46. The primary aim of this meeting is to disseminate the scope of work for proposed additional works and to discuss their concerns, issues and opinions about the proposed additional works, especially possible concerns on resettlement impacts. The meeting also discussed the procedures on the identification of resettlement affected assets, implementation schedule and grievance mechanism. This meeting also enabled the villagers and other stakeholders the opportunities to seek clarifications, validate their issues and concerns and raise out their opinions about the proposed additional work of SWM subproject.

Table 4: Highlights of the Public Consultation

No.	Question/Concern	Response
1.	Em Tean of Thmei Village mentioned that this road is under the operation and maintenance of Hok Chenda Quarry Company. People of this village have limited rights to use it, especially for transporting construction materials such as soil and rock to backfill their residential plots. We are not allowed to buy soil or sand from other companies and transport it via this road. So, we must buy rock or sand from this quarry company, and then we are allowed to utilize the road. His question is, "Who will manage this road after its improvement? Can people have the right to utilize it freely?"	Mr. Kong Rakmei responded to that this access road is classified as government land. The proposed project will use government money that will be borrowed from ADB loan for road rehabilitation. Since, the land and the funds to be used are all from the government, anybody can use the road especially the villagers who are living further down the road. The management and maintenance of the improved road will be the responsibility of landfill operator (see Appendix 9)
2.	: Mr. Cheam Chea, assistant to commune, asked "when will the road rehabilitation project start? How long will it take?"	Mr. Chea Chamroern informed the participants that "the construction will start immediately after VO No. 1 is approved by ADB." Based on the initial assessment done by the consultant, there is no potential affected land or assets of villagers, so construction will be completed as soon as possible. The contractor of the landfill is also the contractor of the proposed access road and their equipment are already in the landfill and ready for the access road
3.	Pov On: After the road is rehabilitated, the trucks from the quarry company might drive at a higher speed. He is worried that accidents might happen because of the rehabilitated road. So, he proposed having a speed limit sign.	Road safety is considered in every road project undertaken by MPWT. The comment is noted and will be taken into consideration in the design, construction and maintenance of the proposed access road.

47. In conclusion, villagers and local authorities were very happy because of the benefits that an improved road will provide them. They all wish to see the Kampot SWM subproject complete as soon as possible and wish that the additional works to the landfill will start very soon. They promised to cooperate in the additional works and voluntarily express their willingness to

donate their assets, if the additional works will cause some minor impacts. The PIU officer thanked their promise of cooperation and told them that if there are any affected assets that will be identified, these assets will be properly compensated.

48. Following the completion of the road design, a field assessment was conducted on October 22, 2021. This visit was done in coordination with the project implementing unit based in Kampot to determine the nature of the land. Primary data was generated through key informants' interviews (KIIs). The list of participants on the field assessment is shown in **Table 5**.

Table 5: Participants of the Field Assessment, October 22, 2021

No.	Name	Position	Telephone No.
1	Pou Manith	Project manager, PIU	012 803 203
2	Mel Sophanna	National Resettlement Specialist	077 937 773
3	Kong Raksmeay	PIU Officer (KP-DPWT)	085 697 086
4	Voeurn Minea	Contractor (Kampot Landfill PM)	+855 70 890 558
5	Chea Chamroeun	KCC Consultant, Resident Engineer	+855 81 430 059
6	Samnang Bondeth	Contractor, Surveyor	+855 96 502 0002
7	Yum Sao	Contractor, Asst Surveyor	+855 15441594
8	Lek Leong	Contractor, Draftsman	+85570432885
9	Kem Kan	Contractor, Site Engineer	+855 12556380

Note: All participants are males

49. An IR screening was undertaken on October 23 by PISCB consultants together with PMU/PIU and the contractor and its surveyor to estimate the corridor of impacts and make the necessary adjustments, if required. During the IR screening, the national resettlement specialist conducted individual informal talks with villagers who are residing along the proposed access road. All these villagers feel excited about the additional works because of the benefits that they will derive from the additional works.
50. During the August 28, 2021 public consultation, the maps of the additional works were presented and explained to the participants. Since, these is an initial consultation, there was no project information brochure (PIB) that was presented to the participants. The PIB will be prepared and distributed to the residents in a public consultation before the civil works implementation since the additional works is classified as Category C on involuntary resettlement.
51. The maintenance of the road from NR3 to the gate of the quarry plant has been maintained by the quarry operator up to the present. As part of the project consultations, Mr. Pou Manith, the Project Manager of the MPWT/PMU and Mr. Thorn Saravuth, vice chief of the PRSC explained to Mr. Hok Chenda, the owner of the quarry the proposed additional works. It involves the rehabilitation of the access road from the proposed Kampot landfill up to the gate of his quarry site. It was explained to Mr. Chenda that once the landfill has been completed and turned over to the Kampot Provincial Administration, the Provincial Administration will take care of the repair and maintenance of the whole 6.1 km access road from the landfill gate up to the National Road 3 (see **Appendix 9**).
52. It was further explained that he will not be responsible anymore for the repair and maintenance of the road section from his quarry gate up to NR3 which is around 3 km. In addition, his trucks will be free to use the access road provided that his trucks are not overloaded. This will ensure that the access road remains accessible and open to the public. Mr. Chenda was pleased and very amendable for the additional works to proceed. In addition, he is requesting if it is possible, for the access road rehabilitation to reach NR3 which means an additional 3km. Mr. Saravuth promised to relay his request to the Provincial Governor.

53. On December 17, 2021, a joint site visit to verify and validate the resettlement impacts or the absence thereof, was conducted by the representatives of PMU, PIU, the contractor and the ADB safeguards specialist in the Kampot Landfill site, Thmei Village, Thmei Commune, Teuk Chhou District, Kampot Province. The public consultation involved 21 participants broken down into 19 males and 2 females. Before the meeting, an ocular inspection was conducted to verify the absence of resettlement impacts as earlier reported. Site pegging and demarcation by DED team/Contractor confirmed that the proposed 3.1 km access road was cleared to the width side as per Col provided in the DDR in the last rainy season as per requested from local authorities for better access. However, the mission found no past/present impacts for the entire cleared access road 3.1km to private land and people's assets. This is based on meeting with villager via group meeting which also attended from local authorities/PIU/contractor. In addition to that, contractor was also able to store all road conditions pictures prior to the start of clearance and villagers and authorities confirmed the same findings
54. . The highlights of the meeting are summarized in Table 6 while the minutes of the meeting, attendance sheets and photographs are shown in **Appendix 2**.

Table 6: Highlights of the Public Consultation Held on December 17, 2021

No.	Question/Concern	Response
1	What are the benefits to people and/or villagers after the road is upgraded to concrete pavement?	All participants agreed that it will provide significant benefits to the villagers of Thmei and Stueng Kev communes, such as: easier to commute from village to plantation; providing better transportation for farm products to market; and beneficial to their health because it will prevent dust from flying when trucks pass by.
2	If the concrete road will provide the good benefits as everyone mentioned, are you all happy and supportive of the proposed access road improvement?	Everyone agreed that once they have a good access road, many families will come and be encouraged to reside in this location. After the access road is finished, everyone want and expecting that this additional works will enable the electric power and water supply connections to supply electricity and water to their villages.
3	As you can see in the previous photographs, there was some bushes and shrubs along the road, indicating that the road's condition was poor and difficult to access during the wet season. The commune chief requested the contractor to cleared them out and improved them to make it easier for villagers/farmers as well as construction trucks to access this area, right? Have you heard of any of the plantation owners along the road around the area who were opposed to the access road being cleared during that time?	All of the participants, as well as the local authority, said that they had no objections to the access road being improved. On the other hand, having a good access road is appreciated by everybody because it made travelling easier. Bushes and shrubs removal were completed outside the plantation's fences. They reported that the road along this stretch of land had previously been demarcated to allow for road expansion, with small canals on both sides to prevent encroachment. Along the clearing part, there were no fruit trees.
4	According to the previous consultation meeting as well as what the village head of Thmei mentioned a moment ago, Hok Chenda's quarry company is collecting fees on trucks passing this	All the participants (villagers and local authorities) agreed that it was true, but they didn't know how much they charged. The quarry company did not collect fees on the road section from the quarry gate to the Kampot landfill. The Commune chief emphasized that the

No.	Question/Concern	Response
	road. Is it true? Do you know how much they charge per truck?	Hok Chenda quarry company charges a fee on trucks of other companies who do the same business and transport their quarry, sand, or soil passing through their gate to NR # 3 because it will affect their business. For villagers or farmers who are using the road normally or just transporting farming products, Hok Chenda's quarry company has never charged anything or prohibited these trucks in using the road section from the quarry gate to NR3.
5	During the road clearing, is there anyone unhappy with the contractor's work? What about PIU? Have you ever received any complaints about that?	All participants as well as PIU representatives answered "NO." Everybody were happy when the contractor patched up the holes and improve the road. There was no one unhappy or complaining at all. In contrast, they are very happy and welcome the project because it is good for them and their businesses.

55. After the public consultation meeting on December 17, 2021, the joint team visited the Hok Chenda quarry company to clarify concerns about the maintenance of the road from the junction point of their gate to NR3. The discussions were participated by the general manager (GM) of the quarry company, representatives of PMU, PIU, contractor, local officials and a representative of ADB (see **Appendix 3** for the minutes, of the discussions.
56. The GM clarified that they are maintaining the access road from their gate to NR3, using their equipment and financial resources. They have permitted vehicles to pass through the access road especially trucks bringing out agricultural products from the interior areas to assist the residents living in these areas.
57. They have coordinated with the two other quarry companies who are also using the access road to assist in the maintenance of the road because all the 3 quarry companies are using the same road. However, one quarry company was not cooperative and their trucks were instructed to use another access road if they are not willing to assist in the maintenance of the access road.
58. The GM of the Hok Chenda quarry company is thankful for the proposed access road because they will be no longer responsible for its maintenance, saving on their financial resources and use of equipment since the maintenance will be the responsibility of the landfill operator. He promised full cooperation for the proposed improvement of the access road.
59. MPWT/PMU/PIU will conduct public consultations before the commencement of civil works, and will share the latest project information, schedule of civil works implementation and the procedures to ventilate any grievances to the existing GRM committee and contact details of focal persons from MPWT/PMU/PIU, PISCB and Contractor.

5.0 GRIEVANCE REDRESS MECHANISM

60. The additional works is part of the solid waste management subproject of GMS2. The detailed resettlement plan (DRP) for the SWM subproject was already prepared but the IR classification was downgraded to category C because the lands of reluctant owners who refused to sell their land were excluded from the subproject. The remaining landowner agreed to a negotiated settlement. Since, the drafted DRP for the whole 20.10 ha already identified the resettlement impact (only land, no impacts for structures, crops or trees) on the 9.7 ha, no further action was required. Hence, there was no specific GRM for the Kampot SWM subproject. In this case, the provisions on the grievance redress mechanism of the original resettlement plan (August 2015) for Kampot subprojects are still valid.
61. This original resettlement plan designed a grievance mechanism to ensure that the concerns and complaints of the AHs are readily addressed at the village level 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. The AHs will be made fully aware of their rights and entitlements through verbal and written means during resettlement planning, updating, and implementation. Any expenses incurred for grievance redress will be from the project.
62. A grievance committee in the Initial Environmental Examination (IEE) for the SWM subproject was set out in the IEE in accordance with the approved approach established during Project Preparation, which remains valid. This is a separate grievance system managed by General Department of Resettlement which deals with resettlement issues only. The additional works adopts a project specific GRM similar to the IEE of the SWM subcomponent dated November 2021 with the following features:
63. Proposed Approach -- The proposed approach is outlined in **Table 7**

Table 7: Roles and Responsibilities in the GRM

Role	Responsibilities in GRM
MPWT / Executing Agency	Establish the GRM Set up a Grievance Redress Committee (GRC)
Grievance Redress Committee	Members: Sangkat representative Village leaders or representative PIU representative PMU representative Municipality representatives Provincial representatives Function: GRM Access Point and Decision Making Monitor and record complaints
PMU	Oversight of GRM implementation and use Co-ordination with PIU GRM Record keeping and document storage of all GRM complaints (Formal or Informal) Contact with ADB if Affected People appeal the process GRM reporting
PIU	GRM implementation at the town level Responsible for keeping the PMU informed
Contractor	Entry point for affected people during construction

64. Access to GRM -- The PMU and its counterparts in the PIU, will ensure that:

- 1) the public, especially the residents and business owners, in the main areas of influence of the subprojects, are aware of their rights to access, and will have access to, the GRM free of administrative and legal charges;
- 2) the GRM is fully disclosed prior to construction: (a) in public consultations or social/community events, (b) through posters displayed in the offices of the PMU, PIU, Sihanoukville and Kampot Municipalities and concerned Villages/Sangkats and at strategic places within the main areas of influence of subprojects (posters to include names and contact details of the PMU-ESO and PIU-ESC); and (c) sign boards at construction sites.
- 3) Access points will participate in GRM issues and will include (i) Village representative, e.g. Village Chief (ii) Sangkat representative e.g. from Sangkat Committee (iii) Municipal government representative (iv) PIU representative and PMU representative.

65. The GRM will be communicated to the public and affected people as a Project Hotline; this is considered to be more resonant with people than a 'grievance redress mechanism'. This will include a project hotline notice board to be located in each construction site. The information will include information shown in **Table 8**.

Table 8: Focal Persons on Grievances

A. Contacts Persons Related to Technical and Construction Aspects

(i) Mr. Pou Manith, Project Manager, Project Management Unit, Ministry of Public Works and Transport, Phnom Penh
Tel: 012 803 203

(ii) Mr. Vuth Vathana, Chief of multi-sector office of provincial hall, Vice chief of PIU, Kampot
Tel: 012 449 536

(iii) Mr. Minea, Contractor's authorized representative, Kampot
Tel: 070 890 558

B. Contacts Persons in case Land Acquisition and Resettlement occurs

(i) Mr. Khuon Davith, Deputy Director, General Department of Resettlement, Ministry of Economy and Finance, Phnom Penh.
Tel: 012 831 977

66. Complaints should be managed centrally by the PMU. Records should be kept of complaints made to the other access points, and the date they were passed to PMU for investigation but the main burden of recording detailed information should be on the PMU. All complaints should be compiled centrally by PMU to ensure none are missed and trends are identified. This should include all formal and informal complaints. For comments, suggestions or minor issues that can be managed within the construction area, a report will be sent to inform the PMU.

67. If the grievance cannot be resolve, it will be forwarded to the (a) commune, (b) district and (c) provincial levels. The mechanism should not impede access to the country's jurisdiction or administrative remedies. If the AH/AP is not satisfied with the solution made by the PGRC based on the agreed policy in the RP, the AH can bring the case to the provincial court. If the case will be brought to the Provincial Court, the same will be litigated under the rules of the court.

68. During the litigation of the case, Royal Government of Cambodia will request from the court that the subproject 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.

6.0 INSTITUTIONAL ARRANGEMENTS

69. The Kampot SMW subproject is being implemented by MPWT as the executing agency (EA) with the Central Project Management Unit under the MPWT providing overall oversight and management of the subproject. As additional works under the Kampot SWM, the additional works also be under the MPWT as its EA. It will be supported by consultants to ensure that procedures are followed and that the implementation schedules are kept on track. The Provincial Department of Public Works and Transport (PDPWT) in Kampot Province is the Implementing Agency and receive direct support from CPMU.
70. Based on this due diligence report (DDR), the additional works is not expected to have any resettlement impacts. However, if in the event that some unanticipated resettlement impacts will occur, the Kampot SWM has its own institutional arrangements to address these resettlement impacts and will be adopted in this additional works. The institutional agencies that are involved in any resettlement related impacts are
1. Inter-Ministerial Resettlement Committee (IRC)
 2. General Department of Resettlement (GDR)
 3. Cadastral Administration Office (CAO)
 4. Central Project Management Unit (CPMU) under MPWT
 5. IRC Working Group (IRC-WG)
 6. Provincial Resettlement Sub-Committee (PRSC)
 7. PRSC Working Group (PRSC-WG)

7.0 MONITORING AND REPORTING

71. Since the additional works is under the Kampot SWM subproject, the existing monitoring and reporting provisions in the original resettlement plan (August 20215) also apply to the additional works. In the original RP, MPWT through the PMU in coordination with GDR will conduct a regular internal monitoring and evaluation in the implementation of the RP.
72. Since, there are no resettlement impacts based on IR screening, the role of GDR is limited because based on the Standard Operating Procedures, GDR will only participate (including internal monitoring) in a project if there will be/are resettlement impacts in a project. Since the additional works has no resettlement impacts, the participation of the GDR is not triggered. This was confirmed by GDR that they have no participation in projects classified as Category C. GDR can only monitor indirectly the implementation of this VO through the PMU. In the event that there are unanticipated or very serious temporary resettlement impacts that cannot be handled by MPWT/PMU, GDR can be called upon by MPWT/PMU to address these impacts.
73. The responsibility of internal monitoring rest squarely with MPWT through the PMU in projects like the additional works when the IR screening resulted in the classification as category C. The PIU shall report immediately to the PMU any temporary and/or unanticipated resettlement impacts that may arise from civil works implementation including measures taken to address these issues and status of the issues. The full documentation of these issues should be submitted as soon as possible to the PMU. The PMU will decide if the assistance of GDR will be required for the unresolved issues.
74. The PMU will also require that the monthly progress reports submitted by the PISCB include temporary or unanticipated resettlement impacts during civil works implementation, measures taken by the contractor, PISCB or PIU to try to resolve the issues and the status of the issues as of end of the reporting period. The PISCB will include these resettlement related issues in quarterly reports. In addition, these will all be included in the semi-annual monitoring reports.

8.0 CONCLUSIONS AND RECOMMENDATIONS

75. Based on the two field investigations and ocular visits plus the field work to conduct the IR screening undertaken for the additional works and the joint visit to verify and validate the draft DDR, the following can be concluded;
- Extensive consultations and impacts verifications have been carried out along the proposed access road as part of additional work of Kampot Land fill sub-project (SWM) involving residents, local authorities, PMU/PIU, consultants, contractor, and ADB's safeguard specialist.
 - The proposed additional works will take place within the 30m road right of way (RROW). This RROW has a width of 30m and is classified as state land. **There will be no land acquisition of private lands.**
 - The corridor of impact (COI) of the proposed additional works will take place within the 30m RROW. The width of the carriage way of the existing road varies from 7m to 5m while the slopes and drains of the existing road varies from 4m to 2m. Overall, the total width of the corridor of impacts for the existing road varies from 9m to 7m. In the proposed road improvement, the width of the carriageway includes the shoulder on both sides of the road and varies from 14m in the first 300 meters and after this wide section, the rest of the road section has a uniform width of 7m. Within this proposed COI, **there are no affected structure of any kind, whether main or secondary structures. In addition, there are no affected crops and trees.**
 - **There will be no permanent or temporary loss of business and/or livelihood income.** The COI is devoid of any selling activity because of the poor condition of the road and the few vehicular or pedestrian traffic along the road.
 - **The land use will remain unchanged.** There will be no loss of access to natural resources, communal facilities or services.
76. The joint site visit and public consultation with an ADB representative together with representatives of the PMU, PIU, contractor and local officials confirmed the following findings.
- Site pegging and demarcation conducted by DED team/Contractor confirmed that the proposed 3.1 km access road was cleared to the width side as per Col provided in the DDR in the last rainy season as per requested from local authorities for better access. However, the mission found no past/present impacts for the entire cleared access road 3.1km to private land and people's assets. This is based on meeting with villager via group meeting which also attended from local authorities/PIU/contractor. In addition to that, contractor was also able to store all road conditions pictures prior to the start of clearance and villagers and authorities confirmed the same findings.
 - Authorities as part of existing GRM committee in commune confirmed of no formal/informal complaint from AHs for both land fill and road clearance (3.1km access road) by the contractor.
 - The joint site visit was also able to meet with a representative of Hok Chenda quarry company and it is confirmed that no access road blockage to that proposed road improvement section neither nor fee collection from villager. This access road is purely public road and all villager/people can freely access to it at any time. The fee collection by Hok Chenda company is mainly related to business conflicting with other quarry companies where there is no join support on maintaining good condition of road in general that may disturb to public use. Therefore, this issue is not relevant to 3.1km proposed access road at all.
77. The existing focal point of GRC members established under land fill sub-project will serve it functions for this access road to receiving and handling if any complaint arise.
78. PMU/PIU with technical support from consultant team will monitor this additional sub-project strictly during the civil work and report all its activities in to Semi-annul Safeguard Monitoring

report. Any unexpected impacts occurred shall be timely reported and compensation to be provided by contractor.

79. MPWT together with the PISCB shall ensure that the Contractors shall notify all households along the road and residents of the two communes about the schedule of works and ensure that the road is passable at all times.

Appendix 1: Minutes of the Public consultation Meeting

KINGDOM OF CAMBODIA NATION RELIGION KING

Minutes of Public Consultation Meeting

Date: 28 August 2021

Place: Landfill office, Thmei village, Thmei Commune

A public consultation meeting was held on 28 August 2021 at 2:00 PM at landfill office with villagers where their residence and farmland are located along both sides of the proposed rehabilitation road to access to new landfill which is an additional work for Kampot Solid Waste Management (SWM) subproject.

This meeting was convened by the PIU, site engineer together with the participating agencies to provide information to households, local officials and other stakeholders on the proposed access road improvement as additional work to Kampot SWM subproject. The participants to this public consultation meeting with were villagers whose residences and farmlands are located along both sides of the proposed access road improvement to the new landfill, which is an additional work for the Kampot Solid Waste Management (SWM) subproject.

The primary aim of this meeting is to disseminate the scope of work for proposed access road improvement and to discuss their concerns, issues and opinions about the proposed additional works, especially possible concerns on resettlement impacts. The meeting also discussed the procedures on the identification of resettlement affected assets, implementation schedule and grievance mechanism. This meeting also enabled the villagers and other stakeholders the opportunities to seek clarifications, validate their issues and concerns and raise out their opinions about the proposed additional work of SWM subproject.

Mr. Seng Thong, chief of Thmei commune, opened the meeting by welcoming the delegation and attendees from Thmei village. He also gave a brief overview of the history of the access road that the Kampot SWM subproject plans to improve. He said that this road was formerly only a canal embankment. The residents of Thmei commune improved this 600-meter-long canal embankment in 2013-2014 to serve as an access road for transporting agricultural products from Thmei and Wat Por villages' plantations. Mr. Hok Chenda's quarry company continued to expand this road until it reached the commune of Stueng Kaev in 2006. The road has been utilized and maintained by the quarry industry to transport quarry and sand from river called Stueng Kaev.

As an introduction, Mr. Kong Rakmei, the PIU of the Kampot SWM reminded the participants of the on-going subproject of the Kampot landfill. MPWT with the approval of ADB has chosen this location for new proposed landfill. He informed all participants especially the households of Thmei village about the need to improve the access road from NR3 to the new landfill site because of the poor condition of the existing road, especially from station PK 3+100 to PK0+000 which would hamper the delivery of solid waste to the landfill. In addition, the road improvement project will greatly help the households in the village to travel to and from Kampot Town to sell their products and buy household items from the town. He called Mr. Chea Chamroern, a consultant of site engineer to present technical information about the proposed additional works.

As a background, Mr. Chea Chamroern pointed out that the Kampot SWM subproject proposes to improve the access road to landfill from NR No.3 to Kampot new landfill or a distance of 6.1 km. with a concrete pavement with a road width from 12m at PK0+000 and 6m for the rest of the road length. It will also involve the construction of side-drains at PK: 0+300 to PK 1+300 (1,000m) and 5 pipe culverts (cross drains) with diameter of 1000mm crossing the road to avoid flooding.

After the presentation of the road improvement project components, Mr. Yi Hokheng, PIU officer, mentioned that based on their initial assessment, there will be no resettlement impacts because the

road right of way (RROW) was maintained at 30m wide by systematic land registration done by student group of Samdach Hun Sen. The MPWT/PMU is proposing the approval from ADB for contract project variation order (VO) No. 1 from the access road improvement which was not part of the original plan. In the event that later on, some affected assets will be affected by the project, the compensation rates for the affected private assets will be at the current market price as determined by a qualified and experienced third-party appraiser, taking into consideration the values of the affected assets around this area.

It was pointed out that this project is an additional subproject of the Kampot SWM and will be governed by the policies already in place for the SWM. Based on ADB's requirement, MPWT/PMU will prepare a due diligence report (DDR) on possible resettlement impacts through the preparation of an involuntary resettlement (IR) screening check list to ascertain any involuntary resettlement impact such as loss of land, structures, crops and trees and possible business or livelihood income losses based on the proposed additional works.

After these explanations, Mr. Yi Hokheng opened the question-and-answer portion to elicit their concerns, issues and opinions about the proposed project. The following contained their exchanges;

Question 1: Em Tean and other villagers of Thmei mentioned that this road is under the operation and maintenance of Hok Chenda Quarry Company. People of this village have limited rights to use it, especially for transporting construction materials such as soil and rock to backfill their residential plots. We are not allowed to buy soil or sand from other companies and transport it via this road. So, we must buy rock or sand from this quarry company, and then we are allowed to utilize the road. His question is, "Who will manage this road after its improvement? Can people have the right to utilize it freely?"

Answer 1: Mr. Kong Rakmei responded to that this access road is classified as government land. The proposed project will use government money that will be borrowed from ADB loan for road rehabilitation. Since, the land and the funds to be used are all from the government, anybody can use the road especially the villagers who are living further down the road. The management and maintenance of the improved road will be the responsibility of landfill operator.

Question 2: Mr. Cheam Chea, assistant to commune, asked "when will the road rehabilitation project start? How long will it take?"

Answer 2: Mr. Chea Chamroern informed the participants that "the construction will start immediately after VO No. 1 is approved by ADB." Based on the initial assessment done by the consultant, there is no potential affected land or assets of villagers, so construction will be completed as soon as possible.

Concern 1: Pov On: After the road is rehabilitated, the trucks from the quarry company might drive at a higher speed. He is worried that accidents might happen because of the rehabilitated road. So, he proposed having a speed limit sign. (Noted: Safety will be taken into consideration)

In conclusion, villagers and local authorities were very happy because of the benefits that an improved road will provide them. They all wish to see the Kampot SWM subproject complete as soon as possible and wish that the improved access road to the landfill will start very soon. They promised to cooperate in the project and voluntarily express their willingness to donate their assets, if the project will cause some minor impacts. The PIU officer thanked their promise of cooperation and told them that if there are any asset that will be identified, these assets will be properly compensated.

Kampot, 28 August 2021

Minute taker

PHOTOGRAPHS

Consultation Meeting with Thmei officials and villagers at landfill office
28 August 2021



List of participants in the consultation meeting on 28 August 2021

N°	Name	Position	Organization	Phone number	Signature
1	Saitong- ... Survey		HSB	0965027712	
2	CHA Chamnon Consultant		KCC	081430059	
3	...	...	...	071208535	
4	...	...	...	0719777616	
5	...	...	...	0979034040	
6	...	...	...	0979685577	
7	...	...	...	012621411	
8	...	...	...	069990467	
9	...	...	...	0886292528	
10	...	...	...
11	...	...	...	097667922	
12	...	...	...
13	...	...	...	097465372	
14	...	PIU	...	085693056	
15	...	PIU	DDWT. KP	010581390	
16	...	...	...

Appendix 2: Minutes of the Second Public Consultation Meeting

PUBLIC CONSULTATIONS & LIST OF ATTENDANCES OF ADB JOIN SITE VISIT FOR RESETTLEMENT VERIFICATION ON PROPOSED ADDITIONAL WORK OF KAMPOT LANDFILL

MINUTE OF MEETING

1. Location/place consultation held:

Name of Province	: Kampot province
Venue	: Kampot Landfill site, Thmei village, Thmei commune, Teuk Chhou district, Kampot province
Number of Participants	: 21 (2 females and 19 males)
Date and Time	: 17 Decemberrn2021(9:08a.m to 9: 45a.m)

2. Briefing of participants about the proposed additional work (3.1Km Access Road) of Kampot landfill

- **Mr. Pou Manith**, project Manager of CW02, welcome the participants and stated the purpose and objectives of the meeting. He introduced himself, the rest of the team members and the ADB representative to the participants in the meeting. He briefly presented the background of the subproject, the benefit of the landfill and especially the improvement of access road with concrete pavement for people of this area. He also mentioned the main purpose of the meeting today is to verify the resettlement issues by ADB represented by Mr. Tem Sareivouth. He also informed the participants that ADB's representative will have some clarificatory questions addressed to participants and local authorities on some aspects of the due diligence report (DDR) submitted by PMU to ADB. He requested the participants to cooperate and answer accurately the questions that will be raised by the ADB representative. Then he invited Mr. Tem Sarevuth to proceed with the discussions with participants.
- **Mr. Tem Sareivouth**, from ADB as Social Safeguards and Resettlement specialist, first thanked Mr. Pou Manith and the commune chief and then welcomed all the participants to the meeting. He emphasized that the purpose of the meeting today is related to the proposed additional works of the ongoing construction of the landfill. The additional works is an access road improvement of about 3.1km long with a width of 6 meters width of concrete pavement from the gate of the quarry company to the landfill site. For the propose of the additional work, ADB's representative raised some questions to participants as well as local authorities on the following:
 - Q1: What are the benefits to people and/or villagers after the road is upgraded to concrete pavement?
 - A1: All participants in the group agreed that it will provide significant benefits to the villagers of Thmei and Stueng Kev communes, such as: making it easier to commute from village to plantation; providing better transportation for farm products to market; and beneficial to their health because it will prevent dust from flying when trucks pass by.

- Q2: If the concrete road will provide the good benefits as everyone mentioned, are you all happy and supportive of the proposed access road improvement?
- A2: Everyone in the group expressed happiness and full support for the proposal. Everyone agreed that once they have a good access road, many families will come and be encouraged to reside in this location. After the access road is finished, everyone wants and expecting that this additional works will enable the electric power and water supply connections to supply electricity and water to their villages.
- Q3: As you can see in the previous photographs, there was some bushes and shrubs along the road, indicating that the road's condition was poor and difficult to access during the wet season. So, based on the commune chief's request, the contractor cleared them out and improved them in order to make it easier for villagers/farmers as well as construction trucks to access this area, right? Have you heard of any of the plantation owners along the road around the area who were opposed to the access road being cleared during that time?
- A3: All of the participants, as well as the local authority, said that they had no objections to the access road being improved. On the other hand, having a good access road is appreciated by everybody because it made travelling easier. Bushes and shrubs removal were completed outside the plantation's fences. They reported that the road along this stretch of land had previously been demarcated to allow for road expansion, with small canals on both sides to prevent encroachment. Along the clearing part, there were no fruit trees.
- Q4: According to the previous consultation meeting as well as what the village head of Thmei mentioned a moment ago, Hok Chenda's quarry company is collecting fees on trucks passing this road. Is it true? Do you know how much they charge per truck? "
- A4: All the participants (villagers and local authorities) agreed that it was true, but they didn't know how much they charged. Local authorities and villagers mentioned that Hok Chenda's quarry company has never charged any fee from villagers or trucks transporting farm products. On the other hand, they charge money only for the trucks transporting quarry, sand or soil passing the road section from Hok Chenda's quarry gate to NR # 3. The quarry company did not collect fees on the road section from from the quarry gate to the Kampot landfill. The Commune chief emphasized that the Hok Chenda quarry company charges a fee on trucks of other companies who do the same business and transport their quarry, sand, or soil passing through their gate to NR # 3 because it will affect their business. For villagers or farmers who are using the road normally or just transporting farming products, Hok Chenda's quarry company has never charged anything or prohibited these trucks in using the road section from the quarry gate to NR3..
- Q5: During the road clearing, is there anyone unhappy with the contractor's work? What about PIU? Have you ever received any complaints about that?
- A5: All participants as well as PIU representatives answered "NO." Everybody were happy when the contractor patched up the holes and improve the road. There was no one unhappy or complaining at all. In contrast, they are very happy and welcome the project because it is good for them and their businesses.

ADB's representative, Mr. Tem Sareivouth, reminded the participants and authorities that before this sub-project (CW03) was approved, we had GRM through the formulation of PGRC. As we know, the commune chief is also a member of this committee. So, if ADB approves the proposed additional, and if there are any complaints or dissatisfaction during road construction, they can still file a complaint with this PGRC. He also explained to participants how to file a complaint and who to contact when needed.

At the end of the consultation meeting, he thanked the villagers, local authorities, PMU, PIU, consultants, and contractors who spent their valuable time participating in this meeting. He reminded all participants to maintain health and prevent themselves from contacting COVID-19 by wearing masks, often cleaning their hands with soap and alcohol, and practicing social distancing.

Prepared Minute by

Site Engineer
Chea Chamroeun

LIST OF ATTENDANTS

Kingdom of Cambodia
Nation Religion King

Ministry of Public Works and Transport
Kampot Landfill Construction Project
Contract No.: PMU/MPWT/CTDP-2/CW02

LIST OF ATTENDANCE

Date: 17/10/2021

Subject: ADB Site Visit for Resettlement Verification on Access Road to Kampot Landfill

No.	Name Surname	Sex	Position	Organization	Tell.	Signature
1	ឡ. ឡាន	ប្រុស	PMU	MPWT	012813203	[Signature]
2						
3	គឹម ឡាន	M	Surfengard	ADB		[Signature]
4	គឹម ឡាន	M	Resettlement	PMU		[Signature]
5	គឹម ឡាន	M	DTL	KCC		[Signature]
6	គឹម ឡាន	M	DTL	UNIF		[Signature]
7	គឹម ឡាន	M	DTL	UNIF		[Signature]
8	គឹម ឡាន	M	Inspector	KCC	07142059	[Signature]
9	គឹម ឡាន	M	DTU	UNIF	012904790	[Signature]
10	គឹម ឡាន	M	DTU	UNIF	010581390	[Signature]
11	គឹម ឡាន	M	DTU	UNIF	012739172	[Signature]
12	គឹម ឡាន	M	DTU	UNIF	069930461	[Signature]
13	គឹម ឡាន	M	DTU	UNIF		[Signature]
14	គឹម ឡាន	M	DTU	UNIF	092665328	[Signature]
15	គឹម ឡាន	M	DTU	UNIF	0919777616	[Signature]
16	គឹម ឡាន	M	DTU	UNIF	0968633581	[Signature]
17	គឹម ឡាន	M	DTU	UNIF	0886792548	[Signature]
18	គឹម ឡាន	M	DTU	UNIF	0967628598	[Signature]
19	គឹម ឡាន	M	DTU	UNIF	0977061174	[Signature]
20	គឹម ឡាន	M	DTU	UNIF	012672411	[Signature]
21	គឹម ឡាន	M	DTU	UNIF		[Signature]
22	គឹម ឡាន	M	DTU	UNIF	072222222	[Signature]
23						
24						

Photos of Public Consultation



Appendix 3: Minutes of the Meeting with the Quarry Company

MEETING WITH GENERAL MAGANGER OF HOK CHENDA QUARRY COMPANY OF ADB JOIN SITE VISIT FOR RESETTLEMENT VERIFICATION ON PROPOSED ADDITIONAL WORK OF KAMPOT LANDFILL

MINUTE OF MEETING WITH MR. SENG YOU HENG

Name of Province	: Kampot province
Venue	: Hok Chenda quarry company, Thmei village, Thmei commune, Teuk Chhou district, Kampot province
Date and Time	: 17 December 2021
Number of Participants	: 10 (Female = 0)
Mr. Tem Sareivouth	: ADB's Social Safeguards Specialist
Mr. Pou Manith	: PMU/MPWT, Project Manager
Mr. Mr. Seng You Heng	: Hok Chenda Quarry Company GM
Mr. Akila Seneviratne	: NJS, Project Manager, Construction Supervision
Mr. Chhun Bunnarin	: KCC, Deputy Team Leader
Mr. Touch Chansereiboth	: DPWT, PIU Member
Mr. Uk Chhoen	: DPWT, PIU member
Mr. Mel Sophanna	: MPU Resettlement Specialist
Mr. Chea Chamroeun	: KCC, Site Engineer
Mr. Samnang	: HSB, Contractor

3. Brief about Kampot landfill Sub-project (CW03) to Hok Chenda General Manager

- **Mr. Pou Manith**, project manager of CW02, discussed the purpose of the meeting to Mr. Seng You Heng, general manager (GM) of Hok Chenda Quarry Company. He introduced himself, the joint team composition, and the ADB specialist to the GM. He briefly presented the background of the subproject, especially the proposed improvement of the access road with concrete pavement from the gate of Hok Chenda Quarry Company to the landfill. He also mentioned that the main purpose of the meeting today is to verify the utilization of the access road from NR#3 to Kampot landfill. Mr. Manith asked a question, "A meeting conducted with villagers and local authorities a while ago mentioned that your company has never charged money to people/villagers using the road daily or transporting farm products." But the other company transporting the quarry, sand, or soil are being charged by your company. Is it right?
- **Mr. Seng You Heng**, GM of Hok Chenda Quarry Company, responded that "Mr. Chenda had cooperation with a quarry company over there, but we did not have any cooperation with the other quarry company." This company never helped in maintaining the road or even watering the road to minimize dust. They just want to use the road for free without any cooperation in maintaining the road.
- **Mr. Tem Sareivouth**, Social Safeguards and Resettlement specialist from ADB, asked Mr. Seng You Heng, "Did Hok Chenda Quarry Company been involved in road management and collecting money from passengers who used this road?" Mr. Seng You Heng responded, "No, we have improved the road for people/villagers to use or transport the farm products." If we do not allow villagers to use the road, what will they think of us? " If the other quarry company cooperates with us, for example, by watering and maintaining the road to avoid complaints from villagers about dust flying over their homes, the villagers will complain about the dust or road damage. If the road becomes unpassable, it will affect our business too. Does your

company and other have reached consensus on this issue now? (Mr. Sareivouth asked). Mr. Seng You Heng until now we did not have any agreement, but we allowed them to use another access road.

- **Mr. Sareivouth** asked, "Based on what you had mentioned earlier, the proposed improvement of the 3.1 km access road from your gate to the gate of the landfill under ADB financing does not have any concern for your company, right?"
- **Mr. Seng You Heng** said that the road section from our gate to the landfill does not have any problems with our quarry company's business at all. For garbage trucks or landfill operations, they can fully utilize the access road at any time. And we don't have any opposition to this road improvement.

In the wrap-up of the meeting, the GM of Hok Chenda quarry has agreed and strongly support the PMU, PIU, and ADB's specialist for the improvement of the access road. There is no adverse impact on any company property or other private owners. The Hok Chenda quarry company supports the project to improve the access road because it will have a good benefit for the villages of the two communes around the area.

Prepared Minute by

Site Engineer
Chea Chamroeun

PHOTOS OF THE MEETING







Appendix 4: Photographs of Road Condition with Alignment and Access Road Design





Point Kilometer (PK)	Road Alignment	Photos
<p>0+000 – 0+250 Start of the project (in front of the entrance of the landfill)</p> <p>- Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains).</p>		
<p>0+250 – 0+500</p> <p>- Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains).</p>		



Point Kilometer (PK)	Road Alignment	Photos
<p>0+500 – 0+750</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		
<p>0+750 – 1+000</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		

Point Kilometer (PK)	Road Alignment	Photos
<p>1+000 – 1+250</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		
<p>1+250 – 1+500</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		

Point Kilometer (PK)	Road Alignment	Photos
<p>1+500 – 1+750</p> <p>- Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains).</p>		
<p>1+750 – 2+000</p> <p>- Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains).</p>		

Point Kilometer (PK)	Road Alignment	Photos
<p>2+200 – 2+250</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		
<p>2+250 – 2+500</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		

Point Kilometer (PK)	Road Alignment	Photos
<p>2+500 – 2+750</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		
<p>2+750 – 3+000</p> <ul style="list-style-type: none"> - Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains). 		

Point Kilometer (PK)	Road Alignment	Photos
<p>3+000 – 3+250</p> <p>- Brown line = road centerline of carriageway; - Pink line = Proposed Carriageway; - Blue line = Proposed COI (Proposed Carriageway plus proposed slopes and drains).</p>		

Appendix 5: Kampot Landfill Access Road Design

KINGDOM OF CAMBODIA
Nation Religion King


MINISTRY OF PUBLIC WORKS AND TRANSPORT

**PROJECT MANAGEMENT AND IMPLEMENTATION SUPPORT, DETAILED
DESIGN AND CONSTRUCTION SUPERVISION (PACKAGE 1) AND CAPACITY
BUILDING (PACKAGE 2)**

**SECOND GREATER MEKONG SUBREGION ECONOMIC CORRIDOR TOWNS
DEVELOPMENT PROJECT**

-LOAN NO.3314-CAM-

ACCESS ROAD

SUBPROJECT: MANAGED LANDFILL SUBPROJECT IN KAMPOT TOWN

PART: CW02 - SOLID WASTE MANAGEMENT

VOLUME 4 : DETAILED DRAWINGS ACCESS ROAD


SEPTEMBER 2021

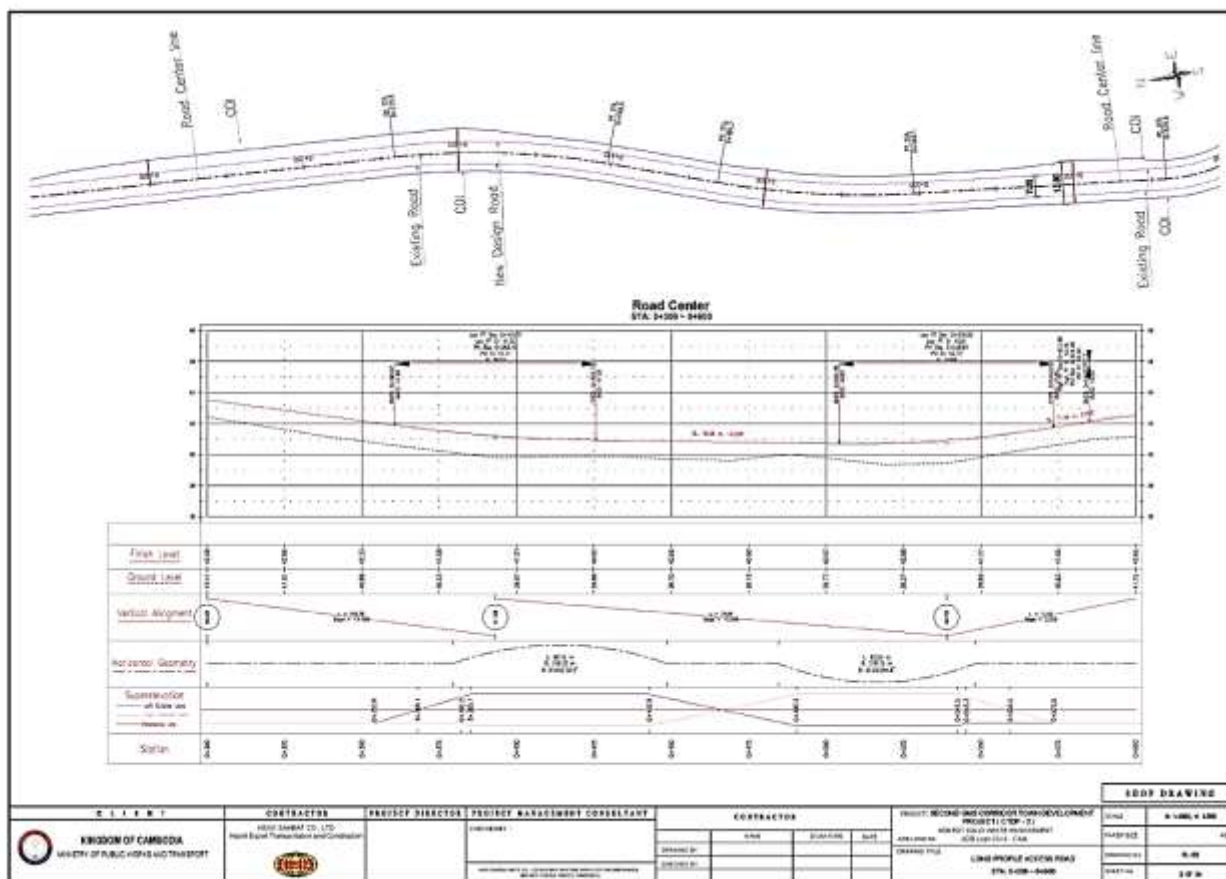

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Import Export Transportation and Construction

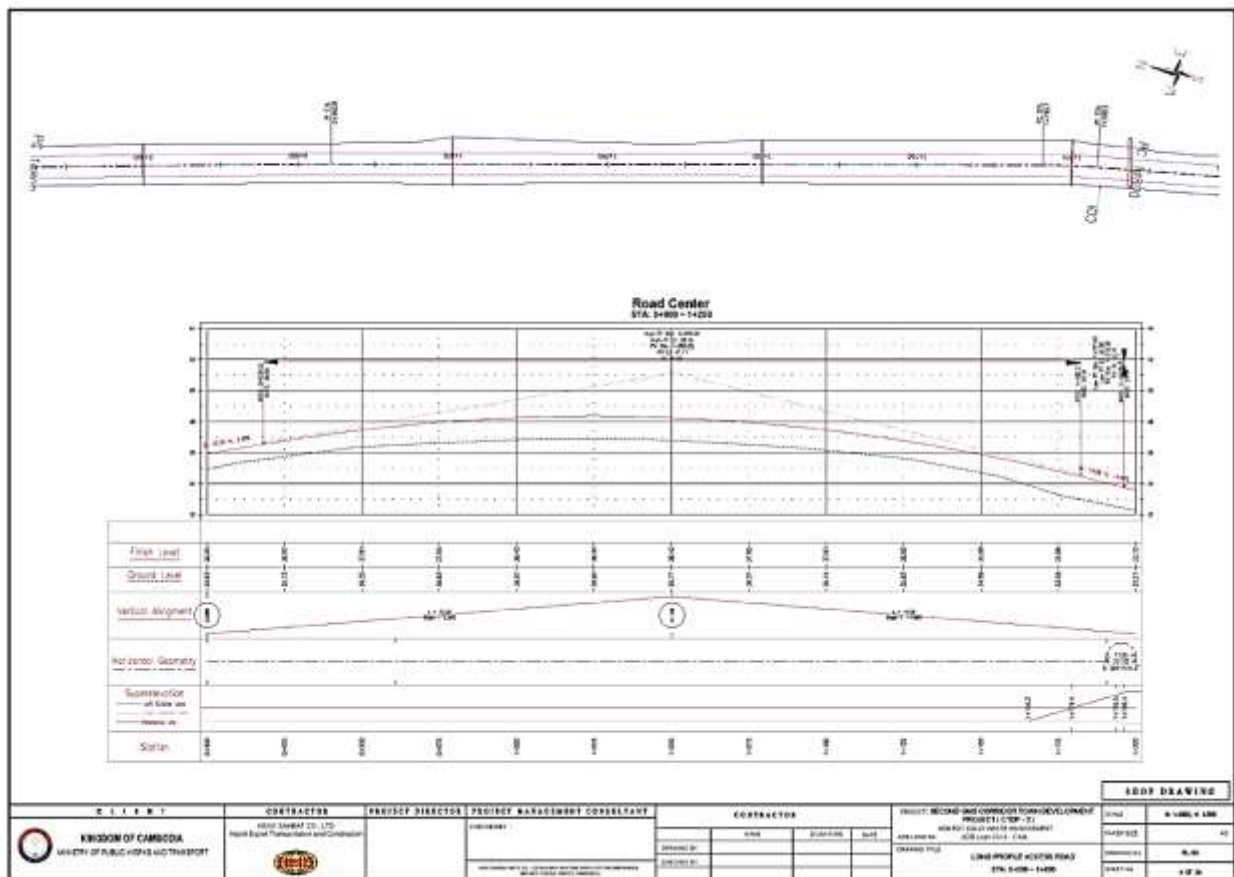
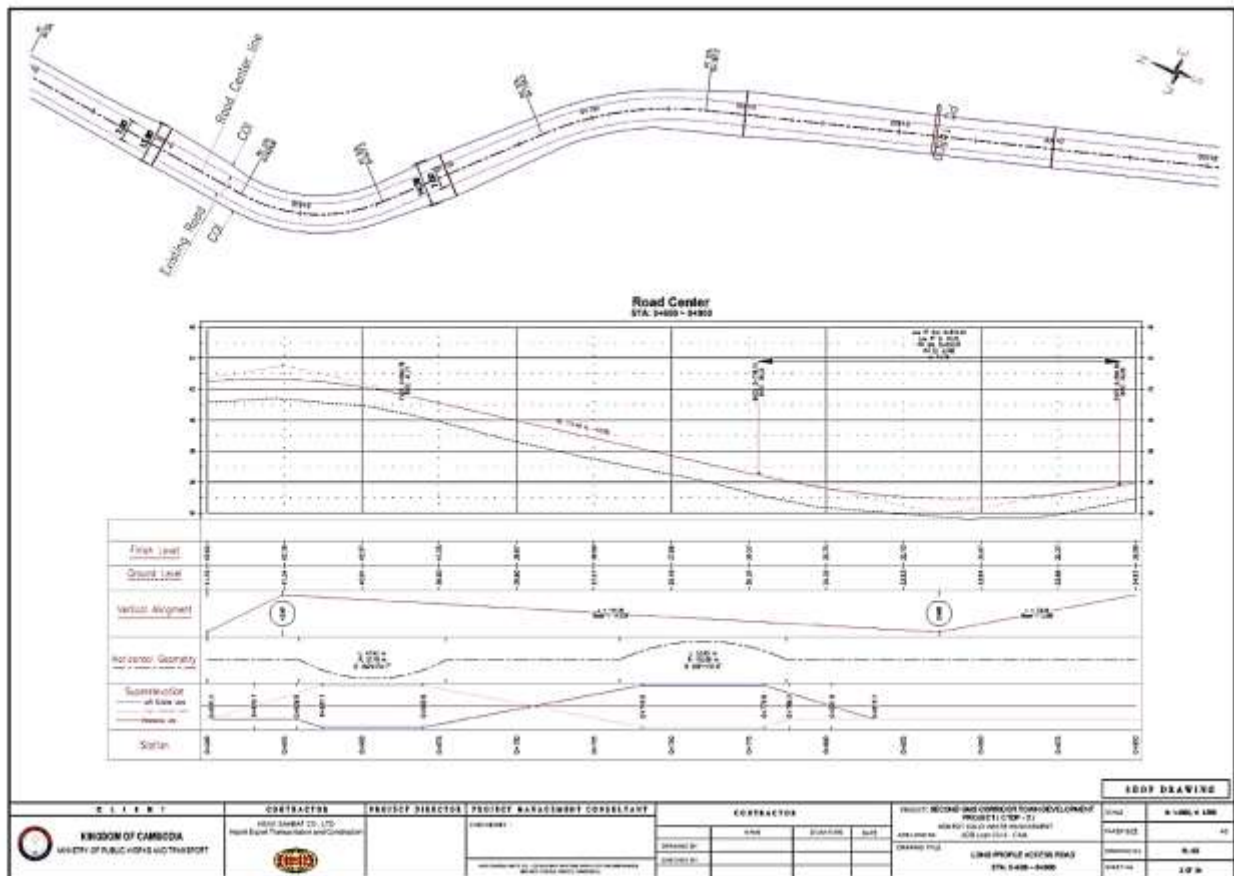
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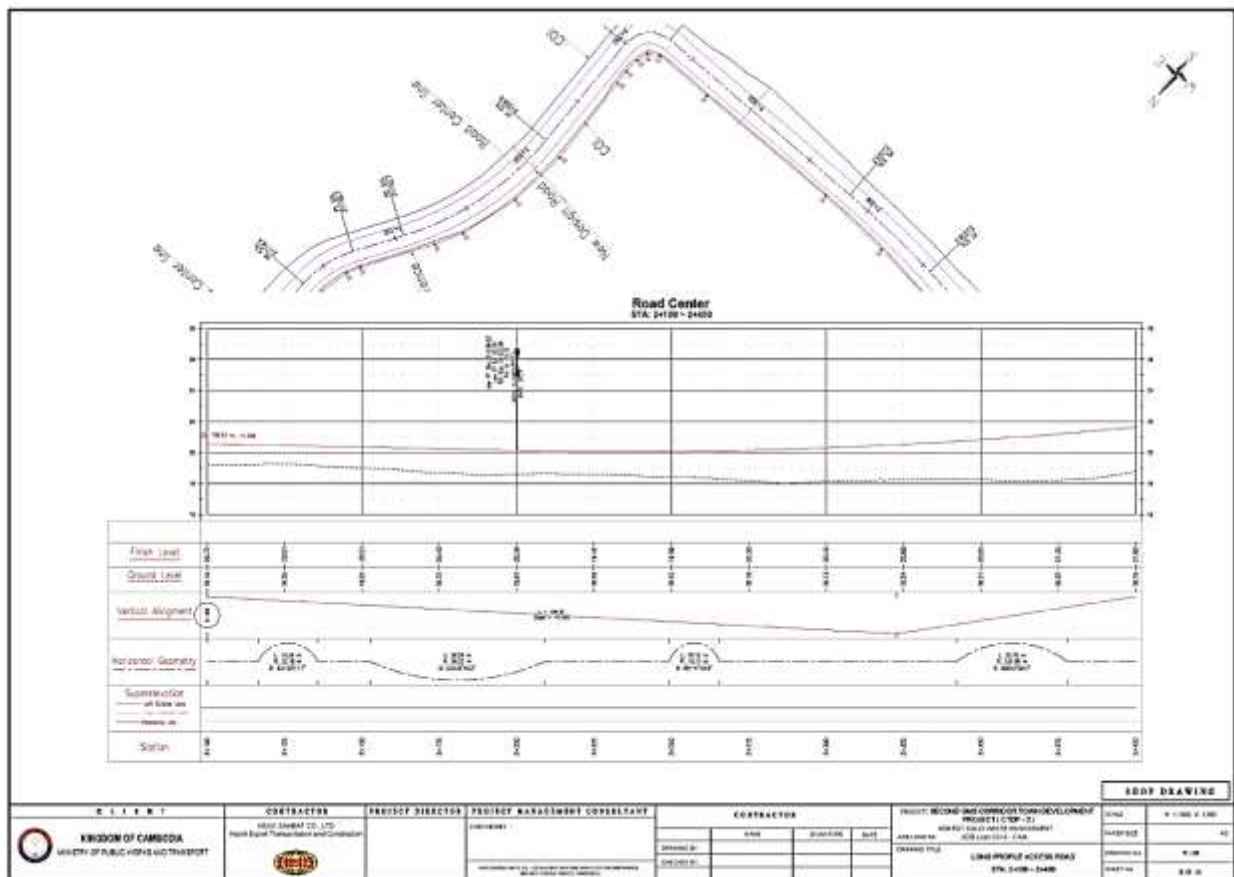
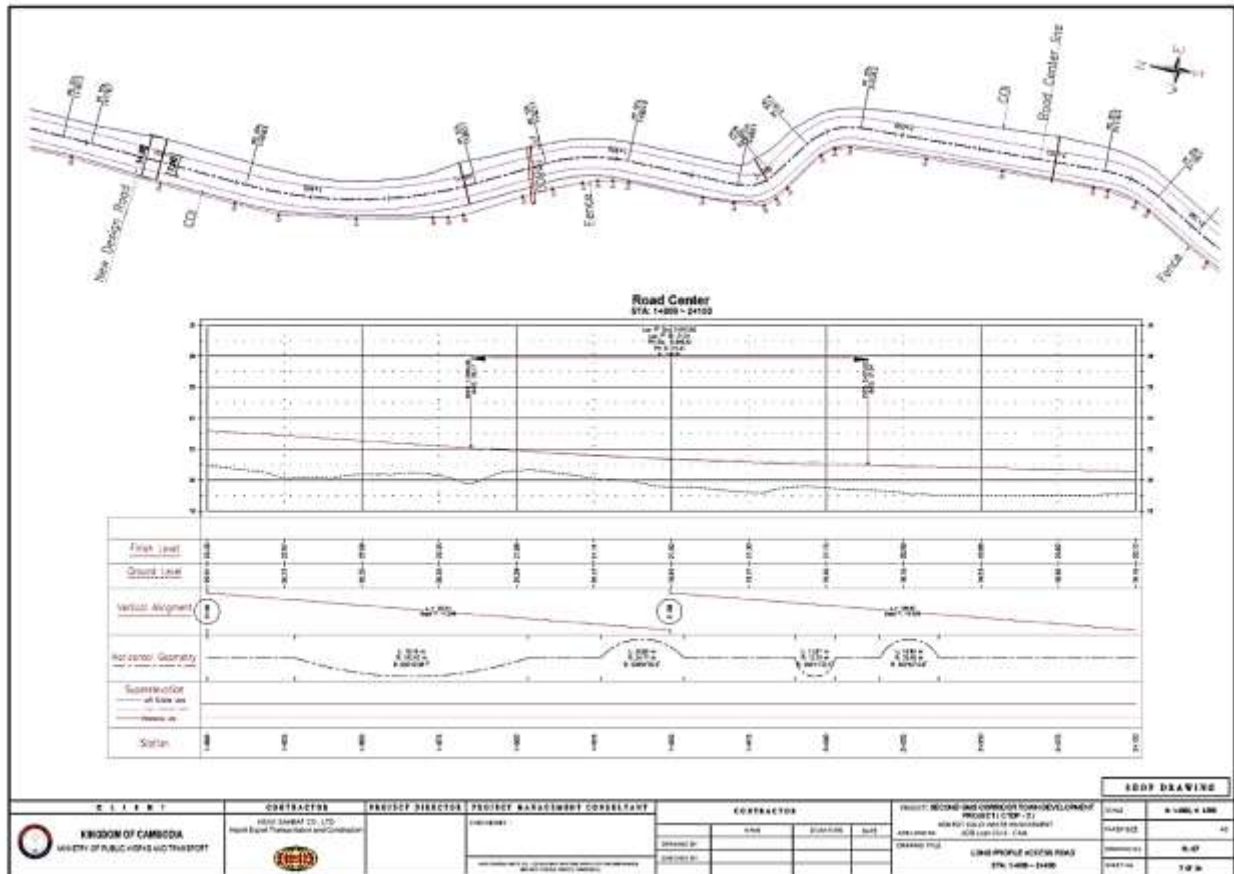
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4	LONG PROFILE ACCESS ROAD STA: 0+300 - 0+400	PL-04	34	PPE COVER PIPE SECTION DIMENSION	AC-LF-PC-34
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7	LONG PROFILE ACCESS ROAD STA: 0+600 - 0+700	PL-07	41		
8	LONG PROFILE ACCESS ROAD STA: 0+700 - 0+800	PL-08	42		
9	LONG PROFILE ACCESS ROAD STA: 0+800 - 0+900	PL-09	43		
10	LONG PROFILE ACCESS ROAD STA: 0+900 - 1+000	PL-10	44		
11	LONG PROFILE ACCESS ROAD STA: 1+000 - 1+100	PL-11	45		
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13	ACCESS ROAD CROSS SECTION STA: 0+100 - 0+200	CS-02	47		
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15	ACCESS ROAD CROSS SECTION STA: 0+300 - 0+400	CS-04	49		
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17	ACCESS ROAD CROSS SECTION STA: 0+500 - 0+600	CS-06	51		
18	ACCESS ROAD CROSS SECTION STA: 0+600 - 0+700	CS-07	52		
19	ACCESS ROAD CROSS SECTION STA: 0+700 - 0+800	CS-08	53		
20	ACCESS ROAD CROSS SECTION STA: 0+800 - 0+900	CS-09	54		
21	ACCESS ROAD CROSS SECTION STA: 0+900 - 1+000	CS-10	55		
22	ACCESS ROAD CROSS SECTION STA: 1+000 - 1+100	CS-11	56		
23	ACCESS ROAD CROSS SECTION STA: 1+100 - 1+200	CS-12	57		
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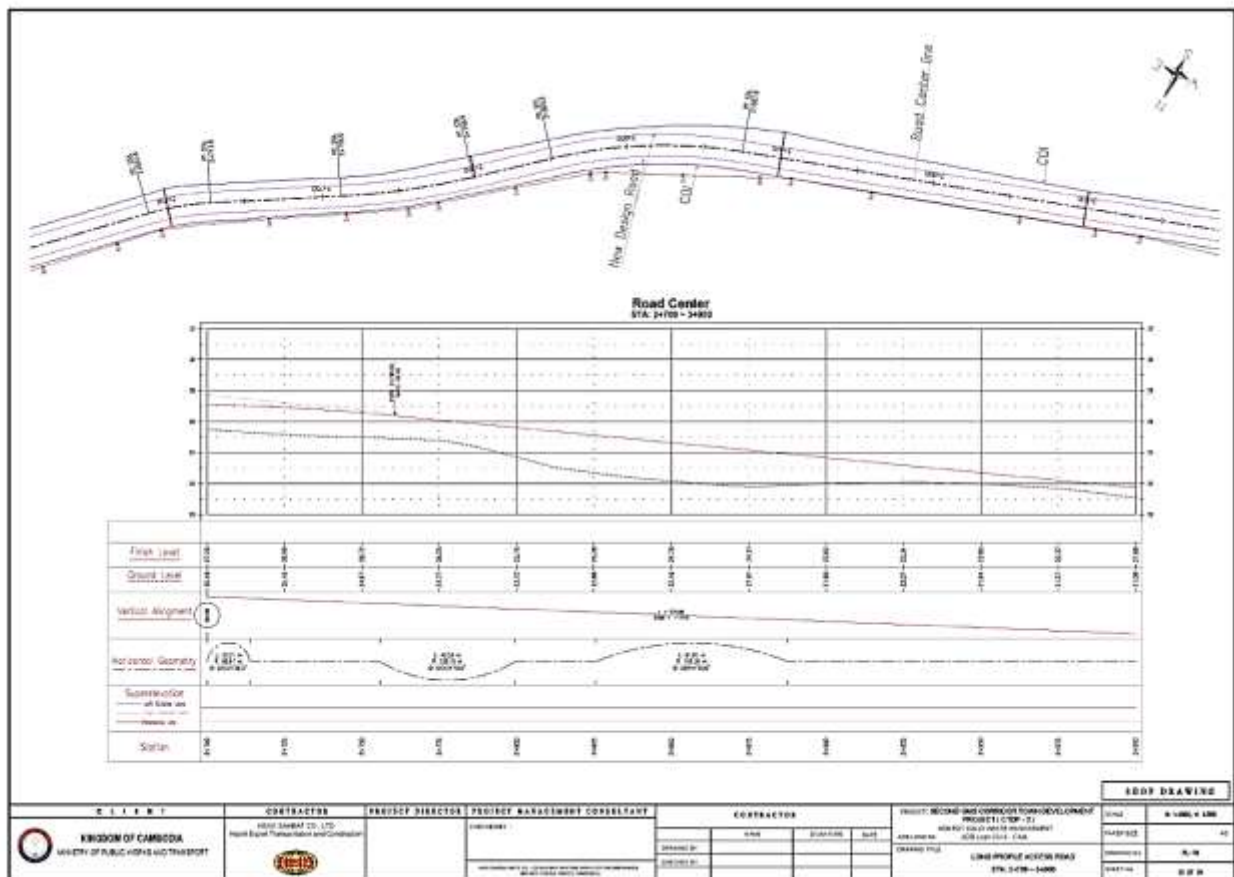
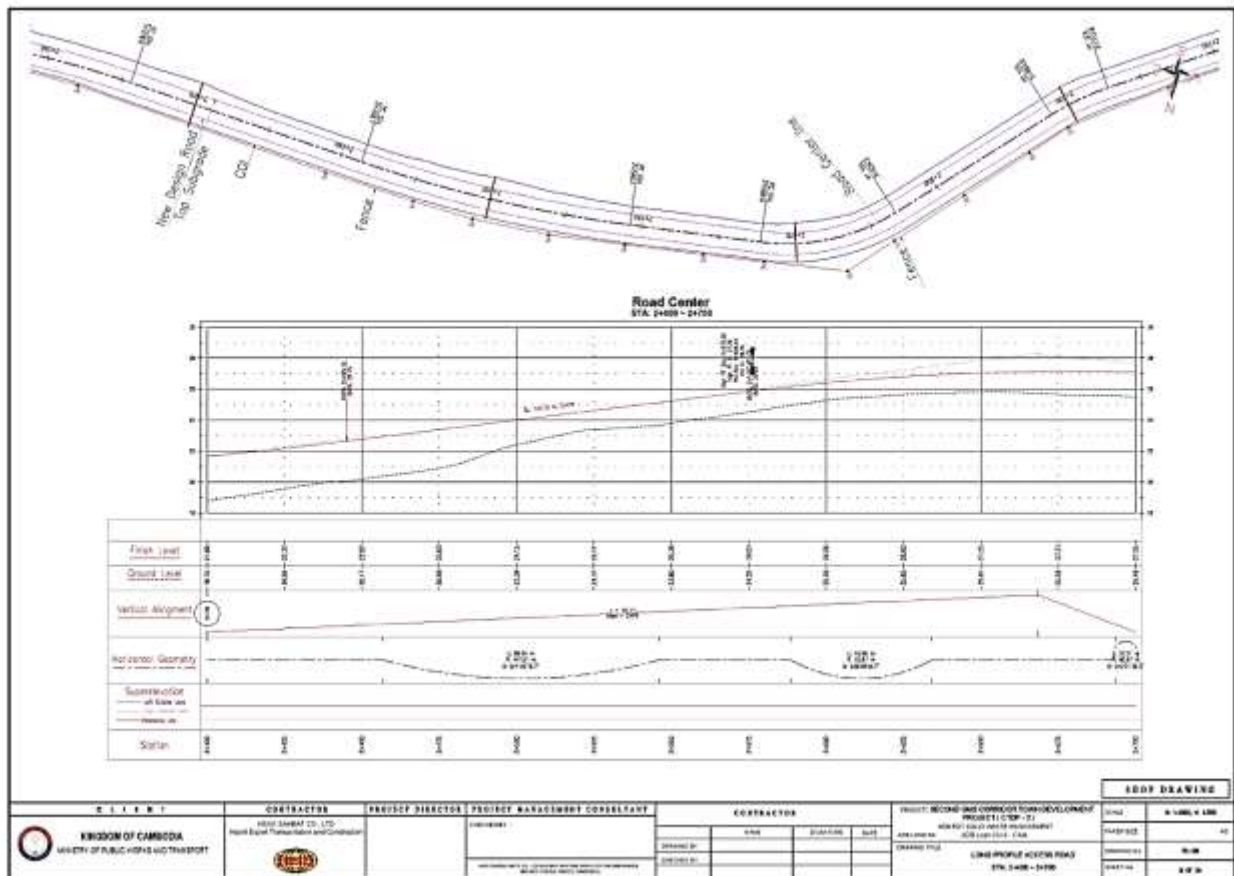
GROUP DRAWING

 <p>KHABON OF CAMBODIA MINISTRY OF PUBLIC WORKS AND TRANSPORT</p>	<p>CONTRACTOR KHABON GROUP CO., LTD Road Construction and Transportation</p>	<p>PROJECT DIRECTOR [Signature]</p>	<p>PROJECT MANAGEMENT CONSULTANT [Signature]</p>	<p>CONTRACTOR [Signature]</p>	<p>PROJECT LOCATION: KHABON GROUP CO., LTD PROJECT NO.: KHABON 2019-2020 ROAD DEVELOPMENT PROJECT TITLE: LOT 1 OF (KHABON)</p>	<p>DATE: 2020-10-10 DRAWN BY: [Signature] CHECKED BY: [Signature] APPROVED BY: [Signature]</p>
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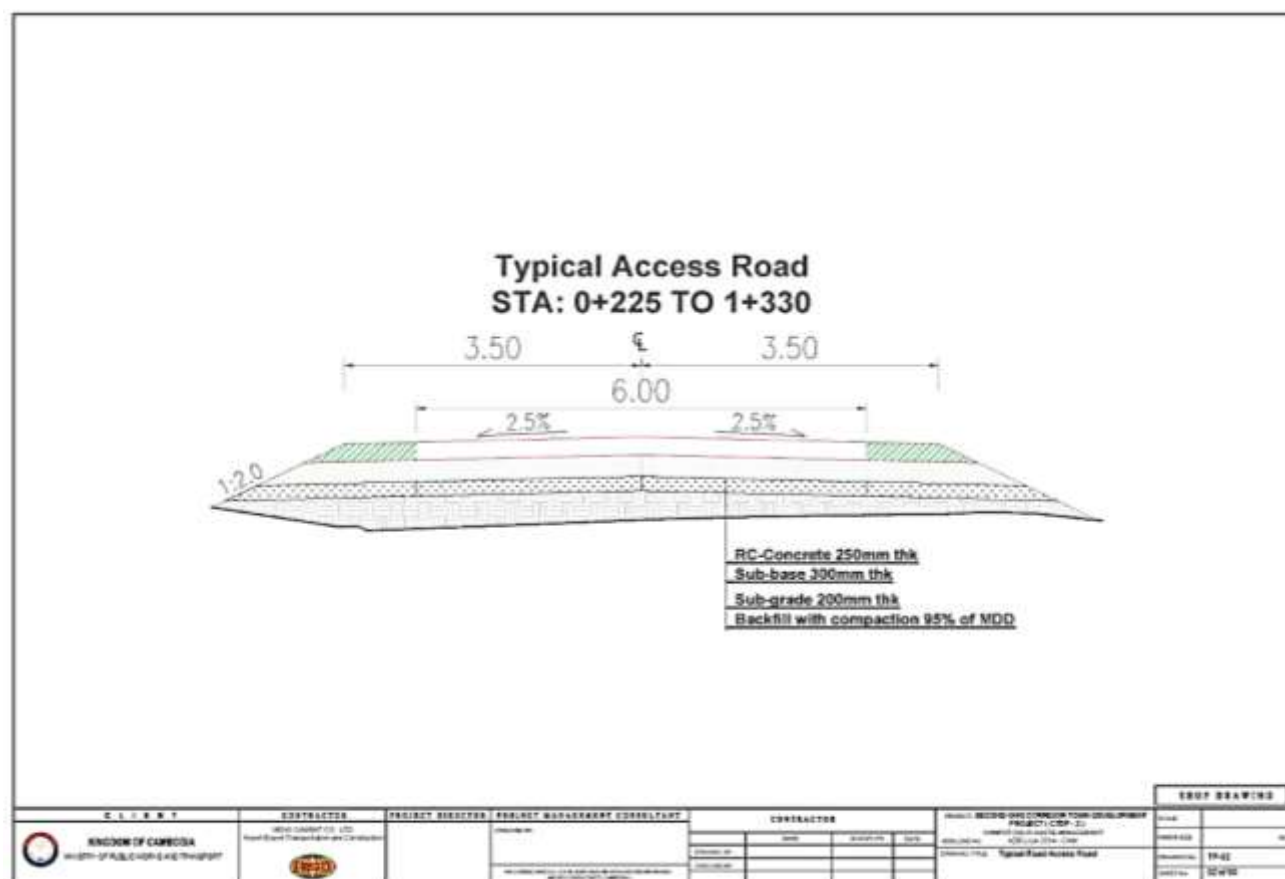
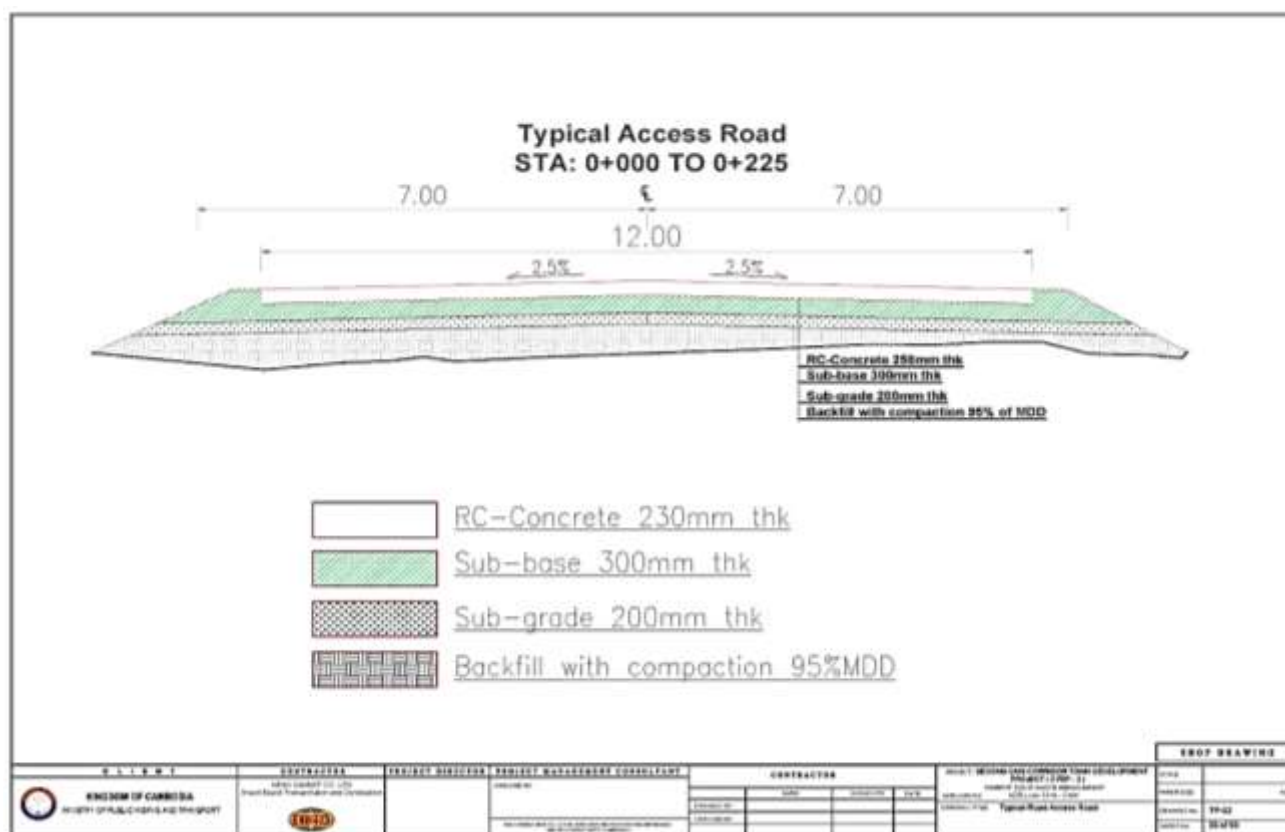


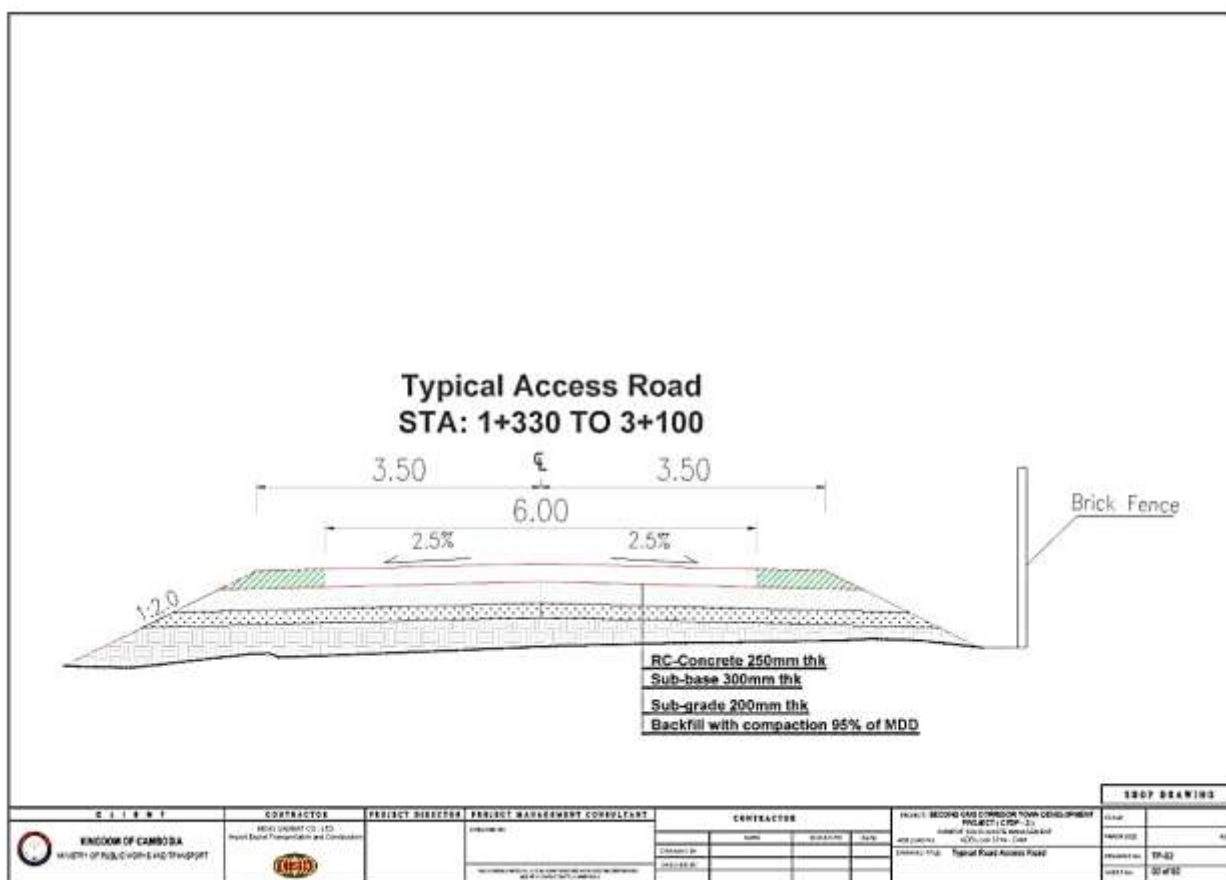






Appendix 6: Road Cross Sections





Appendix 7: Deed of Sale for the Proposed Kampot Landfill



Kingdom of Cambodia
Nation, Religion, King

Unofficial Translation

Ministry of Economy and Finance
Inter-Ministerial Resettlement Committee

Contract of selling – Buying land For the construction of landfill

This agreement was signed on May 27, 2020 between the working group of the Inter-Ministerial Resettlement Committee for Development Project (Part A) represented by Mr. Youn Chea Bert, Deputy Director of the First Impact Resolution Department of the Department of Impact Management. Affected by the development project of the Ministry of Economy and Finance and Mr. Kheng Sarith, a 53-year-old man with an address in Sovan Sakor village, Kampong Kandol commune, Kampot city, who owns the land called Party B.

The two parties agreed to enter into a sales contract in accordance with the following important conditions: Factor: Party "B" agreed to sell the land size of 103389.00 m², located in Thmey Village, Thmey Commune, Chhuk District, Kampot Province. To the "A" party at a price of US \$ 45 per square meter, hence the total land price of 465,250,50 (four hundred and sixty-five thousand two hundred and fifty US dollars and Hasibeson).

Article 2: Party "A" must pay the land price to Party "B" only once 100% equal to the amount of 465,250,50 (four hundred and sixty five thousand two hundred and fifty US dollars and fifty cents) in full when The "Kha" party has already signed the contract and completed the transfer of title to the real estate.

Article 3 + Party "B" shall guarantee the transfer of ownership of this land to Party "A" in accordance with the legal procedures in force, with all costs of transfer of ownership, including tax obligations borne by Party "A".

Article 4: Payment must be made in cash and in writing in accordance with the principles and procedures of the Ministry of Economy and Finance.

Article 5: In case of problems with the neighbors during the demarcation and clearing, the "B" party must ensure the settlement with the neighbors next to the border with the participation of the local authorities.

Article 6: If the next day someone comes to claim this land as their own, then we, the "B" party, agree

Fully responsible before the law in force.

Article 7: Both parties have an obligation to strictly abide by each of the terms of this agreement.

This contract is made in Khmer language, 3 copies are of equal value and effective from

This signature goes on and on:

- | | |
|-----------|------------------------------------|
| - 01 copy | to party "A" |
| - 01 copy | to Party * B |
| - 01 copy | to the Inter-Ministerial Committee |

Representative of Party "A"
Inter-Ministerial Resettlement Committee

Representatives of party "B"
Land owner

Khuon Davith

Kheng Sareth

Seng Vandy

Secretary of State of the Ministry of Economy and Finance
and Chairman of the Inter-Ministerial Resettlement Committee
of development projects

Nhean Leng

Appendix 8: Handover Letter of the Proposed Kampot Landfill Site from MEF to MPWT



Kingdom of Cambodia
Nation, Religion, King

Unofficial Translation

Ministry of Economy and Finance
No. 8448 S.H.V R.D.P

Phnom Penh, October 7, 2020

To

His Excellency Senior Minister, Minister of Public Works and Transport

Subject: Request for the handing over of the land that has been settled to the affected people at the Kampot Landfill of the Second Greater Mekong Subregion (GMS) Corridor Towns Development Project in Kampot Province under the financing from the Asian Development Bank (ADB).

Ref.: Letter No.104 dated 19 September 2018 of the Ministry of Public Works and Transport.

As stated in the subject and the above reference, I would like to inform the Senior Minister that the working group of the Inter-Ministerial Resettlement Committee in cooperation with the working group of Kampot Provincial Resettlement Sub-Committee and local authorities, has paid cash to the people who affected by the Kampot Landfill Sub-Project of the Second Greater Mekong Subregion (GMS) Corridor Towns Development Project in Thmey Village, Thmey Commune, Teuk Chhou District, Kampot Province, on July 23, 2020.

Therefore, the Inter-Ministerial Resettlement Committee would like to handover the land that has already been settled out in the above geographical location to the Ministry of Public Works and Transport to use and manage this site in accordance with the procedures from the date of handover this document. As mentioned above, His Excellency the Senior Minister, please be informed and manage accordingly. Please accept my highest regards.

Secretary of State of the Ministry of Economy and Finance
and Chairman of the Inter-Ministerial Resettlement Committee
of development projects

Nhean Leng

Copy

- Ministry of Land Management, Urban Planning and Construction
- Kampot Provincial Administration
- Asian Development Bank in Cambodia
- Document - Chronology

Appendix 9: Letter of Department of Public Work and Transport on Road Maintenance



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

ក្រសួងសាធារណការ និងដឹកជញ្ជូន
មន្ទីរសាធារណការ និងដឹកជញ្ជូនខេត្តកំពត

លេខ: ៤៧២ ស.ក.កត

ថ្ងៃចេញផ្សាយ: ថ្ងៃទី ២៨ ខែ កក្កដា ឆ្នាំ ២០២១
ខេត្តកំពត ថ្ងៃទី ២៨ ខែ កក្កដា ឆ្នាំ ២០២១

សូមគោរពជូន

**ឯកឧត្តមប្រធាន ពិសិដ្ឋ អនុរដ្ឋលេខាធិការក្រសួងសាធារណការ និងដឹកជញ្ជូន
និងជានាយកអគ្គនាយកដ្ឋានគម្រោងអភិវឌ្ឍន៍ក្រុមហ៊ុន ២ (GTDP2)**

កម្មវត្ថុ: សូមបញ្ជាក់ថាការថែទាំ និងជួសជុលផ្លូវចូលប្រវែង៦១០០ម៉ែត្រ ចាប់ពីផ្លូវជាតិលេខ ៣ ទៅកាន់ទី
លានកប់សំរាម ដែលស្ថិតក្នុងឃុំថ្មី ស្រុកទឹកឈូ ខេត្តកំពត ក្រោមគម្រោងអភិវឌ្ឍន៍ក្រុងរបៀងនៃ
មហាអនុតំបន់ទន្លេមេគង្គលើកទី២ ដែលបានទទួលការឯកភាពសាងសង់ពីធនាគារអភិវឌ្ឍន៍អាស៊ីចុះ
ថ្ងៃទី២៨ ខែកក្កដា ឆ្នាំ២០២១ ជាបន្ទុករបស់រដ្ឋបាល ខេត្តកំពត ។

ខ្ញុំបាទសូមគោរពជម្រាបជូន **ឯកឧត្តមអនុរដ្ឋលេខាធិការ** មេត្តាជ្រាបថា បន្ទាប់ពីអនុវត្តគម្រោង
សាងសង់ទីលានកប់សំរាមសាងសង់រួចរាល់ជាស្ថាពរហើយត្រូវបានប្រគល់ឱ្យមករដ្ឋបាលខេត្តកំពត ពីក្រសួង
សាធារណការ និងដឹកជញ្ជូន។ រដ្ឋបាលខេត្តកំពតនឹងធ្វើការថែទាំនិងជួសជុលផ្លូវចូលដែលមានប្រវែងបានបញ្ជាក់
នៅក្នុងកម្មវត្ថុខាងលើ។

សេចក្តីដូចបានគោរពជម្រាបជូនខាងលើ សូម **ឯកឧត្តមអនុរដ្ឋលេខាធិការ** មេត្តាទទួលជ្រាបដ៏
ខ្ពង់ខ្ពស់។

សូម **ឯកឧត្តមអនុរដ្ឋលេខាធិការក្រសួងសាធារណការ និងដឹកជញ្ជូន និងជា
នាយកអគ្គនាយកដ្ឋានគម្រោងអភិវឌ្ឍន៍ក្រុមហ៊ុន ២** មេត្តាទទួលនូវសេចក្តីគោរពដ៏ខ្ពង់ខ្ពស់អំពីខ្ញុំបាទ។

ពង្សនិម្មិត:

- ក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ
- សាលាខេត្តកំពត
- មន្ទីរសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ
- មន្ទីរ ជ.ន.ស.ស
- រដ្ឋបាលក្រុង ស្រុក
- ឯកសារ-កាលប្បវត្តិ



ជិត-គូច



Kingdom of Cambodia,
Nation Religion King

Unofficial Translation

Ministry of Public Work and Transport
Department of Public Work and Transport of Kampot
No: 432 SKKP

Kampot Province, Date 09 December 2021

Respect to

**H.E, Vong Piseth, Under Secretary of State, Ministry of Public Works and Transport and
Director of Corridor 2 Development Project (GTDP2)**

Subject: Please certify that the maintenance and repair of the 6,100-meter-long access road from National Road No. 3 to the landfill in Thmey Commune, Teuk Chhou District, Kampot Province under Second GMS Corridor Town Development Project, which got construction approval from Asian Development Bank dated 28 July 2021 under the responsibility of Kampot Provincial Administration.

I would like to inform **H.E Under Secretary of State** that after the full completion of the construction of the said landfill and handed over by Ministry of Public Works and Transport to the Kampot Provincial Administration, then Kampot Provincial Administration will maintain and repair the access road with the length specified in the subject above.

Please accept, Excellency, the assurance of my utmost cooperation and consideration.

Director

Chihn Huong

Copy:

- Ministry of Economy and Finance
- Kampot Provincial Hall
- Department of Economy and Finance
- Department of Public Works and Transport
- Department of LMUPC
- Town/District Administration
- File/ Chronological document

Appendix 10: No Objection Letter to Commence Works for Kampot Landfill



28 July 2021

H.E. Vong Pisith
Under Secretary of State
Project Director
Project Management Unit
Ministry of Public Works and Transport
Kingdom of Cambodia
Through the Cambodia Resident Mission

L3314-CAM: Second GMS Corridor Towns Development Project
— No Objection to the Commencement of Works for PMU/MPWT/CTDP-2/NCB/CW02

Dear Excellency:

1. ADB has no objection for civil works to commence for the Construction of Landfill in Kampot (PMU/MPWT/CTDP-2/NCB/CW02), as requested through your letter dated 26 July 2021.
2. We note from your letter that the Construction Environmental Management Plan and Health and Safety Plan have been cleared, and that the Unexploded Ordinance clearance has been conducted. Please include these updates in the July-December 2021 Semi-Annual Environment Safeguards Monitoring Report.
3. Thank you and we look forward to the smooth implementation of the project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Srinivas'.

Srinivas Sampath
Director
Urban Development and Water Division
Southeast Asia Department

Handwritten initials in black ink, possibly 'DS' or 'AS'.

cc: Country Director, CARM
WKS/vev

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