

Resettlement Plan

August 2022

Cambodia: Fourth Greater Mekong Subregion Corridor Towns Development Project Part 2

Kampong Cham Wastewater and Drainage Subproject

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K. Impacts on Livelihoods

36. A total of 10 AHs/66 APs will lose access to state-owned land of 10.87 hectares (ha) used for active lotus farming. However, these AHs have not obtained any approval or permit from the local authorities for the right to use the land of lotus farming. Therefore, they are illegally using the land but will lose the livelihood source permanently. Out of these 10 AHs/66 APs, 3 AHs/23 APs are poor as they hold ID Poor cards and classified as vulnerable (**Table 10**). All the 10 AHs/66 APs will be compensated for the loss of lotus yield for one year and entitled to participate in the income restoration program. In addition to skills training, the 3 AHs/23 APs classified as vulnerable will have (i) lump sum cash grant **doubled**; and (ii) priority in any employment opportunity under the Subproject.

Table 10: Impact on Productive Agricultural Land (Loss of Land Use of State Land)

No.	AH ID No.	No. of APs	Location	Total Area of Land Use (m ²)	Area Land Use Loss (m ²)	Remaining Area of Land Use (m ²)	Land Use Loss (%)	ID Poor /VAH
1	000044	5	Embankment	971.00	971.00	0.00	100	
2	000039	9	Embankment	1,548.00	1,548.00	0.00	100	Yes
3	000040	3	Embankment	1,322.00	1,322.00	0.00	100	
4	000041	3	Embankment	1,517.00	1,517.00	0.00	100	
5	I/001	8	WWTP	27,073.00	27,073.00	0.00	100	Yes
6	I/002	21	WWTP	7,997.00	7,997.00	0.00	100	
7	I/003	3	WWTP	21,151.00	21,151.00	0.00	100	
8	I/004	6	WWTP	16,705.00	16,705.00	0.00	100	Yes
9	I/005	4	WWTP	5,568.00	5,568.00	0.00	100	
10	I/006	4	WWTP	24,854.00	24,854.00	0.00	100	
Total		66		108,706.00	108,706.00	0.00	100	

Source: DMS Data, September 2021-March 2022

L. Impact on Vulnerable Group

37. The income data during the DMS/SES (September 2021-March 2022) was obtained only on verbal interviews. The AHs who declared their income below the poverty line were asked to produce their ID Poor Card. A total of 4 AHs in total declared their income below \$70.58/month/AP income and produced ID Poor Cards. There was 1 disabled headed AH but could not produce an ID Poor Card who will be considered as vulnerable and confirmed during the implementation of the DRP. **Table 11** summarizes the poor and vulnerable AHs.

Table 11: Summary of Vulnerable AHs/APs

No.	AH ID No.	APs	No. of Poor households living below the national poverty rate (<\$70.58/month/AP) / IDPoor	No. of Female headed households with dependents living below the national poverty rate/ IDPoor	No. of Disabled headed households	No. of Elderly headed households who are landless and with no other means of support	No. of Landless poor living below the national poverty rate/ IDPoor	No. of IP
1			1/1					
2			1/1					
3			1/1					
4			1/1					
5					1			

Total		4/4		1			
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DMS/SES Data September-October 2021.

M. Temporary Impacts during Construction

38. The pipeline and sewer connection network will also cover the Beoung Kok Market area. A full census of the mobile street vendors was undertaken by the IRC-WG. There are 228 mobile street vendors selling goods during early morning and evening along the streets around Beoung Kok Market area (see purple zones in **Figure 9**) where the pipeline and sewer connection construction will be undertaken. These mobile vendors sell their goods on thin materials/sheets spread on the road shoulders or road pavement or on mobile tables. These materials can be easily rolled, handheld, lifted and carried to another site.

39. During construction, the mobile street vendors will be temporarily relocated from their original selling sites to a temporary mobile vendor market within 100m west of Kampuchea Kroam Road and the adjoining Street Number 46 (see green area in **Figure 9**) where they can continue their daily sales without any disruptions to their livelihoods. The movement can be completed in a few hours and carried out during the period when they are not selling their product. The construction will be carried out within the purple areas in sections. The construction will be first completed at the temporary sites (green area) and then the first batch of vendors (from purple area) will be moved to the completed temporary sites (green area). The vacated sites (purple area) by the vendors will be then constructed and the vendors from the completed temporary sites (green area) will be moved back. The process will be repeated for all the remaining vendors until the construction in all the purple areas are completed. The PMU will coordinate with the contractor to provide assistance to the mobile street vendors to move them to the green and purple areas. This arrangement and relocation of temporary business site was agreed with the vendors and the local authority (**Annex 1**). To minimize inconvenience for these vendors, the vendors will be given advance notice of one month before the start of civil works in the streets where they conduct their businesses. There will be no loss of business income or livelihoods from the temporary relocation and disruption during construction. However, an ex-gratia lump sum of \$50.00/AH for disturbance/transport allowance will be provide to each street vendor. In addition, at the time of the preparation of the individual contracts during the implementation of the DRP, GDR will ascertain if any of these mobile street vendors have an ID Poor Card. The disturbance allowance of the vendors with an ID Poor Card will be **doubled**.⁶

⁶ The contingency amount has been kept at 15% to cover the costs of poor and vulnerable mobile street vendors.

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[illegible]

41. Some of the shops have either extended their properties illegally on the roadside footpaths or are temporarily using the footpaths for businesses or as storage area. Majority of these private assets are of light-weight material or mobile (shop shelves or display tables). The households will be given advance notice to move their mobile assets away from the COI prior to construction. The civil works contract (included in BOQ also) as well as EMP will also require the construction contractor to reinstate the structures within the COI and any impacted structures along the construction works area to their pre-Subproject condition after the installation of pipeline and sewer connection alignment is completed. The contractor is to record the pre-condition of the roads and assets with drawings and georeferenced pictures and/or video. .

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43. For any temporary site installation or other area, the contractor will have to propose in a site installation and access plan and obtain approval from the PMU. Where possible, unoccupied, and unused public land will be used for temporary land use or storage. The contractor shall rent the private space with agreed rental fee (written contracts to be prepared). Both private and public space shall be returned in the same or improved condition compared with pre-Subproject situation. Through a transparent and contractual approach, the PMU will provide the contractor with the Subproject's land acquisition and compensation principles in the form of this DRP to ensure that (i) official compensation rates are applied, (ii) re-instatement of affected assets contractually defined, (iii) consultation takes place throughout the Subproject, (iv) the grievance mechanism is followed, (v) the EMP is applied, and (vi) other items specified are complied with, in compliance with the ADB SPS and RGC's SOP.

N. Unanticipated Impact

44. In case there are changes in the Subproject's scope and/or location during the Subproject implementation, social impact screening of new impacts shall be conducted, and update or amendment of the DRP or formulate a new resettlement plan covering all applicable requirements specified in ADB SPS (2009)⁷. Unanticipated impacts will be documented and mitigated based on the principles provided in this DRP. Any new APs that will be identified (i.e., those who will be included among the adversely affected because of changes to the Subproject design or alignment prior to or even during construction works) are entitled to the same entitlements as those of the other APs. The new APs will not include any occupant entering the COI or construction area after the cut-off date.

⁷ Any changes or additions in design/scope of the Subproject during construction will be screened and validated for IR impact only in case the changes and/or additions are outside the original COI or WWTP site area.

IV. SOCIO ECONOMIC INFORMATION AND PROFILE

A. Methodology

45. A full census and socio-economic survey (SES) in the Subproject area was conducted at the time of the DMS and IOL. The SES focused on the income earning activities and other socio-economic indicators of all AHHs and APs through house-to-house interviews. The necessary data was collected through the DMS Questionnaire and was used to establish baseline information on key socio-economic status including demographic, income, occupational and gender variables.

B. Demographic Profile of Affected Households

46. A total 33 AHHs comprising 152 APs will be affected by the Subproject. Of the 33 AHHs, 27 AHHs or 81.82 % are male and 6 or 18.18 % are female. Of the 152 APs affected, 82 APs or 53.95% are male and 70 APs or 46.05 % are female. The average AH size is 4.61 members.

Table 12 summarizes the AHHs and APs by gender.

Table 12: Summary of AHHs and APs by Gender

Category	Male		Female		Total	
	No.	%	No.	%	No.	%
Head of Household	27	81.82	6	18.18	33	100
Total Affected Persons	82	53.95	70	46.05	152	100

Source: SES Data, September 2021-March 2022

47. Of the 33 AHHs interviewed, 1 household head declined to provide any response to the survey questions but is still included in the AHH total. The DMS team had noted that this affected household member is wealthy with substantial assets and is of Khmer descent.

48. Out of the 27 male AHHs, 25 AHs or 92.59% are married, 1 AHHs is or 3.70% is not married and 1 AH or 3.70% declined to respond. Out of the 6 female AHHs, 3 AHHs or 50% are married and the remaining 3 AHHs or 50% are widowed. All AHHs are of Khmer descent. Out of the 32 AHHs surveyed, over three quarters of this group or 26 AHHs are 46 years and over with 17 AHHs or 53.13% aged between 46-60 years, 8 AHHs or 25.00% aged between 61-75 years and 1 AH over 75 years old. Out of the remaining 6 AHHs, 2 AHHs or 6.25% are between 20-30 years while 4 AHHs or 12.50% are between 31-45 years old. All female AHHs are 46 years and over with 4 AHHs aged between 46-60 years, 1 AHH aged between 61-75 years and 1 AHH aged 75+ years and over.

49. Of the 32 AHHs surveyed, except for household head that provided no response, only 1 AHH reported having no formal education. The remaining 30 AHs or 93.94% attained some form of formal education. Majority or 11 AHHs or 33.33% attained primary education, 9 AHHs (8 male and 1 female) or 27.27% attended University whilst the remaining female household heads received only primary (4 AHHs) or secondary education (1 AHH). Table 13 summarizes the demographic profile of the male and female affected household heads.

Table 13: Summary of Demographic Profile of Affected Household Heads

Category	Male Household Head	%	Female Household Head	%	Total	%
Marital Status						
Not Married	1	3.70	0	0.00	1	3.03
Married	25	92.59	3	50.00	28	84.85

Category	Male Household Head	%	Female Household Head	%	Total	%
Divorced	0	0.00	0	0.00	0	0.00
Widowed	0	0.00	3	50.00	3	9.09
No Response	1	3.70	0	0.00	1	3.03
Total	27	100.00	6	100.00	33	100.00
Ethnicity						
Khmer	27	100.00	6	100.00	33	100.00
Total	27	100.00	6	100.00	33	100.00
Age						
20 to 30 years	2	7.69	0	0.00	2	6.25
31 to 45 years	4	15.38	0	0.00	4	12.50
46 to 60 years	13	50.00	4	66.67	17	53.13
>60 years	7	26.92	1	16.67	8	25.00
>75 years	0	0.00	1	16.67	1	3.13
Total	26	100.00	6	100.00	32	100.00
Education						
None	1	3.70	0	0.00	1	3.13
Primary	7	25.93	4	80.00	11	34.38
Secondary	4	14.81	1	20.00	5	15.63
High School	6	22.22	0	0.00	6	18.75
University	8	29.63	0	0.00	8	25.00
Vocational	0	0.00	0	0.00	0	0.00
No Response	1	3.70	0	0.00	1	3.13
Total	27	100.00	5	100.00	32	100.00

Source: SES Data, September-October 2021

C. Affected Household Members

50. Of the 152 APs affected by the subproject, 82 APs or 54.67% are male and 70 APs or 45.33% are female. Out of the total of 152 APs, 35 APs or 23.02% are 16 years or under, 30 APs or 19.73% are aged between 17-25 years, 43 APs or 28.29% are aged between 26-45 years, 39 APs or 25.66% are aged between 46-65 years and 5 APs or 3.29% are aged 65 years and over. **Table 14** summarizes the affected household members by age.

Table 14: Summary of APs by Age

Gender	<5yrs	5-16yrs	17-25yrs	26-45yrs	46-65yrs	Over 65yrs	Total
Males	8	13	14	25	19	3	82
Females	2	12	16	18	20	2	70
Subtotal	10	25	30	43	39	5	152

Source. SES Data, September-October 2021

D. Livelihood Sources

51. The main livelihood source for the AHHs is trade/own business. A total of 13 AHHs or 39.39% are engaged in trade/own business. The key business activities of the trade/own business category are (a) vegetable, fruit, grocery/household item, shops or kiosks, (b) food preparation or selling, (c) mechanic or repair shop, and (d) café, restaurant, beer shops.

52. Government employment and Agriculture, Fishing and Forestry is the next largest source with 5 AHHs or 15.15% each followed by construction with 4 AHHs or 12.12%. Only 1 AH is engaged in daily/casual labor. Of the female headed households, 3 AHHs mainly depend on trade/own business and 2 AHHs on agriculture, fishing, and forestry for their livelihood. **Table 15** summarizes the main source of livelihood for the affected households.

Table 15: Summary of Main Source of Livelihood of AHHs

Source of Livelihood	No. of AHHs					
	Male	%	Female	%	Total	%
Government	5	18.52	0	0.00	5	15.15
Private Sector	2	7.41	0	0.00	2	6.06
Services, Tourism, Hospitality	0	0.00	0	0.00	0	0.00
Trade/Own Business	10	37.04	3	50.00	13	39.39
Construction	4	14.81	0	0.00	4	12.12
Agriculture, Fishing, Forestry	3	11.11	2	33.33	5	15.15
Daily/Casual Labor	1	3.70	0	0.00	1	3.03
Others	1	3.70	1	16.67	2	6.06
No Response	1	3.70	0	0.00	1	3.03
Total	27	100.00	6	100.00	33	100.00

Source. SES Data, September-October 2021

53. A total of 21 AHHs or 64% (20 male and 1 female) have secondary sources of livelihood. Majority or 7 AHHs or 21.21% engaged in trade/own business, followed 6 AHHs or 18.18% engaged in Agriculture, Fishing and Forestry and 3 AHHs or 9.09% engaged in private sector.

E. Income

54. Of the 33 AHs, 1 AH declined to provide his income and 4 AHs declared their annual income below \$4200 (poverty rate) comprising 2 male and 2 female headed households. 26 AHs (22 male and 4 female) headed households declared annual income higher than \$6000 with the majority being male headed households. The remaining 2 households declared income between \$4200-\$5999. **Table 16** provides a summary of the annual household income by gender.

Table 16: Annual Income of AHs per person

Income Bracket	Male	Female	Total	%
<\$4200 (Poverty Rate)	2	2	4	12.12
\$4200 - \$4999	0	0	0	0.00
\$5000 - \$5999	2	0	2	6.06
>\$6000	22	3	25	78.79
No Response	1	0	1	3.03
Total	27	6	33	100.00

Source: SES Data, September-October 2021

F. Poor and Vulnerability Groups

55. The households living below poverty are identified based on the criteria established by the Royal Government of Cambodia (Government). Each household which is assessed by the Government and found to be poor and vulnerable are issued with an official ID Poor Card. The AHs under the Subproject have been categorized as living below the poverty line based on the ID Poor registration and holding an ID Poor Card. The self-reported or declared income status by the AHs during DMS/SES is not used for poverty and vulnerability classification.

56. A total of 5 AHs have been identified as being Poor and Vulnerable of which 4 AHs have ID Poor Card. There was one disabled headed household living above the poverty line but was categorized as Poor and Vulnerable subject to confirmation during the implementation of the DRP. Among the 4 AHs with the ID Poor Card, there were no female households; no landless households; no elderly headed households with no means of support; and no disabled headed households. There are no indigenous people. **Table 17** provides the breakdown of ID Poor categories of poor and vulnerable households.

Table 17: Vulnerable Households

Type of Vulnerability	No. of AHs
ID Poor Categories	
Female Headed with Dependents (below poverty rate)	0
Landless Below Poverty Rate	0
Elderly Headed with No Means of Support	0
Disabled Headed	0
ID Poor Other	4
Total ID Poor (Below Poverty Rate)	4
Disabled Headed (Above Poverty Rate)	1
Indigenous	0
Total Poor & Vulnerable	5

Source: SES Data, September-October 2021

Note: Female Headed Households Below Poverty Rate and Landless Households Below the Poverty Rate are not included in the Poor Category in the above table to avoid double counting.

G. Gender Considerations

57. Gender concerns and issues have been considered in resettlement planning and in this DRP. Gender differentiated benefit-sharing measures are included in the DRP to ensure that the women and men of the households are treated equally. There are no legal or customary/cultural

obstacles for women to own land, houses, and other property in their villages. Both men and women in the AHs participate in income- generating activities for their families and are involved in public activities as well as in decision making. During the preparation of the DRP, both women and men were invited to actively participate in the consultation meetings, jointly participate in house-to-house consultations, participate in DMS/SES and measurement of affected assets. A separate gender action plan has been prepared for the Project and updated. In general, no significant gender issues in the Subproject area as well as in the AHs were found during consultations with the community and conducting the SES with the AHs. However, more women are street and market vendors doing business, thus involved in increased income generating activities. The women engaged in this business will continue with their source of livelihood and hence, there will be no loss of livelihood source. There will be minimal temporary relocation to an adjacent site to carry on with their business.

H. Impact on Indigenous People and Other Vulnerable Groups

58. No Indigenous Peoples are affected by the Subproject as all the APs are Khmer people

V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

59. Public consultation and participation aim to develop and maintain avenues of communication between the Project, stakeholders, and AHs. To ensure that the views and concerns of the AHs are considered in Project/subproject preparation and implementation and to reduce or offset adverse impacts and enhance benefits from the Project/Subproject, a strategy of meaningful participatory has been adopted by and implemented under the Project/Subproject for information disclosure, consultation and participation. All consultations under the Subproject have been presented verbally in Khmer language for illiterate to fully understand and be able to participate, while using visual tools such as maps and drawings. The Public Information Brochures (PIBs) have been readout and explained after consultations to illiterate AHs, if needed. The Updated PIB is in **Annex 2**.

A. Consultation and Participation

60. The first public consultation meeting (PCM) for the Subproject was conducted by the IRC-WG, PRSC-WG and PIU assisted by the local authorities prior to the commencement of DMS/SES. A total of 3 meetings were conducted from 21 September 2021 to 27 March 2022. However, prior to the PCM, the IRC-WG, PRSC-WG, PMU, PIU and PMC with the assistance of local authorities carried out a joint transact walk with the AHs within the COI. During the joint transact walk, the AHs were informed on the impacts to their affected assets.

61. During the PCMs, the AHs and/or participants were informed about the Subproject and its scope, the resettlement impacts and mitigation the measures applied, entitlements, and compensation for lost assets, cut-off date, GRM, including contact persons. However, prior to the commencement of the PCMs, the updated PIB with information on entitlements and GRM and DMS Questionnaire were also made available and explained to the AHs by reading them out. The updated PIB was also shared and explained to individual AHs during house-to-house DMS and measurements of land and property assets. The DMS was conducted jointly with full participation of the AH to ensure that the AH to confirm the loss of assets and the measurements and fully understand the basis on which the compensation will be paid for the loss of assets and other entitlements. The Minutes of the PCMs, Attendance List and Photographs taken is in **Annex 3**.

62. A separate PCM was conducted with the market and mobile street vendors, market chief and market officers on 22 February 2022 and on 27 March 2022 prior to the DMS.⁸ A total of 187 street vendors attended the PCMs out of which 166 were females. During the PCMs, the AHs and/or participants were informed about the Subproject and its scope, the resettlement impacts and mitigation the measures applied, entitlements, and compensation for lost assets, cut-off date, GRM, including contact persons. However, prior to the commencement of the PCM, the updated PIB with information on entitlements and GRM and DMS Questionnaire were also made available and explained to the AHs by reading them out. The market and street vendors were informed that due to the constructions works, their daily sales will encounter disruptions and will impact on their livelihoods. Therefore, they will temporarily relocate to 100m to the west of Kampunchea Kroam Road and adjoining Street Number 46 to continue selling without any disruption to their businesses and loss of income under the arrangements made by the Provincial Authority. All the 228 affected mobile street vendors were individually consulted during the DMS and provided with the updated PIB and DMS Questionnaire and explained to them. The full census was conducted with to confirm the number of the mobile street vendors who will be temporarily relocated. The Minutes of the PCMs, Attendance List and Photographs taken is in **Annex 3**.

63. **Table 18** summarizes the public consultations undertaken with the participants.

⁸ Initially the construction around the market areas were to be carried out during night-time which would not require any temporary relocation of the mobile street vendors. However, it was later revised that the contractor would carry out the construction during the day that would cause disruptions to the mobile street vendors. This resulted in the rescheduling of the PCMs in the market areas and has delayed the preparation of the DRP.

Table 18: Summary of Public Consultations

No.	Date	Location	Topic and Summary of Discussions	Participants
1	21 September 2021	Sangkat Sombo Meas Building	Consultation and explanation of the Subproject scope of works and standard procedure on resettlement policies. Consultation explained mitigation and avoidance of involuntary resettlement impacts, technical design of subproject components, EM, cut-off date for eligibility, GRM, PIB and DMS/SES process. It was also explained that the WWTP site is located on the floodplain/lake, and hence is State land.	3 chief of village (M)), 1 commune councilor (M) 33 AHs (27 male and 6 female) 1 chief of village (M), 1 commune councilor (M)
2	22 February 2022	Beoung Kok Market	Consultation and explanation of the Subproject scope of works and standard procedure on resettlement policies. Consultation explained mitigation and avoidance of IR impacts for network and especially market area, contractor responsibilities for reinstatement of COI, day-time work schedule, EM, cut-off date for eligibility, GRM updated PIB and DMS/SES process.	94 vendors (14 male and 80 female) and market chief & market tax collector (2 male)
3	27 March 2022	Beoung Kok Market	The mobile street vendors were informed of their temporary relocation under the arrangements by the Provincial Authority. They were informed of their entitlements of temporary relocation and will return to their original selling locations after the completion of construction works. The mobile street vendors were informed that the relocation will be carried out by PMU and the contractor as per the construction schedule. To minimize inconvenience for these vendors, the vendors will be given advance notice of 3 months before the start of civil works in the streets where they conduct their businesses..	93 vendors (7 male and 86 female) and market chief & market tax collector (2 male)

64. Table 19 summarizes the key discussion points on the questions from the AHs and responses provided at various consultative meetings.

Table 19: Summary of Key Discussion Points

No.	Date	Question	Response
1	21/09/2021	When will we receive the compensation?	After the contract signing stage, which usually carried out after the budget for resettlement has been approved by RGC.
2	22/02/2022	How will the compensation rate be calculated?	Replacement cost study done by the independent firm, the studies are based on the current market value of the affected assets. All affected assets and loss of livelihood will be captured during the DMS.
3	27/03/2022	When does the construction start?	After the completion of resettlement activities, which is the end of disbursement of compensation. All affected people have received the compensation and given 1 month period to vacate.

B. Consultation During DRP Implementation

63. In situation where Covid-19 is not a safety risk, a follow up consultation will be conducted after approval of this DRP to disclose the information in the DRP, and in preparation of the compensation payments. It will be undertaken jointly by the IRC-WG and PRSC-WG. The meeting will be held in a public place at the commune or village for all AHs and commune/village representatives and the PIB for compensation package and estimated construction schedule will be provided and explained to all AHs. All consultations and disclosure during implementation will be presented verbally in Khmer for illiterate to fully understand and be able to participate. Updated PIBs will be distributed and explained after consultations to illiterate if needed. The schedule for AHs contract signing with deadlines and the legal requirements to receive the compensation (national ID, evidence of land ownership etc) will also be explained. Each AH will be provided with the draft contract and the compensation amounts explained to the satisfaction of the AH on one-to-one basis. The AHs will be given option to sign the contract there and then or given 3 working days to submit the signed contract to the IRC-WG through the village council office. For those AHs who are unable to participate in the public meeting on contracts, best efforts will be made to visit them at their houses or seek the assistance of the village office to contact them to complete the contracts.

64. The final consultative meeting will be conducted when the compensation payments are ready to be disbursed and will be undertaken jointly by IRC-WG and PRSC-WG. The schedule for compensation payments will be informed to all the AHs at least one week in advance through the commune and village offices. The meeting will be held in the commune or village and prior to the commencement of compensation payment, all AHs will be again informed about the GRM under the Subprojects, the setup of the local GRM committees in their province and the procedures that will be followed in case they have any complaints about the compensation payments. Compensation payments will be made on household-to-household basis and each AH will be provided an opportunity to seek clarifications about the compensation package prior to receiving the payment.

C. Information Disclosure

65. Updated PIB was published in Khmer was distributed and explained to the AHs during the DMS. This DRP will be translated in the Khmer language and posted at town and Sangkat offices for easy and free access to the AHs and the affected communities. For illiterate people, other suitable communication methods will be used based on the discussion and in consultation with the AHs. The DRP will also be disclosed on website of the MPWT both in Khmer and English.

66. Public information and disclosure about the Subproject will be continued during the DRP implementation in the Subproject areas. The updated PIB, including final Subproject information, construction schedule and contacts of the contractor, will be distributed after contract award to update the AHs especially regarding the expected works construction schedule and any potential temporary impacts. The updated PIB will also contain information about the Project and Subproject, entitlements, or compensation for the AHs, the local GRM, PGRC members, including agencies (i.e., ADB, MPWT/PMU, etc.) so that AHs are clear about whom they should contact their concerns.

67. Particular attention in disclosure will be given to women, the poor and other vulnerable AHs. All consultation and disclosure activities have been properly documented; minutes of meetings, photos, and attendance sheets have been prepared and recorded.

68. For the Subproject, the GDR will submit the following documents to the ADB for disclosure on ADB's website after their approval by IRC and the ADB are obtained:

- (i) This DRP approved by the IRC and concurred by ADB.
- (ii) DRP updates, if any; a new RP, an updated RP, and corrective action plan prepared during the Subproject implementation, if any; and
- (iii) Semi-annual social safeguards monitoring reports.

VI. GRIEVANCE REDRESS MECHANISM

69. A well-structured and functioning grievance redress mechanism (GRM) has been established at the local level following standard of RGC, procedures to resolve grievances and complaints in a timely and satisfactory manner as required under the ADB SPS (2009). The Expropriation Law of the RGC provides for a Grievance Redress Committee (GRC) to handle complaints with the additional provision for the AHs to seek judicial redress in case they are unsatisfied with the decision of the GRC. Details of the GRM has been included in the updated PIB and distributed to the AHs during the DMS/SES.

70. The AHs' complaints can be expressed verbally or in written form. In the case of verbal complaints, the committee on grievance at any stage in the GRM process will be responsible to document this during the first meeting with the AHs and keep this in its file.

71. A Provincial Grievance Redress Committee (PGRC) has been established by the Governor for the Subproject or for any other subprojects to be financed and implemented under the Project in Kampong Cham. GRM was initially established based on decision dated on 15 November 2017, but due to changes in composition and inactivity it was necessary to re-establish the GRM. Re-establishment was done based on decision dated on 4 October 2021 (**Annex 5**) and GRM is now functional and operational. In addition, the GDR conducted a comprehensive training workshop in October 2021 for the members of PGRC and the other local authorities on the GRM to strengthen the capacity of the members of the PGRC for effective functioning of the GRM.

72. The PGRC comprise representatives from the relevant provincial authorities, MEF and municipality, district and community representatives. The composition of PGRC is shown in **Table**.

Table 20: Composition of PGRC

No	Name	Position	PGRC position assigned
1	Excellency, Heng Vanny	Governor	Chair
2	Mr. Ma Holy	Deputy Governor	Vice Chair
3	Mr. Sok Iim Heang	Department Director of Economy and Finance	Member
4	Mrs. Chan Vanny	Department Director of Land Management, Urban Planning, Construction and Cadastral	Member
5	Mr. Noun Sileat	Department Director of Public Works and Transport	Member
6	Mr. Chea Sila	Director of Provincial Inter-Sectoral Management	Member
7	Mr. Seong Hinaro	Related Municipality Governor,	Member
8	Govenor)	District Governor	Member
9	Mr. Kert Theng	Representatives from Nak Akphiwath Sahakum	Member

Source: Letter from Provincial Governor dated 08 December 2021, Kampong Cham Provincial Authority

73. The grievances will be handled thorough a 3-step formal approach detailed in the approved BRP for the Project. However, prior to the First Step, the AH may informally seek the assistance of the commune chief or a community elder to discuss and find an amicable solution to his/her complaint or grievance with the leader of the PRSC-WG. This is done verbally and informally, and no recording is required, and moreover its aim is to resolve the matter to avoid lodging formal written complaints. Any activities in resolving grievances at this stage (commune-level) will be recorded by the commune authorities and reported in the quarterly internal monitoring reports. If this verbal process of problem solving does not resolve the complaint to the satisfaction of the AH, s/he can seek the formal route for lodging the grievance. Formal lodging can be done verbally (to community elder or representative who will record the complaint) or in writing, and the process is detailed below:

(i) **First Step:** The aggrieved AH can lodge a written complaint to the Head of the District Office where the Subproject is located. The AH can bring a **community elder or representative** to mediate in the matter at the District level. The IRC-WG will appraise the Head of the District Office about the matter. The conciliation meeting must be held, and a decision taken within **15 working days** after the date of registration of the complaint by the District Office. If the complaint is resolved at the District Level to the satisfaction of the AH, the IRC-WG will inform GDR's Department of Internal Monitoring and Data Management (DIMDM), which will review and seek the approval of the Director General, GDR for appropriate remedial action. The AH will be informed in writing by the GDR of the decision and the remedial action that will be taken within **15 working days** from the receipt of the letter from the District Office. If the complaint is rejected at this stage, the District Office will inform the AH in writing and if the AH is not satisfied with the result, s/he can proceed to the next step and lodge a written complaint to the GDR for resolution.

(ii) **Second Step:** The GDR through its DIMDM will carry out a holistic review of the complaint and submit a report on its findings with the relevant recommendations, if any, to the Director General, GDR for a decision. It may also conduct a field visit to meet the aggrieved AH and the IRC-WG to gather the relevant details. The final report must be completed **within 30 working days** from the date of receipt of the complaint and submitted to the Director General, GDR for a final decision within **5 working days** of receipt of the final report. In the event that the subject matter requires a policy level intervention, it will be referred to the IRC for a decision in which case **10 more working days** will be added to the deadline for final decision.

(iii) **Third Step:** The AH will submit a written complaint with the PGRC through the Provincial Governor's Office. The AH or a representative will be given an opportunity to present its case during the meeting and the PGRC may consider any compelling and special circumstances of the AH when reaching a decision. The GDR will send a representative, as a non-voting member, to provide explanation for the rejection of the complaint at the second step by the GDR. The decision of the PGRC must be reached on a consensus basis and will be final and binding except when the matter relates to any policy of the Government. Decisions on Government policy matters on LAR is decided by the IRC. The PGRC will have **40 working days** from the date of receipt of the complaint to reach a final decision. The decision of the PGRC will be sent to the IRC through the GDR for endorsement before taking any remedial action.

74. The handling of the complaint at the administrative ends at the Third Step. There are no fees or charges levied on the AH for lodging and processing of the complaints under the First, Second and Third Steps. However, as provided for in the Expropriation Law, the aggrieved AH can file a suit at the Provincial/Municipal Courts, as applicable, to seek a resolution. Such actions will be at the cost of the AH. At this stage, there is no involvement of the GDR, PRSC or IRC-WG unless there is a judicial order from the competent court.

75. If an AH is still not satisfied and believes s/he has been harmed due to non-compliance with ADB policy and s/he has made good faith efforts to solve the problems by working with the ADB Project Team, s/he may submit a complaint to ADB's Office of Special Project Facilitator or Office of Compliance Review in accordance with ADB's Accountability Mechanism. The information can be found at www.adb.org/site/accountability-mechanism/main.

76. The IRC-WG has circulated and explained the Guidelines for GRM to the AHs during consultations during the DRP preparation. These guidelines outline each of the above Steps and include the administrative procedures for receiving and redressing complaints during the consultative meetings as described in the Consultation, Participation and Disclosure section of this DRP. The GRM guidelines have been explained in detail by reading out to all AHs during the preparation of this DRP.

VII. LEGAL AND POLICY FRAMEWORK

77. This DRP is prepared based on the applicable Cambodian laws, regulations and policy framework, and ADB's SPS (2009). It describes the key legal and regulatory documents of the RGC pertinent to land acquisition and resettlement as well as the key principles of the ADB SPS, analyses and discusses for any gaps and provides clarifications on them as applicable for the Subproject.

78. There are existing laws that govern land acquisition and resettlement in Cambodia. These laws, along with the ADB's SPS, shall govern the procedures for land acquisition and resettlement for the Subproject.

A. 2010 Expropriation Law

79. The Cambodian **2010 Expropriation Law** is the main legal framework that governs land acquisition and involuntary resettlement. The **2010 Expropriation Law** has listed the development of public infrastructure as one of its objectives and extended the definition of public infrastructure to any infrastructure *"required by the Nation in accordance with the determination made by the government."* Public interest is also understood in a broad manner as *"the use of land or property by the public or by public institutions or their agents."* The expropriation of the ownership of immovable property and real right to immovable property can be exercised only if the Expropriation Committee has paid fair and just compensation in advance to the owner and/or holder of real right.

80. Some of the Key Articles of the 2010 Expropriation Law are listed below:

- (i) Article 2: the law has the following purposes: (i) ensure just and fair deprivation of a legal rights to private property; (ii) ensure prior fair and just compensation; (iii) serve the national and public interests; and (iv) development of public physical infrastructure.
- (ii) Article 7: Only the State may carry out an expropriation for use in the public and national interests.
- (iii) Article 8: The State shall accept the purchase of part of the real property left over from an expropriation at a reasonable and just price at the request of the owner of and/or the holder of right in the expropriated real property who is unable to live near the expropriated scheme or to build a residence or conduct any business.
- (iv) Article 12: An Expropriation Committee shall be established and headed by a representative from the MEF and composed of representatives from relevant ministries and institutions. The organization and functioning of the Expropriation Committee shall be determined by a sub-decree [Sub Decree No 22 ANK/BK promulgated on 22 February 2018].
- (v) Article 16: Before proposing an expropriation project, the Expropriation Committee shall publicly conduct a survey with detailed description about the owner and/or rightful owner of the immovable property and other properties which might need compensation; and all other problems shall be recorded as well. In conducting this survey, the Expropriation Committee shall arrange a public consultation with the authorities at provincial, district and commune level, the commune councils and village representatives or the communities affected by the expropriation to give them clear and specific information and to have all opinions from all concerned parties about the proposed public infrastructure project.

82. Under the Article 3 of the 2010 Expropriation Law that governs the provision for projects financed by development partners in Cambodia, the RGC issued in 2018 the Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement (LAR).⁹ The **SOP for**

⁹ Accessible at https://www.mef.gov.kh/documents/laws_regulation/LAR-SOP-Final-13032018.pdf

Externally Financed Projects in Cambodia and LAR (2018), reflects RGC's laws and regulations relating to the acquisition of land and the involuntary resettlement of AP and the safeguard policies and procedures of Development Partners (DPs) as applied to public infrastructure investment projects, such as the proposed the Project. Where appropriate, the SOP includes references to international good practices in resettlement planning, implementation, monitoring and reporting. The SOP has been promulgated under **Sub Decree No. 22 ANK/BK** on 22 February 2018 and applies to all externally financed projects in the Kingdom of Cambodia. The GDR of the Ministry of Economy and Finance (MEF) is responsible for providing guidance and clarification to users of the SOP. Given that the Subproject under the Project are funded by ADB, the provisions of SOP will apply to the Subproject and therefore should be read together with this DRP.

B. ADB Safeguards Policy Statement (SPS) 2009

1. ADB Policy on Involuntary Resettlement

83. The objectives of the ADB SPS (2009) are to: (i) avoid involuntary resettlement, wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance or at least restore the livelihoods of all APs in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

84. The involuntary resettlement safeguard covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of: (i) involuntary acquisition of land or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It also covers whether such losses and involuntary restrictions are full or partial, permanent or temporary

85. ADB's Involuntary Resettlement Policy principles include:

- (i) Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of APs, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with APs and affected local communities. Inform all APs of their entitlements and resettlement options and ensure their participation in planning, implementation, monitoring, and evaluation of resettlement and pay attention to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the APs' concerns. Support the social and cultural institutions of APs and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be prepared by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all APs through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically APs with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit

- facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and vulnerable group to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - (vii) Ensure that APs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - (viii) Prepare a RP elaborating on APs' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - (ix) Disclose a draft resettlement plan, including documentation on the consultation process in a timely manner before project appraisal, in an accessible place and a form and language(s) understandable to APs and other stakeholders. Disclose the detailed resettlement plan and its updates to all APs and other stakeholders.
 - (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the RP under close supervision throughout project implementation.
 - (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of APs, and whether the objectives of the RP have been achieved by considering the baseline conditions and the results of resettlement monitoring and disclose monitoring reports.

2. Other Considerations

86. **Indigenous Peoples.** Subprojects involving involuntary resettlement of Indigenous People (IP) will not be considered under this Subproject.¹⁰

87. **Gender.** Gender concerns and issues will be considered in resettlement planning. Gender differentiated benefit-sharing measures are included in the resettlement plans to ensure that the women and men of the households are treated equally. Therefore, both women and men were invited to actively participate in the consultation meetings. A separate gender action plan has been prepared for the Project and updated.

88. In general, the main principles of the RGC's policies on land acquisition, compensation, and resettlement assistance reflect those provided in ADB's SPS 2009. However, key gaps analysis between ADB resettlement policy and the RGC's SOP are summarized in

89. **Table 21.**

¹⁰ Indigenous people will be identified in accordance with ADB SPS Safeguards Requirement 3.

Table 21: Gap Analysis and Reconciliation of ADB's SPS (2009) and RGC's SOP

No.	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
1	<p>Meaningful Consultations and Disclosure</p> <ul style="list-style-type: none"> Carry out Meaningful consultations with APs including vulnerable groups (VGs), relevant stakeholders and information disclosure on entitlements and resettlement options. (VGs include: those below poverty line, the landless, the elderly, female headed households, women and children, IPs, and those without legal title to land). <p><i>To comply with ADB SPS IR Principles 2, 9, 12 (page 17), para 54 (page 20), para.73 (page 26), Appendix 2, para 18 (page 47), para 26, 27, 28 (page 49)</i></p>	<p>The SOP, in its chapter IV and under its key tasks in basic resettlement plan preparation, mentions about consultation as one of the tasks which aims at bringing awareness about the Project to the affected communities and inform them about the possible alignment and seek their feedback.</p> <p>In Chapter V, under key tasks in detailed resettlement plan (updated RP after detailed design), it mentions about consultation as one of the tasks which aims to inform APs about the overall entitlements and methods of compensation and the GRM procedures; about relocation to Resettlement Sites; and house to house consultation to confirm measurement survey.</p> <p>Chapter- VIII of SOP describes in detail the need for public consultations, participation and disclosure. In para 126, it mentions that the consultation is undertaken throughout the project cycle.</p>	<ul style="list-style-type: none"> The SOP mostly complies with the requirement of SPS, 2009, however, it does not specifically mention about disclosing the entitlement matrix (EM) to the people during consultation. However, it mentions that the BRP/RP and the DRP/UDRP are disclosed at the Commune Offices for disclosure to affected communities. The EM is integral part if these documents and hence are disclosed to the affected communities. This is explained in more detail in Appendix 7. It is clearly pointed out that the EM and the entitlement under the EM is explained to each AH during the household to household consultation. Also, there is no mention of disclosure of monitoring reports. The SOP does not specifically mention about particular attention to women and vulnerable groups for their inclusion during consultation. 	<p>Some of the proposed clarification include:</p> <ul style="list-style-type: none"> Personal detailed information of the displaced persons and their socio-economic status and other sensitive information compromising their privacy will not be disclosed at any time. RPs/updated RPs/resettlement monitoring reports contain summary of AP consultations (including VGs) throughout the project cycle. RPs/updated RPs/resettlement monitoring reports are disclosed on the ADB and project websites and Khmer versions left at communes and district levels offices. SOP para. 120; generic information for the PIB includes the compensation policy (the generic entitlements) as stated in para 119. Four specific consultation meetings are mentioned in the SOP but as the SOP states consultation will be carried out as an on-going process throughout implementation. ADB staff may participate in consultation meetings. Efforts will be made to consult with potentially vulnerable affected people (as defined in para 53-55) and will be done throughout implementation.

No.	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
2.	<p>Grievance Redress Mechanism</p> <ul style="list-style-type: none"> Establish a grievance redress mechanism that is understandable, readily accessible, transparent procedures, gender responsive and culturally appropriate. <p><i>To comply with ADB SPS IR Principle 2 (page 17), para 59, 60 (page 22), Appendix 2, para 29 (page 49)</i></p>	<p>Chapter IX of the SOP deals with Grievance Redress Mechanism.</p> <ul style="list-style-type: none"> The GRM is established as a locally based arrangement at the provincial level for receiving, recording, assessing and facilitating the resolution of complaints and grievances raised by the affected persons in relation to their compensation and entitlements for the expropriation of land and other immovable property under the Law on Expropriation. 		<ul style="list-style-type: none"> Status of complaints at the commune level will be included in the periodic monitoring report to ADB. Appendix 8.2 is the Register of Complaint, however when reporting, the status of complaints will be included.
3.	<p>Compensation and assistance</p> <ul style="list-style-type: none"> Provide physically and economically APs with compensation and needed assistance <p><i>To comply with ADB SPS policy principle 3, 4, 5, 7 (page 17) and Appendix 2, paras 7, 8, 9, 10 (page 45), 11 and 12 (page 46), 16 and 17 (page 47).</i></p>	<ul style="list-style-type: none"> The SOP includes the compensation and transition/disturbance allowance to the APs in its entitlement. SOP has provisions for relocation land (for APs with titles or recognized rights to land) and are subject to conditions i.e availability of government land. This does not apply to illegal squatters or occupiers. SOP has provisions for loss of livelihoods for all DPs (limited to selection of 1 out of 3 pre-defined programs) SOP has provisions for providing relocation site to eligible DPs which is selected factoring in location, the availability of the basic social services and infrastructure development, depending on availability of land at affordable prices and availability of State land near the project area. 		<ul style="list-style-type: none"> SOP Entitlement Matrix 2b transitional allowance to be commensurate with the time taken to relocate the business. Livelihood restoration will be commensurate with the impact assessed during DMS social economic survey of the APs. For vulnerable groups except for illegal squatters, provision of legal and affordable access to adequate housing and income sources. Valuation rates are valid for a period of one year from the date of endorsement of RCS report by the IRC and thereafter updated. Affected people with legal rights both with hard and soft titles are treated the same.
4.	<p>Procedures for Negotiated Settlement</p> <p>Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement</p> <p><i>To comply with ADB SPS IR safeguards policy principle 6 (page</i></p>	<p>Chapter-X (Section-B) of the SOP mentions that in the case of acquisition of private land where the seller is willing to sell and the buyer is willing to buy, such land may be acquired under a commercial contract. The price will be negotiated as part of commercial norms.</p>		<p>1. For the willing buyer willing seller cases (where expropriation will not be used), ADB will have access to all the documentation for on-site verification at GDR. If agreement between the willing buyer and willing seller cannot be reached, alternate site will be selected.</p>

No.	ADB's SPS Requirements on Involuntary Resettlement (IR) and SR-2	Land Acquisition and Involuntary Resettlement Standard Operating Procedures (SOP), 2018	Gap between ADB SPS and SOP	Clarifications
	17), para 73, (page 26), Appendix 2, para 25 (page 48-49)			<p>2. Where negotiated settlement is applied in lieu of compulsory land acquisition based on SR 2 requirements para 25 will be followed, documented and described in the resettlement plan and information of the negotiations included in the monitoring reports.</p> <ul style="list-style-type: none"> • A negotiated settlement will offer adequate and fair price for land/or other assets. • Ensure that any negotiations with displaced persons openly addresses the risks of asymmetry of information and bargaining power of the parties involved in such transactions. • Negotiated settlement procedures will follow para 25 of Appendix 2 of SPS and agreed with ADB.
5.	<p>AHs (without titles or recognizable rights to land)</p> <ul style="list-style-type: none"> • Ensure that APs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets <p><i>To comply with ADB SPS IR policy principles 2, 5, 7 (page 17), Appendix 2, paras 9, 11, 12, 16 and 17 (pages 45, 46 and 47.</i></p>	<p>Chapter-VII:</p> <p>Section B para 104 says:</p> <ul style="list-style-type: none"> • No compensation for land will be paid for AP occupying land in the ROW. <p>Section C of the SOP states that:</p> <ul style="list-style-type: none"> • The entitlement to compensation of affected persons largely depends on the legality of possession or ownership to the land and other assets at the time of the Cut-Off Date. The following types of displaced persons shall be eligible to compensation, but compensation would vary depending on their situation: • Legal owners and holders of title or rights to land, including customary rights. • Tenants and leaseholders, including employees, workers and hawkers. • Those who have no formal title or rights to the land (illegal occupiers) who are engaged in farming or businesses. • Poor and vulnerable groups. 	<p>Clarification needed for how poor and vulnerable APs are provided legal and affordable access to land.</p>	<ul style="list-style-type: none"> • Social land concession is not an entitlement. However, IRC can just inform the relevant and competent local authorities about the affected poor, landless households who may be eligible to apply for social land concession. Criteria for providing social land concession will be defined by other competent authority. The decision on granting a social land concession will also be made at the sole discretion of the relevant authorities in accordance with Cambodia regulations on social land concession. • GDR will provide information if there is any social land concession program available in the Project area in its monitoring report

Source: Aide Memoire Attachment 3 of the Safeguard Policy Dialogue Mission 22-23 August 2019

VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Objectives

90. The Subproject resettlement policy is based on the types, characteristics, and severity of the impacts on assets and living conditions of the affected population, guided by the Constitution of the RGC, prevailing legal and government procedures and policies, and the ADB SPS (2009). Its primary objective is to ensure that AHs and APs identified in the Subproject-impacted areas as of the cut-off date are not disadvantaged by the Subproject investments. The Subproject should provide opportunities for the local population to benefit from and participate in its planning and implementation and, through this, generate a sense of ownership.

B. Eligibility

91. Only persons and organizations with fixed assets and sources of income in the Subproject COI at the time the cut-off date are eligible to receive the Subproject entitlements agreed between the RGC and ADB. The COD for eligibility for the Subproject is 21 **September 2021**. Those who encroach into the Subproject area after the COD will not be entitled to compensation or any other assistance, except if changes in the Subproject design or additional land take entail a modification of the Subproject area. An official announcement of cut-off date was issued by the MPWT and disclosed to PIU, commune and Sangkat boards, and directly to AHs. The COD was included in the updated PIB and was explained to the AHs by the IRC-WG prior to DMS.

C. Principles for Valuation

92. The DMS confirmed that there will be only loss of private land (residential and agricultural), loss of land use, secondary structures and fruit trees under the Subproject. The rate of compensation for acquired land, structures, and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. RCS also collected baseline data on housing, house types, and construction materials. In applying this method of valuation, depreciation of structures and assets will not be considered.

93. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset without deduction for taxes and/or costs of transaction as follows:

- a) Productive Land (agricultural and aquaculture) based on actual current market prices that reflect recent land sales in the area, or, in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes or in the absence of such sales, based on productive value;
- b) Residential land based on current market prices, which reflect recent land sales at the time of conducting the replacement cost study (RCS), or, in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes and fees and taxes for land;
- c) Secondary structures valuation is based on actual current market prices, (as per agreed RCS), for materials, transportation and labor without depreciation or deduction for salvaged building materials;
- d) Trees compensation will be at full replacement cost, which shall be based on productive ages as per agreed formula in the entitlement matrix; and
- e) Loss of land use valuation is based on replacement value of productive land improvements and potential loss of income.

D. Entitlements

94. The Subproject entitlements have been defined in accordance with the various impacts identified based on the results of the DMS/SES. An EM was developed for the RF, which is the basis for the updated EM for this DRP. The eligibility on entitlements applies to all AHs impacted by the Subproject which is categorized in the Updated EM. The Updated EM is presented in the **Table 22** indicating each type of loss and degree of impact with corresponding benefits applicable to the specific condition and impacts on AHs and standards set in the original EM in RF are not downgraded.

Table 22: Entitlement Matrix for Land Acquisition and Involuntary Resettlement

Cat.	Type of Loss	Application	Category of AH	Entitlements	Clarification / Implementation
Loss of Land					
No AH					
Loss of Use of Land					
2a	Loss of Crops, Fruit Trees	Agricultural land	All AHs who are engaged in farming regardless of ownership/tenure status. (10 AHs for Lotus flowers and 19 AHs for fruit and timber trees)	<ul style="list-style-type: none"> For rice/crop farming: Net annual income X 1 year In addition, AHs can harvest and retain income from standing crop. For fruit trees, replacement cost of loss based on following formula: $[(\text{Quantity Harvested per Year}) \times (\text{Market Price}) \times (\text{Number of years it will bear fruit})] + \text{Cost of Seedling}$ Perennial trees that have a growth period of more than 5 years are classified as follows: <ol style="list-style-type: none"> Sapling Trees under 1 year-not compensated as it can be replanted. Young Tree (1 to 3 years): Valued at 1/3 of its full price as it can be replanted plus cost of seedlings Young Tree (More than 3 to 5 years) bearing some fruits: valued at 2/3 of its full price plus cost of seedlings 	<p>Replacement cost study (RCS) determined the amounts.</p> <p>Market Price is based on Farm-Gate Price.</p> <p>Full Price is amount calculated from the formula as shown below: $[\text{Quantity Harvested per Year}] \times (\text{Market Price}) \times (\text{Number of Years it will bear fruit})$ </p> <p>Number of Years is up to maximum of 5.</p> <p>Advance notice to harvest at least three months before commencement of civil work, and DPs will remove their crops and trees from the subproject areas within one month after receiving compensation</p>

Cat.	Type of Loss	Application	Category of AH	Entitlements	Clarification / Implementation
				4. Mature Tree (more than 5 years) full bearing fruits valued at full price plus cost of seedlings	
Loss of Houses and Structures					
3a	Loss of Houses and Structures	Residential, commercial structures and other assets	Owners of houses, buildings and structures. (Secondary structures of 9 AHs and others structures of 14 AHs)	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of lost portion of the house / building / structure. If the owner rents or leases, compensation for any improvements or construction carried out by the renter/leaseholder will be deducted from the compensation payment to the owners. • In case of loss of only part of the houses/buildings/structure and the remaining portion is not livable or useable, compensation will be paid for the structure at its entirety at same replacement cost. • In case houses/buildings are rented or leased, owners will not be compensated for any improvements or construction added by the renters or leaseholders. • AH can retain the materials from demolition of their houses or buildings or structures at no cost. 	RCS determined the replacement cost.
3b	Loss of Houses and Structures	Residential, commercial structures and other assets	Tenants, Leaseholders and sharecroppers (One tenant AH and Owner AH renting the shop)	<ul style="list-style-type: none"> • Cash compensation at replacement cost for any improvements or construction by the tenants or leaseholders. • In case of no improvements or construction, no compensation is paid. • AH can retain the materials from demolition of their houses or buildings or structures at no cost. 	RCS determined replacement cost Documentary evidence is required.

Cat.	Type of Loss	Application	Category of AH	Entitlements	Clarification / Implementation
				<ul style="list-style-type: none"> • Transfer/Disturbance Allowance equivalent to 1-month rental or lease amount. 	
3c	Loss of Houses and Structures (Transport Allowance)	Transport allowance for salvage materials and household goods	All AHs (3 AHs)	<ul style="list-style-type: none"> • Fixed Lump Sum allowance per AH based on average cost of transportation to new relocation place located at the distance of: <ol style="list-style-type: none"> 1. Less than 5 km from the affected plot; or 2. More than 5 km from the affected plot. 	The lump sum amount for the 2 rates will be calculated during the RCS.
Loss of Livelihood and Income Restoration					
4a	Loss of Business	Income loss	<p>All AHs who are engaged in business and have to relocate.</p> <p>(2 months projected net income to 2 AHs selling leather goods and coffee and 1 month net projected income for 2 AHs selling rice and general goods)</p>	<ul style="list-style-type: none"> • For businesses which need to be relocated to a new site, an amount equal to loss of projected net income for two months. • For businesses relocated on-site (move back or same area), an amount equal to projected net income for one month. • For operating of illegal nature of businesses like gambling, prostitution, drugs and similar types, no compensation is paid. 	RCS verified and determined the amounts based on supporting documents.
4b	Loss of Income during Transition Period - Subsistence Allowance	Income Loss	<p>AHs who lose income during the transition period regardless of ownership status.</p> <p>No AH</p>	<ul style="list-style-type: none"> • Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by the Government. <p>Monthly Poverty Rate X Number of Members in AH X 3</p>	<p>Poor and Vulnerable AHs was identified during the DMS (that includes SES and IOL).</p> <p>If the actual income loss is higher than the amount calculated by the formula Monthly Poverty Rate X Number of Members in AH X 3, the DP will be compensated based on actual loss.</p>
4c	Permanent Loss of Livelihood Source due to physical relocation	Income Restoration	<p>AHs who lose their source of livelihood permanently.</p> <p>(10 AHs)</p>	<ul style="list-style-type: none"> • Entitled to participate in any one of the following 3 category of Livelihood Restoration/Support Programs: <ol style="list-style-type: none"> 1. Land Based Livelihood Restoration for AHs 	The program will be based on the choice of the DP.

Cat.	Type of Loss	Application	Category of AH	Entitlements	Clarification / Implementation
				<p>engaged in land-based livelihood. (i) facilitate access to other land-based sources of income, if affordable productive land is available, like vegetable gardening, fruit tree, livestock and other similar land-based income generating sources; (ii) provision of training in farming or livestock; and (iii) lump sum cash grant of US\$ 200 to re-start land-based livelihood.</p> <ul style="list-style-type: none"> In case of unavailability of suitable land, the AHs can opt for either employment or business-based livelihood program. <p>2. Employment Based Livelihood Restoration for AHs who lose employment permanently. (i) provision of employment skills training; and (ii) lump sum cash grant equivalent to 3 months of income based on official poverty rate to supplement income support during the training period.</p> <p>3. Business Based Livelihood Restoration for AHs who lose businesses permanently or AHs who opt for this as an alternative livelihood source. (i) provision of business skills; and (ii) a lump sum cash grant of US\$.200 to assist in starting micro or home-based business.</p> <p>For Special Assistance to Poor and Vulnerable AHs. In addition to skills training, (i) above lump sum cash grant will be doubled; and (ii) priority in any employment</p>	<p>Land Based for AHs who lose land-based livelihood.</p> <p>Employment Based for AHs who lose employment -based livelihood</p> <p>3 months of income based on poverty rate= (Monthly Poverty Rate X Number of Members in AH X 3).</p> <p>Business Based for AHs who lose business-based livelihood. This can also be available to AHs who do not want to continue with land or employment-based livelihood at their own choice.</p> <p>Classification carried out during the DMS and in accordance with the established criteria and</p>

(3 AHs)

Cat.	Type of Loss	Application	Category of AH	Entitlements	Clarification / Implementation
				opportunity under the Project.	definition of Vulnerable Group in this DRP.
4d	Special Assistance	All poor and vulnerable Ahs	(5 AHs)	Monthly Poverty Rate x Number of Members in AH x 3	
5	Temporary Impacts during Construction				
5a	Temporary impact during construction	Temporary impact on mobile business	228 mobile street vendors	<ul style="list-style-type: none"> Temporary mobile vendor market will be established at near-by streets within 100 meters of the original location. The mobile street vendors will continue their business free of any costs/charges and uninterrupted at the mobile vendor market until moving back to original site after construction Assistance in moving and reinstalling their temporary and mobile structures at the temporary vendor market site and when moving back to original location after completion of construction 	<p>AHs will be notified at least 1 month in advance of the actual date of temporary relocation. .</p> <p>PMU will coordinate with the contractor on providing assistance to the mobile street vendors.</p>
5b	Disturbance Allowance	Transportation of temporary and mobile structures	228 mobile street vendors	<ul style="list-style-type: none"> Ex gratia one-time lump sum allowance amount of \$50 per vendor For those with ID Poor Card, the allowance will be doubled to \$100 	ID Poor will be identified during the implementation of the DRP
5c	Temporarily affected land and non-land assets during construction	Non subproject land and assets affected during construction	Owner of temporarily affected land and non- land assets, regardless of land ownership status	<ul style="list-style-type: none"> Contractor will pay rent for any land/structure required for construction workspace outside the ROW Land and assets outside of the COI that is adversely impacted by construction activities will be either reinstated or compensated in cash or in-kind at replacement cost by the civil works contractor. 	<p>Contractor will be required under the contract and EMP to cover these costs.</p> <p>Construction and maintenance will be carried out so as to minimize damage.</p> <p>The disruption period will be minimized as much as possible.</p>
6	Unanticipated Impact				
6a	Unanticipated involuntary		New eligible AHs	New APs that will be identified adversely	GDR shall ensure the conduct of a social

Cat.	Type of Loss	Application	Category of AH	Entitlements	Clarification / Implementation
	resettlement impacts beyond 1a to 5a above			affected because of changes in subproject design or alignment prior to or even during construction works) are entitled to the same entitlements as those of the other AHs	assessment and update the DRP or formulate a DRP addendum depending on the extent of the impact changes covering all applicable requirements specified in the DRP in accordance with the SPS and RGC laws and regulations.

Source: May 2018 Resettlement Framework

IX. RELOCATION OF HOUSING AND SETTLEMENT

95. No AHs will be relocated.

X. INCOME RESTORATION AND REHABILITATION

A. General Provisions

96. As outlined in May 2018 RF, the members of AHs who will permanently lose their source of livelihood will be entitled to participate in the income restoration program (IRP). Based on the results of the DMS, there are 10 AHs/66 APs under the Subproject entitled to participate in the IRP. The IRP has been designed during the preparation of this DRP and will be implemented in parallel with the implementation of the DRP with the active involvement of the participating AHs.

97. Members of the AHs that are within the working age (15 to 60 years old) based on their preferred choice of training course offered, will be provided with skills training at the respective vocational training centers by the Department of Labor and Vocational Training, as needed, and referred to establishments in need of workers. This component of the strategy is also intended to bring in cash for the other basic needs of the AHs. The contractor will be requested by PMU to implement preferential hiring of AHs experiencing major impacts and vulnerable AHs for non-skilled labor during civil works. The IRC will formally write to PMU for these AHs, particularly those who are vulnerable to have priority access to employment opportunities under the Subproject. Compliance will be monitored by the PMU and ADB during implementation.

98. An amount of **\$500/AH** has been allocated in the resettlement budget to finance the various components of the IRP. The amount is based on recent ADB-funded projects implemented in the same area. The 10 AHs/66 APs will be assisted with (i) Cash assistance allowance of \$200/AH household; (ii) Option to participate in the IRP on skills training of worth \$300/AH arranged by the GDR or given cash assistance of \$300/AH if AH can provide evidence, they have enrolled in a skills training program; and (iii) priority for employment in the Subprojects construction works. The disbursement of the lump sum assistance of \$200 will be provided after the completion of the skills training for employment or business.

B. Income Restoration Program

99. The May 2018 RF outlined that the AHs who permanently lose their source of livelihood will be provided with support to re-establish means of their livelihood. This may be either in the form of cash grants for them to seek new or upgrade their skills or through an income support program (land-based, employment-based or business-based) depending on the choice of the AHs. The RF outlined three (3) categories of income support program in land-based, business-

based and employment-based livelihood restoration program. However, the land-based livelihood restorations program will not apply because the affected households will not lose their source income from their private land. Therefore, the 10 AHs/66 APs depending on their preferred choice will be entitled to participate in any of the two IRP (business-based and employment-based livelihood restoration program) as reflected in this DRP.

100. Employment-based Livelihood Restoration Program. (i) Provision of employment skills training. (ii) Financial support in the form of cash grant equivalent to 3 months of income based on the official poverty rate prescribed by the government to support the displaced person during the training period. The amount will be the monthly poverty rate x number of members in the AH x 3. (iii) Access to temporary job opportunities at the construction site, at the office, or other places that may be available under the subprojects.

101. The Provincial Department of Labor and Vocational Training in Kampong Cham has on-going courses supported by government fund free-of-charge for welder, construction worker, electrician, livestock, air-conditioner repair, Soy source production, food processing (especially fruit and vegetable). There is also car or motor mechanics courses but to run the course they will require larger group people.

102. A survey of the employment opportunities in the proximity of Kampong Cham was carried out as part of the preparation of this DRP in cooperation with the National Employment Agency. It was determined that the types of jobs available within the skills set of the AHs were rubber plantation worker, construction worker, security and mechanic for cars or motorbikes.

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

C. Vulnerable Group Special Assistance

104. A total of 5 AHs/32 APs impacted by the Subproject have been identified as vulnerable. They will receive special assistance for vulnerable AHs.

105. Special Package for Poor and Vulnerable Groups. There are 5 AHs(one subject to verification) who are classified as poor and vulnerable as per the category stipulated in the definition of Vulnerable Group will participate in any of the two programs and the corresponding skills training program depending on their choice. In addition, this category of APs will be entitled to the following:

- a) Double the financial support rate offered in the two (2) different livelihood programs; and
- b) Priority access to employment opportunities under the Subproject.

106. In addition to the above, they will receive further special assistance of lump sum amount equivalent to 3 months of income based on the official poverty rate established by RGC and calculated as **Monthly Poverty Rate X Number of Members in AH X 3**

D. Consultations

107. A consultation meeting was conducted on 23 February 2022 with the AHs who were entitled for the IRP under the Subproject. The meeting was conducted by the IRC-WG and PRSC-WG assisted by the PIU from PDMPWT and the Local Authority. The AHs were informed about the main purpose of the meeting and their entitlement for IRP as outlined in the May 2018 RF. The focus of the IRP is to assist the 10 AHs/66 APs to re-establish their sources of livelihoods to improve their economic situation. For this purpose, the IRP is being designed during the preparation of this DRP and it will be implemented in parallel with the implementation of the approved DRP by IRC and ADB with the active involvement of the participating AHs. The AHs

were explained in detailed on the employment-based and business-based livelihood restoration programs and the option of cash assistance for those who chose not to participate in the IRP.

108. The AHs were further explained that their members who are within the working age (15-60 years old) will be entitled to participate in skills trainings. The representative from the Kampong Cham Vocational Training Center made presentations on the training courses in two (2) livelihood restoration programs. The TL informed participants and reaffirmed that the courses, transportation, and any incidental expenses will be provided free. The TL then gave the opportunity to the AHs to ask questions or seek clarifications on any aspects of the IRP. **Table 23** summarizes the key questions from AHs and responses by the TL.

Table 23: Summary of Key Questions and Responses

No.	Date	Question	Response
1	23/02/2022	Is it possible to receive cash lump sum instead of the program?	Yes, the affected person who is entitled to IRP can opt for cash lump sum instead of the training. However, we encourage you to consider training under the IRP.
2	23/02/2022	How many courses within this IRP training program?	The vocational training is offering 10 training courses for skills development. Six courses (tailoring, hair dressing, car repairs, air conditioning, electrical and computing) are for duration of 7 months and 4 courses (food processing, soft drink processing, soap making and fruit collection/pick techniques) are for a week. The courses will be provided at no cost to the APs.

109. The meeting was opened for discussions and the TL of IRC-WG sought responses from all the AHs regarding their preferred choice of IRP options. The AHs informed the IRC-WG about their current occupation and family member status. They also informed that most of their family members were working elsewhere away from Kampong Cham, while they themselves are too old to participate in a vocational training course. Therefore, they were not interested in training courses being offered and preferred cash assistance as lump sum for IRP. However, they informed the IRC-WG that they will use the money wisely for the purpose of restoring the family income for the better standard of living. The TL informed the AHs that their choices would be recorded in the DRP for approval by IRC and concurred by ADB. However, the AHs were informed that they have the right to change their preferred choice if any members opted for vocational training instead of cash assistance. This could be considered by the IRC-WG during contract offer and prior to signing the contract agreement. Lastly, the TL asked the AHs to raise their hands up as he called the two options of either training under the IRP or cash assistance. All the 10 AHs raised their hands opting for cash assistance instead of attending vocational training courses offered under the IRP. The list of AHs opting for cash options with signatures and thumbprints witnessed by Commune Chief is attached to the Minutes of the Meeting is in **Annex 4**.

XI. RESETTLEMENT BUDGET AND FINANCING PLAN

110. The calculation for compensation and assistance for the subprojects presented in this DRP are based on the results of the DMS and the RCS at full replacement cost. The cost for all compensation, resettlement assistances under the Subproject will be financed from the national budget and no financing will be required from the ADB loan and grant. The resettlement budget is estimated **\$153,154.30**. This includes: (i) \$122,523.44 as direct cost of compensation for (i) affected land, structures, crops and trees, affected one-time cash assistance mobile street vendors, transportation allowance, and special assistance to poor and vulnerable group, IRP skills training or cash assistance to AHs entitled to participate in IRP; (ii) 10% administrative cost of \$12,252.34 and (iv) 15% contingency equivalent to \$18,378.52. **Table 24** summarizes the estimated resettlement costs.

Table 24: Estimated Resettlement Cost

No	Components	Unit	Quantity	Unit Cost (\$)	Total (\$)
A	Loss of Crops and Trees				
	Crops				
1	Loss of Lotus Flowers	m ²	108,706.00	0.58	63,049.48
	Subtotal				63,049.48
	Fruit Trees	Nos.	See Annex 5		1,009.90
	Timber Trees	Nos.			331.30
	Subtotal				1,341.20
	Total A				64,390.68
B	Loss of Structures				
	Secondary Structures				
1	Hut/Shed	m ²	41.05	49.00	2,011.45
2	Shop/Kioks	m ²	175.38	60.00	10,522.8
3	Extended roof of shop	m ²	5.72	41.00	234.52
4	Animal Pen	m ²	8.61	18.00	154.98
5	Yard/Shelter	m ²	9.00	18.00	162.00
	Other Structures				
1	Brick Fence	m ²	96.80	68.00	6,582.40
2	Steel Net Fence	m ²	13.90	21.00	291.90
3	Brick Wall	m ²	36.50	48.00	1,752.00
4	Concrete Pole	m	11.00	76.00	836.00
5	Concrete Posts	Nos.	20.00	130.00	2,600.00
6	Steel Doors	m ²	35.22	62.00	2184.00
7	Rolling Shutter Door	m ²	18.00	33.00	594.00
8	Steel Gate with Decor	m ²	16.50	70.00	1,155.00
	Total B				29,081.05
C	Loss of Income and Livelihood				
1	IRP	AHs	10	500.00	5,000.00
2	Loss of business income (net projected income for 2 months – Coffee shop AH)	AH	1	918.00	918.00

3	Loss of business income (net projected income for 2 months – Leather goods AH)	AH	1	1,368.60	1,368.60
4	Loss business income for one month (Rice store AH)	AH	1	982.50	982.50
5	Loss business income for one month (General goods shop AH)	AH	1	1,370.00	1,370.00
6	Loss of business income/rental (1 month rent)	AHs	2	200.00	400.00
	Total C				9,939.10
D	Poor and Vulnerable Groups				
1	IRP (double cash grant)	AHs	3	200.00	600.00
2	Special Assistance to all VAHs	APs	32	212.11	6,787.61
	Total D				7,387.61
E	Allowances				
1	Transport Allowance	AHs	3	75.00	225.00
2	Lump sum disturbance/transport allowance mobile vendors	AHs	228	50.00	11,400.00
	Total E				
	Total Direct Cost (A) + (B) + (C) +(D) + (E)				122,523.44
	Administration Cost (10% of direct cost)				12,252.34
	Contingency (15% of direct cost)				18,378.52
	Total Resettlement Cost				153,154.30

Source: RD1 Estimates from RCS Report.

XII. INSTITUTIONAL ARRANGEMENTS

111. Ministry of Public Works and Transport (MPWT). The project/subproject will be implemented by MPWT as the executing agency (EA) through the Project Management Unit (PMU), which will support MPWT in undertaking overall oversight and management of the Project. It will be supported by consultants to ensure that procedures are followed and that the implementation schedules are kept on track. However, it will not be responsible for carrying out the land acquisition and resettlement activities which is mandated to the General Department of Resettlement (GDR). MPWT and its PMU will coordinate closely with the IRC-WG on all matters concerning involuntary resettlement, working closely with RD1 of GDR to prepare, update, and implement the DRP.

112. PMU under MPWT. A dedicated PMU has been established in MPWT to carry out the day-to-day tasks in the overall implementation of the project. However, it is not mandated to carry out resettlement activities but assumes some tasks in coordination with GDR which is the lead agency directly responsible for all LAR activities in the ROW. The PMU designated a focal person on resettlement and tasked to undertake specific PMU responsibilities with regards to LAR and coordinate with GDR, the PRSC and the PIU in all matters concerning LAR planning and implementation. The specific tasks of the PMU related to LAR include the following:

- Conduct social impact assessment of the project/subproject;
- Prepare the draft basic resettlement plan based on pre-detailed design alignments/demarcation of subproject site for GDR's review and endorsement;
- Set out the demarcation of the land requirement along the final alignment within a month after completion of the DED in coordination with GDR;
- Provide GDR with the proposed construction schedule identifying the completion schedule of LAR and handover of sites by sections to the contractor before planned contract award date;
- Inform GDR in a timely manner if progress of construction is hampered by LAR issues or any anticipated bottleneck;
- Assist and cooperate with GDR in seeking solutions to problems encountered during project/subproject implementation;
- Invite GDR to participate in supervision missions and wrap-up meetings with APs and ensure that GDR's comments on LAR issues are incorporated in Aide Memoires (AMs), Memorandum of Understanding (MOU) and Minutes of Discussions (MOD); and
- Ensures that no further encroachment on the ROW after handover by GDR of the land for the project/subproject.

113. Inter-Ministerial Resettlement Committee (IRC). The IRC is the decision making and oversight body for LAR activities. It has the mandate to review and evaluate the resettlement impact and land acquisition for public physical infrastructure development projects in the Kingdom of Cambodia. The IRC is a collective entity, permanently chaired and led by the Ministry of Economy and Finance (MEF), with members from different line ministries. The IRC carries out its roles through a Working Group (IRC-WG) which is established by MEF for each public investment project. Key responsibilities of IRC include:

- Provide effective oversight and ensure LAR complies with the laws and implementing rules and regulations;
- Ensure effective coordination between line ministries, provincial/local authorities and GDR in carrying out the LAR;
- Review and approve the DRP and endorse DRP prior to submission to ADB for its review and the approval;
- Initiate the establishment PGRC; and
- Provide overall guidance on implementing rules and regulations for LAR and propose updates as necessary.

114. General Department of Resettlement (GDR). The GDR is the permanent technical Secretariat of the IRC and the lead agency for the preparation, implementation, and monitoring and reporting of LAR. The GDR will carry out activities under the Kampong Cham Wastewater

and Drainage Subproject through its Resettlement Department 1 (RD1). For this, detailed tasks of RD1 of GDR includes:

- Coordinate and collaborate with line ministries, MPWT, and other agencies involved in LAR activities;
- Conduct public consultations and FGDs with the affected persons and vulnerable groups;
- Prepare the DRP for the subproject and submit to ADB for review and acceptance;
- Develop terms of reference and recruit the replacement cost surveyor;
- Prepare and secure the necessary budget for the implementation of the DRP;
- Calculate, prepare contracts, and make payments for compensation for each AH based on the entitlement matrix in the DRP;
- Implement all LAR activities in compliance with the DRP;
- Ensure proper functioning of the GRM;
- Supervise, monitor, and report on implementation progress of the DRP;
- Send Land Handover Letter to MPWT with a copy to ADB;
- Prepare and submit to ADB quarterly progress and semi-annual monitoring reports;
- Prepare, agree with ADB and implement corrective action plan, if any, during implementation; and submit the corrective action plan implementation report to ADB for concurrence and disclosure;
- Conduct awareness workshops for MPWT, line ministries, local authorities, and construction contractor on the implementing rules and regulations as specified in the DRP; and
- Serve as the focal knowledge center for resettlement of the project or subprojects.

115. In addition, the DIMDM of GDR is responsible for carrying out the internal monitoring of the implementation of the DRP and the verification and validation of the compliance of the entitlements and compensation payments with the provisions of the entitlement matrix in the DRP. Its role extends to internal verification of all LAR activities for compliance with the provisions under the agreed DRP and reports directly to the Director General of GDR. In addition, it records and reviews all complaints and grievances submitted by displaced persons; investigates them and makes recommendations on compliance to the Director General of GDR. After the payment of compensation and other entitlements is completed, GDR will prepare and submit to ADB the DRP implementation report to obtain "no objection" for civil works.

116. **Cadastral Administration Office.** The Cadastral Administration Offices under the Ministry of Land Management, Urban Planning and Construction is responsible for issuing titling documents, including the certificate of land use rights, hard titles and social land concession as part of securing tenure for landless and issuing title documents for the land plots acquired in favor of MPWT.

117. **The concerned local administrative authorities (district, commune, and village).** The districts, communes, and villages where the subproject is located will coordinate and work closely with the PRSC-WG and IRC on the DRP preparation and implementation. Their roles and responsibilities include:

- Identify and coordinate the venue for the public consultation meetings and invite AHs to participate in the consultation activities, such as DMS, SES, RCS and other resettlement related activities; and
- Assist the IRC-WG, PRSC-WG, and GDR in developing suitable measures to assist the vulnerable AHs by the subproject.

118. **Inter-Ministerial Resettlement Committee Working Group (IRC-WG).** The IRC-WG will carry out the day-to-day LAR activities under the project which is led by the Deputy Director/Chief of the Department of Resettlement of the GDR and comprise technical PMU staff of the MPWT/PMU, staff of the Resettlement Department and staff of the Ministry of Land Management, Urban Planning and Construction. The IRC-WG will be responsible for all the field work under the