

Resettlement Due Diligence Report

September 2014

CAM: Urban Water Supply Project – Svay Rieng Subproject

Prepared by the Ministry of Industry and Handicraft for the Asian Development Bank

This Due Diligence Report is a document of the borrower. The views expressed herein do not represent those of ADB's Board of Directors, Management, or Staff and may be preliminary in nature.

ACRONYMS AND ABBREVIATIONS

ADB	-	Asian Development Bank
APs	-	Affected Persons
DPWS	-	Department of Potable Water Supply
EA	-	Executing Agency
HDPE	-	High-density polyethylene
JICA	-	Japan International Cooperation Agency
para	-	paragraph
PIACs	-	Project Implementation Assistance Consultants
PIB	-	Project Information Brochure
PIU	-	Project Implementation Unit
PMU	-	Project Management Unit
Project	-	Urban Water Supply Project
PSMO	-	PMU Safeguards Management Officer
RGC	-	Royal Government of Cambodia
ROW	-	Right-of-Way
UWSP	-	Urban Water Supply Project

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I. INTRODUCTION

A. Overview

1. The Urban Water Supply Project (UWSP, or the Project) Svay Rieng Municipality, in Svay Rieng Province, is among the nine (9) subprojects being proposed for the improvement and expansion of urban water supply services of public waterworks in selected provincial towns in Cambodia¹. Such improvement and expansion will be under the Urban Water Supply Project (UWSP, or the Project), with the MIH, as the Executing Agency (EA). Financing of the Project shall be provided through a project loan from ADB.

B. Current Status

2. The Waterworks in Svay Rieng municipality occupies a total area of 15,600 m² at Lok Village in Pou Ta Hao Commune. Water distribution was started in 1948 at the time when Cambodia was under the colonial rule of France. It has undergone previous rehabilitation and upgrading but the present system was built through ADB's Provincial Towns Improvement Project in 2006. As seen during the field validation on 11 June 2013, the Waterworks currently consists of the following structures: (a) filtration plant; (b) chlorination; (c) generator; (d) clean water storage; (e) motor pump and distribution pump; (f) administration; (g) laboratory; and (h) sludge pond. The water treatment plant (WTP) was designed for 4,800 m³ but current production level is only 2,200 m³ of water extracted by three 190-m deep wells from underground. It serves seven communes with 47 villages, which are inhabited by 8,897 households (44,936 persons). However, only 1,867 households, or 31.0%, of the total are connected to the water system.

C. Rationale for Due Diligence

3. A feasibility study for the Svay Rieng sub-project has been prepared. There are twelve (12) infrastructure components proposed for the subproject. Each component was carefully reviewed in terms of its Involuntary Resettlement (IR) and Indigenous Peoples' (IP) impacts. Subprojects with involuntary resettlement impacts require the preparation of a Land Acquisition and Resettlement Plan (LARP), consistent with the requirements of ADB's 2009 Safeguard Policy Statement (SPS), and the Bank's OM Section F1/OP (January 2010). Due Diligence activities, including field validation, confirmed that the subproject does not trigger the involuntary resettlement (IR) safeguard. Of the 12 proposed components in Svay Rieng, only two (2) shall be undertaken outside the Waterworks compound. These two components consist of the (a) replacement of old pipeline network with 5.2 km of new high density polyethylene (HDPE) pipes; and (b) expansion of new pipe network to 23.5 km. Land acquisition is not required for the pipeline networks which are either for replacement or for expansion which will be laid below the surface within the ROW.

4. No impacts on ethnic minorities or indigenous peoples were identified during the PPTA. Thus, the subproject does not require preparation of an Indigenous Peoples Development Plan, as it does not trigger ADB's Indigenous Peoples safeguard.

II. PROPOSED SUBPROJECT INVESTMENT

5. The proposed subproject investments in Svay Rieng are aimed at increasing the Waterworks efficiency by providing conventional aeration and filtration system, increasing main pressure, providing more storage ensuring the security of supply, improving the chlorination

¹ The other provincial towns are Kampong Thom, Kampot, Sihanoukville, Pursat, Siem Reap, Stoung, Kampong Cham, and Stung Treng.

system, and simplifying operation and maintenance with a drain valve at the water tower for easy cleaning and maintenance. Given these requirements, the following infrastructure components are proposed:

- (i) Change of iron/manganese package plant filters with conventional filters and aeration;
- (ii) Replacement of current chlorination system;
- (iii) Replacement of old pipeline network with 5.2 km of new HDPE pipes;
- (iv) Expansion of new pipe network to 23.5 km;
- (v) Addition of frequency inverters to three intake pumps with capacity of 100m³ per hour;
- (vi) Additional sludge drying bed on WTP grounds;
- (vii) Laboratory equipment

III. APPROACH TO DUE DILIGENCE

6. A feasibility study has been prepared for the Svay Rieng UWSP subproject, with twelve (12) infrastructure components provided for technical improvements and expansion of waterworks services. The first due diligence activity involved the review of (i) documents obtained from the Department of Potable Water Supply (DPWS); and, (ii) PPTA progress reports and inception report. Chapter 3 of the Inception Report² contained relevant information on the subproject, such as: (i) current status, subproject priorities agreed between the Executing Agency (EA) and ADB, site visits and initial public consultation; (ii) sector analysis; (iii) environmental and social safeguards screening; and, (iv) subproject prioritization.

7. Both primary and secondary information gathered from the field were recorded in the subproject information sheet.

IV. FINDINGS OF THE DUE DILIGENCE

8. Land acquisition is not required for the pipeline networks which are either for replacement or for expansion only. The pipes have only diameters that range at 63 mm-300 mm and shall be laid down on road shoulders or easements as part of government property being managed by the Ministry of Public Works and Transportation. The working widths required for laying down the pipes are from 0.6 m to 1.2 m, much narrower than the road shoulder of 1.5 m, excluding the easement; and thus, no temporary impacts are expected.

9. If any unanticipated social impacts become apparent during project implementation, (i) the EA will assess the significance of such impacts, (ii) evaluate the options available to address them; (iii) prepare the documents in accordance with ADB's SPS.

V. PROJECT DISCLOSURE AND CONSULTATION

10. On 11 June 2013, subproject disclosure and public consultation with people along the service routes was conducted. The activity was initiated by the Waterworks Director, in

² This refers to the final version of 20 May 2013.

compliance with the provisions of the *Law on Expropriation of 2009* of the Royal Government of Cambodia and relevant ADB policies, including the SPS 2009, *Public Communication Policy (2011)* and *Accountability Mechanism Policy (2012)*. During the consultation meeting, the Director explained the purpose of the occasion, highlighting the proposed improvements and expansion of services by the Waterworks. A Total of twenty persons, seven men and 13 women, attended and actively participated in the public consultation held in the Waterworks compound (refer to photo and Attendance Sheet in **Attachment 1**).

11. No issues on land acquisition were raised when the Waterworks Director opened the floor for questions/comments from participants. The concerns raised by participants were connected with the high fees for water supply connection, which at \$200.00, is much higher than that of electricity. They disclosed that the information was obtained from persons who are not working in the Waterworks office. As this is the case, the Waterworks Director advised participants that they should go to the Waterworks office to secure official information. It was also asked during the meeting if it is possible for the connection fee to be subsidized or paid in instalments. The Waterworks Director answered that this proposal shall be studied. Overall, the people openly expressed their support for the Project. The participants consisted of village officials and residents from 14 villages. They were given the Project Information Booklet (PIB) written in Khmer (see the English version in Attachment 2) during the consultation.

12. Another public meeting will be scheduled during project implementation to sustain peoples' awareness of the subproject. The orientation will be conducted by the Project Management Unit (PMU).

VI. IMPLEMENTATION ARRANGEMENT

A. Institutional Arrangement

18. The Department of Potable Water Supply (DPWS), under the Ministry of Industry and Handicrafts (MIH), is the Project EA. It will establish the Project Management Unit (PMU) to assume overall management and supervision functions of UWSP. The PMU will hire the services of the Project Implementation Assistance Consultants (PIACs) in accordance with RGC's *Standard Operating Procedures* (updated May 2012). The PMU will be supported by staff from MIH and will include one (1) PMU Safeguards Management Officer³ (PSMO) who will be assigned on a full time basis to monitor social safeguards compliance through his/her provincial counterpart. At the subproject level, the management of Svay Rieng Waterworks will establish the Project Implementation Unit (PIU) to work closely with the PMU on social safeguards issues and monitoring. One of the PIU personnel will be appointed as counterpart of the PSMO. The PMU, with assistance from PIACs, will submit quarterly Project progress reports to the EA and ADB. Said progress reports will include discussions on social safeguards monitoring activities and findings.

³ The PSMO will cover both Environmental and Social Safeguards for the Project.

Selected photos during the 11 June 2013 public consultation.



At the table are, from left: (i) the national Social Safeguards Specialist, holding the microphone; (ii) the national Environmental Specialist; (iii) the international Environmental Expert; and (iv) the Director of Svay Rieng Waterworks.



One of the participants, a woman, while seeking for clarification from the Director of Waterworks.

Attendant List of Environmental Public Consultation

Province: Siaya.....

Date: June 11, 2013.....

No.	Name	Sex	Age	Village/Office	Signature/thumb
1.	W. N. Njiru	Male	56	Wangari	
2.	J. N. Njiru	Male	58	Wangari	
3.	M. N. Njiru	Male	61	Wangari	
4.	M. N. Njiru	Male	60	Wangari	
5.	M. N. Njiru	Male	55	Wangari	
6.	M. N. Njiru	Male	60	Wangari	
7.	M. N. Njiru	Male	45	Wangari	
8.	M. N. Njiru	Male	58	Wangari	
9.	M. N. Njiru	Male	25	Wangari	
10.	M. N. Njiru	Male	64	Wangari	
11.	M. N. Njiru	Male	38	Wangari	
12.	M. N. Njiru	Male	39	Wangari	
13.	M. N. Njiru	Male	47	Wangari	
14.	M. N. Njiru	Male	34	Wangari	
15.	M. N. Njiru	Male	30	Wangari	
16.	M. N. Njiru	Male	57	Wangari	
17.	M. N. Njiru	Male	50	Wangari	
18.	M. N. Njiru	Male	54	Wangari	
19.	M. N. Njiru	Male	47	Wangari	
20.	M. N. Njiru	Male	63	Wangari	

Attendant List of Environmental Public Consultation

Province: S.vay...Rieng...

Date:....June..11, 2013.....⁰.....

[illegible]

**SVAY RIENG URBAN WATER SUPPLY
AND SANITATION PROJECT**
(Project Information Booklet)

ACRONYMS AND ABBREVIATIONS

ADB	-	Asian Development Bank
DPWS	-	Department of Potable Water Supply
MIH	-	Ministry of Industry and Handicraft
RGC	-	Royal Government of Cambodia
WTP	-	Water Treatment Plant
UWSP	-	Urban Water Supply Project

Good day to everybody.
Our office highly appreciates
your meaningful participation
in this public meeting.
The Ministry of Industry
and Handicraft (MIH)
sent us to consult with
you on the proposed
government project
here in *your* place.



1. What is the objective of consultation?

The objective of the DPWS, under the Ministry of Industry and Handicraft (MIH), is to disclose to you the proposed Project of the Royal Government of Cambodia (RGC) for the improvement of water supply services in your area. The RGC shall request the Asian Development Bank (ADB) for funding the Project. This consultation complies with the regulation of RGC and the Public Communication Policy (2011) of ADB.



2. What is the Project?

The Project is known as Urban Water Supply Project (UWSP) which shall be located in Cambodia's 9 provinces, including Svay Rieng. The UWSP has four components, such as: (a) provision of or improvement of water treatments plants, (b) improvement and increased coverage of water distribution systems, (c) rehabilitation of existing pumping stations and (d) strengthening the institutional capacity and regulatory system of MIH. The impact of the Project will be expanded access to sustainable and safe water supply services for the urban population in Cambodia that included the people of Svay Rieng.





3. What specific civil works are involved here in Svay Rieng?

Under the UWSP, the civil works involved are: (a) change of iron/manganese package plant filters with conventional filters and aeration; (b) installation of 160KVA transformer to feed new borehole and office; (c) replacement of current chlorination system; (d) replacement of old pipeline network with 5.2 km of new HDPE pipes; (e) addition of two new 190 meter-deep boreholes, submersible pumps, control panels, well heads, power supply and pump building; (f) expansion of new pipe network to 23.5 km; (g) addition of frequency inverters to three intake pumps with capacity of 100m³ per hour; (h) drain for current elevated tank; (i) installation of bulk flowmeters to replace nonworking ones for raw water, backwash, clear water and 3 existing boreholes; (j) Additional sludge drying bed on WTP grounds; (k) building of 2–3 storey administrative office in the same area of elevated water tower; (l) provision of valves and fittings for zoning purposes, approximately five each; and (m) land acquisition of 16.0 m² of land for new boreholes outside the WTP.



4. Will there be land acquisition for the proposed civil works in our village?

No, land acquisition is not required for the replacement of 5.2 km old pipeline and the new 23.5 km pipeline network.



5. What if public properties or common resources shall be affected?

Public properties or common resources are subject to rehabilitation and restoration. However, it should be noted that not impacts of this kind are expected during the implementation of the subproject.





6. What benefit can the Project provide to the people in our village?

Aside from expanded access to sustainable supply of safe potable water, the Project can provide employment to the people in your village during construction. Overall, the Project will provide a better environment in your locality and improved infrastructure for healthy living through safe potable water.



7. If problems arise during project implementation such as compensation, technical, and other project-related issues, do I have the right to voice my complaint?

Yes. If the affected person is not clear about or not satisfied with the compensation package offered or, if for any reason, the compensation does not materialize according to the agreed schedule, the affected person has the right to lodge a complaint. The grievance redress mechanism consists of a four-stage process as follows:

First stage: AHs will present their complaints and grievances verbally or in writing to the village or sangkat resettlement sub-committee or IRC working group. The receiving agent will be obliged to provide immediate written confirmation of receiving the complaint. If after 15 days the aggrieved AH does not hear from the village or sangkat resettlement sub-committee or the working groups, or if he/she is not satisfied with the decision taken in the first stage, the complaint may be brought to the District Office.

Second stage: The District Office has 15 days within which to resolve the complaint to the satisfaction of all concerned. If the complaint cannot be solved at this stage, the District Office will bring the case to the Provincial Grievance Redress Committee.

Third stage: The Provincial Grievance Redress Committee meets with the aggrieved party and tries to resolve the complaint. The Committee may ask for a review of the DMS by an external monitor (EMO). Within 30 days of the submission of the grievance,



the Committee must make a written decision and submit copies to the MIH, EMO, PRS/IRC and the AH.

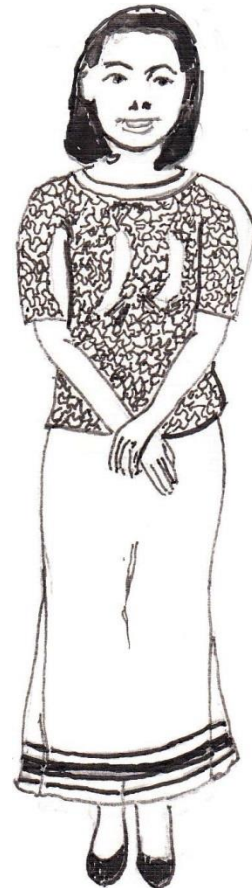
Fourth stage: If the aggrieved AH does not hear from the Provincial Grievance Redress Committee or is not satisfied based on the agreed policy in the RP, he/she will bring the case to Provincial Court. This is the final stage for adjudicating complaints. The Court will make a written decision and submit copies to MIH, EMO, PRS/IRC and the AH. If any party is still unsatisfied with the Provincial Court judgment, he/she can bring the case to a higher-level court. The RGC will implement the decision of the Court. The Grievance Redress Mechanism will be readily accessible to the affected people at no costs and without retribution.



7. Which office should we communicate in case we have other questions or suggestions?

You can send your written communications to any of the following offices:

1. Project Implementation Unit
Urban Water Supply Project
Department of Potable Water Supply
St, Svay Rieng _____
Telephone: _ _ _ _ _ Attention: Mr. Tep Naruen
2. Project Management Unit
Urban Water Supply Project
Department of Potable Water Supply
_ _ _ _ _ St, Phnom Penh
Telephone: _ _ _ _ _ Attention: Mr./Ms.





8. Can also ADB be of help in the resolution of complaint?

Yes, the AHs/APs can also ask for assistance from ADB's responsible Project Officer, consistent with the provision of the Bank's *Accountability Mechanism* (2012). They can submit their concerns through the ADB Resident Mission in Phnom Penh for transmittal to the Bank's headquarters in the Philippines. The Accountability Mechanism has two functions, i.e. the problem solving function that will be led by the Special Project Facilitator, and the compliance review function that will be handled by the Compliance Review Panel.

