Resettlement Due Diligence Report

September 2014

CAM: Urban Water Supply Project – Stung Treng Subproject

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

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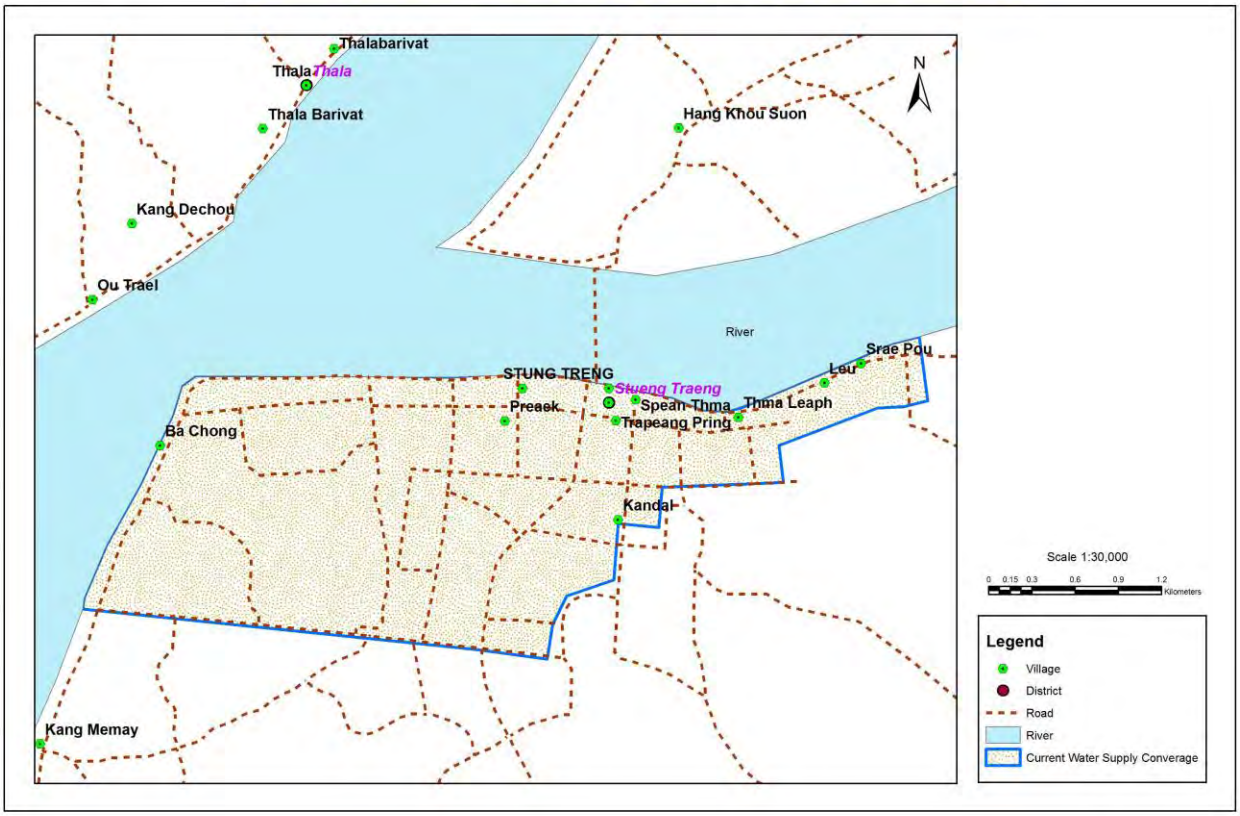
CURRENT AND PROPOSED WATER SUPPLY COVERAGE OF STUNG TRENG PROVINCE



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 and Sanitation Project
PSMO	-	PMU Safeguards Management Officer
RGC	-	Royal Government of Cambodia
ROW	-	Right-of-Way
UWSP	-	Urban Water Supply Project

TABLE OF CONTENTS

		Page
ACRONYMS AND ABBREVIATIONS		
I.	INTRODUCTION……..	1
	A. Overview ……	1
	B. Current Status……..	1
	C. Rationale for Due Diligence……...	1
II.	PROPOSED SUBPROJECT INVESTMENT……	1
III.	APPROACH TO DUE DILIGENCE……..	2
IV.	FINDINGS OF THE DUE DILIGENCE……	2
	A. Infrastructures in Existing Site……..	2
	B. Proposed Development in New Site……	2
	C. Infrastructure in the Distribution Networks……..	3
V.	PROJECT DISCLOSURE AND CONSULTATION.	3
VI.	IMPLEMENTATION ARRANGEMENT……	4
	A. Institutional Arrangement……...	4

Attachments:

Attachment	1:	Approved Request for Transfer of the Land
Attachment	2:	Attendance in Public Consultation
Attachment	3:	Project Information Brochure (English)

I. INTRODUCTION

A. Overview

1. The proposed Stung Treng Waterworks subproject involves the improvement and expansion of Stung Treng's water system under the Urban Water Supply Project (UWSP, or the Project), with funding assistance from the Asian Development Bank (ADB). UWSSP shall be implemented in nine (9) selected provincial towns[1] in Cambodia. The existing Stung Treng Waterworks was constructed in 1962 and extracts raw water from Sekong River, upstream of its confluence with the Mekong River. The existing water treatment plant (WTP), which occupies a total area of 1,650 m², was rehabilitated in 1995, but is now in very poor condition. There are many cracks in the concrete, the flocculation and sedimentation stage is not working, and the filters are broken. The existing system cannot be recovered and is thus recommended for abandonment. All the offices, apart from those dedicated to collection and administration, shall be transferred to a new location in Preah Village in *Sangkat* Strung Treng

B. Current Status

2. The Waterworks system includes intake pumps, flocculation, sedimentation and filtration. The filters have long since been emptied of sand to increase flow rate and now only function for further sedimentation. Water is collected in a "clear" water tank and is then pumped up to the elevated tank to provide a constant head for delivery to the reticulation system. The system operates 24 hours a day and serves 11 villages in 3 communes, with a combined population of 26,976 people (5,095 households). 2,250 of these households (44.2%) are connected to the system, which produces 3,450 m³ of potable water per day. The non-revenue water of the system is high at 22%, due to aging facilities and old distribution networks.

3. The proposed waterworks improvement and expansion includes construction of a new 7,950 m³/day conventional WTP on a 1.7 hectare property at Ba Chong Village in Preah Bath Commune. Once completed, the areas to be served will include 26 villages in seven (7) *sangkats*/communes.

C. Rationale for Due Diligence

4. Since preparation and submission of adequate social safeguards documents is a condition for ADB's approval of the subproject loan, each component has been carefully reviewed in terms of its involuntary resettlement (IR) and indigenous peoples (IP) impacts. Subprojects with involuntary resettlement and land acquisition impacts require 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, have confirmed that the subproject does not trigger ADB's IR safeguard as there is no land acquisition involved. Likewise, the subproject does not trigger the Indigenous Peoples safeguard (Safeguard Requirement 3 as per ADB SPS), as there are no adverse impacts on IPs or ethnic minorities, and all residents are well-integrated in the mainstream population. Thus, preparation of an Indigenous Peoples Development Plan (SR3) is not required.

II. PROPOSED SUBPROJECT INVESTMENT

5. The proposed Stung Treng UWSSP consists of the following infrastructure components[2]:

(a) Preliminary and general utilities and new water intake beside the Mekong River.

(b) Construction of new WTP with 7,950 m³/day capacity, with elevated storage tank and underground tank.

(c) Provision of new/rehabilitated storage tank in the old WTP site.

[1] The other provincial towns are Kampong Cham, Kampong Thom, Kampot, Sihanoukville, Pursat, Siem Reap, Stoung, and Svay Rieng.

[2] The list of proposed infrastructure is based on Version 14 prepared by the PPTA Consultants.

(d) Provision of electrical and mechanical parts for pumps, control panels, transformers, etc.

(e) Provision of new distribution system, made of High-density polyethylene (HDPE) with 63 mm – 200 mm dia., in all districts.

III. APPROACH TO DUE DILIGENCE

6. A full feasibility study has been prepared for the UWSP Stung Treng subproject, with five (5) infrastructure components provided for technical improvement and expansion of its services. The first due diligence activity involved the review of documents obtained from the Department of Potable Water Supply (DPWS) and of PPTA progress reports and the inception report. Chapter 3 of the Inception Report[3] contained relevant information on the subproject, including: (i) their current status, subproject priorities as agreed between the Executing Agency (EA) and ADB, the subprojects in towns being funded by the Japan International Cooperation Agency (JICA), site visits and initial public consultation; (ii) sector analysis; (iii) environmental and social safeguards screening; and, (iv) subproject prioritization. The review also referred to the March 2013 Progress Report and the Site Visit Report (22nd April – 2nd May) prepared by the PPTA Water Engineering Consultants.

7. PPTA Water Engineering Consultants verified the proposed location and space requirements of the subproject infrastructure components during the field visits carried out on 4 June 2013. Relevant primary and secondary information was recorded in the subproject information sheet.

IV. FINDINGS OF THE DUE DILIGENCE

A. Infrastructure at the Existing Site

8. Two infrastructure components are proposed for the existing Waterworks site. These are: (i) the provision of a new or rehabilitated storage tank; and, (ii) provision of electrical and mechanical utilities. These components have no involuntary resettlement impacts, as they are located within the existing site, which is secured by a steel gate and concrete fence.

B. Proposed Development in the New Site

9. The new waterworks is designed to produce 7,950 m³ of potable water per day and will be constructed in the new 1.7-hectare site in Ba Chong Village. One elevated storage tank and an underground tank shall also be provided. The new site was formerly a wide swampy area that was not intended for any specific purpose. Field validation confirmed that the site is unoccupied and unused. The Provincial Government approved the transfer of land ownership to the Provincial Department of Potable Water Supply (PDPWS) in Stung Treng on 10 January 2010. A copy of the approval of request for transfer is shown in **Attachment 1**. As the transfer of title is now being processed, DPWS has already carried out some developments on the property (see photo).

[3] This refers to the final version of 20 May 2013.

Formerly a swampy area, the proposed subproject site is now filled with soil. The above photo shows the PPTA consultants, DPWS Director, and DPWS employees during a site visit.

C. Infrastructure Component in the Distribution Networks

10. Two (2) infrastructure components are proposed outside the location of the new WTP. These components are: (i) new water intake beside the Mekong River, raw water pump station, and 1.4 km HDPE transmission main with a 400 mm diameter; and, (ii) new distribution system of HDPE with a diameter ranging from 63 mm – 200 mm diameter for all districts[4].. Land acquisition is not required since all the pipes shall be installed on the edge of road shoulders or easements and will only need very narrow working widths for the trenches, which can be accommodated within existing ROW: (i) 0.4 m for pipes with 63 mm; and (ii) 0.6 m for pipes with 200 mm diameter to 400 mm diameter. The pipes with 63 mm diameter will be buried at 0.6 m below the ground, and pipes with 200 mm to 300 mm diameters will be buried 1.2 m below the land surface.

11. The average width of each road shoulder is 1.5 m, and the residents have not encroached on the ROW on either side of the road. However, some ambulant vendors occupying the road shoulders have to give way when installation of the 400 mm diameter pipe reaches Street 14, which is part of the market area. Livelihoods and incomes of these ambulant vendors will not be affected, as they will just move 2.0 m – 3.0 m and can return to their original locations after installation has been completed. There will be no land acquisition in the areas traversed by the water distribution system, as the existing road ROW is enough to accommodate the digging of the trenches. The installation of water distribution networks will not cause the physical or economic displacement of any household or person. Neither will it disrupt people's access to common properties and public amenities such as the public market. Civil works contracts will require the contractor to restore the ROW to its original condition after the pipes are completely installed. 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

12. Subproject disclosure and public consultation with people along the service routes was conducted on 4 June 2013 to inform about the project, although involuntary resettlement is unlikely. The public consultation was initiated by the Director of the Waterworks, in compliance with the provision of

[4] Districts: Stung Treng, Srah Ruessel, Preah Bat, Sammaki, Ou Rey, and Thalaborivat

the *Law on Expropriation of 2009* of the Royal Government of Cambodia and ADB's *Public Communication Policy (2011)* and *Accountability Mechanism Policy (2012)*. The Director described the subproject, disclosed the transfer of the WTP to a new site, and introduced the PPTA Safeguard Consultants. Thirty-seven people (26 men, and 11 women) attended and actively participated in said public consultation (refer to Attendance Sheet in **Attachment 2**). The participants consisted of officials and residents of villages that will be traversed by the distribution pipes. They were given the Project Information Brochure (PIB) written in Khmer (see the English version in **Attachment 3**).

The WTP Director, Mrs. Chong Chansavun, while disclosing the proposed improvement and expansion of the water services in Stung Treng.

13. During the public consultation, PPTA Safeguards Consultants (i) discussed the Involuntary Resettlement Policy of ADB (as per the Safeguard Policy Statement, 2009); and, (ii) disclosed that land acquisition is not required for the subproject, which will have no adverse social impacts on their communities. All participants were given the chance to express their thoughts during the open forum but not a single issue related to social safeguards was raised. Rather, participants' concerns were focused on waterworks operation matters, such as payment for reconnection to the new distribution pipelines. The WTP Director responded that households do not need to pay a reconnection fee, but those who apply for new connections will pay a fee of $90. All the participants expressed their support for the subproject. Before the public meeting was adjourned, each participant was given extra copies of PIB for distribution to other residents in their village.

VI. IMPLEMENTATION ARRANGEMENT

A. Institutional Arrangement

14. The 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 Officer[5] (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 Stung Treng 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.

[5] The PSMO will cover both Environmental and Social Safeguards for the Project.

Attachment 1

Kingdom of Cambodia
Nation Religion King

Ministry of Industry, Mines and Energy
Department of Industry, Mine and Energy
Stung Treng Province
Number: 14 ខរថ.ធទ

Director of Department of Industry, Mines and Energy
To H.E Stung Treng Provincial Governor

Through: Stung Treng City Governor.

Subject: Request for a piece of land where the City Hall reserved for building Water Treatment Plan.

Ref.: Letter number 1224 ខរថ.ទស.លស dated 19, June 2009 of H.E Minister of the Ministry of Industry, Mine and Energy (MIME).

As mentioned in the above referenced subject, I would like to inform H.E that: After the RGC has received the loan from Asian Development Bank for conducting a feasibility study on Urban Water Supply and Sanitation Project at Stung Treng province.

MIME has set up a Technical Assistance Working Group to collect related data needed for the development of Stung Treng Potable Water Project. It is shown that Stung Treng Province needs a piece of land located along Road Number 54 on the east of Region National Police School, with size of 70m x 200m known as City Hall preserved land.

Therefore, please His Excellency to kindly provide this land as requested in the above subject.

Kindly accept the assurance of our highest consideration and personal esteem.

Director of Department of Industry, Mines and Energy

Pheng Chea
Director, PDIME Strung Treng, Date December 24, 2010

No: 56 កសត
Seen and Forward to H.E Provincial Governor for
Strung Treng, Date January 15, 2010
Strung Treng Governor

Phoek Sobin
City Governor

No: 006 ប.សលខ
Seen and Approved
Strung Treng, Date January 15, 2010
Provincial Governor

Loy Sophat
Provincial Governor

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
***

ក្រសួងឧស្សាហកម្ម រ៉ែ និង ថាមពល
មន្ទីរឧស្សាហកម្ម រ៉ែ និង ថាមពល
ខេត្តស្ទឹងត្រែង
លេខ.....44.....ឧរថ.ធទ

ប្រធានមន្ទីរឧស្សាហកម្ម រ៉ែ និង ថាមពលខេត្តស្ទឹងត្រែង

គោរពជូន

ឯកឧត្តមអភិបាលខេត្តស្ទឹងត្រែង

តាមរយៈ : លោកអភិបាលក្រុងស្ទឹងត្រែង

កម្មវត្ថុ : សំណើសុំដីមួយកន្លែងដែលជាដីបំរុងរបស់សាលាក្រុងស្ទឹងត្រែងសំរាប់សាងសង់ស្ថានីយ៍ផលិតទឹកស្អាត ។

យោង : លិខិតលេខ ១២២៤ ឧរថ.ទស.លស ចុះថ្ងៃទី ១៩ ខែ មិថុនា ឆ្នាំ ២០០៩ របស់រដ្ឋមន្ត្រីក្រសួងឧស្សាហកម្ម រ៉ែ និង ថាមពល ។

សេចក្តីដូចមានចែងក្នុងកម្មវត្ថុ និង យោងខាងលើ ខ្ញុំបាទសូមរាយការណ៍ជូន **ឯកឧត្តម** ជ្រាបថា : ក្រោយពីរាជរដ្ឋាភិបាលកម្ពុជា បានទទួលជំនួយឥណទានពីធនាគារអភិវឌ្ឍន៍ អាស៊ី (ADB) សំរាប់ធ្វើការសិក្សារៀបចំគំរោងអភិវឌ្ឍនិវិស័យទឹកស្អាត និង អនាម័យដោយឡែកសំរាប់ខេត្តស្ទឹងត្រែង ។

ក្រសួងឧស្សាហកម្ម រ៉ែ និង ថាមពល ក៏បានបង្កើតក្រុមការងារអន្តរវិត្តគំរោងជំនួយបច្ចេកទេស (Technical Assistant) ចុះមកខេត្តស្ទឹងត្រែងយើងប្រមូលពត៌មាន និង ស្រង់ទិន្នន័យដែលទាក់ទង និង ការសិក្សាគំរោងអភិវឌ្ឍនិវិស័យទឹកស្អាត ឃើញថាសំរាប់ខេត្តស្ទឹងត្រែងយើង តម្រូវការទីតាំងសំរាប់សាងសង់ស្ថានីយ៍ផលិតទឹកស្អាតមានទីតាំងនៅជង្ហុវលេខ ៥៤ ខាងកើតសាលានគរបាលជាតិភូមិភាគ មានទំហំ ៧០ ម x ២០០ ម ដែលជាដីបំរុងរបស់សាលាក្រុងស្ទឹងត្រែង ។

អាស្រ័យហេតុនេះសូម **ឯកឧត្តម** មេត្តាផ្តល់ជូនដោយក្តីអនុគ្រោះ ។

សូម **ឯកឧត្តម** ទទួលនូវការគោរពដ៏ខ្ពង់ខ្ពស់អំពីខ្ញុំបាទ ។

លេខ :...2014...ស្ទឹងត្រែង, ថ្ងៃទី 21 ខែ 12 ឆ្នាំ ២០០៩
បានឃើញ និង
ប្រធានមន្ទីរឧស្សាហកម្ម រ៉ែនិងថាមពលខេត្ត

លេខ :...2014...
បានឃើញ និង
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ស្ទឹងត្រែង,ថ្ងៃទី 15 ខែ 01 ឆ្នាំ ២០1០
អភិបាលរងខេត្ត

ស្ទឹងត្រែង,ថ្ងៃទី 21 ខែ 12 ឆ្នាំ ២០០៩
អភិបាលស្ទឹងត្រែង

ជីក សុបិន

Attachment 2

Attendant List of Environmental Public Consultation
Province: ..Stung..Treng...
Date:...June..4,..2013.....

No.	Name	Sex	Age	Village/Office	Signature/thumb
1	[illegible]	ប	63	[illegible]	[illegible]
2	[illegible]	ប	38	[illegible]	[illegible]
3	[illegible]	ប	52	[illegible]	
4	[illegible]	ប	31	[illegible]	[illegible]
5	[illegible]	ប	61	[illegible]	[illegible]
6	[illegible]	ប	60	[illegible]	[illegible]
7	[illegible]	ប	52	[illegible]	[illegible]
8	[illegible]	ប	37	[illegible]	[illegible]
9	[illegible]	ញ	77	[illegible]	[illegible]
10	[illegible]	ប	63	[illegible]	[illegible]
11	[illegible]	ប	33	[illegible]	[illegible]
12	[illegible]	ប	54	[illegible]	[illegible]
13	[illegible]	ប	60	[illegible]	[illegible]
14	[illegible]	ប	64	[illegible]	[illegible]
15	[illegible]	ប	65	[illegible]	[illegible]
16	[illegible]	ប	59	[illegible]	[illegible]
17	[illegible]	ប	60	[illegible]	[illegible]
18	[illegible]	ប	46	[illegible]	[illegible]
19	[illegible]	ប	47	[illegible]	[illegible]
20	[illegible]	ប	52	[illegible]	[illegible]

Attendant List of Environmental Public Consultation

Province: .....

Date:.....

No.	Name	Sex	Age	Village/Office	Signature/thumb
21	[illegible]	ช	33	[illegible]	
22	[illegible]	ช	38	[illegible]	
23	[illegible]	ช	40	[illegible]	
24	[illegible]	ญ	30	[illegible]	
25	[illegible]	ญ	20	[illegible]	
27	[illegible]	ช	61	[illegible]	
28	[illegible]	ช	23	[illegible]	
29	[illegible]	ช	57	[illegible]	
30	[illegible]	ช	57	[illegible]	
31	[illegible]	ช	45	[illegible]	
32	[illegible]	ช	45	[illegible]	
33	[illegible]	ช	54	[illegible]	
34	[illegible]	ช	56	[illegible]	
35	[illegible]	ช	53	[illegible]	
36	[illegible]	ช	21	[illegible]	
37	[illegible]	ช	18	[illegible]	
38	[illegible]	ช	48	[illegible]	

Attendant List of Environmental Public Consultation

Province: .....

Date:.....

No.	Name	Sex	Age	Village/Office	Signature/thumb
21	[illegible]	ช	33	[illegible]	
22	[illegible]	ช	38	[illegible]	
23	[illegible]	ช	40	[illegible]	
24	[illegible]	ญ	30	[illegible]	
25	[illegible]	ญ	20	[illegible]	
27	[illegible]	ช	61	[illegible]	
28	[illegible]	ช	23	[illegible]	
29	[illegible]	ช	57	[illegible]	
30	[illegible]	ช	57	[illegible]	
31	[illegible]	ช	45	[illegible]	
32	[illegible]	ช	45	[illegible]	
33	[illegible]	ช	54	[illegible]	
34	[illegible]	ช	56	[illegible]	
35	[illegible]	ช	53	[illegible]	
36	[illegible]	ช	21	[illegible]	
37	[illegible]	ช	18	[illegible]	
38	[illegible]	ช	48	[illegible]	

Attachment 3

STUNG TRENG URBAN WATER SUPPLY PROJECT

(Project Information Brochure)

ACCRONYMS AND ABBREVIATIONS

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

Good day to everybody. Our office highly appreciates your meaningful participation in this public meeting. The Department of Potable Water Supply (DPWS) 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 Handicrafts (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 Stung Treng. 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 MIME. 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 Stung Treng.

3. What infrastructure components are involved here in Stung Treng?

Under the UWSP, the infrastructure components are: (a) preliminary and general utilities and new water intake besides the Mekong River, (b) construction of new water treatment plant with 7,950 m³ per day capacity with elevated storage tank and underground tank, (c) provision of new/rehabilitated storage tank in old WTP site, (d) provision of electrical and mechanical parts, and (e) provision of new distribution system, made of HDPE with 63 mm – 200 mm dia., in all districts

4. Will there be land acquisition for the subproject in our village?

Permanent acquisition of private lands will not happen in any infrastructure components of the subproject since the pipes will be buried on the road shoulders or easements which are government properties. Likewise, no structures or business shop as well as access to common properties and public amenities will be temporarily affected.

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 any of this kind shall be affected 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. *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:

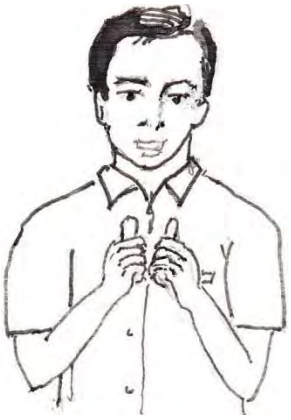
1. Project Implementation Unit
   Urban Water Supply Project
   Department of Potable Water Supply
   _____St, Stung Treng
   Telephone: _____

   Attention: Mrs. Chang Chansavun

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 Bonk'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.