

**Mekong Integrated Water Resource Management Project Phase 3**

**Cambodia: Resettlement Policy  
Framework (RPF)**

**22 May 2014**

## PREFACE

This Resettlement Policy Framework (RPF) for Cambodia has been developed on a basis of outcomes from the Initial Environmental and Social Examination (IESE). It is connected to overall mitigation instrument namely the Environmental and Social Management Framework (ESMF) for the Mekong Integrated Water Resource Management Phase 3 Project (M-IWRM3) project for Cambodia. This framework will be applied to all investments to be financed by the World Bank (the Bank) for technical and/or financial support from the M-IWRM3 project for Cambodia that involve land acquisition, compensation, and restriction to resources access as defined by the World Bank's safeguard policies on Involuntary Resettlement (OP 4.12).

The overall responsibilities for implementing the project, including the safeguards, lies at the Cambodia National Mekong Committee (CNMC), which is the executing agency for the project. CNMC will be also responsible for implementing Component 2. Component 1 will be implemented by the Fisheries Administration (FiA), which engages its Inland Fisheries Research and Development Institute (IFREDI) for day-to-day management. CNMC and IFREDI have established respective component management units (CMUs), namely CMU1 and CMU2 to be responsible for implementing Components 2 and 1 respectively.

This document is considered a living document and could be modified and changed in line with the changing situation or scope of the activities. Close consultation with the World Bank and clearance of the revised RPF will be necessary.

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## SECTION I: INTRODUCTION

1. This project is the third phase of the overall Mekong Integrated Water Resources Management Program (M-IWRM3), which aims to support implementation of integrated water resources management in the Lower Mekong Basin together with the first and second phases. The first phase project (M-IWRM1), supports the Mekong River Commission (MRC) and Lao PDR and is under implementation. The second phase project (M-IWRM2) supports Vietnam, which was approved on November 27, 2013.
2. Scope of the MIWRM3 activities would cover the Mekong mainstream from the Lao-Cambodia border in Stung Treng to Kratie Provinces (Component 1) and the two sub-basins of the Mekong – one defined by the three tributaries main tributaries (Sekong, Sesan and Srepok) named 3S sub-basin, and the other sub-basin defined by the four tributaries (PrekPreah, PrekKreang, PrekKampi and PrekTei), named 4P Sub-basin (Component 2). These two basins are commonly known as two of the most critical habitats (mainly for refugees during the dry season and spawning season). It is also known that these areas of the four provinces are inhabited by various 15 indigenous peoples, with total population of 181,015 and other 3 minority groups (Khmer Islam, Vietnamese and Laos), with total population of 41,761 according to the RGC survey conducted in 2010.
3. To mitigate potential negative impacts due to land acquisition, land donation, and resources access restriction, in compliance with the World Bank (the Bank)'s safeguard policy on Involuntary Resettlement (OP 4.12), a Resettlement Policy Framework (RPF) has been developed and it will be applied to all M-IWRM3 activities. In addition to this RPF, the Environment and Social Management Framework (ESMF) has been developed to set out the principles, rules, guidelines and procedures to assess the environmental and social impacts, and Indigenous Peoples Planning Framework (IPPF) has been developed to define the approach and procedures to ensure full benefits and mitigate negative impacts for ethnic minority groups who may be affected by the project.
4. Section II below outlines the project description while Section III outlines the legal and policy framework for the RPF and *Annex I* provides technical guidelines, including scope for preparation of a Annual Resettlement Action Plan (ARAP) which will be required if land acquisition and/or compensation is involved. Section IV describes the basic principles and implementation process for the RPF to be applied to the M-IWRM3 for Cambodia activities, including actions that have been and will be undertaken during the implementation.

## SECTION II. PROJECT DESCRIPTION

5. The specific *Project* Development Objective (PDO) of M-IWRM3, which contributes to the overall program, is to *improve fisheries and river basin management in selected areas of Northern Cambodia. Selected areas are of national and regional importance to the Mekong River watershed*. The Project would have the following two components;

- ***Component 1: Support for Fisheries and Aquatic Resources Management. (US \$10.8 million).*** The component objective is to establish sound management in the mainstream Mekong between Kratie and Stung Treng, and the Sekong River, in Northern Cambodia where significant number of critical habitats are located. This would be achieved through: (a) establishment of community fisheries (CFi), and (b) strengthening public sector capacity regarding surveillance and monitoring, research, and restocking. The component has been designed based on the experience of various Civil Society Organizations (CSOs) that are active in the field, and would comprise the following sub-components similar to Component 3-2 of M-IWRM1.
  - (1-1) Fostering development of Community Fisheries including: (a) establishment of community-based fisheries management organizations; (b) development of fisheries management plans; (c) demonstration of supplementary livelihood activities; and (d) providing support for local government capacity building and rural infrastructure;
  - (1-2) Strengthening public sector fishery management, including: (a) fish catch data collection, monitoring and enforcement of regulation; (b) supporting indigenous species aquaculture and stocking through construction of a small hatchery in Stung Treng; (c) technical studies for assessing water resources infrastructure impacts on the fisheries, (d) technical research on key selected species; and
  - (1-3) Component management and administration, including support for logistics, office equipment, and incremental operating costs.
- ***Component 2: Support for River Basin Management and Coordination with Riparian Countries(US\$5.4million).*** The component's objectives are to: (a) assist the Government of Cambodia to promote IWRM in the 4P sub-basin covering two provinces of Kratie and Mondulhiri; and in the 3S Sekong-Sesan-Srepok (Lower) sub-basin covering three provinces of Strungtreng, Mondulhiri and Rotanakiri; (b) strengthen trans-boundary cooperation with Vietnam in the 3S sub-basin.. The component's activities are being designed to build on the experience on IWRM implementation for the 3S sub-basin and the work in the 4P basin supported by GWP/ADB and MRC. The work in the 3S sub-basin would initially focus upon the 2S sub-basin, shared by Cambodia and Vietnam, and would contribute to the development of bi-lateral forum with Vietnam for coordination on water resources management. This Component would include the following activities in the 3S and 4P sub-basins:
  - (2-1) Support for the implementation of IWRM in Northeastern Cambodia covering 3S and 4P Basin, including: (a) strengthening the PDOWRAM capacity in the four target provinces (Kratie, Stung Treng, Mondulki and Rothanakiri), (b) support for legal, institutional and technical frameworks for IWRM-based River Basin Management , (c) water resources planning (updating basin profile an planning) in 3S and 4P sub-basins, (d) technical studies on water resources (sediment management, water quality), and (e)

engagement of the local governments and communities in water resources management (awareness raising on Integrated Water Resources Management (IWRM) and Disaster Risk Management (DRM), participatory water quality monitoring, demonstration activities)

(2-2) Support for water resources monitoring, information management and transboundary dialogue, including: (a) Reviewing and updating the architecture of the National Information System for water resources management, (b) Developing an integrated database for the Department of Hydrology and River Work, and Department of Meteorology for the water resources management in the 3S and 4P basin, and (c) Strengthen hydro-meteorological information management systems (including upgrading and construction of hydromet stations in the 4P and 3S basin); and (d) Support for investments for transboundary sharing information to be identified under the on-going transboundary dialogue under APL-1 Component 1-1.

(2-3) Project and Component management, including support for logistics, office equipment, and incremental operating costs, overall monitoring and evaluation, safeguards and financial management.

## SECTION III. LEGAL AND POLICY FRAMEWORK OF THE RPF

### 3.1 Government Laws, Decrees, and Guidelines

6. The Royal Government of Cambodia 2001 Land Law has created a legal mechanism called Social Land Concession (SLC) to transfer parts of State land to landless and land-poor families for residential and/or family farming purposes. Local SLC programs are initiated at commune level while national SLC programs relate to larger operations. Key provisions that are relevant include:

- The 2001 Land Law states that no person shall be “deprived of his or her ownership unless this action is for the public interest”. The law recognizes that deprivation of ownership opens right to “payment of just and fair compensation in advance”. The Constitution states that “the right to confiscate possessions from any person shall be exercised only in the public interest” and opens right to just compensation. However, there are currently no laws and regulations that govern the process of acquisition and the determination of just compensation.
- The 2001 Land Law has drawn a clear line between those who opened land for residential or farming purposes before August 30<sup>th</sup>, 2001, and those who did so after this date. In the first case, occupants may be recognized as legal occupants of State land in the future when land is registered as State private land. In the latter case, occupants are illegal. Article 18 of the Land Law provides strong tools for evicting encroachers. They do not “have the right to claim compensation or reimbursement for expenses paid for the maintenance or management of immovable property that was illegally acquired” (Article 19).

7. A Circular No. 02 issued by the Royal Government of Cambodia on Illegal Occupation of State Land dated February 26, 2007, states that while occupation of land as a form of possession became illegal after August 30<sup>th</sup>, 2001, there is a need for the state to undertake SLCs for poor people and disadvantaged groups to meet their needs for land deriving from population growth, demobilization of soldiers, and land loss due to natural disasters. However, the current anarchical illegal taking of state land also provides opportunities for land speculators and powerful persons to take illegal possession of state lands through various means. To address this situation, Circular Number 02 determines that:

- (i) Generally, the illegal state land holders, especially land speculators, are not entitled to compensation (Para 6.1 in Circular No. 02).
- (ii) Illegal state land holders, who are poor families and landless or lack land and are disadvantaged, would not be entitled to compensation, but may receive preferential treatment to obtain an appropriate amount of land for their livelihood (Para 6.2 in Circular No. 02)
- (iii) For state private land, this can be done through sale, lease, gift, usufruct (right to use and enjoy the fruits of the land for life), social land concessions, economic land concessions, or use permits. A decision on specific options must be based on coordination between the territorial authority, the State Land Trustee Authority, and the person using the land, and be based on a land use plan. (Para 7.1 in Circular No. 02).



### 3.2 World Bank Policy on Involuntary Resettlement

8. The WB's *Operational Policy 4.12: Involuntary Resettlement* and OP 4.10: *Indigenous Peoples* are triggered for this Project. The policies describe objectives and guidelines to be followed in situations involving involuntary taking of land and involuntary restrictions of access to legally designated parks and protected areas and when indigenous peoples or ethnic minority are involved. The OP 4.12 aims to avoid involuntary resettlement to the extent feasible, or to minimize and mitigate its adverse social and economic impacts. It promotes participation of displaced people in resettlement planning and implementation, and its key economic objective is to assist displaced persons in their efforts to improve or at least restore their incomes and standards of living after displacement. The policy prescribes compensation and other resettlement measures to achieve its objectives and requires that borrowers prepare adequate resettlement planning instruments prior to Bank appraisal of proposed projects.

9. For land acquisition and limited access of resources, the policies require close consultation with the affected population and appropriate mitigation of the potential negative impacts given special attention to ethnic, gender, and other vulnerable group issues. The policies also specify the need for monitoring and evaluation and ensuring adequate budget and capacity of the agencies.

## SECTION IV: SOCIAL SCREENING AND RPF PROCESS FOR M-IWRM

### 4.1 Social Screening

10. An initial environment and social examination (IESE) was conducted during the preparation of MIWRM3 based on the activities identified. The study concluded that physical relocation of households or businesses, demolition of any homes or business, or the impacts on cultural habitats will not be likely. However, implementation of Component 1 may require small land acquisition for priority community infrastructures and would involve resource access restriction (through establishment of Protected Area for Fisheries) or land acquisition for rural infrastructure. A review conducted during project preparation found that the scale of the expected impacts is generally minor for both Components 1 and 2, and can be meaningfully mitigated through proper measures applied during implementation.

11. In order to provide such mitigation measures in full compliance with the Bank's safeguard policy, all activities, subcomponents, and/or subprojects involving land acquisition, compensation, voluntary donation, and restriction of resources access will be required to complete the social screening (Annex 2) and keep the record in the project file for possible review by the Bank. While most of the investments activities (rural infrastructure and hydromet stations) will be identified during the project implementation, this screening clearly prohibits investments leading to physical relocation of households, the structural demolition of any residential structures or businesses. This is also stated in Annex 1 of the ESMF.

12. Mitigation measures of potential negative impacts due to both land acquisition and restriction of access to resources have been considered during the design of the project. Further most of the investments proposed under the project, both Component 1 and 2, would mainly either built on the public land (e.g. hatchery under Component 1) or require minor land acquisition (e.g. rehabilitation of existing rural infrastructure, and construction of hydrological monitoring stations under Components 1 and 2); therefore the needs of appropriation of land for physical investments will be minor. Further, in principle, the planned investment under the project would directly benefit the concerned communities. In this context, for a majority of civil works requiring land acquisition, it is anticipated that necessary land would be obtained in a manner of voluntary donation. The technical guidelines provided in the *Annex 1* of this RPF also define the threshold beyond which voluntary donation is not allowed as well as criteria that have to be met, and define the detailed procedures and requirements that should be followed under voluntary donation. If the impact goes beyond the threshold or the criteria cannot be met, PAP should be compensated at replacement values of the affected assets and in line with the provisions of this RPF and the World Bank Operational Policy 4.12.

13. As for the impact on livelihood due to restriction of access to fishery resources, the Project will help community members, including those that belong to ethnic minorities, develop collective water resource management mechanisms to mitigate the short-term loss in livelihood, key ingredients of which are conflict resolution/mediation mechanisms and collective arrangements for sustainable water/ fishery resource management. Given that transparency and community participation are keys to its success, the Project will develop a built-in mechanism that will help community members to address negative impacts of the Project by themselves so that the community members are able to manage internal conflicts that may result from loss of assets or income. Indeed, the water/fishery resource management

mechanisms to be developed under the Project will not be sustainable without such mechanisms in place. The Project will also provide training and do continuous monitoring so community members would address negative impacts in ways that will fully comply with World Bank's resettlement and indigenous peoples policies. Application of the guidelines and approach to the Project is outlined in the sections below.

## 4.2 Policy Framework for Land Acquisition and Compensation

### *(i) General principles*

14. This Resettlement Policy Framework (RPF) establishes equivalence between current Cambodian law and the World Bank's OP 4.12 on Involuntary Resettlement by defining measures to fill the gaps between the national legal framework and OP 4.12. Both the procedures and principles described in 2001 Cambodia Land Law and the WB Operational Policy on Involuntary Resettlement (OP 4.12) will be applied. In this regard the following principles and objectives would be applied:

- (a) Acquisition of land and other assets will be minimized to the extent that is possible; physical relocation of households will not be allowed under the project.
- (b) All Project Affected Persons (PAPs) are identified in the Project impacted areas as of the date of the Detailed Measurement Surveys. They are entitled with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost will not bar the PAP from entitlement/compensation to such rehabilitation measures.
- (c) The rehabilitation measures to be provided are: (i) for loss of land, cash compensation at replacement value or provision of replacement land of equal value and productivity acceptable to the PAP<sup>1</sup>; (ii) compensation in cash or in-kind at replacement value without deduction for depreciation or salvage materials for houses and other structures; (iii) replacement of commercial land of equal size acceptable to the PAP; (iv) and transfer and subsistence allowances.
- (d) Replacement of agricultural land will be as nearby as possible to the land that was lost, and acceptable to the PAP.
- (e) Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the PAPs, to ensure minimal disturbance.
- (f) The compensation and rehabilitation activities will be satisfactorily completed before awarding of contract of civil works under each sub-project.

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<sup>1</sup> "Agricultural land for land of equal productive capacity" means that the land provided as compensation should be able to produce the same or better yield the PAP was producing on his/her previous land. The production should be in the planting season immediately following the land acquisition. It can be for a future period if transitional allowance equal to the household's previous yield is provided to the PAP household while waiting for the land to get back to the same productivity as the previous land.

- (g) The sources of funding for the compensation and rehabilitation of PAPs will be as follows: compensation for productive, residential and commercial land will come from the village land through the approval of the responsible Government Agency, and cash compensation for structures, trees, crops, income loss and rehabilitation assistance will come from the Government counterpart fund in the Project.
- (h) The respective Component Management Unit (CMU1 for Component 1 and CMU2 for Component 2) will assume primary responsibility for implementing this RPF, and ensure effective and timely design, planning, consultation and implementation of the compensation program, while CMU2 will prepare a compiled report for safeguards.
- (i) Land acquisition of small scale will be conducted on a consensus basis in the manner of voluntary donation, provided that required conditions are met. Beneficiary communities will manage voluntary donations according to the principles and procedures set out in this RPF, and prepare the Voluntary Donation Form. If the impact goes beyond the threshold of voluntary donation stipulated in this RPF, or does not meet the criteria provided therein, or affected people do not agree to voluntary donations, compensation will be provided in cash that is sufficient to restore their livelihood at the pre-project level. A Land Acquisition Agreement will be prepared to fully comply with OP 4.12. Templates of Land Acquisition Agreement and Voluntary Donation Form will be developed in the project Operations Manual.
- (j) The Annual Resettlement Action Plan (ARAP) will be prepared on an annual basis as part of the annual implementation plan and submitted to the Bank for review by September 1 every year, starting on September 1, 2014. The ARAP shall be disclosed prior to the commencement of the investments once it is approved by the Bank.
- (k) As for restriction of access to resources, the following mechanism to be established as part of community-managed fisheries management organizations: (i) complaints/grievances will be addressed first under the community-based conflict resolution mechanisms, under the support of Project staff and, (ii) if this first tier mechanism fails to address complaints/grievances, then the second tier mechanism, which involves external/third party mediation, will kick in and help solve problems. The grievance mechanism is described in Section 4.5. The project will support affected communities develop, and finance the implementation of, Village Resource Use Agreement (see below for details) that should be sufficient to restore pre-project level livelihood.

## ***(ii) Compensation and entitlements***

15. *Eligibility:* All PAPs who are identified in the project-impacted areas on the cut-off date of M-IWRM3 will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. The cut-off date will be the final day of the detailed measurement survey (DMS) in each investment. Those who encroach into the investment area after the cut-off date will not be entitled for compensation or any other assistance.

16. *Entitlements:* Based on the types of impacts, category of PAPs and their entitlements, respective CMU1/CMU2 will develop and include in the ARAP specific entitlements to each category of PAPs following the entitlement matrix provided in this RPF. For land acquisition and asset loss due to the development of community based fishery under Component 1, if conditions of voluntary donations cannot be met, communities will provide affected people compensation equal to the replacement value of the lost asset, either in-kind or cash. For land acquisition and asset loss due to construction of office building or other activities for which affected people are not the direct beneficiaries, affected people will receive compensation that will fully restore loss either in cash or in-kind.

*(iii) Special considerations*

17. *Vulnerability, gender, and ethnicity:* M-IWRM3 recognizes that certain social groups may be less able to restore their living conditions, livelihoods and income levels and has incorporated these concerns into the preparation and implementation of project activities through an adoption of participatory planning and decision making process. Women in the rural villages play a key role in household economy and community livelihood development. They will be empowered to become active members in community activities and projects and other collective endeavors in support of project implementation and monitoring.

18. During implementation, the Project will give special attention to women and female households as beneficiaries of the project interventions. Equal participation of women in the whole cycle of the project activities will be provided to increase likelihood of the project sustainability. Active participation of women and ethnic groups will be ensured during the development of appropriate measures to be responsive to specific needs or concerns of these groups such as landless, poor, and households headed by women, disabled, elderly or children without means of support. A gender strategy and ethnic groups specific actions will be developed and included in ARAP, in line with the technical guidelines (*Annex I*).

19. *Voluntary land donation:* The Screening process clearly prohibits the investments which require physical relocation of households. However, where minimal land acquisition is unavoidable, it may occur on a voluntary basis or with compensation (possibly in-kind) provided by the grant-recipient (typically the village), but not out of the Project fund. In accordance with traditional practices villagers may choose to voluntarily contribute land or assets without compensation. This can often be justified because the Project will either increase the value of the remaining property or provide some other direct benefit to the affected people.

20. Activities including voluntary contributions will not be approved where they would significantly harm incomes or living standards of individual owners or users. Voluntary donations will be applied only for very minor donation/losses of residential and agricultural land following the criteria and process described below:

- Voluntary donation of small strips of residential land is allowed only if: (i) the PAP's total residential land area is not less than 300 square meters (m<sup>2</sup>); (ii) if the PAP's total residential land area is more than 300 m<sup>2</sup>, the strip of land that can be donated cannot be more than 5% of the total land area; and (iii) there are no houses, structures or fixed assets on the affected portion of land.
- Voluntary contribution is an act of informed consent and the Project staff will assure that voluntary contributions are made with the prior knowledge that other options are

available including compensation in replacement values, and are obtained without coercion or duress.

- Voluntary donations are allowed only if affected people are direct beneficiaries of the investments that cause the land taking in question. Voluntary donation for the construction of office building, for instance, will not be allowed.
- PAPs have the right to refuse to donate assets and receive their entitlement and compensation for their land and assets lost. They will be fully informed of their rights and access to grievance mechanisms described in this RPF.

***(iv) Preparation of Annual Resettlement Action Plan (ARAP)***

21. Investments to be supported under the project will be developed and approved annually as part of the Annual Implementation Plan. Respective CMU1/CMU2 will prepare an annual Resettlement Action Plan (ARAP) each year which will be submitted along with the Annual Implementation Plan. The ARAP shall contain the following at minimum:

- Description of investments expected of the current year;
- Scale and scope of expected impacts due to such investments, broken down to those for which compensation will be provided and those which will be addressed through voluntary donations;
- Applicable legal and institutional framework, in line with this RPF;
- Description of project affected people, broken down to those for whom compensation will be provided and those who agree with voluntary donations;
- Applicable compensation policies with entitlement matrix, and principles of voluntary donations;
- Implementation schedule indicating that compensation will have been fully paid or voluntary donation process been completed and documented, before the implementation of subprojects begins, using the Land Acquisition Agreement and Voluntary Donation Form;
- Arrangement for disclosure of project documents and consultations with affected people;
- Applicable Entitlement Matrix
- Grievance redress and monitoring mechanisms; and
- Source of Funds and Cost Estimates

***(v) Implementation process***

22. Where compensation is to be provided, Project staff will ensure that the following are agreed to before works are undertaken as per ARAP:

- replacement of land with an equally productive plot or other equivalent productive assets;
- where PAP prefers, cash compensation equal to the replacement value of affected assets;
- materials and assistance to replace fully solid structures that will be demolished or removed;
- replacement of damaged crops, at market value; and
- other acceptable in-kind compensation.

23. For both types of land acquisition (voluntary contribution and against compensation), the Project staff will ensure that all occupants of land and owners of affected assets are consulted and agree to the arrangements with regard to compensation or voluntary donations in line with this RPF. The Project staff will help beneficiary communities prepare the Land Acquisition Agreement or the Voluntary Donation Form using the templates that will be provided in the project Operations Manual and obtain signatures of affected people, in order to document the agreed arrangements. Where voluntary donations are proposed, CMU staff should meet affected people privately and inform them of the rights to refuse to donate assets and demand for compensation at replacement costs, and confirm their informed agreement to voluntary donations. Where land has to be acquired to build office buildings or other purposes for which affected people are not the direct beneficiaries and thus voluntary donations are not allowed, CMU staff will prepare the Land Acquisition Agreement and obtain the signature of affected people. A siting map and field measurements signed by affected people should be attached to the Land Acquisition Agreement or the Voluntary Donation Form, as applicable, which should show in a sufficient detail the land to be acquired or donated and replacement land to be provided if applicable.

24. No activities that cause land acquisition will be approved unless the Land Acquisition Agreement or Voluntary Donation Form, as relevant, is reviewed and approved by the Provincial Steering Committee. The Bank's prior review and clearance will be required for the first 3 Land Acquisition Agreement and the first 3 Voluntary Donation Form, before activities that cause land acquisition in question can commence. The Bank will retain the right to continue to prior review and clear Land Acquisition Agreements or Voluntary Donation Forms till it considers that the Provincial Steering Committee has gained sufficient capacity to ensure that land acquisitions are processed in line with this RPF.

### **4.3 Policy Framework for Resource Access Restriction**

25. Natural resources management planning and implementation will be carried out by stakeholder community members themselves, under the support of the project staff who will provide general support for capacity development including on mitigating negative impact of the Project. Enforcement of laws and regulations that result in restriction of access to natural resources is a sensitive issue, which if handled badly has the potential to alienate local communities and undermine conservation efforts. Restricting access to resources is usually a necessary component of resource management, however, and must at some stage be addressed in any system of protected area management.

#### ***(i) General principles***

26. Customary resource rights derive from established, traditional or locally-recognized use, and do not depend on the possession of legal titles. Beneficiary community members will agree on zoning and associated restriction of access to resources, based on the principle of transparent and participatory decision making processes, which will be established at the beginning of subproject implementation, and will be strengthened throughout implementation processes through active support from the project staff and with the provision of compensatory measures to fully mitigate loss in resource use. The conflict management mechanism within beneficiary communities, including members of ethnic minorities, will be developed as part of the Project under the support of the project staff, which will be the primary/ first tier grievance redress mechanism. Land/ asset acquisition, either through voluntary donations or against in-kind compensation, as well as a restriction of access to

resources will be collectively managed by them. The Project will develop their capacity, and closely monitor their progress. Informed agreements must result from a process of consultation that ensure the inclusion of and equitable outcomes for the most vulnerable and most forest-dependent groups. A variety of different compensatory measures will be provided under the project, including:

- Improved resource management leading to higher future productivity;
- Assistance with resource management or planning;
- Assistance in securing resource access rights by excluding outsiders who do not enjoy such rights;
- Payment for villager involvement in patrolling or other protected area management activities; and
- Support for other community development or small scale livelihood activities through demonstration activities (e.g. livestock raising, aquaculture on the part of the community to attract funds from other sources.

27. Access may also be restricted in cases where users do not have customary resource rights or are using resources in ways that are clearly illegal under national legislation. Clearly illegal activities include the use of explosives, military weapons, poisons or electricity in hunting or fishing, the hunting or possession of illegal species for sale.

*(ii) Implementation process*

28. In case that the resource access restrictions is applied, the relevant CMU1/CMU2 will help affected villagers carry out participatory processes to develop the Village Resource Use Agreement, and confirm their broad community support to access restrictions provided in the Agreement and measures to mitigate the short term impact on livelihood that may result from such restrictions. Although the short term loss on livelihood due to access restriction is considered to be minor, a separate fund has been allocated under the project. Key supports would include (a) establishment of Fisheries Management Committee (office, monitoring equipment, tools, etc), training, and demonstration of small scale alternative livelihood; (b) preparation of Village Resource Use Agreement including fishery management plan, small scale livelihoods, priority infrastructure, etc; and (c) financing of the selected priority investment and capacity building. Such compensatory measures should be sufficient to restore pre-project level livelihood of affected people.

29. The Project staff will be responsible for ensuring proper documentation to demonstrate that effective community-based fisheries co-management mechanisms have been established and that negative short-term impact in livelihood has been fully mitigated. Where proposed activities do include elements of such enforcement activities, they must be described in the Village Resource Use Agreement and include the following documents:

- A copy of the village resource use agreement, including details of the resources involved, their location, the volumes currently extracted and the user groups; the restrictions to be imposed; the compensatory mechanisms agreed upon; complaint mechanisms; and participatory monitoring arrangements. Evidence that the livelihood support to be provided as compensatory measures is sufficient to restore livelihood and that such a measure is agreeable to the affected people. The monitoring and reporting will be done as much to meet safeguard requirements as to monitor Project progress per se. A sample of a village resource use agreement will be provided in the



project Operations Manual. It will also explain to villagers that the function of the agreement document is not to bind them into a permanent contract, but to make it clear to everyone what the arrangements are. Village agreements can and will be updated and amended until a workable arrangement is found that is satisfactory to all. The agreement and project complaint mechanisms must be posted within the village in a location accessible to all.

- A short report detailing the process of consultation that led to the agreement. This will detail the approach for ensuring the inclusion of all relevant sub-groups within the community. If communities include a significant mix of ethnic groups, the report will detail how the opinions and needs of each were included, typically through the inclusion of ethnically disaggregated discussions and use of local languages whenever possible.

30. The template of the Village Resource Use Agreement will be developed and attached to the project Operations Manual. The Bank will review and clear the template, as well as the detailed processes and procedures to develop and implement it, as part of the review and clearance of the project Operations Manual. No activities that may result in access restrictions will be supported until the Bank's clearance is obtained. The Bank will prior-review and clear the first three Village Resource Use Agreements developed, before their implementation can start, and retain the right to prior-review and clear the Village Resource Use Agreement prior to implementation of relevant subprojects till it is satisfied that CMU1/CMU2 has gained sufficient capacity. Once CMU1/CMU2 is considered to have gained sufficient capacity, it will review/ clear the Village Resource Use Agreement, monitor their implementation and keep records of implementation for review by the Bank.

31. During the preparation of M-IWRM3, villagers have readily recognized the benefits of strengthened resource management and are eager to establish rules in conjunction with the local governments and the Project. However, it is anticipated that arrival at village resource use agreements would be a gradual process of developing cooperation and understanding, which will require special skills in consultation and participatory techniques. The community members will benefit from learning how better to manage internal conflicts and complaints in order to develop sustainable water/fishery resource management. The Project will support the communities learning and strengthening such mechanisms. This consideration has been incorporated in the design of the Component 1.

#### **4.4 Monitoring and Information Disclosure**

32. Implementation of the RPF will be regularly supervised and monitored by the respective CMU1/CMU2 responsible for implementation of the investment activities that involve land acquisition and/or resources access restriction. The findings and recommendations will be recorded in the project file for possible review by the Bank. The CMU1/CMU2 will supervise and monitor the process at least one time per year and include the results in the Project annual reports and to be furnished to the World Bank. The CMU1/CMU2 staff in close consultation with local governments and PAPs will establish a set of practical monitoring indicators in line with the technical guidelines (*Annex I*).

33. The Project will make all the resettlement progress reports available to the public access in local language by posting them in the Project website to be established at CMU offices and in project areas.

## 4.5 Transparency and Grievance Mechanism

34. The World Bank's resettlement policy requires an investment project to establish mechanism for grievance resolution in order to ensure PAPs' satisfaction with implementation of resettlement related activities, and provide the PAPs with a legal platform for on the ground monitoring and reporting on the implementation of resettlement related activities. Specifically, the purpose of the grievance mechanism is to allow PAPs and persons who believe they are affected persons to seek satisfactory resolution to grievances they may have in relation to the restriction of access to aquatic resources, possible land acquisition or other project interventions. The key principles of the grievance mechanism are to ensure that:

- (a) The basic rights and interests of PAPs are protected
- (b) The concerns of PAPs arising from the project implementation process are adequately addressed; and
- (c) Entitlements or livelihood support for PAPs are provided on time and accordance with the above stated government and World Bank's safeguard policies.
- (d) PAPs are aware of their rights to access and shall have access to grievance procedure free of charge for the above purposes.
- (e) The grievance procedure will be part of the overall community based fishery management mechanism and form an important part of the conflict resolution mechanism that is community-based, involving ethnic minorities and representatives of other vulnerable groups, and therefore, collectively managed.

35. At the beginning of the project implementation, the grievance redress committees will be established at the villages, districts, and provincial levels built on the existing structures consisting of concerned departments, mass organizations, women and ethnic representatives. At the village the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, which are largely acceptable to local communities, particularly the ethnic minority groups, and will be strengthened as the first tier conflict resolution mechanisms of the community based fishery management. This arrangement helps ensure that a system is in place to help resolve any grievances to or complaints on collective fishery arrangement that may occur after project intervention. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively. The project will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may be raised by PAPs during the course and after the implementation of resettlement related activities.

36. PAPs, if not satisfied or unclear about the implementation of resettlement related activities including the provision of compensation, may raise their complaints to the village committees. The claim may be made orally or in writing with assistance from the village committees who shall provide response to the claimant within 5 days after receipt of the grievance. If the claimant is not satisfied with the decision made at the village level, s/he may submit the claim to the district level committee with support from the CMU1/CMU2. Within 15 days after receipt of the claim, the district committees shall make decision and provide response to the claimant. The claim may be lodged with Provincial Court of Law whose judgment would be final. All complaints and grievances will be properly documented and filed by the district and village committee, and CMU1/CMU2 would address them through consultations in a transparent and proactive manner. These grievance documents and report will be made public accessible. All costs associated with grievance handling process incurred by the

claimant and her/his representatives are to be covered by the project developer. The grievance handling process is described below Table 1.

**Table 1: Steps for Grievance Handling Process**

Procedures	Response Time	Responsible Unit/ Institution	Means of Verification/ Documentation
Step 1 – Village Level	Within 5 days	Community Association and Fishery Village Committee Leaders	Written record of grievance, through the assistance of CMU1/CMU2. Quarterly submission of names and pertinent information about the complainants, nature of complaint, dates the complaints are lodged, and resolution of the same to CMU1/CMU2.
Step 2 - District Level	Within 15 days	District Authority/CMU1	Written record of grievance from the village committee, through the assistance of CMU1/CMU2. Quarterly submission of names and pertinent information about the complainants, nature of complaint, dates the complaints are lodged, and resolution of the same to CMU1/CMU2.
Step 3 – Provincial Level	Within 10 days	Provincial government/ CMU1	Written record of grievance from the village committee and District authority, through the assistance of CMU1/CMU2. Quarterly submission of names and pertinent information about the complainants, nature of complaint, dates the complaints are lodged, and resolution of the same to CMU1/CMU2.

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**ANNEX 1. TECHNICAL GUIDELINES WHEN LAND ACQUISITION, COMPENSATION, AND INVOLUNTARY DONATION ARE INVOLVED IN INVESTMENT ACTIVITIES/SUBPROJECTS****Table of content**

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## A1.1 Definition of Terms

### 1. Definitions of key terms are as follows:

**Beneficiary** - All persons and households from the villages who voluntarily seek to avail of and be part of the project.

**Compensation** - payment in cash or in kind of the replacement cost of the acquired assets.

**Cut-of-date** – The date that the Decision on the target beneficiaries and on the land acquisition of the project areas is issued by a competent authority and publicly announced to local target-communities and to affected or displaced persons.

**Entitlement** – range of measures comprising compensation, income restoration, transfer assistance and income substitution which are due to affected people, depending on the nature of their losses, to restore their economic and social base.

**Household** - means all persons living and eating together as a single social unit. The census used this definition and the data generated by the census forms the basis for identifying the household unit.

**Income restoration** - means re-establishing income sources and livelihoods of PAPs to a minimum of the pre-project level.

**Improvements** – structures constructed (dwelling unit, fence, waiting sheds, pig pens, utilities, community facilities, stores, warehouses, etc.) and crops/plants planted by the person, household, institution, or organization.

**Land Acquisition** - the process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses, to the ownership and possession of the government agency, for public purpose in return for a consideration.

**Project Affected Persons (PAPs)** - includes any person or entity or organization affected by the investment project, who, on account of the involuntary acquisition of assets in support of the implementation of the investment project, would have their (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house and buildings, land (including residential, commercial, agricultural, plantations, forest and grazing land) water resources, fish ponds, communal fishing grounds, annual or perennial crops and trees, or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily; and (iii) business, profession, work or source of income and livelihood lost partly or totally, permanently or temporarily.

**Replacement Cost** – is the term used to determine the amount sufficient to replace lost assets and cover transaction costs. When domestic laws do not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standards.

**Resettlement** – is the general term related to land acquisition and compensation for loss of asset whether it involves actual relocation, loss of land, shelter, assets or other means of livelihood.

**Vulnerable Groups** - are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically

include: (i) households headed by women, the elderly or disabled, (ii) households living below the poverty threshold, (iii) the landless, and (iv) ethnic groups.

## A1.2 Basic Requirements of the World Bank Social Safeguard Policies

2. **Core requirements.** Table 1 below outlines the World Bank (WB) social safeguard policies and its core requirements under each safeguard policies.

Table 1. Social safeguard policies

World Bank Policies	Summary of Core Requirements	Public Consultation
Involuntary Resettlement and Land Acquisition (OP/BP 4.12)	The project will apply proper involuntary resettlement and compensation principles to ensure that all Project Affected People (PAPs) will be compensated for their losses at replacement cost and provided with rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity.	Consult project affected persons (PAPs) and host community; incorporate expressed views in resettlement plans; list of choices by PAPs.
Resources restriction (OP/BP 4.12)	The project will develop village resource use agreements in close consultation with communities before seeking funds for enforcing resource access restriction amongst customary users. In many cases separate funding will be needed to support the process of reaching agreements, prior to the implementation stage.	A short report detailing the process of consultation that led to the agreement, including the approach for ensuring the inclusion of all relevant sub-groups within the community.
Indigenous People(OP 4.10)	The project will follow the key principles of the WB's policy concerning Indigenous People which are to "ensure that Indigenous People do not suffer adverse impacts during the development process," and that they receive "culturally compatible social and economic benefits." Indigenous People in Cambodia are those who are vulnerable to the development process and who meet the characteristics used in the WB's policy (see IPPF for Cambodia).	Carry out free, prior and informed consultations with indigenous peoples leading to their broad community support. If indigenous people communities are present in project areas, prepare an Indigenous Peoples Development Plan (IPDP).
Physical Cultural Resources (OP 4.11)	The project will investigate and provide inventory of cultural resources that are potentially affected. Although an impact on cultural resources is not anticipated, the civil works contract will include a specific clause on "chance find".	Consult and document affected resources with project affected groups, concerned national, provincial and district government offices/authority and relevant NGOs.

3. **Social screening and document required.** All the investment projects/activities will conduct a social screening to identify potential negative impacts and appropriate mitigation measures (see form in *Annex 2*) and if land acquisition and affected assets are involved, provides more detailed information on affected land and assets (see form in *Annex 3*). *Table 2* below provides a general guideline for determining the type of social safeguard documents required while more detailed information is given in *Annexes 4 and 5*

Table 2. General guideline for determining the type of social safeguard documents required

COVERAGE OF NEGATIVE SOCIAL IMPACT	TYPE DOCUMENTS REQUIRED
<ul style="list-style-type: none"> <li>For investment that are determined to result in minor impacts, defined under the OP 4.12, when “the affected people are not physically displaced and less than 10% of their productive assets are lost”,</li> </ul>	<p><b><u>Land Acquisition Agreement or Voluntary Donation Form</u></b></p>
<ul style="list-style-type: none"> <li>For investments that may result in more significant impacts, i.e. displacement of more than 200 people, and more than 10% of their productive assets are lost</li> </ul>	<p><b><u>Not allowed, given the high transaction cost of addressing such impacts that exceed project benefits</u></b></p>
<ul style="list-style-type: none"> <li>For investments implemented in areas where Indigenous Peoples are present.</li> </ul>	<p>Indigenous Peoples Development Plan (<b>IPDP</b>) must be prepared as a separate and standalone document. List of required information of IPDP is shown in <b>Annex 5</b>. Details are provided in Indigenous Peoples Planning Framework (IPDF)</p>

### A1.3 Compensation and Entitlements

#### (a) Eligibility

4. All PAPs who are identified in the project-impacted areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. *The cut-off date will be the final day of the detailed measurement survey (DMS) in each subproject.* Those who encroach into the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

#### (b) Entitlements

5. Based on the types of impacts, category of PAPs and their entitlements should be prepared showing specific entitlements to each category of PAPs. An Entitlement Matrix is shown in **Table 3** as reference.

Table 3: Entitlement Matrix

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Productive Land (paddy, garden, and Teak Plantation, shops	Legal owner or occupant identified during census	<ul style="list-style-type: none"> <li>For marginal loss of land, cash compensation at replacement cost which is equivalent to the current market value of land within the</li> </ul>	<ul style="list-style-type: none"> <li>Legal owners are those who received land use certificates or land titles.</li> </ul>

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
and businesses)	and tagging	<p>village, of similar type, category and productive capacity, free from transaction costs (taxes, administration fees),</p> <ul style="list-style-type: none"> <li>• If the impacts on the total productive land is expected to exceed 10 %, such investments should be redesigned to reduce the impact below 10%</li> </ul>	
Residential Land	Legal owner or occupant identified during census and tagging	<ul style="list-style-type: none"> <li>• The project will not support the investments which lead to physical relocation of households, including the appropriation of the land to the extent that the remaining land is not sufficient to rebuild the house/structures/</li> <li>• <u>With</u> remaining land sufficient to rebuild houses/structures: (i) Cash or in-kind compensation at replacement cost which is equivalent to the current market value of land of similar type and category, and free from transaction costs (taxes, administration fees); or (ii) voluntary donations per requirements under this RPF</li> </ul>	<ul style="list-style-type: none"> <li>• Legal owners are those who have land use certificates or land titles.</li> <li>• Voluntary donation of minor strips of residential land will only be allowed by the Project provided that the following criteria are strictly complied with: (i) the PAP's total residential land area is not less than 300 m<sup>2</sup>; (ii) if the PAP's total residential land area is more than 300 m<sup>2</sup>, the strip of land that can be donated cannot be more than 5% of the total land area; (iii) those who voluntarily donate land is the direct beneficiary of project activities that cause impacts; and (iv) there are no houses, structures or fixed assets on the affected portion of land.</li> </ul>
Fish Pond (Remaining area is still viable or can still meet expected personal or commercial yield)	Owner of affected fishpond	<ul style="list-style-type: none"> <li>• Cash or in-kind compensation of affected portion at replacement cost which is equivalent to the current market value of fishpond, labor and rent of equipment to excavate fishpond, free from transaction costs (taxes, administration fees)</li> <li>• If the currently held fish stocks will not be harvested before the project takes possession of the fishpond, then cash compensation for the projected mature value of fish stock held at the time of compensation.</li> <li>• District government to restore/repair remaining fishpond. If support cannot be provided by the contractor, the PAP will be entitled to cash or in-kind assistance to cover for payment of labor and rent of equipment to restore/repair fishpond.</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate time provided for PAPs to harvest fish stocks</li> <li>• Voluntary donation of fishpond land will not be allowed by the Project.</li> </ul>
Totally Affected Shops and Secondary Structures (kitchen, rice	Owners of affected houses whether or not land is owned	<ul style="list-style-type: none"> <li>• Cash or in-kind compensation at replacement cost for the entire structure equivalent to current market prices of (i) materials, with no deduction for depreciation of the</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate time provided for PAPs to rebuild/repair their structures</li> <li>• Affected houses and shops that are no longer viable are</li> </ul>



Type of Losses	Entitled Persons	Entitlements	Implementation Issues
bins)		structure or salvageable materials; (ii) materials transport; and (iii) labor cost to cover cost for dismantling, transfer and rebuild; and <ul style="list-style-type: none"> <li>• Timely provision of dump trucks for hauling personal belongings at no cost to the PAPs.</li> </ul>	those whose remaining affected portion are no longer usable/habitable.
Temporary Use of Land	Legal owner or occupant	<ul style="list-style-type: none"> <li>• For agricultural and residential land to be used by the civil works contractor as by-pass routes or for contractor's working space, (i) rent to be agreed between the landowner and the civil works contractor but should not be less than the unrealized income and revenue that could be generated by the property during the period of temporary use of the land; (ii) cash compensation at replacement cost for affected fixed assets (e.g., structures, trees, crops); and (iii) restoration of the temporarily used land within 1 month after closure of the by-pass route or removal of equipment and materials from contractor's working space subject to the conditions agreed between the landowner and the civil works contractor.</li> </ul>	<ul style="list-style-type: none"> <li>• The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the landowner is adequately informed of his/her rights and entitlements as per this RPF; and (iii) agreement reached between the landowner and the civil works contractor are carried out.</li> </ul>
Partially Affected Houses and Shops and secondary structures  (Will not require relocation)	Owners of affected houses whether or not land is owned	<ul style="list-style-type: none"> <li>• Cash or in-kind compensation at replacement cost for the affected portion of structure equivalent to current market prices of (i) materials and labor, with no deduction for depreciation of the structure or for salvageable materials (ii) materials transport, and (iii) cost of repair of the unaffected portion;</li> </ul>	
Loss of business income during relocation or during dismantling/repair of affected portion (without relocation)	Owners of shops	<ul style="list-style-type: none"> <li>• Cash compensation equivalent to the daily income/ wage rates multiplied by the number of days of business disruption.</li> </ul>	It will take one day to move the shops if made of traditional materials (bamboo)/movable (can be carried without totally dismantling the structure. It will take about two days to remove and repair affected portion of shop made of permanent materials (such as good wood and concrete). The rate will be verified through interviews with shop owners to get an estimate of daily net profit.
Crops and Trees	Owner of crops and trees whether or not	<ul style="list-style-type: none"> <li>• If standing annual crops are ripening and cannot be harvested, cash compensation at replacement</li> </ul>	

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
	land is owned	<p>cost equivalent to the highest production of crop over the last three years multiplied by the current market value of crops</p> <ul style="list-style-type: none"> <li>• For perennial crops and trees, cash compensation at replacement cost equivalent to current market value based on type, age, and productive capacity.</li> <li>• For timber trees, cash compensation at replacement cost equivalent to current market value based on type, age and diameter at breast height (DBH) of trees</li> </ul>	
Permanent loss of physical cultural resources/public structures/village or collective ownerships	Villagers or village households	<ul style="list-style-type: none"> <li>• The project will not support the investments which lead to permanent loss of these premises.</li> </ul>	
Graves located in the affected areas	Owners of graves	<ul style="list-style-type: none"> <li>• Compensation for the removal, excavation, relocation, reburial according to the relevant cultural practices and other related costs will be paid in cash to each affected family.</li> </ul>	
Electricity Poles	Electricity Companies	<ul style="list-style-type: none"> <li>• Cash compensation for cost to dismantle, transfer and rebuild</li> </ul>	
Transportation allowance	Relocating businesses – to other sites	<ul style="list-style-type: none"> <li>• Provision of trucks to haul all old and new building materials, supplies and stocks, and personal possessions</li> </ul>	PAPs may also opt for cash assistance. The amount (cost of labor and distance from relocation site) to be determined during implementation
Vulnerable PAPs	Vulnerable PAPs such as the poorest, or households headed by women, the elderly, or disabled, and ethnic groups	<ul style="list-style-type: none"> <li>• An additional allowance of 1 month supply of rice per person in the household.</li> <li>• Eligible to participate in income restoration program</li> <li>• The contractors will make all reasonable efforts to recruit severely affected and vulnerable PAPs as laborers for road construction and road maintenance works</li> </ul>	The poorest will be those below the national poverty line as defined in the poverty partnership agreement with World Bank

***(c) Voluntary donation***

6. Voluntary donations will be applied only for very minor donation/losses of residential and agricultural land following the criteria and process described in this framework. Voluntary donation of small strips of residential land is allowed only when the following criteria are met:

- The PAP's total residential land area is not less than 300 square meters (m<sup>2</sup>);
- If the PAP's total residential land area is more than 300 m<sup>2</sup>, the strip of land that can be donated cannot be more than 5% of the total land area;

- The PAP is the direct beneficiary of the investments; and
- There are no houses, structures or fixed assets on the affected portion of land.

7. Voluntary donation according to these criteria will follow the process in accordance with Government regulations as stated in the Commune/Sangkat Fund project Implementation Manual of the National Committee for the Management of Decentralization and Deconcentration Reform “NCDD”. Details on voluntary donations, including the format of Voluntary Donation Forms, will be provided in the project Operations Manual. The review and clearance by the Bank of the project Operations Manual including on voluntary donation process are the requirement for project approval.

***(d) Vulnerability, gender and ethnicity***

8. This RPF recognizes that certain social groups may be less able to restore their living conditions, livelihoods and income levels; and therefore, at greater risk of impoverishment when their land and other assets are affected. The project will identify any specific needs or concerns that need to be considered for the indigenous peoples groups and other vulnerable groups such as landless, poor, and households headed by women, disabled, elderly or children without means of support. A gender strategy and indigenous peoples specific actions, as required will be included in the ARAP.

## **A1.4 ARAP Preparation and Implementation**

***(a) Preparation***

9. Each year as annual investment plan is prepared and the scope and scale of impacts due to respective investments become known, respective CMU1/CMU2 will prepare an Annual Resettlement Action Plan (ARAP). In order to prepare the ARAP, respective CMU1/CMU2, in partnership with grant recipients, will carry out the following activities:

- (i) Undertake a census of all PAPs.
- (ii) Undertake detailed measurement survey (DMS)<sup>2</sup> of all losses of all PAPs. At the same time, inform potential PAPs (without discrimination) of the investment, its likely impacts, and principles and entitlements as per the RPF.
- (iii) Undertake a socioeconomic survey (SES)<sup>3</sup> of at least 10% of all PAPs, 20% of severely affected PAPs and ethnic group population.
- (iv) Assess the replacement costs of various types of affected assets as a basis for determining compensation rates at replacement cost. Determine the losses in accordance with the entitlement matrix.<sup>4</sup>
- (v) Provide project and resettlement information to all persons affected in a form and language that are understandable to them, and closely consult them on compensation and resettlement options, including relocation sites for businesses and economic rehabilitation.
- (vi) Prepare the draft ARAP with time-bound implementation schedule, procedures for grievance mechanism and monitoring and evaluation, and a budget. ARAP should contain the elements described in Section 4-2 (iv).

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<sup>2</sup>Data will be gender and ethnic groups disaggregated.

<sup>3</sup> It will include gender analysis and data will be gender and ethnic minority disaggregated.

<sup>4</sup>If there are new categories of PAPs and/or losses identified during the DMS (other than those described in the entitlement matrix), the entitlements will be derived in accordance with World Bank’s policy and guidelines.

- (vii) Disclose the draft and final ARAP in accordance with World Bank’s policy on public disclosure to the affected communities and on World Bank’s Infoshop. The draft ARAP will be disclosed to PAPs prior to submission to World Bank for approval. The final ARAP will be disclosed after approval.

Table 4: Surveys for ARAP Preparation

<b>Detailed Measurement Survey (DMS)</b>	<p>The <b>census and detailed measurement survey (DMS)</b> of lost assets will collect data on the affected assets from 100% of PAPs following detailed engineering design. The data collected during the DMS will constitute the formal basis for determining PAP entitlements and levels of compensation. For each PAP, the scope of the data will include:</p> <ul style="list-style-type: none"> <li>• Total and affected areas of land, by type of land assets;</li> <li>• Total and affected areas of structures, by type of structure (main or secondary);</li> <li>• Legal status of affected land and structure assets, and duration of tenure and ownership;</li> <li>• Quantity and types of affected crops and trees;</li> <li>• Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops;</li> <li>• Quantity/area of affected common property, community or public assets, by type;</li> <li>• Summary data on PAP households, by ethnicity, gender of head of household, household size, primary and secondary source of household income vis-a-vis poverty line, income level, whether household is headed by women, elderly, disabled, poor or ethnic groups;</li> <li>• Identify whether affected land or source of income is primary source of income; and PAP knowledge of the investment and preferences for compensation and, as required, relocation sites for businesses and rehabilitation measures.</li> </ul>
<b>Socioeconomic Survey</b>	<p>At a minimum, the socioeconomic survey (SES) will collect information from a sample of 10% of affected people and 20% of severely affected PAPs, disaggregated by gender and ethnicity. The purpose of the socioeconomic survey is to provide baseline data on PAPs to assess resettlement impacts, and to be sure proposed entitlements are appropriate, and to be used for resettlement monitoring. The scope of data to be collected includes:</p> <p>A. Household head: name, sex, age, livelihood or occupation, income, education and ethnicity;</p> <p>B. Household members: number, livelihood or occupation, school age children and school attendance, and literacy, disaggregated by gender;</p> <p>C. Living conditions: access to water, sanitation and energy for cooking and lighting; ownership of durable goods; and</p> <p>D. Access to basic services and facilities.</p>
<b>Assessment of Replacement Costs</b>	<p>The replacement costs of affected assets will be assessed in parallel with DMS and SES activities by collecting information from both secondary sources and primary sources (direct interviews with people in the affected area, material suppliers, house contractors), and from both those affected and those not affected. The government rates will be adjusted, as necessary, based on the findings. Compensation rates will be continuously updated to ensure that PAPs receive compensation at replacement cost at the time of compensation payment.</p>

**(b) ARAP implementation**

10. Respective owners of subprojects will implement ARAP, in close collaboration with and under the guidance of respective CMU1/CMU2. The Land Acquisition Agreement or Voluntary Donation Forms, as relevant, will be developed, signed by PAPs, and filed by respective CMU1/CMU2 for record. Templates of the Land Acquisition Agreement and the Voluntary Donation Form will be attached to the project Operations Manual. The templates of the Land Acquisition Agreement and the Voluntary Donation Form, as well as detailed processes and procedures to prepare and implement them, should be reviewed and cleared by the Bank as part of the review and clearance of the project Operations Manual. PAP will be fully informed, prior to the signing of the Land Acquisition Agreement or Voluntary Donation Forms, of their entitlements under the project and avenues for redressing grievances.

## A1.5 Community Consultation and Participation Process

11. A sample framework for participatory processes for the project is presented in *Table 5* which defines the roles of beneficiaries and PAPs and the reasons for their participation in all stages of community action and resettlement activities.

Table 5: Framework for Community Consultation and Participation Process

Stages	Subject of Consultation	Role of Target Communities and Affected Persons/Households	Reasons for Community Participation
<b>Preparation Stage</b>			
<ul style="list-style-type: none"> <li>• Consultation and focused- group discussions/meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Understanding the investment.</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in community consultation.</li> <li>• Create committees with at least 25-50 percent of the members is composed of women.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that target beneficiaries and PAPs fully understand the proposed investment and its benefits.</li> <li>• Promote an informed and collective-decision making.</li> <li>• Gather issues and concerns of the community that can be incorporated in the proposed investment.</li> </ul>
<ul style="list-style-type: none"> <li>• Planning for investment/s</li> </ul>	<ul style="list-style-type: none"> <li>• Design and planning investments</li> </ul>	<ul style="list-style-type: none"> <li>• Approve the design and proposed by the beneficiaries and PAPs.</li> </ul>	<ul style="list-style-type: none"> <li>• This measure will lessen conflicts and send the message to target beneficiaries and PAPs that they are involve and came from their collective decisions.</li> </ul>
<ul style="list-style-type: none"> <li>• Formulating compensation and entitlement package.</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation and entitlement package for PAPs.</li> </ul>	<ul style="list-style-type: none"> <li>• Approve the compensation and entitlement package of the PAPs.</li> </ul>	<ul style="list-style-type: none"> <li>• This also promotes an informed and collective decision-making among beneficiaries and PAPs.</li> </ul>
<ul style="list-style-type: none"> <li>• Consultation on proposed investment/s before submission.</li> </ul>	<ul style="list-style-type: none"> <li>• Contents of proposed investment/s.</li> </ul>	<ul style="list-style-type: none"> <li>• Review and concur the contents of proposed investment/s.</li> </ul>	<ul style="list-style-type: none"> <li>• Such consultation delivers the message of transparency seeing to it that their comments /suggestions are incorporated in the proposed investment/s.</li> </ul>
<b>Implementation Stage</b>			
<ul style="list-style-type: none"> <li>• Consultation on the implementation of investment/s and provision for and acquisition</li> </ul>	<ul style="list-style-type: none"> <li>• Phasing of investment implementation and transfer to agreed area(s) for PAPs.</li> <li>• Agreement on implementation schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Orderly dismantling and reconstruction of affected structures, if any</li> <li>• Inform PAPs for the scheduling of transfer</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that the impacts of disruption are lessened.</li> <li>• It will also enable the implementing agency to determine the budgets for food and transport of PAPs/ household</li> <li>• Participation in plot marking in the presence of designated staff/facilitator will avoid misunderstanding among PAPs and beneficiaries.</li> </ul>
<ul style="list-style-type: none"> <li>• Consultation with PAPs concerning affected land and/or structures, livelihood, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Boundaries on plot allocation, road access and provision for social services, i.e., water</li> </ul>	<ul style="list-style-type: none"> <li>• Mark the affected lot boundaries as determined by land surveyors consistent</li> </ul>	<ul style="list-style-type: none"> <li>• Enable the implementing agency to estimate budgets for entitlements like</li> </ul>

Stages	Subject of Consultation	Role of Target Communities and Affected Persons/Households	Reasons for Community Participation
	sewerage, drainage.	with the assigned area and plans.	allowances for foods, transportation and special assistance.
• Engagement in livelihood undertakings.	• Livelihoods for target-community beneficiaries and that of those of the PAPs.	• Provide information on the actual negative and positive impact to PAPs	• Women are known to have skills in livelihood management which could enhance family income.
• Employment of beneficiaries in the investment	• Additional assistance to beneficiaries and PAPs.	• Involvement of women in livelihood development.	• Employment with the project will also provide additional or enhance their income.
• Grievance and redress.	• Grievance and redress mechanism.	• Beneficiaries or any of their household members will be employed as laborer during the construction of a investment/s.	• Ensure that problems are address within reasonable time.
• Monitoring and Evaluation	• Implementation of investment/s	• Provide background of the issues.	• The officers will serve as the GRC, and they will also assist agency in implementing the policies in each community as part of the management of the investment.
		• Provide inputs and status for implementation on investments.	• The information from PAPs and beneficiaries will assist the CMUs to assess the level of compliance in every stage of investment implementation.
			• This will give lessons learnt in shaping up future policies on resettlement for the project.

## A1.6 Gender Strategies

12. The following principles are adopted to engage women actively in the planning and implementation of the resettlement program as well as other programs:

- (i) Compensation payments will be signed off by both spouses, or in the case of female headed households, by the women.
- (ii) The civil works contracts will include employment targets for the poor, and women from the Project affected villages and local area. They will also include commitments to gender equity including: i) ensuring that no child labor or trafficked labor will be used; ii) no discrimination against the employment of qualified women; and iii) no differential wages paid to men and women for work of equal value.

- (iii) Special measures will be taken in disseminating information to and consulting with women to ensure that they understand clearly the policies, entitlements and other procedures of the resettlement program, and are able to make informed decisions.
- (iv) The resettlement information system for the project will ensure that all databases and monitoring indicators are disaggregated by gender.
- (v) The respective CMUs will provide training for all resettlement committees to build capacity in resettlement administration and to enhance gender and ethnicity sensitivity in resettlement management.
- (vi) Women who are heads and/or members of PAP households as well as other women in the communities will be encouraged and assisted to participate fully in the planning and implementation of the Village Resource Use Agreement by drawing on their knowledge, skills and interests

13. The project will give special attention to women and female households as beneficiaries of the project interventions. Equal participation of women in the whole cycle of the project activities is needed to increase likelihood of the project sustainability. Women in the rural villages play a key role in household economy and community livelihood development. They will be empowered to become active members in community activities and projects and other collective endeavors in support of project implementation and monitoring. Shown in **Table 6** is the Gender Action Plan Matrix.

Table 6: Gender Action Planning Matrix

Project Component	Objective	Activities/ Tasks	Responsible Entity	Indicator	Means of Verification
1. Project Preparation	Identify gender-specific issues and needs to be taken into account in the design of investments and livelihood interventions  Involve women in identifying these needs and issues  Develop gender-specific indicators for women participation and empowerment to be used for project monitoring and evaluation	Formulate gender baseline information to be included in survey  Conduct a survey with gender indicators  Conduct focus group discussions with women to identify gender-specific issues and concerns for input into community planning process and design of development interventions  Select and train women who will serve as project monitors and motivators  Develop gender indicators for	CMU1 (for Component 1), with participation of Women Community Groups (WCGs)	Gender indicators incorporated in the survey instrument  Number of focus group discussions (FGDs) held  Number of women and women heads of household who participated in FGDs  Set of gender-specific indicators incorporated in project monitoring and evaluation tool  Number of community women volunteers willing to serve as project monitors	Survey Instrument  Feasibility Study/ ARAP  Documented feedback from women beneficiaries and participants of FGDs  List of women volunteers and or list of organizations

Project Component	Objective	Activities/ Tasks	Responsible Entity	Indicator	Means of Verification
		project monitoring and evaluation.			
Project Component	Objective	Activities/ Tasks	Responsible Entity	Indicator	Means of Verification
2. Project Design	<p>Ensure that community development plans and investment designs take into account women's needs for safety, security, mobility and child care</p> <p>Access to potable water, safe and well, waste disposal facilities with child and senior citizen friendly investment designs</p>	<p>Give GAD briefings and orientation to women members of community associations</p> <p>Prepare the GAD component of the project to include capacity building in understanding the basic areas where they can participate during detailed planning activities of building designs preparation</p>	CMU1 (for Component 1) and CMU2 (for Component 2) Community/ Village Groups	<p>Investment designs with gender-sensitive and vulnerable groups features</p> <p>Livelihood programs specifically targeting women heads of households</p>	<p>Investment designs</p> <p>Livelihood program plans</p>
3. Project Implementation					
a. Basic Services	<p>Ensure women's access to project benefits</p> <p>Ensure that tenure instruments and contracts give women equal decision-making and asset-ownership Rights Regular consultation with women's group during construction for design adjustments and monitoring of construction activities. Women to project their interest by making it sure</p>	Information and Education Campaign (IEC) directed at women community members to inform them of project benefits and value of participation	<p>CMU1 (for Component 1) and CMU2 (for Component 2)</p> <p>Women motivators</p>	<p>IEC materials distributed. Material to be included is as follows, checklist of eligible investments. Access to micro-financing for the women to have a start –up livelihood activities.</p> <p>Number of women participating in community action planning</p>	<p>Progress Reports</p> <p>Documented Feedback from women beneficiaries</p>



Project Component	Objective	Activities/ Tasks	Responsible Entity	Indicator	Means of Verification
	that whatever have been agreed upon in the design stage is faithfully adhered to during the construction or implementation stage.				
b. Livelihood Interventions	<p>Ensure women's access to project services and benefits</p> <p>Increase the income-earning capacity of women beneficiaries, especially women household heads</p>	<p>Information and Education Campaign</p> <p>Skills trainings to women heads of households</p> <p>Trainings on savings and financial management</p> <p>Organize collective enterprises and self-help groups managed by women</p> <p>Organize community based women collection arm for the livelihood.</p>	CMU1 (for Component 1) and CMU2 (for Component 2) Contracted NGOs, MFIs	<p>Number of women receiving IEC materials</p> <p>Number of trainings conducted</p> <p>Number of participants in trainings</p> <p>Number of enterprises, cooperatives, savings groups, mutual aid groups formed by women</p> <p>Number of women members of these groups</p> <p>Number of microfinance loans extended by MFIs to women headed households</p> <p>Number of skills job referrals and successful marketing referrals</p>	<p>IEC materials produced and used as an information, education and communication tools.</p> <p>Progress Reports</p> <p>Evaluation forms filled out by trainees</p> <p>Existence of functional livelihood support groups (cooperatives, mutual-aid groups and enterprises)</p> <p>Reports of NGOs, MFIs</p> <p>Feedback from women beneficiaries of livelihood loans</p> <p>Reports of external monitoring team for the project</p>
c. Capability Building and Institutional Development	<p>Develop the capacities of women in project and community management and project monitoring</p> <p>Ensure women participation in project management, livelihood</p>	<p>Trainings on leadership, organizational management, financial management, investment management, monitoring and evaluation</p> <p>Formation of women's</p>	CMU1 (for Component 1) and CMU2 (for Component 2) Leaders/Officers of women's groups and committees	<p>Number of trainings conducted</p> <p>Training manuals</p> <p>Number of participants in trainings</p> <p>Number of women's groups and committees</p>	<p>Progress reports</p> <p>Evaluation forms filled out by participants of trainings conducted</p> <p>Minutes of organizational meetings</p> <p>List of beneficiaries and</p>

Project Component	Objective	Activities/ Tasks	Responsible Entity	Indicator	Means of Verification
	programs and project monitoring	organizations Organizational meetings		formed	the income comparison before the assistance and the current income level after the assistance.
d. Monitoring and Evaluation	Involve women in project monitoring and evaluation  Assess the project's impact on the welfare of women through the use of gender-specific indicators	Monitoring and evaluation workshops with the community  Data collection and review of reports and pertinent documents	CMU1 (for Component 1) and CMU2 (for Component 2) External Monitoring Agency (EMA)	Monitoring and Evaluation tools  Number of monitoring workshops  Number of monitoring and evaluation reports	Monitoring and Evaluation Reports  Report card per project beneficiary and their progress in terms of income and or rehabilitation status after the project assistance.

### A1.7 Grievance Redress

14. In Cambodia, there is a Decision on the Establishment of National Accountability Working Group (NAWG), and Guideline on the Establishment of Provincial /Municipal Accountability Working Group (PAWG), signed by the Chairman of National Committee for the Management of decentralization and deconcentration reform (NCDD, to ensure accountability, transparency, effectiveness of utilization of all funding sources under the NCDD Budget and Commune/Sangkat Fund. PAWG performs screening and complaint resolution process, disciplinary measures and sanction.

15. The objectives of this mechanism are to ensure PAPs satisfaction with implementation of resettlement related activities, and in effect provide for on the ground monitoring by PAPs of the adequate implementation of resettlement related activities.

16. The project implementer who is responsible for carrying out project activities which are likely the source of grievances (such as the DMS, establishing replacement costs, determining other allowances) is responsible for responding to and resolving grievances in the most timely and acceptable method. However, should PAPs remain dissatisfied, they may bring up their complaints through other avenues as described below.

17. The project will have to set-up the Grievance Redressal Committees (GRC) at the district and provincial levels, composed of concerned departments, local officials, village chiefs, PAP representatives, women representatives, mass organizations will also act as grievance officers. All complaints and grievances will be properly documented by both the district authority; village offices; Component Management Unit 1 (CMU1) for Component 1 and CMU2 for Component 2 and addressed through consultations in a transparent manner

aimed at resolving matters through consensus. *Table 7* shows the project grievance redress procedure for an investment project.

Table 7. Grievance redress procedure for an investment project

Procedures	Venue	Response Time	Responsible Unit/Institution	Means of Verification/Documentation
Step 1 – Village Level	Public place accessible to complainant/beneficiaries or PAPs	Within 5 days	Village Leader and Village Committee	Written record of grievance, through the assistance of CMU1/CMU2. Quarterly submission of names and pertinent information about the complainants, nature of complaint, dates the complaints are lodged, and resolution of the same to CMU1/CMU2.
Step 2 - District Level	District authority's office	Within 15 days	District Authority/CMU 1/CMU2	Written record of grievance from the village committee, through the assistance of CMU1/CMU2. Quarterly submission of names and pertinent information about the complainants, nature of complaint, dates the complaints are lodged, and resolution of the same to CMU1/CMU2.
Step 3 – Provincial Level	Provincial government's office	Within 10 days	Provincial government/ CMU1/CMU2	Written record of grievance from the village committee and District authority, through the assistance of CMU1/CMU2. Quarterly submission of names and pertinent information about the complainants, nature of complaint, dates the complaints are lodged, and resolution of the same to CMU1/CMU2.

18. The complaint, as a last resort, will be lodged with the Provincial Court of Law and whose decision would be final. Although the technical guidelines for resettlement designate this elevating of the complaint to the local mass organizations, non-benefit organizations and complainant representatives, in order to ensure the availability of adequate resources to carry out this procedure, the CMU1/CMU2 will be responsible for forwarding the complaint and ensuring its process in the courts.

19. In addition the grievance mechanism described above, complainants may also (or permit representatives on their behalf raise their concern or complaint with the World Bank Office in Cambodia if complainants are still not satisfied with the resolution of their complaints at the project and provincial level.

20. All legal and administrative costs incurred by complainants and their representatives at the GRC are to be covered by the project proponent.

## A1.8 Monitoring and Evaluation

### (a) Internal Monitoring

21. The investment project should be designed to involve community-beneficiaries and affected persons in monitoring the implementation and status of investment activities/subprojects. The district and village authority, together with the community-beneficiary and NGOs will be jointly responsible for the internal monitoring of the actual implementation against the planned activities, time frame, budget and entitlement that will be done on an on-going basis throughout the duration of investment construction. *Table 8* provides the indicators for the internal monitoring by district and village authority for the regular feedback to the project management unit.

Table 8: Internal Monitoring Indicators

Type of Monitoring	Basis for Indicators	Sources of Information
Budget and Time Frame	<ul style="list-style-type: none"> <li>• Have the personnel of CMUs and counterpart staff from district and village authority been organized, deputized and provided their office as scheduled?</li> <li>• Have capacity building and training of staff of CMUs; District and Village government been conducted on time?</li> <li>• Have the district authority provided adequate budgetary support for compensation of PAPs and beneficiaries?</li> <li>• Have the district authority released and disbursed the equity funding for implementing the project on time?</li> <li>• Has the social preparation phase been undertaken according to schedule?</li> <li>• Have the proposed investment/s been agreed with beneficiaries and PAPs and concurred by the respective district and village authorities?</li> </ul>	CMUs and District authority
Delivery of investment/s and Entitlements	<ul style="list-style-type: none"> <li>• Have all the beneficiaries and PAPs received their respective investment's and compensation and entitlements according to their numbers?</li> <li>• Have the PAPs received their payments on time?</li> <li>• Have special assistance been provided to vulnerable PAPs?</li> <li>• Have all PAPs received the agreed transportation and food allowances?</li> <li>• Have all PAPs that lost their livelihoods or small business received their compensation?</li> <li>• Have all the beneficiaries entitled been implementing investments?</li> <li>• Have the women been trained according to their desired livelihood?</li> <li>• Was the number of women trained on desired livelihood the same as that of the actual number engaged in micro enterprises?</li> <li>• Are the beneficiaries engaged in micro enterprises assisted by micro financing institutions?</li> <li>• Were the actual amounts of investment costs and compensation been disclosed to beneficiaries and PAPs?</li> </ul>	CMUs and District authority  Beneficiary-communities

<b>Consultation, Grievance and Special Issues</b>	<ul style="list-style-type: none"> <li>• Were IEC campaign materials prepared and distributed to stakeholders during investment disclosures?</li> <li>• Have consultations, focus group discussions and/or public meetings been undertaken as scheduled?</li> <li>• Were the beneficiaries and PAPs took active participation in planning and implementation according to what were prescribed in the project?</li> <li>• Have any beneficiaries and/or PAPs used the grievance and redress procedures? What were the outcomes?</li> <li>• How many have filed their grievances? What were the outcomes?</li> <li>• Was social preparation for the PAPs taken place?</li> </ul>	Beneficiaries/District authority/CMUs
<b>Benefit Monitoring</b>	<ul style="list-style-type: none"> <li>• Where there changes occurred in patterns of occupation of the beneficiaries compared to their pre-project situation?</li> <li>• What changes have occurred in income and expenditures patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have the incomes of housing beneficiaries kept pace with these changes?</li> <li>• What changes have taken place in the lifestyle of beneficiaries?</li> </ul>	Beneficiaries  Beneficiaries  Beneficiaries

(b) External Monitoring

22. At this moment, there is no need for engaging a consultant to carry out external monitoring. However, if deemed necessary during the implementation period, the CMU1/CMU2 will hire the services of External Monitoring Advisor (EMA) to assess the implementation of the investment project, and will report the key finding directly to Bank. External monitoring should be conducted twice a year during the implementation of the project to identify any issues that might need immediate response from CMUs and the implementing District governments. Related to operational procedures, the EMA will identify the associated issues and problems encountered in the staffing of district offices, consultations and grievances resolution as well as the critical operation procedures like the provision of adequate budgetary support. *Table 9* sets out the essential indicators that should be highlighted in external monitoring.

Table 9: External Monitoring Indicators

Type of Indicators	Indicators	Information Required in Monitoring and Evaluation
<b>Process Indicators</b>	Staffing	<ul style="list-style-type: none"> <li>• Number of CMUs and district staff assigned for project implementation;</li> <li>• Number of Social Development and Resettlement Specialist assigned by CMUs.</li> </ul>
	Consultation, Participation, and Grievances Resolution	<ul style="list-style-type: none"> <li>• Number of consultations and participation programs held with PAPs and various stakeholders;</li> <li>• Types of IEC campaign materials distributed to target-beneficiaries and PAPs;</li> <li>• Number and types of grievances received from beneficiaries and PAPs and the number of days consumed in resolving them by concerned GRCs;</li> <li>• Number and names of representatives who participated in the consultations and in the implementation of the investment project.</li> </ul>
	Operational Procedures	<ul style="list-style-type: none"> <li>• Types of forms used in recording the activities undertaken in the project implementation;</li> <li>• Efficiency of coordination with CMUs, district authority; PAPs and other institutions/stakeholders;</li> <li>• Type of database being maintained;</li> <li>• Efficiency of CMUs. and district government staff;</li> <li>• Efficiency of compensation payment system;</li> <li>• Adequacy of logistical support for implementing the investment project;</li> <li>• Asses if the project policies in ARAPs have adequately been complied with.</li> </ul>
	Issues and Problems Encountered	<ul style="list-style-type: none"> <li>• Indicate the issues and problems encountered in staffing, during consultations and grievances resolution, and in the execution of operational procedures.</li> </ul>

	Compensation and Entitlement	<ul style="list-style-type: none"> <li>• Number of PAPs awarded with housing units, if any;</li> <li>• Indicate if the type of compensation delivery is either one time or installment;</li> <li>• Indicate the number of PAPs engaged in micro business who were compensated for their loss of business incomes;</li> <li>• Indicate if the number of PAPs provided with transportation assistance;</li> <li>• Indicate if food assistance were given to PAPs who transferred to staging area or to other destinations;</li> <li>• Indicate if the PAPs were given allowance/assistance for the dismantling and reconstruction of their housing units in as well as for the dismantling of their structures upon transfer.</li> </ul>
	Social Rehabilitation	<ul style="list-style-type: none"> <li>• Indicate the number of women that attended the livelihood trainings;</li> <li>• Indicate the number of PAPs, especially women, who have set up their micro enterprises after the training on livelihood development;</li> <li>• Indicate if the PAPs have adequate access on safe drinking water.</li> </ul>
	Issues and Problems Encountered	<ul style="list-style-type: none"> <li>• Indicate the issues and problems encountered in the implementation of investment/s, payment of compensation and entitlement and social rehabilitation of PAPs.</li> </ul>
Impact Indicators	Household Earning Capacity	<ul style="list-style-type: none"> <li>• Present income as compared to income from pre-project level;</li> <li>• Employment of housing beneficiary members in investment construction;</li> <li>• Change in income of micro entrepreneurs.</li> </ul>
	Health and Environment	<ul style="list-style-type: none"> <li>• Problems/issues on waste management disposal;</li> <li>• Improved access to safe drinking water;</li> <li>• Improvement on health conditions of women and children.</li> </ul>
	Changes in Socio-cultural Pattern	<ul style="list-style-type: none"> <li>• More women participating in micro enterprises;</li> <li>• Access to new technology brought about by having electricity connections;</li> </ul>

### A1.9 Bank Policies for Public Consultation and Information Disclosure

23. Public Consultation and Information Disclosure (The World Bank policy on access to information) defines the Bank's requirements for giving the public access to project information and documentation. It requires that during the planning and preparatory process, project beneficiaries and affected groups and local NGOs shall be consulted and the environment and social aspects of the project should be presented. The consultation should be an on-going process throughout the design and implementation of investments and must be compliant with all other applicable safeguard policies. The policy also requires that any relevant material such as the environmental assessment study, social assessments, resettlement action plan, etc. should be made accessible, in a timely manner and in a form language understandable to the groups being consulted.

**ANNEX 2: SOCIAL SCREENING CHECKLIST FORM**

**Proposed Activity:** .....

**Brief Description:** .....

.....

**Location:** .....

**Filled out by:** .....

**Organization:** .....

**Date:** .....

**Attachments:** .....

**Prepared with the following Partner Organizations / Community Representatives:**

**Remarks:**

**General Instructions:**

- *This checklist is to be completed to support the verification of the project activity or subproject that involves land acquisition, compensation, and/or restriction of resources access. It focuses on social issues to ensure that social dimensions are adequately considered during selection of the activities/subprojects. If applicable please use the “remarks” section to discuss any suggested mitigation measures. The information should be collected in consultation and coordination with local government, communities, NGOs and leaders of affected community.*

QUESTIONS	No	Yes	MITIGATION MEASURES REQUIRED?
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**A. PROJECT SITING**

ARE THERE ANY OF THE FOLLOWING  
 STRUCTURES OR RESOURCES IN THE  
 SUB-PROJECT CONSTRUCTION AREA?

• Private households	<input type="checkbox"/>	<input type="checkbox"/>	
• Private small businesses/shops	<input type="checkbox"/>	<input type="checkbox"/>	
• Roads, footpaths or other access routes	<input type="checkbox"/>	<input type="checkbox"/>	
• Agricultural land	<input type="checkbox"/>	<input type="checkbox"/>	
• Natural resources shared by community members	<input type="checkbox"/>	<input type="checkbox"/>	
• Cemetery or other area/structures of religious or cultural significance	<input type="checkbox"/>	<input type="checkbox"/>	
• Other:	<input type="checkbox"/>	<input type="checkbox"/>	

ADDITIONAL REMARKS/SUGGESTIONS:

**B. POTENTIAL SOCIAL IMPACTS**

WILL THE SUB-PROJECT CAUSE:

• Temporary loss of land or resources for any families?	<input type="checkbox"/>	<input type="checkbox"/>	
• Permanent loss of land or resources for any families?	<input type="checkbox"/>	<input type="checkbox"/>	
• Conflicts in water supply rights and related social conflicts?	<input type="checkbox"/>	<input type="checkbox"/>	
• Impediments to movements of people and animals?	<input type="checkbox"/>	<input type="checkbox"/>	
• Dislocation or involuntary resettlement of people?	<input type="checkbox"/>	<input type="checkbox"/>	
• Potential social conflicts arising from land tenure and land use issues?	<input type="checkbox"/>	<input type="checkbox"/>	
• Deterioration of livelihoods or living conditions of women or the poorest families in the sub-project service area?	<input type="checkbox"/>	<input type="checkbox"/>	
• Other:	<input type="checkbox"/>	<input type="checkbox"/>	

**C. OTHER REMARKS:**

**D. POTENTIAL SOCIAL IMPACTS ON  
 VULNERABLE GROUPS, IF ANY:**

WILL THE SUB-PROJECT:



QUESTIONS	No	Yes	MITIGATION MEASURES REQUIRED?
• Affect poverty group?	<input type="checkbox"/>	<input type="checkbox"/>	
• Affect women headed households?	<input type="checkbox"/>	<input type="checkbox"/>	
• Be implemented where Indigenous People communities are present?	<input type="checkbox"/>	<input type="checkbox"/>	
• Affect other vulnerable groups?	<input type="checkbox"/>	<input type="checkbox"/>	

**E. OTHER REMARKS:**

**MITIGATION MEASURES:**

• Land Acquisition Agreement	<input type="checkbox"/>	<input type="checkbox"/>	
• Voluntary Donations	<input type="checkbox"/>	<input type="checkbox"/>	
• Indigenous Peoples Dev't Plan (IPDP)	<input type="checkbox"/>	<input type="checkbox"/>	
• Village Resource Use Agreement	<input type="checkbox"/>	<input type="checkbox"/>	
• Other? .....	<input type="checkbox"/>	<input type="checkbox"/>	

**F. OTHER REMARKS:**

**G. CONCLUSIONS/RECOMMENDATIONS:**

**H. SIGNING OFF:**

**IMPLEMENTING AGENCY:**

**KDP SAFEGUARD  
COORDINATOR:**

**NAME:**

**NAME:**

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<b>QUESTIONS</b>	<b>No</b>	<b>Yes</b>	<b>MITIGATION MEASURES REQUIRED?</b>
..... <b>POSITION:</b> ..... . <b>DATE:</b> .....			..... <b>POSITION:</b> ..... <b>DATE:</b> .....

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**ANNEX 4 – CONTENTS OF AN ANNUAL RESETTLEMENT ACTION PLAN (ARAP)**

- Description and Location of investments expected of the current year
- Scale and scope of expected impact due to such investments, broken down to those for which compensation will be provided and those which will be addressed through voluntary donations;
- Legal Framework and description of gap filling measures
- Census and socioeconomic survey of affected families, properties and businesses
- Description of project affected people, broken down to those for whom compensation will be provided and those who agreed with voluntary donations;
- Applicable compensation policy with entitlement matrix, and principles of voluntary donations, together with proposed assistance to affected families/persons
- Implementation schedule indicating that compensation be fully paid or voluntary donation process will be completed and documented, before implementation of the project begins, using the Land Acquisition Agreement and Voluntary Donation Form;
- Implementation arrangements including responsible partner Organizations/Institutions
- Source of Funds and Cost Estimates
- Arrangement for disclosure of project documents and consultations with affected people;
- Grievance redress and monitoring mechanisms;