

Indigenous Peoples Planning Framework

Project Number: 41435-054
August 2017

Cambodia: Tonle Sap Poverty Reduction and Smallholder Development Project (Additional Financing)

Prepared on behalf of the Ministry of Agriculture, Forests and Fisheries for the Asian Development Bank (ADB).

CURRENCY EQUIVALENTS

(as of 4 August 2017)

Currency unit	–	Cambodian Riel (KR)
KR1.00	=	\$0.000244
\$1.00	=	KR4,099

ABBREVIATIONS

ADB	–	Asian Development Bank
AF	–	Tonle Sap Poverty Reduction and Smallholder Development –
DRM	–	disaster risk management
DRR	–	disaster risk reduction
ELC	–	economic land concession
ha	–	hectare
ICERD	–	International Convention on the Elimination of all Forms of Racial Discrimination
ICESCR	–	International Covenant on Economic, Social and Cultural Rights
IPP	–	indigenous peoples plan
IPPF	–	indigenous peoples planning framework
km	–	kilometer
LIG	–	livelihood improvement group
MAFF	–	Ministry of Agriculture, Forestry and Fisheries
NCDD	–	National Committee for Decentralization and Deconcentration
NCDDS	–	National Committee for Sub-National Democratic Development
NPDIP	–	National Policy on the Development of Indigenous Peoples
Rice-SDP	–	Climate-Resilient Rice Commercialization Sector Development
SIA	–	social impact assessment
SLC	–	Social Land Concession
TSSD	–	Tonle Sap Poverty Reduction and Smallholder Development Project

NOTE

In this report, "\$" refers to US dollars.

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I. INTRODUCTION

1. This indigenous peoples planning framework (IPPF) is for the Tonle Sap Poverty Reduction and Smallholder Development Project -Additional Financing (AF). The original Tonle Sap Poverty Reduction and Smallholder Development Project (TSSD) did not require the development of an IPPF and an indigenous peoples plan (IPP). The TSSD aimed to improve the livelihoods of the people in the target communes within the Tonle Sap Basin targeting an estimated population of 1.75 million rural Cambodians living in 196 communes in the five provinces of Banteay Meanchey, Kampong Cham, Kampong Thom, Siem Reap, and Tbong Khmum, along the East-West corridor stretching from Viet Nam in the east to Thailand in the west. Based on the successful outcomes of the TSSD, the government of Cambodia has requested Asian Development Bank (ADB) to continue lending support to the project in the form of additional financing in order to scale up the current project activities. Furthermore, the project's previous achievements can be extended by using the AF, and the use of the project's current resources can be optimized.

2. The government of Cambodia and ADB have acknowledged that the TSSD has performed well and it is eligible for additional financing, in line with para. 4 of ADB's Operations Manual (OM) Section H5/BP, issued on 24 February 2011, having: (i) delivered the expected outputs in a timely manner; (ii) progressed satisfactorily in its implementation; (iii) complied satisfactorily with safeguard requirements; (iv) successfully overcome risks faced during its implementation; and (v) achieved an on-track rating. The AF will be used to achieve the main impact of improving the livelihoods of the people in the target communes within the seven provinces in the Tonle Sap Basin. The AF's expected outcome is agricultural productivity increased, climate resilience strengthened, and access to markets improved in 271 communes in seven provinces in the Tonle Sap Basin.

3. With the additional financing, the government has proposed to expand its activities in two further provinces, namely Battambang and Prey Veng and to scale up the project's current activities to 75 additional communes. The AF will enhance agricultural productivity and improve access to markets within the 271 target communes through investments in climate-resilient infrastructure for production, as well as to build the capacity of the communities and commune councils in disaster risk management (DRM). It also aims to facilitate an enabling environment for agricultural production, diversification as well as to climate resilience. With the expansion from 196 to 271 communes, the project will work in the areas where the Kuoy ethnic minority group are living. They consist of more than 2,000 households in a total of 24 villages (two villages are located in one commune in Siem Reap and 22 villages are located in eight communes in Kampong Thom province).

A. Project Description

4. The TSSD project was approved by ADB on 8 December, 2009 and commenced on 31 March, 2010 with a loan of \$3.41 million and a grant of \$27.30 million. TSSD's completion date has been scheduled for 31 August, 2017 and the project's closing date is on 28 February 2018. TSSD was co-financed by the International Fund for Agricultural Development with a loan of \$6.69 million and a grant of \$6.69 million, and the Government of Finland with a grant of \$5.75 million¹ which were released on 15 February 2010 and 3 December 2010, respectively. The Ministry of

¹ On 24 February 2014 this amount was reduced to \$1.595 million due to the modification of information and communication technology component of TSSD, and the completion date was revised from 15 March 2014 to 31 December 2014.

Agriculture, Forestry and Fisheries (MAFF), and the National Committee for Sub-National Democratic Development Secretariat (NCDDS) are the executing agencies. The Council for Agricultural and Rural Development is the chair of the project's steering committee which is to provide policy advice and strategic guidance to the project. TSSD has the following three implementing agencies: (i) the General Directorate for Agriculture of MAFF is responsible for agricultural policy development and quality seed production; (ii) the NCDDS is responsible for implementing and coordinating community-driven livelihood improvement activities through a block grant; and coordination of rural information and communication technology (ICT) activities at the commune level; and (iii) the Ministry of Posts and Telecommunications was responsible for developing and delivering computer and ICT skill training for sub-national level staff. The expected impact of TSSD is improved livelihoods of approximately 630,000 households² in five provinces by 2020.

5. ADB has been assisting the government of Cambodia to improve the living standard of the people living on the Tonle Sap Basin since 1998. Across ADB's portfolio, 17 loans and three grants from the Asian Development Fund, and a number of Japan Fund for Poverty Reduction as well as technical assistance grants, have targeted the Tonle Sap Basin. The AF will draw on models that have been developed as well as benefit from the lessons learned from the TSSD project, and will coordinate with other ADB projects in Cambodia. The project's areas of strategic coordination are climate resilience in infrastructure and through agricultural practices, irrigation development, disaster risk reduction (DRR) and the sustainable economic development of the Tonle Sap Basin.

6. The AF's outcomes will assist in achieving the targets of the government's Rectangular Strategy on Growth, Employment, Equity and Efficiency 2014–2018, which among other reforms, focus on the continued investment in transport infrastructure, the further development of, and an increase in the added value of agriculture, and the development and expansion of irrigated lands and effective water resources management. A specific example of the coordination undertaken by the project is that the AF has provided recommendations and inputs to the Ministry of Water Resources and Meteorology for the Loans 3006/3007/8271 and Grants 0349/0350-CAM: Climate-Resilient Rice Commercialization Sector Development Project (Rice-SDP) by adding climate resilience measures to investments in irrigation during its design stage, and will support and further develop investments in irrigation under the Rice-SDP by 2023.

7. The AF has three main outputs which include:

- (i) **Output 1: Rural productive infrastructure and livelihood improved with capacity in disaster risk management enhanced** with the following additional key activities: (i) developing a further 6,000 hectares (ha) of irrigation command area;³ (ii) constructing an additional 450 kilometers (km) of roads to reduce transport costs and to improve access to markets, which incorporate DRR considerations in their design;⁴ (iii) improving the capacity of smallholder farmers by strengthening 1,241 existing livelihood improvement groups (LIGs) in the 196

² Recent statistics for the same communes provided by NCDDS show a figure of 430,000 households in 196 project communes.

³ The current project focuses on irrigation to drought-proof the wet season crops because poor farmers cannot afford expensive inputs for dry season crops. However, due to the project's achievements, more farmers can now invest in a second (dry season) crop. Moreover, in the 74 additional communes, the project's AF will facilitate the connection with the Rice SDP's irrigation schemes (main canals) and with secondary and tertiary canals so as to service smallholders for both the wet and the dry seasons.

⁴ Current project experience shows that building roads along dikes is cost-effective as earth from excavation work can be used. As an example of DRR, the elevated roads can become safe sites for people and livestock during floods.

communes and by expanding to at least 750 new LIGs in 75 new communes; and (iv) building people's capacity in DRM.

- (ii) **Output 2: Enabling environment for increased agricultural productivity, diversification, and climate resilience created through:** (i) improving agriculture, food security, and the nutrition policy environment, especially in crop diversification with climate smart agricultural practices for rice and two non-rice crops; (ii) increasing the availability and access to quality seeds of climate-resilient rice and non-rice crops; (iii) increasing access to agricultural information and market data; and (iv) further developing the value chains of agricultural products by strengthening and expanding the agribusiness enterprises established through the current project.
- (iii) **Output 3: Project management strengthened through:** (i) strengthening the capacity of the executing and implementing agencies, and local government councils and their administrations, by supporting a limited number of incremental technical staff at selected offices; (ii) providing national and international consulting services; (iii) providing office equipment; and (iv) providing vehicles for supervision (four-wheel drive vehicles and motorcycles).

8. The AF will use the same implementation arrangements of the TSSD project. Furthermore, the executing agencies will continue to oversee interventions that fall within their mandates. All procurement of goods and services and engagement of consultants will be undertaken in accordance with ADB's Procurement Guidelines. In order to prepare for AF, a project preparatory technical assistance was established to prepare the necessary safeguards documents so as to ensure that: (i) the expanded scope of the AF is well defined in terms of geography, climate-smart agricultural practices, as well as DRM; (ii) the technical, social, and environmental due diligence that are required by ADB and the government are undertaken; (iii) the important lessons from the current project are taken into account; and (iv) the projects complements other ADB projects in the Tonle Sap Basin, such as the Rice-SDP in particular.

II. OBJECTIVE AND POLICY FRAMEWORK

B. Rationale for the Indigenous Policy Planning Framework

9. This IPPF has been developed to manage all issues related to the indigenous community in the aforementioned 24 villages in nine communes of the two provinces. It seeks to ensure that subprojects operating in the areas where the Kuoy and other identified ethnic groups reside are designed and implemented in such a way that fosters the full respect of their ethnic identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Kuoy ethnic group themselves. The aim is to enable them to: (i) receive culturally appropriate social and economic benefits; (ii) not to suffer from adverse impacts that may result from the project; (iii) participate actively in the project; and (iv) equally gain benefits from the project's interventions. This IPPF has been designed to safeguard the rights of the Kuoy and other ethnic minority groups in the project areas and ensure that they are able to participate and equitably receive culturally appropriate benefits from the project.

10. The AF is classified as Category B for the indigenous people's safeguards and therefore an IPPF is required according to the 2009 ADB Safeguards Policy Statement (SPS). The SPS states that if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous peoples or affects the territories or natural or cultural resources that they own, use, occupy, or claim, an IPPF needs to be prepared. This IPPF sets out to provide guidance in the preparation and implementation of the IPP. During the AF project's preparation, two

feasibility studies were conducted in Kampong Cham province and in Prey Veng province. The study sites have no indigenous people, however, as mentioned earlier, the National Committee for Decentralization and Deconcentration database indicates that there are more than 2,000 households belonging to the Kuoy ethnic minority group in 24 villages residing in the project targeted areas (see Table 1) in the provinces of Siem Reap and Kampong Thom.

11. The AF promotes a sequential and sector-like approach in its implementation, which includes local capacity building, DRM, infrastructure development, and an improvement in agricultural production. The AF promotes community ownership and empowerment through community driven development. Under the AF output 1, the community will be directly engaged and will participate in the activities related to the construction and improvement of irrigation systems and rural access roads as well as in the capacity development of smallholder farmers, and the improvement of people's livelihoods in the 75 new communes. The AF's output 2 focuses on an increase in agricultural production as well as the diversification of rice and non-rice crops to improve food and nutrition security. The targeted communities will have access to quality climate resilient seeds and also access to agricultural information and market data which will allow farmers to strengthen and expand their agribusiness enterprises. In this regard, the IPPF aims to ensure that all the targeted communes, including the members of the Kuoy ethnic group have equal access to and gain benefits from the project's interventions. It takes into account the uniqueness of current conditions of this ethnic group. Consideration has been given to the following factors in the preparation of this framework document: (i) a significant number of members of this ethnic group have higher poverty rates in comparison to the country's other dominant groups; (ii) the impacts are expected to be positive; and (iii) that this IPPF will ensure the Kuoy ethnic group's full participation in the project's overall design and implementation.

C. The Policy Principles

12. This IPPF aims to ensure that the Kuoy ethnic group: (i) receives culturally appropriate social and economic benefits; (ii) does not suffer adverse impacts as a result of the project; (iii) can participate actively in the project; and (iv) equally gains benefits from the project's interventions. In pursuit of this objective, the AF and its subprojects will be governed by the following principles:

- (i) Screen early on to determine (i) whether indigenous peoples are present in, or have collective attachment to the project area; and (ii) whether project impacts on indigenous peoples are likely.
- (ii) Undertake a culturally appropriate and gender-sensitive social impact assessment (SIA) or use similar methods to assess potential project impacts, both positive and adverse, on indigenous peoples. Give full consideration to options the affected indigenous peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected indigenous peoples that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on indigenous peoples.
- (iii) Undertake meaningful consultations with the affected indigenous peoples communities and concerned indigenous peoples organizations to solicit their participation in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and in tailoring project benefits for affected

indigenous peoples' communities in a culturally appropriate manner. To enhance indigenous peoples' active participation, and that projects affecting them will provide culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate the resolution of the indigenous peoples' concerns.

- (iv) Ascertain the consent of the affected indigenous peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of indigenous peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of indigenous peoples. For the purposes of policy application, the consent of the affected indigenous peoples' communities refers to a collective expression by the affected indigenous peoples' communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.
- (v) Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected indigenous peoples' communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared.
- (vi) Prepare an IPP that is based on the SIA with the assistance of qualified and experienced experts and that draws on indigenous knowledge and participation by the affected indigenous peoples communities. The IPP includes a framework for continued consultation with the affected indigenous peoples communities during the project's implementation; specifies measures to ensure that indigenous peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.
- (vii) Disclose a draft IPP, including documentation of the consultation process and the results of the SIA in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to the affected indigenous peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected indigenous peoples' communities and other stakeholders.
- (viii) Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves: (i) activities that are contingent on establishing legally recognized rights to lands and territories that indigenous peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.
- (ix) Monitor implementation of the IPP using qualified and experienced experts; adopt

a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.

D. Legal and Policy Framework

1. National Policies Applicable for Indigenous Peoples

13. The Cambodian government initiated a decentralization program to be more responsive to community needs, indigenous peoples included. In the mid-1990s, the Cambodian government created the Inter-Ministerial Committee for Ethnic Minorities Development and the Inter-Ministerial Committee for Highland Peoples Development to address indigenous peoples' issues. The Department of Ethnic Minority Development at the Ministry of Rural Development was established in 1999 after the Inter-Ministerial Committee was abolished. The department mainly works to maintain the culture, beliefs and traditions of indigenous peoples through a formal process of establishing the identity and conditions of indigenous peoples groups in Cambodia (a total of 56 indigenous peoples groups have been recognized as legal indigenous peoples groups). The department operates through indigenous peoples offices in the provinces. The indigenous peoples are represented in the formal governance structures in Cambodia from the village, commune and through to the district/provincial levels.

14. Cambodia has a number of laws and policies that protect the rights of local communities, including indigenous peoples. Since the indigenous people have strong ties to the land and natural resources, the Land Law (2001) is most significant for them because it sets out the basis for their rights to land. Article 25 provides for the collective ownership of land, while Article 26 recognizes the role of traditional authorities, mechanisms and customs in decision-making and exercising ownership rights. The subsequent Policy and Sub-decree for Indigenous Peoples Registration of Collective Land Rights sets the incorporation of the community as a legal entity as a condition for receiving a collective title. National policies applicable to the indigenous peoples include:

- (i) **National Policy on the Development of Indigenous Peoples (NPDIP) 2009:** This policy sets out the government's policies related to indigenous peoples in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy. Together with the Land Law (2001), the NPDIP gives recognition to the rights of indigenous peoples to traditional lands, culture and traditions.
- (ii) **The Cambodia Constitution 1993:** In the context of Cambodian legal framework, Article 31 of the Cambodian Constitution states that "*All Cambodian citizens shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status*". The Constitution and Land Law recognizes five different land categories in Cambodia, which include: (i) private land; (ii) state public land (all areas needed for public services such as roads, river banks, etc.); (iii) state private land (all other areas owned by the state); (iv) communal land; and (v) indigenous land.
- (iii) **The Land Law 2001:** It recognizes the collective land rights of indigenous communities by the state, which offers a unique chance for the indigenous peoples in Cambodia to exercise their rights to self-determined development. The

ownership of the lands is granted by the state to the indigenous communities as a collective ownership, including all the rights and protection enjoyed by private owners. The exercise of collective ownership rights are the responsibility of the traditional authorities and decision-making mechanisms of the indigenous community, according to their customs and subject to laws such as the law on environment protection. Article 26 of the Land Law states that no authority outside the community may acquire any rights to immovable properties belonging to an indigenous community. Article 28 states that indigenous communities have the right to collective ownership of their lands, which gives them all the rights and protection of ownership as enjoyed by private landowners. Article 23 to 25 state that the lands of indigenous communities include residential and agricultural land and encompass land actually cultivated and the lands reserved for shifting cultivation. Indigenous communities shall continue to manage their community land according to their traditional customs, pending the determination of their legal status. Once they are registered as legal entities, communities can apply for the registration of their collective title.

- (iv) **Cambodia's Administration Law 2001:** Article 43 stipulates the commune council's role in protecting and preserving the environment and natural resources. They also have a role in the classifying and setting of boundaries for all forests in their area of jurisdiction, in coordination with MAFF (Forestry Law 2002, Article 10).
- (v) **Forestry Law 2003.** The Forestry Law authorizes the granting of forest concessions. The sub-decree on the Management of Forest Concessions states that cancelled or revoked forest concessions shall revert to natural forest protected areas and cannot be converted into an economic land concession (ELC) or awarded to other companies.
- (vi) **Protected Area Law of 2005.** Article 21: The Natural Protection and Conservation Administration shall develop an implementation plan for managing each protected area designated by the Ministry of Environment and pursuant to the national strategic plan. The process of developing the implementation plan for managing each protected area shall be conducted in coordination and consultation with local authorities, local communities, indigenous ethnic minorities, and other stakeholders. Article 30 states that the Natural Protection and Conservation Administration shall have the duty to conduct feasibility studies for organizing a protected area community by identifying a clear location and an appropriate size through consultation and coordination with the local authority, local community and indigenous ethnic minorities.
- (vii) **Land Concessions Decree 2003 and 2005:** A sub-decree on Social Land Concessions (SLC) was established in 2003 to accompany the implementation of the Land Allocation for Social and Economic Development Project. The SLC aims at providing state private land for purposes of settlement and family farming to private families particularly the poor, disabled soldiers, and families of deceased soldiers who have no or not enough land. The ELC sub-decree was established in late December 2005. It defines a mechanism to grant state private land through a specific ELC contract to a concessionaire to use the land for agricultural and agro-industrial production and that all responsibilities and authorities in granting ELCs lie with the MAFF. The concession land cannot exceed 10,000 ha and may only be granted when some additional requirements are fulfilled. Furthermore the

proposal for ELC needs to have been evaluated against criteria that include the promotion of people's living standards, perpetual environmental protection and natural resource management, avoidance or minimization of adverse social impacts, creation of increased employment and with linkages and mutual support between SLC and ELC.

- (viii) **Decentralization Reform of 2005.** The government has initiated a decentralization program to further be responsive to community needs, indigenous peoples included. This emanates from the Land Law and subsequently passed legislation create additional opportunities for a commune council's involvement in participatory land use/natural resources and environmental management planning by clarifying issues related to state public and state private property. Furthermore, it enables the designation of communal property that is managed and ultimately owned by indigenous communities, economic and social land concessions, procedures for the creation of cadastral maps and land registers and land dispute resolution. While all of these issues can be worked into the commune development planning process, certain areas mandate direct involvement of commune councils. Commune councils have a direct role to play in land conflict resolution procedures, the creation of cadastral maps and land registries (both systematic and sporadic) and social land concessions. The provisions for social land concession planning are of critical importance; commune councils initiate the process at the local level, and it mirrors the commune development planning process, therefore creating the opportunity to integrate the cadastral maps and land registration.
- (ix) **Registration of Lands of Indigenous Communities 2009.** Sub-decrees on tenurial security have been issued by the government to put in place procedures whereby indigenous peoples can process claims to their rightful lands (provided that they are the majority population at the commune level). Recognition and certification of lands among indigenous peoples are ongoing with the issuance of the 2009 Sub-Decree on Procedures of Registration of Lands of Indigenous Communities.

2. International Legal Instruments which Cambodia Adopted

15. Other legal considerations for this IPPF are international instruments which Cambodia has adopted. The policies include the UN Declaration of Rights of Indigenous Peoples that has the objective of ending discrimination and promoting the rights of Cambodia's recognized indigenous peoples. The UN Declaration on the Right of Indigenous People was adopted by the United Nations General Assembly in September 2007. Many countries in the world including Cambodia have voted in favor of this nonbinding declaration. Other relevant international policies adopted by Cambodia are the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), the International Covenant on Economic, Social and Cultural Rights (ICESCR). The ICERD Article 5(e) ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training. The ICESCR Article 13 includes the provision of free primary education irrespective of gender, ethnicity or any other consideration and commits the state party to make secondary education generally available and accessible to all, including through the progressive introduction of free education, and to working towards the provision of equal access to tertiary education, including through the provision of free secondary education. The government ratified the ICESCR in 1992.

3. ADB's Policy on Indigenous Peoples

16. The ADB's SPS aims to: (i) avoid adverse impacts of projects on the environment and affected people, where possible; (ii) minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible; and (iii) assist in strengthening country safeguards systems and develop the capacity to manage environmental and social risks. ADB recognizes the rights of indigenous peoples to direct the course of their own development. Indigenous peoples do not automatically benefit from development, which is often planned and implemented by those in the mainstream or dominant population in the countries in which they live. Special efforts are needed to engage indigenous peoples in the planning of development programs that affect them, in particular, development programs that are supposedly designed to meet their specific needs and aspirations. Indigenous peoples are increasingly threatened as development programs infringe into areas that they traditionally own, occupy, use, or view as ancestral domain.

17. The ADB' SPS defines indigenous people as a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

18. The ABD policy on involuntary resettlement aims to avoid or minimize the impacts on people, households, businesses and others affected by the land acquisition required by a project. Where resettlement is unavoidable, the overall goal of the ADB policy is to compensate and assist affected people so as to restore their living standards to levels equal to, if not better than, that which they had before the project. This policy is also triggered by the AF and has been classified as Category B. A resettlement framework has been developed, integrated and should govern this IPPF.

19. The ADB Policy on Gender and Development adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring participation of women and that their needs are explicitly addressed in the decision-making process for development activities. The AF has substantial gender impacts, and thus a gender action plan is also being prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project. The findings of a gender analysis are to be included in the IPP, and at all stages: indigenous peoples identification, planning, and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights; and to ensure the restoration of their income and living standards.

20. The ADB Public Communications Policy seeks to encourage the participation and understanding of people and other stakeholders affected by ADB-assisted activities. The ADB Public Communication Policy requires that all communication between project implementers and stakeholders should start early in the preparation phase and continue throughout all stages of project development, in order to facilitate dialogue with affected people and other stakeholders. The AF is conceptualized as highly participatory and aims to build users' capacity to ultimately own the commune plans and be responsible for the implementation of the plans. All farmers groups, including indigenous people are expected to move towards sustainability during the

project's implementation period, and beyond and this is expected to be achieved by technology transfer and training in value chain development and particularly commercial marketing. Therefore, the AF has developed a stakeholders communication strategy to ensure effective communication with stakeholders during the project's implementation, and to enhance project outcomes.

III. IDENTIFICATION OF INDIGENOUS PEOPLES

A. Indigenous People in Cambodia

21. Cambodia is a multi-ethnic society with a total population of approximately 15,957,223⁵ in 2016. According to the Cambodia Country Technical Notes on Indigenous Peoples (2012)⁶, there are no definitive population figures for indigenous peoples, and as national censuses are an imprecise gauge of it; the general consensus is based on limited studies estimating that indigenous peoples number approximately 200,000 people, constituting 1.2% of the Cambodian population.⁷ Indigenous communities are scattered over 15 provinces of Cambodia. Based on these Country Technical Notes, there are 24 groups of indigenous minorities in Cambodia, who are also called Khmer-Loeu (hill-tribes).⁸ Major groups among the 24 indigenous communities are the Kuoy, Por, Saoch, and Stieng. Indigenous groups from the south-western and the north-eastern provinces of Cambodia have similar cultural practices. Their livelihoods are based on animal husbandry and rotational (shifting) cultivation. Collection of non-timber forest products from the natural forests and weaving are the main sources of income. The indigenous peoples often depend on forest products for their livelihoods, without destroying the land and forest that have been preserved by their ancestors. They have strong unity and respect for their customary law, practices, and religion that bring blessings of good health and high-yielding crops.

22. A common challenge faced by indigenous communities across Cambodia is the loss of their rights to land and natural resources. As a result, land alienation has contributed to a loss of jobs, impoverished livelihoods and health, the loss of opportunity to attend school, and the loss of traditional and cultural practices. The poverty of indigenous communities is also related to indigenous peoples' lack of representation in decision-making and in formulating and enforcing policies and laws.

23. The indigenous population statistics are the responsibility of the National Institute of Statistics of the Ministry of Planning with collaboration with the Ministry of Rural Development and Ministry of Interior. They communicate through the channel of the National Committee for Decentralization and Deconcentration (NCDD) and collaborate with the commune councils in gathering annual population statistics, including those for the indigenous population. The NCDD consolidates and aggregates data for the indigenous population at the national level. Cambodia has a specific national policy on indigenous peoples, which is the NPDIP.

B. Indigenous People in the Project Areas

24. The project's operational areas will cover a total of 271 communes in seven provinces. Out of these, the ethnic minorities are considered to make up 2%–3% of the total population of the project area, mostly belonging to the Kuoy ethnic group. The TSSD has not prepared an IPPF,

⁵ https://en.wikipedia.org/wiki/Cambodia#Ethnic_groups.

⁶ Country Technical Note on Indigenous Peoples' Issues. 2012.

⁷ IWGIA, The Indigenous World. 2012.

⁸ The 24 indigenous groups are Broa, Chhong, Jarai, Kachak, Kavet, Kel, Koang, Kouy/Kui, Kreung, Krol, Phnong, La"Eun, Lun, Mil, Por, Radei, Ro" Ang, Sa" Ouch, Sam Rei, Souy, Spong, Stieng, Thmoun and Tompoun.

and therefore, this IPPF has been developed to ensure that equal project benefits are provided for all of the project targeted ethnic minority groups in the project areas. Under the AF an additional 18,000 households in 75 communes have been included. Using the successful model implemented under TSSD, 750 new LIGs will be formed under the AF. Support will be provided to the new LIGs for a period of 18 months through a service provision contract, which will be financed by ADB. All new LIGs will be offered the opportunity to join the association.

25. The current feasibility studies sites conducted in Kampong Cham and Prey Veng do not have indigenous people or ethnic minorities. However, based on NCDD's consolidated database, the AF project areas include a total of 24 villages that belong to the Kuoy ethnic minority group roughly more than 2,000 households in the provinces of Siem Reap and Kampong Thom (see Table 1 below). During the project's preparation and implementation, all AF subprojects will undergo screening for impacts on indigenous peoples using the screening form in Appendix 1. Table 1 below presents the ethnic minority groups initially identified in the project areas.

Table 1: Indigenous Peoples Initially Identified in the AF Project Areas

Province	District	Commune	Village	Group of Indigenous People	No. of Households	
Siem Reap	Varin	Srae Nouy	Prey Khnol	Kuoy	3	
			Rolum Run Thmei	Kuoy	50	
Kampong Thom	Kampong Svay	Kampong Svay	Chong Prey	Kuoy	111	
			Thnal Baek	Kuoy	65	
		Trapeang Russei	Ou Rumdeng	Kuoy	59	
			Thnal Baek Ka	Kuoy	48	
	Prasat Ballangk	Kraya	Anlong Chuor	Kuoy	100	
			Phan Nheum	Trapeang Knong	Kuoy	12
		Sala Visai		Smaonh	Kuoy	124
			Sala Visai	Srae	Kuoy	221
		Ou Krouch		Kuoy	93	
		Sala Visai		Kuoy	163	
		Andas		Kuoy	120	
		Khmak		Kuoy	34	
		Kokir		Kuoy	188	
		Sandan	Tuol Kreul	Mreak Ka	Kuoy	187
	Thmei				Kuoy	178
	Ngan		Ngan	Dang Tuek	Kuoy	4
				Khmaer	Kuoy	3
				Rovieng	Kuoy	96
				Sralau	Kuoy	5
				Ngon	Kuoy	54
Veal Pring Leu				Kuoy	3	
Total	4 Districts	9 Communes	24 Villages		2,053	

26. According to the Cambodia Country Analysis (2014), poverty is overwhelmingly concentrated in rural areas, and the gap between rural and urban areas appears to be growing. It also states that the probability of being poor is higher among ethnic minorities. This statement was confirmed by the National Social Protection Strategy (2014) when it identified and classified ethnic minority groups as especially vulnerable groups together with: (i) people and families living with HIV; (ii) homeless people; (iii) people with disabilities; (iv) orphaned children and at-risk children and youth; (v) victims of violence, abuse, and exploitation; (vi) families of migrants; (vii) veterans; and (viii) the elderly.

C. Target Commune, Village and Subproject Selection Criteria

27. The targeted communes were selected through a combination of objective criteria and participatory consultation, and so the same procedure as for TSSD. The initial selection of communes was based on five criteria including: (i) relative poverty; (ii) donor interventions; (iii) synergy and complementarity; (iv) growth potential by agro-ecological region; and (v) geographical (district territory) focus.

28. As for the village selection in the additional 75 communes, the AF will establish a village selection procedure that addresses transparency and a participatory process for the community. The project will focus on the villages which have a larger percentage of ID Poor 2. Government officials at the local level, mainly those from the Department of Agriculture will work closely with the commune councils and village chiefs in creating a list of prioritized targeted villages. The number of selected villages will be equal to the targeted number of LIGs, meaning that each targeted village will establish one LIG. This list is an important document for assessing the selection of poor villages. In a similar way to the TSSD, the targeted villages for the AF will be selected based on the following seven criteria:

- (i) Potential for agricultural productivity improvement (where the main sources of income are from agricultural activities);
- (ii) Poor village based on village/commune database or ID poor or other databases available;
- (iii) Strong commitment from village leaders to successfully implement the project;
- (iv) Geography favorable for project implementation (accessible and with communication all year round);
- (v) Community unity and good security;
- (vi) No similar support provided from other projects; and
- (vii) There are at least 15 households eligible to be members of the LIG.

29. Each commune can select as many targeted villages as specified in the project's design. The verification of the selected villages will be carried out separately through a meeting in each village. The final selection will be processed through a project participatory ranking procedure, which will ensure the following:

- (i) All villages in the commune are ranked against the mentioned seven criteria;
- (ii) For each selected village, the sum of the seven ranks is calculated to derive an overall score;
- (iii) The decision on the ranking is made by the commune chief, assisted by the Department of Agriculture staff. The village leaders will be observers in this ranking process;
- (iv) The villages are listed in the order of their total score to prioritize them for support under the AF; and
- (v) The desired number of targeted villages per commune is then selected from this ranking.

30. After ranking and reaching an agreement on the selected targeted villages, and with the approval of the commune chiefs, the list of the villages will then be sent to the District Governor for endorsement.

D. Screening for Indigenous Peoples

31. Using the screening form in Appendix 1, the screening process will use the following leading questions in order to ascertain the presence of indigenous people within each of the target communes and villages:

- (i) Are there socio-cultural groups residing in or using the project area who may be considered as hill tribes, minorities, ethnic minorities, or indigenous communities within the project area?
- (ii) Are there national or local laws or policies as well as anthropological researches/studies that consider these groups residing in or using the project area as belonging to ethnic minorities, indigenous people or cultural communities?
- (iii) Do such groups identify themselves as being part of a distinct social and cultural group?
- (iv) Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?
- (v) Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?
- (vi) Do such groups speak a distinct language or dialect?
- (vii) Have such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?
- (viii) Are such groups represented as IPs in any formal decision-making bodies at the national or local levels?

32. Should the results show that there are indigenous peoples residing within the proposed subproject area, a SIA for indigenous peoples will be planned and scheduled and also an IPP will be prepared. Instructions for a SIA for indigenous peoples have been included in the next section. Furthermore, an outline of the IPP has been included in Appendix 2. The SIA for a subproject can be extended in scope to include the requirements of a SIA for indigenous peoples.

E. Project Benefits and Potential Impacts

1. Project's Potential Benefits

33. The project is expected to benefit about 650,000 households in 271 communes through investments, training and capacity building, as well as field demonstrations of improved livelihood practices and follow-ups. The majority of households in the project communes involved in agricultural production have less than 3 ha of usable agricultural land. Those with 1 ha or less are considered resource-poor smallholders, and they are the focus of the project.

34. Direct project benefits will include:

- (i) Incremental gains from higher yields and productivity of crops and other agricultural products through the adoption of appropriate inputs, such as high-quality seeds, appropriately managed land, fertilizers, water, better crop management, improved livestock husbandry, and improved extension services;
- (ii) Higher gross margins from improved market access and crop diversification and higher market prices with reduced risk of food poisoning, particularly in the

- production of livestock, aquaculture, and vegetables resulting from better post-harvest phytosanitary management;
- (iii) Greater access to informal rural financial services for smallholders involved in LIGs, which in most cases do not have access to formal credit and will gain knowledge;
- (iv) Improved incremental asset accumulation through more alternative livelihood opportunities and risk diversification, higher gross margins from increased productivity, and greater access to markets and affordable finance;
- (v) Improved organization and planning for DRR in all communes as well as better access routes in cases of floods in high risk locations; and
- (vi) Greater knowledge and experience of climate smart agriculture to increase climate resilience.

35. Additional benefits from better infrastructure, such as rural roads, markets, village-level storage, on-farm irrigation, and water supply and sanitation, will accrue to the communities. The infrastructure will help improve productivity, strengthen market links, reduce the risk of waterborne diseases, improve product quality after harvest and provide access to safety in case of severe floods. The communities will also gain benefits from improved knowledge through capacity building, practical training, demonstration activities, and production practices will provide the foundation for smallholders to raise their living standards.

36. The project will make substantial contributions to reducing rural poverty in the selected provinces. This will help ease pressures to migrate from rural areas to urban centers such as Battambang, Phnom Penh, and Siem Reap as well as across the border to Thailand, and will support many cases of older and younger generations who remain unsupported in rural villages. The project will also contribute significantly to ensuring food security and to easing poverty related to wage labour by increasing the availability of rural jobs. This will reduce the social and financial costs of migration to other provinces in search of work.

2. Potential Negative Impacts

37. Despite the aforementioned benefits, the project could also bring about a number of adverse social impacts that can be mitigated. Some anticipated negative impacts and potential mitigation measure include:

- (i) **Increase in trafficking, migration, and encroachment:** With the rehabilitation of rural infrastructure through improved rural road access and irrigation extension, there is the potential for an increase in trafficking, as well as the easing of access to the villages' ancestral land and conservation sites especially by outsiders or those not belonging to the same group of indigenous peoples. Community participatory planning, secure incomes and employment opportunities, as well as zoning and land use certification will provide the necessary tools to regulate such threats.
- (ii) **Social exclusion:** Commune, village, and subproject selection requires that project entry has to seek prior approval from the commune chiefs and the district governors, as well as the representatives of other local governance structures. This includes the methods of distributing benefits which will have to be directed through these entities. While such protocols are imperative for the project's acceptability these can also pose a challenge in securing broad community support for the project and ensuring that members of the indigenous peoples benefit from

it, regardless of their social status. Participatory, multi-stakeholder consultations together with development priority identification as well as the project's social and participatory monitoring tools will be used to mitigate this.

- (iii) **Increase in the value of land in the project sites:** Infrastructure and other investments introduced through the project may increase the likelihood of land speculation, which may increase the selling of indigenous peoples land rights to the likes of tree plantation investors. Benefits derived from such transactions will be transitory but a consequence could be the further marginalization of the indigenous peoples. The formation of LIGs and associations under AF can stimulate the multiple user groups and therefore provide measures in mitigating such deals through collective land use certification.
- (iv) **Land acquisition and temporary social and environmental disturbances:** Long-term, short-term impacts and noise and dust disturbances are expected to occur through infrastructure development during the construction. Mitigation measures for such impacts are included in the resettlement framework, and the environmental assessment and review framework.

IV. SOCIAL IMPACT ASSESSMENT AND INDIGENOUS PEOPLES PLANNING

38. This section describes the essential steps in preparing an IPP and provides fundamental suggestions for consultations with indigenous peoples. Through the SIA each subproject will identify key project stakeholders, beneficiaries and ethnic minority groups and will adopt a culturally appropriate and gender-sensitive approach in order to bring about meaningful consultations. The project will retain qualified and experienced experts to carry out a SIA for each subproject, so as to determine the impacts on indigenous peoples and also prepare an IPP in conjunction with the feasibility study. The subproject's potential social impacts and risks will be assessed to include those mitigation measures required by indigenous people safeguards.

A. Social Impact Assessment for Indigenous Peoples

39. A qualified and experienced social specialist will be contracted to conduct a full SIA in a culturally appropriate and gender-sensitive manner in consultation with indigenous peoples. The SIA will: (i) establish the baseline socio-economic profile of indigenous peoples in the project area and the project impact areas; (ii) assess access and opportunities to be able to use basic social and economic services; (iii) determine the short and long term, direct and indirect, and positive and negative impacts of the project on each group's social, cultural, and economic status; (iv) assess and validate which indigenous peoples will trigger the SPS principles; and (v) assess subsequent approaches and resource requirements for addressing the various concerns and issues of projects that affect them. An IPP in conjunction with the subproject's feasibility study will be prepared if impacts on indigenous peoples are established.

40. The first step is to screen each subproject with the use of the form provided in Appendix 1 for the potential impacts that it may have on indigenous peoples. This should then be followed with a field-based SIA. The AF will ensure that appropriate indigenous people engagement strategies are used during the SIA and that the stakeholders' communication strategy will be used during the consultation process. The SIA will: (i) review the legal and institutional framework applicable to indigenous peoples in the subproject areas; (ii) provide socio-economic baseline information of the affected indigenous peoples and their land ownership and use of natural resources; (iii) identify key project stakeholders and the appropriate process for consultations with

indigenous peoples; (iv) assess potential adverse and positive effects; (v) assess affected indigenous peoples' perceptions about the project and its impacts; and (vi) recommend measures to avoid, minimize, mitigate, and/or compensate for adverse effects and ensure that the indigenous peoples receive culturally appropriate benefits. Information will be gathered from separate group meetings with representatives of the various sections of the ethnic minority group communities, including their leaders; groups of men and women, and especially those individuals who live directly in the subproject areas.

B. Indigenous Peoples Plan

41. The IPP will be developed in order to respond to the issues identified in the SIA and through the group consultations, and it will set out the necessary measures that need to be undertaken by the AF project to ensure that:

- (i) Affected indigenous peoples receive culturally appropriate social and economic benefits;
- (ii) When potential adverse impacts on indigenous peoples are identified, that these will be avoided to the maximum extent possible; and
- (iii) Where this avoidance is proven to be impossible, based on the meaningful consultations with indigenous people communities, the IPP will outline measures to minimize, mitigate, and compensate for the adverse impacts.

42. If physical displacement from customary lands should occur or trigger any of the conditions set forth under ADB SPS policy on indigenous peoples, the IPP will include legal recognition of customary rights and territories for project activities that involve customary land acquisition and ascertain broad community support. If a subproject involves involuntary resettlement impacts on indigenous peoples, a land acquisition and resettlement plan will be prepared based on the resettlement framework.

43. The level of detail and comprehensiveness of IPPs will vary depending on the specific subproject and the nature of impacts to be addressed. If indigenous peoples are the sole or the overwhelming majority of direct project beneficiaries, and when only positive impacts are identified, the elements of an IPP could be included in the overall project design rather than preparing a separate IPP. In such cases, the project document will include a summary of how the project complies with the indigenous people safeguards. In particular, it will explain how the requirements for meaningful consultation are fulfilled and how the accrual of benefits has been integrated into the subproject design.

44. Following the completion of detailed engineering design and detailed measurement surveys, the IPP will be updated. Mitigating measures to avoid adverse impacts on indigenous peoples and measures to enhance culturally appropriate development benefits will be adjusted, but the agreed outcomes as specified in the draft IPP will not be lowered or minimized. If new groups of indigenous peoples are identified prior to submission of the final IPP, meaningful consultation will be undertaken with them also.

45. The project will submit the IPP to ADB for clearance so that it can be publicly disclosed and posted on the ADB website together with other safeguards and project related documents.

46. The executing and implementing agencies should ensure that there are sufficient financial and human resources before implementing the IPP. The IPP should be implemented in coordination with the relevant indigenous peoples office, local authorities and indigenous people leaders. The activities and the outcomes of the IPP's implementation should be recorded in a

manner and in the language understood by the ethnic groups and displayed in places accessible to them. Furthermore, this information should also be disseminated at the community, commune and district levels, and through relevant government offices.

V. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation and Participation

47. The consultation and participation process of the indigenous people will be conducted by applying the same consultation principles set out in the AF's resettlement framework. Full consultation and information disclosure will be undertaken with all the affected indigenous peoples in each of the subprojects to ensure that the needs, priorities and preferences of indigenous peoples are adequately reflected. This includes their leaders, rights groups, community based organizations, line agencies and project implementation unit representatives.

48. All consultations will be documented. The mitigation measures and strategies will be presented to the members of the ethnic minority groups at community level meetings so that they are able to provide their input before the measures are finalized. The mechanisms and procedures for the documentation of the consultation process that gains broad support from the affected IP communities will be undertaken in the following manner:

- (i) Initial discussions are conducted with indigenous peoples to inform them about the subproject and the need for land;
- (ii) Focus group discussions inform indigenous peoples about the potential impacts and benefits from the subproject;
- (iii) An investigation of land ownership and a socio-economic survey is conducted to establish baseline information (e.g., income, livelihoods and basic social services);
- (iv) Community meeting(s) are held to further discuss indigenous peoples' concerns and recommendations;
- (v) A documentation of the outcome of the informal consultation process (i.e., minutes of meetings) is published; and
- (vi) A memorandum of agreement is signed with landowners that demonstrate their support of the use of customary land.

49. If a subproject requires the consent of the affected indigenous people communities, meaningful consultations with affected individuals and/or their recognized representatives will be undertaken so as to gain broad community support. This broad community support is achieved when: (i) the majority of recognized representatives of the affected indigenous people communities formally express their support; (ii) a considerable majority of the affected indigenous people communities' members and particularly those most severely affected, provide their support either through formal agreements or through other informal means; (iii) any significant opposition or major disagreement has been resolved through a good faith negotiation process. The commune council and the project must ensure that the most vulnerable elements of the indigenous people community are adequately represented. This may include women, the elderly, and the poor. This support should be obtained through separate meetings that are sensitive to the issues affecting these vulnerable groups and are led by people who are acceptable to the particular subgroup.

B. Disclosure of Information

50. The disclosure of the information for the indigenous people will also apply the same principles set out in the AF's resettlement framework. The relevant information on the proposed

project will be disclosed in a timely manner to indigenous peoples in a form and in a language(s) understandable to the indigenous people. The IPP and other detailed project documents, as well as other relevant information that is to be disclosed to the affected indigenous peoples can be presented in a summarized form. Such documents would include key findings and provisions, and these could be presented as brochures that are written clearly in the local language. They should describe the benefits and mitigation measures that are to be undertaken, and also include information regarding the submission of grievances and means of obtaining further project information.

VI. GRIEVANCE REDRESS MECHANISM

51. The grievance redress mechanism outlined in the AF's resettlement framework will be used for all subprojects. The grievance redress mechanism includes a well-defined resolution mechanism to resolve grievances and complaints in a timely and satisfactory manner. All affected persons, including indigenous peoples will be made fully aware of their rights and they will be provided with instructions on the procedures involved in filing a complaint. Should a complaint have been raised, the project will consider it a priority for the implementation team to resolve the complaint as quickly as possible. This will be done at the local level through a process of conciliation and, if this is not possible, clear and transparent procedures will be provided for an appeal.

VII. SUBPROJECT IMPLEMENTATION AND MONITORING

52. The project implementing agencies will be responsible to ensure IPP implementation, which will be done in close cooperation with other relevant local authorities and other partners, such as the Provincial Support Team, the District Commune Support Office (District Support Team), the District Agriculture Office/Department of Women's Affairs (District Support Team), and the commune council. International and national safeguards consultants will assist in integrating the indigenous peoples' concerns into project activities, working closely with the project implementation units, as well as orientating staff in project agencies on social inclusion issues (including inclusion of indigenous peoples and other ethnic minorities). Ethnic minority groups' indicators will also be included in baseline surveys/studies. The project implementation agencies will ensure that bi-annual IPP progress reports are submitted to ADB. Progress reports will provide data and analysis on indigenous people related aspects. The midterm review will assess IPP related achievements, identify constraints in implementing the IPP, and recommend adjustments to the IPP.

Indigenous Peoples Impact Screening Checklist

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, scheduled tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?				
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?				
3. Do such groups self-identify as being part of a distinct social and cultural group?				
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				
6. Do such groups speak a distinct language or dialect?				
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?				
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?				
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)				
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?				
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?				
14. Physical displacement from traditional or customary lands?				
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?				
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?				
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?				

D. Anticipated project impacts on Indigenous Peoples

Project component/ activity/ output	Anticipated positive effect	Anticipated negative effect
1. LIST ALL PROJECT COMPONENT / ACTIVITY / OUTPUTS HERE	---- INDICATE EFFECTS TO IPS OR PUT N/A AS NECESSARY	
2.		
3.		
4.		
5.		

Note: The project team may attach additional information on the project, as necessary.

Outline of an Indigenous Peoples Plan

1. This outline is part of the Safeguard Requirements 3. An indigenous peoples plan (IPP) is required for all projects with impacts on indigenous peoples. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on indigenous peoples. The substantive aspects of this outline will guide the preparation of IPPs, although not necessarily in the order shown.

A. Executive Summary of the Indigenous Peoples Plan

2. This section concisely describes the critical facts, significant findings, and recommended actions.

B. Description of the Project

3. This section provides a general description of the project; discusses project components and activities that may bring impacts on indigenous peoples; and identify project area.

C. Social Impact Assessment

4. This section:

- (i) Reviews the legal and institutional framework applicable to indigenous peoples in project context.
- (ii) Provides baseline information on the demographic, social, cultural, and political characteristics of the affected indigenous peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) Identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with indigenous peoples at each stage of project preparation and implementation, taking the review and baseline information into account.
- (iv) Assesses, based on meaningful consultation with the affected indigenous peoples, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected indigenous peoples given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (v) Includes a gender-sensitive assessment of the affected indigenous peoples' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) Identifies and recommends, based on meaningful consultation with the affected indigenous peoples, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the indigenous peoples receive culturally appropriate benefits under the project.

D. Information Disclosure, Consultation, and Participation

5. This section: (i) describes the information disclosure, consultation, and participation process with the affected indigenous peoples that was carried out during project preparation;

(ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in the project design; (iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected indigenous peoples and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities; (iv) describes consultation and participation mechanisms to be used during implementation to ensure ethnic minority participation during implementation; and (v) confirms disclosure of the draft and final IPP to the affected indigenous peoples.

E. Beneficial Measures

6. This section specifies the measures to ensure that the indigenous peoples receive social and economic benefits that are culturally appropriate, and gender responsive.

F. Mitigative Measures

7. This section specifies the measures to avoid adverse impacts on indigenous peoples; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected indigenous peoples.

G. Capacity Building

8. This section provides measures to strengthen the social, legal, and technical capabilities of (i) government institutions to address indigenous peoples' issues in the project area; and (ii) indigenous peoples organizations in the project area to enable them to represent the affected indigenous peoples more effectively.

H. Grievance Redress Mechanism

9. This section describes the procedures to redress grievances by affected indigenous peoples. It also explains how the procedures are accessible to indigenous peoples and culturally appropriate and gender sensitive.

I. Institutional Arrangement

10. This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and nongovernment organizations in carrying out the measures of the IPP.

J. Monitoring, Reporting and Evaluation

11. This section describes the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the IPP. It also specifies arrangements for participation of affected indigenous peoples in the preparation and validation of monitoring, and evaluation reports.

K. Budget and Financing

12. This section provides an itemized budget for all activities described in the IPP.