

KINGDOM OF CAMBODIA

**Livelihood Enhancement and Association of the Poor
(LEAP) (P153591)**

**Resettlement Policy Framework
(RPF)**

November 14, 2016

Livelihood Enhancement and Association of the Poor (LEAP) (P153591)

TABLE OF CONTENT

TABLE OF CONTENT	i
LIST OF ACRONYMS	iii
EXECUTIVE SUMMARY	v
1. INTRODUCTION	1
1.1. Background.....	1
1.2. Social Analysis	1
1.3. Requirements for RPF and Purpose.....	2
2. PROJECT DEVELOPMENT OBJECTIVE AND PROJECT DESCRIPTION	3
2.1. Project Development Objective	3
2.2. Project Beneficiaries	3
2.3. Project Description	4
2.4. Project Components.....	4
2.5. Overview of Project Location.....	6
3. LEGAL AND POLICY FRAMEWORK OF THE RPF	9
3.1. Cambodia Legislation and Regulations Applicable to LEAP.....	9
3.1.1. Cambodia Constitution 1993	9
3.1.2. Land Law 2001	9
3.1.3. The Expropriation Law.....	10
3.1.4. Sub-decree on Right of Way for National Road and Railroad	11
3.1.5. Other Relevant Policies	11
3.2. World Bank Policy on Involuntary Resettlement (OP/BP4.12)	12
3.3. Gap Between the Government Policies and the World Bank OP/BP4.12	13
4. POLICY FRAMEWORK FOR LAND ACQUISITION AND COMPENSATION	17
4.1. Definition of Terms	17
4.2. Objectives and Principles of the RPF	19
4.3. Eligibility, Entitlements and Compensation	20
4.3.1. Eligibility Criteria.....	20
4.3.2. Entitlements and Compensation	20
4.4. Asset Valuation Method	27
4.5. Special Considerations	27
4.6. Gender Strategy	28
5. RESETTLEMENT POLICY FRAMEWORK’S PROCESS	28
5.1. Safeguard Screening	28
5.2. Procedure Used for Sub-project not Funded through C/S Fund.....	29
5.2.1. ARAP/RAP Preparation and Approval	30
5.2.2. ARAP/RAP Implementation Process	31
5.3. Procedure Used for Sub-project Funded through C/S Fund	32
6. IMPLEMENTATION AND MONITORING ARRANGEMENTS	33
6.1. Institutional and Implementation Arrangement.....	33

6.2. Monitoring and Disclosure	34
6.2.1. Internal Monitoring	34
6.2.2. External Monitoring	34
7. PUBLIC CONSULTATION AND INFORMATION DISCLOSURE.....	35
7.1. World Bank Policies for Public Consultation and Information Disclosure	35
7.2. Public Participation and Consultation in LEAP	35
7.3. Disclosure	36
8. TRANSPARENCY AND GRIEVANCE MECHANISM.....	37
9. BUDGET AND COSTS.....	38
ANNEX 1: TECHNICAL GUIDELINE.....	39
1A. Gender Action Planning Matrix.....	39
1B. Survey Requirements for ARAP/RAP Preparation	42
1D. Internal Monitoring Indicators.....	44
1E. External Monitoring Indicators	45
ANNEX 2: SAFEGUARD SCREENING CHECKLIST FORM	47
ANNEX 3: SUMMARY INFORMATION MATRIX ON AFFECTED LAND AND INFRASTRUCTURE	48
ANNEX 4: FORMATS OF RESETTLEMENT ACTION PLAN	49
A. Abbreviated Resettlement Action Plan (ARAP)	49
B. Resettlement Action Plan (RAP)	50
ANNEX 5: COMMUNITY CONSULTATIONS DOCUMENTATION	54

LIST OF ACRONYMS

AC	Agricultural Cooperatives
ARAP	Abbreviated Resettlement Action Plan
CCs	Commune Councils
CLF	Commune Level Federations
CSF	Commune/Sangkat Fund
DMS	Detailed Measurement Survey
ESMF	Environmental and Social Management Framework
GDR	General Department of Resettlement
IRC	Inter-Ministerial Resettlement Committee
IDA	International Development Association
IDPoor	Poverty Identification Process
IRM	Immediate Response Mechanism
LEAP	Livelihood Enhancement and Association of the Poor Project
M&E	Monitoring and Evaluation
MEF	Ministry of Economy and Finance
MIP	Micro Investment Plans
MoI	Ministry of Interior
NGO	Non-Government Organization
PAHs	Project Affected Households
PAPs	Project Affected Persons/People
PCO	Project Coordination Office
PG	Producer Group
PIM	Project Implementation Manual
PLUAC	Provincial Land Use and Allocation Committee
PPC	Phnom Penh Capital
PPCH	Phnom Penh Capital Hall
PRSC	Provincial Resettlement Sub-Committee
RGC	Royal Government of Cambodia
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SHG	Self-help Group
SLCs	Social Land Concessions
SLFs	Sangkat Level Federations
SMT	Sub-Management Teams
SRP	Siem Reap Province
TSSP	Tonle Sap Poverty Reduction and Smallholder Development Project
UPC	Urban Poor Community
VLD	Voluntary Land Donation
WB	World Bank

WG	Working Group
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EXECUTIVE SUMMARY

1. INTRODUCTION

1.1. The LEAP project will be implemented in the two distinct contextual and institutional environments of the mostly rural Siem Reap Province and the rapidly urbanizing Phnom Penh Capital. The core project activities will be separated into rural and urban components with specific geographical scope and implementation arrangements customized to each unique setting while maintaining consistency and continuity across the project. The rural and urban components of the Project are both embedded in a community driven development model whereby local communities/groups of households make decisions regarding the types of interventions they seek and these may require the acquisition of land, mainly by voluntary donation. For example, small pieces of land may need to be acquired for the benefit of communities for income generating purposes such as small grain storage, cattle sheds, as well as basic public infrastructure such as the upgrading of roads, water supply, irrigation and drainage systems. For these reasons, World Bank safeguard policy, OP/BP 4.12, Involuntary Resettlement, has been triggered. The key beneficiaries of the project will be IDPoor¹ and vulnerable households in the target 47 communes and 13 Sangkats in Siem Reap Province and Phnom Penh Capital, respectively.

1.2. As most of the project activities are to be determined during project implementation based on community demand, it is not possible to develop a firm Plan as to how to address the social risks that may arise. To mitigate potential risks associated with land acquisition and land donation, and to comply with the World Bank policy on Involuntary Resettlement, the Resettlement Policy Framework (RPF) will be applied to all Project investment activities. The RPF has been cleared by the IRC-MEF. The RPF will establish the principles and procedures to follow if subsequent stages of project implementation are to cause any type of land acquisition. This RPF is part of the Environment and Social Management Framework (ESMF) that sets out the principles, rules, guidelines and procedures to assess the environmental and social impacts, to define the approach and procedures to ensure full Project benefits, and to mitigate negative impacts that may result from the project.

1.3. While the pilot phase did not include small-scale community infrastructure investments, this activity type has been added to the proposed new phase of the project. As such, this RPF draws heavily upon the time-tested, social and environmental risk management procedures included in the Commune/Sangkat Fund Project Implementation Manual (CSF-PIM). The Commune/Sangkat Fund has been providing grants to every Commune/Sangkat in the country since 2003 for activities such as road improvements, water supply, irrigation, and other activities that are consistent with the activities to be financed under LEAP. The last update of the CSF-PIM was undertaken in 2009. This CSF-PIM's relevant procedures and forms will be applied for the implementation of local/community infrastructure activities under LEAP. In addition to the CSF-PIM, the RPF and the ESMF include measures for identifying and managing the environmental and social risks of other project-financed activities that are not included in the CSF-PIM, in particular, small-scale livelihood investments by individual households, self-help groups and producer groups. MOI will be responsible for ensuring that the provisions of the ESMF are followed and complied with during implementation.

¹ Since IDPoor surveys are only conducted every three years, commune and Sangkat leaders would be asked to identify potential households beneficiaries that may have become poor since the last survey due to economic factors (commodity price drops), natural calamities (drought, floods, destroyed crops) or other shocks based on the IDPoor questionnaire. Those identified as new IDPoor households would be given a proxy means test based on the IDPoor methodology to validate their eligibility.

1.4. This RPF has been prepared based on lesson learnt from the LEAP Pilot Project and social analysis conducted at various stages of the project preparation. This RPF will be annexed to LEAP’s Project Implementation Manual (PIM). This RPF document is considered a living document and could be modified and revised in line with the changing type of the project activities. When situations make it appropriate that the RPF be revised, the IRC and the World Bank will be consulted prior to its revision and any changes or revisions to the RPF will require IRC cleared and No-Objection by the World Bank.

2. LEGAL AND POLICY FRAMEWORK OF THE RPF

2.1 The RPF has been prepared to comply with World Bank OP/BP4.12 on Involuntary Resettlement and relevant Cambodian laws and regulations particularly the Constitution, Land Law, and the Law on Expropriation. Gaps between the two legal frameworks, the RGC and the WB, were analyzed and gap-filling measures are proposed for minimization of impacts on people’s livelihoods. In general, the policy frameworks have few inconsistencies.

2.2 The Law on Expropriation, launched in 2010, provides principles, mechanisms, and procedures for expropriation, and defining fair and just compensation for any construction, rehabilitation, and public physical infrastructure expansion project for the public and national interests and development of Cambodia. The Expropriation Law, which is largely consistent with the main principles of the Bank’s Involuntary Resettlement Policy (OP 4.12), would be applied in the case of appropriation of ownership of immovable property or the real right to immovable property of a physical person, legal entity, or legal public entity. This includes land, buildings, and cultivated plants, and for construction, rehabilitation or expansion of public physical infrastructure.

2.3 **Decision No. 001 SSR/NCDD on Promulgating of the Second Revision of the C/S Fund Project Implementation (C/SF PIM)** dated on 14 January 2009 is for implementing Commune/Sangkat Fund projects. The C/S Fund supports local/community infrastructure. A local infrastructure project is a project which creates a durable physical asset that is fixed in one place and can be used by all the people in the local area². Section 2.9 of the C/SF PIM provides guidelines for preparing a land study report consisting of a voluntary land contribution report and a land acquisition report if land and/or assets, used or owned by someone, are affected by the local infrastructure development.

2.4 The overall objective of the Bank’s OP/BP4.12 policy is to avoid or minimize impacts, exploring all viable alternative project designs. Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs. Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

3. POLICY FRAMEWORK FOR LAND ACQUISITION AND COMPENSATION

3.1 This Policy covers only if sub-projects involve involuntary land acquisition and are funded apart from C/S Fund and serve the national and public interest. However, this is unlikely to happen under the LEAP Project.

² The “local area” can mean the whole commune (for example, a road project), or a part of one village (for example, a well) but it cannot mean just one house. The parts of the infrastructure that are used by just one house (for example, the wire connecting one house to the electricity system) should be paid for by the house owner.

3.2 **The objectives** of this Resettlement Policy Framework are (a) to avoid or minimize any land acquisition and resettlement deriving from activities under the Project, and (b) to provide fair compensation in case of occurrence of involuntary resettlement. A key principle of LEAP is that there will be no major land acquisition for small-scale sub-projects. If required, land can be acquired by for individual sub-projects by voluntary land donation, but only a small portion can be given to the Project without causing impoverishment to the land donor or by compensation that requires preparation of a resettlement action plan. The LEAP project will not allow physical displacement of people. Based on previous experience with small-scale infrastructure investments through the Commune/Sangkat Fund, it is highly unlikely, but not impossible that compensation for land may be required. Landowners usually contribute their land via voluntary donation.

3.3 **Eligibility Criteria:** In cases where acquired land is not voluntarily donated and compensation is required, all PAPs who are identified in sub-project-impacted areas on the cut-off date of each sub-project are entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve, or at least maintain, their pre-sub-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 sub-project investment, for cases that require a RAP. Those who encroach into the sub-project investment area after the cut-off date will not be entitled for compensation or any other assistance. PAPs, under LEAP, may be categorized into i) legal owner, ii) recognizable owner, and iii) unrecognized/unauthorized user. The three categories will also be impacted differently based on severity. Thus, eligible PAPs will be entitled to receive compensation based on category of PAP, scope of impact and severity.

3.4 **Entitlements** are defined as the rights of the PAPs to receive compensation/assistance from the project because the project causes them loss of land, user rights, and loss of non-land based assets. Different PAPs will have different entitlements for compensation. A Compensation and Entitlements Matrix has been developed as a gap filling measure in order to minimize land acquisition impacts. The Entitlements Matrix will be updated if an ARAP/RAP is developed and impacts are clearly identified.

3.5 **Compensation** can be in kind or in cash. Land for land is a preferred option if land is acquired for the Project. However, previous practice indicates that a majority of PAPs opt to get paid by cash because they can purchase other land where he/she prefers. A replacement cost study (RCS) would be utilized to establish compensation rates for land, structures and trees at current market price. Normally, the RCS is updated if the project is unexpectedly delayed or market price of materials are inflated drastically.

3.6 **Special consideration:** RGC 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 adoption of a participatory planning and decision-making process for sub-project investments. Women in rural and urban communities play a key role in household finance and community livelihood development. They will be empowered to become active members in community activities and other collective endeavors in support of project implementation and monitoring. During implementation, the Project will give special attention to women and female households as beneficiaries of Project interventions. Active participation of women will be ensured during the development of appropriate measures to be responsive to specific needs or concerns of groups such as landless, poor, and households headed by women, disabled, elderly or children without means of support.

4. RESETTLEMENT POLICY FRAMEWORK'S PROCESS

4.1 **Safeguard screening** is required during sub-project preparation. Social safeguard processes will be applied as per the Commune/Sangkat Fund Project Implementation Manual (C/SF-PIM). Social screening will be carried out by the Commune/Sangkat Councils once the sub-project investment priorities have been identified using C/S-PIM's Safeguard Screening Form, see **Annex 2**. This Form will be updated if required. LEAP District Facilitators and Community Professionals will assist Commune/Sangkat Councils in the safeguard screening process.

4.2 **Procedures Used for Sub-projects not Funded through the C/S Fund:** The Expropriation Law identifies public, physical infrastructure that serves national and public interests and that may entail acquisition of land for construction, rehabilitation or expansion.

4.2.1 **RAP Preparation and Approval:** The Ministry of Interior (MoI) in association with General Department of Resettlement (GDR) of the MEF (secretariat of the Inter-Ministerial Resettlement Committee - IRC) will provide general direction for planning relocation and involuntary land acquisition, should the need arise. MOI will ensure coordination between various stakeholders concerned with the Project including those directly connected with relocation and monitoring implementation. Prior to commencement of sub-project activities, stakeholders from investment communities where there are potential resettlement impacts will be consulted to establish planning principles and work arrangements aimed at identifying and mitigating adverse social impacts induced by the construction activities. When needed, the ARAP/RAP will be prepared to obtain information through census, inventory of losses, baseline surveys, valuation of properties, public consultation, and a determination regarding compensation. This may be in the context of temporary or permanent relocation and compensation, or in the context of mitigating other project related social impacts. *Annex 5* provides formats for a Resettlement Action Plans including annotated ARAPs and RAPs. ARAP/RAPs, if needed, will be prepared by MoI's Project team with assistance from a social safeguard consultant and submitted to IRC/GDR for review and approval prior to further submitting to the World Bank.

4.2.2 **ARAP/RAP Implementation Process:** After a request for ARAP/RAP implementation by MoI, IRC will mobilize its working group to work closely with PRSC-WG before commencement of any resettlement activities. Land acquisition and relocation of PAP households will not commence until the detailed RAP has been reviewed and approved by both IRC and the WB. Several steps are integral to the ARAP/RAP implementation process, including: (i) Detailed Measurement Survey (DMS) and Baseline Socioeconomic Survey (BSS); (ii) Replacement Cost Study (RCS); (iii) Preparation and approval of ARAP/RAP; (iv) Preparation and approval of resettlement budget; (v) Contract signing and compensation payment; (vi) Public Information, Consultation and Disclosure; and (vii) Notification on Site Clearance.

4.3 **Procedures Used for Sub-projects Funded through the C/S Fund:** C/SF PIM Section 1.7 describes Commune/Sangkat funded projects. Only local or community infrastructure projects will be funded by the C/S Fund. A local infrastructure project is a project, which creates a durable physical asset that is fixed in one place and can be used by all the people in the local area. The "local area" can mean the whole commune (for example, a road project), or a part of one village (for example, a well) but it cannot mean just one house. The parts of the infrastructure that are used by just one house (for example, the wire connecting one house to the electricity system) should be paid for by the house owner. Section 2.9 of the C/SF PIM provides guidelines for preparing a land study report consisting of a voluntary land contribution report and a land acquisition report if land and/or assets, used or owned by someone, are affected by the local infrastructure development.

5. IMPLEMENTATION AND MONITORING ARRANGEMENT

5.1 **Project Steering Committee (PSC).** The project will be supervised by a Project Steering Committee, chaired by a Secretary of State in the Ministry of Interior (MoI). This Committee would provide strategic direction and guidance in the management and operations of the project, and would include members from relevant government institutions involved in rural and urban development programs. Other institutions and individuals from academia, NGOs and the private sector will also be invited to provide advice to the committee. The PSC will ensure that safeguard activities under the Project will be carried out by the various implementing entities in compliance with the provisions set forth in this RPF.

5.2 **General Department of Resettlement (GDR) of MEF:** The RPF is required to be reviewed by IRC prior to submitting to the World Bank for final review and approval. If there are resettlement impacts

caused by LEAP sub-projects, not through C/S fund, and an ARAP/RAP is required, MoI will request the GDR to deal with resettlement impacts. The GDR, through a designated Inter-ministerial Resettlement Committee (IRC) and its Working Group (WG), will work closely with the Provincial Resettlement Sub-Committee (PRSC) for coordinating resettlement issues where the sub-project is located and have resettlement impact. In this case, an ad-hoc Provincial Resettlement Sub-Committee Working Group (PRSC-WG) will be established as secretariat to PRSC. In this case, MOI through its PSC will prepare the ARAP/RAP and submit to IRC/DGR for review prior to submitting to the World Bank. IRC/GDR will take a leading role in ARAP/RAP implementation.

5.3 **Commune/Sangkat Council** is in charge of implementing sub-projects that are funded through C/S Fund and will comply with guidelines and forms as per C/SF PIM.

5.4 **Monitoring and Disclosure:** Implementation of the RPF will be regularly supervised and monitored by the respective SMTs (Siem Reap and Phnom Penh) for sub-project investment activities that involve land acquisition. The findings and recommendations will be recorded in the project file for possible review by the Bank’s mission to be conducted twice a year. The SMTs will supervise and monitor the process at least one time per year and include the results in the Project annual reports to be furnished to the World Bank. The SMT staff in close consultation with local governments and PAPs will establish a set of practical monitoring indicators. Consultant to be hired by MOI will conduct spot check at least twice a year as internal monitoring. In case ARAP/RAPs are prepared and implemented, monitoring will be required in order to ensure transparency and full compliance.

6. PUBLIC CONSULTATION AND INFORMATION DISCLOURE

6.1 **The World Bank policy on access to information:** Public Consultation and Information Disclosure as defined by the Bank’s requirements require giving the public access to project information and documentation. It requires that during the planning and preparatory process, project beneficiaries, affected groups and local NGOs shall be consulted and the environment and social aspects of the project should be presented. The consultations should be on 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 and language understandable to the groups being consulted.

6.2 Sub-projects to be funded through the C/S Fund will follow guidelines of the C/SF PIM. Unless otherwise required, the below participation and consultation approach will be used.

6.3 In the context of LEAP, extensive stakeholder consultations were carried out during the pilot project, project identification and project preparation and will continue during project implementation. The RPF has been developed based on the outcomes of those consultations. See **Annex 1C for Framework for Community Consultation and Participation Process**. PAPs are involved in public consultation meetings in various stages of the process. Their resettlement impacts (if any) and concerns are properly recorded during the data collection process (DMS, BSS and public consultation and focus group discussion). All these issues and concerns are well incorporated into the ARAP/RAP for compensation and rehabilitation assistance. Vulnerable, female and indigenous groups will be consulted separately using focus group discussion methods. Local authorities, heads of village and commune chiefs are members of PRSC-WG. They are represented during public consultative meetings and have an important role in identifying PAPs and certifying the DMS form. Representatives of PAPs are members of (i) community/village committee and (ii) grievance redress committee under the LEAP.

6.4 **Disclosure:** The RPF and other safeguard documents will be uploaded into the World Bank’s InfoShop website prior to appraisal and later will be uploaded into project website (both in Khmer and English). ARAP/RAPs, if prepared, will be translated into local language (Khmer), uploaded into the project

website, and a copy will be sent to each Commune Council, or village committee with PAPs and the community, where there is involuntary resettlement.

7. TRANSPARENCY AND GRIEVANCE MECHANISM

7.1 The World Bank’s resettlement policy requires an investment project to establish mechanisms for grievance resolution in order to ensure PAPs’ satisfaction with implementation of resettlement and land acquisition related activities, and to 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 possible land acquisition or other project interventions.

7.2 For implementing this RPF, if complaints exist, the grievance procedure stated in Sub-section 2.9 of the C/SF PIM will be utilized.

8. BUDGET AND COSTS

8.1 Funds for implementing the RPF will be part of the Project budget. These funds will be used to cover costs consultants to carry out spot check and prepare compliance reports including supervising and monitoring reports, data collection, and preparation of ARAP/RAPs etc. It is assumed that the consultant input will be 30 days per year for 4 years. Transport, data collection and other costs are included. **Thus, the total budget is estimated at US\$115,000.**

8.2 In case ARAP/RAP preparation is required, each ARAP/RAP will include the detailed costs of compensation and other rehabilitation entitlements as part of the process to compensate PAPs. Arrangements will be made for PAP property and assets segregated on the basis of agricultural land, residential land, business land, houses, business assets and other holdings. The detailed budgetary estimates will make adequate provision for contingencies and the RAP will explicitly establish sources for all funds required. The RAP will ensure that fund flows are compatible with the timetable for payment of compensation and provision of all other assistance. The budget will cover land acquisition, relocation site development, compensation costs, allowances and administration costs, and contingency. Resettlement costs will be part of the Government’s counterpart funds, not the project. The RGC will ensure timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order satisfy resettlement requirements and objective.

1. INTRODUCTION

1.1. Background

1. The LEAP design has been piloted in six communes in Siem Reap Province of Cambodia, aiming to enhance poverty alleviation through rural livelihood interventions. The Pilot Project worked towards social and economic empowerment (e.g., by increasing rice production, vegetable cultivation, production of artisan handicrafts, fishing or chicken raising, etc.) through the formation of self-help groups and/or producers' groups and foundation of federations by and for the poor in Siem Reap. Full-scale implementation of LEAP was intended to cover 50 communes in Siem Reap, but this was never realized. Using a Project Preparation Advance, the full institutional arrangements for implementation were put into place and a pilot was conducted between July 2010 and June 2012. The pilot successfully facilitated the establishment of 100 self-help groups and their development to savings and credit groups. Functioning groups emerged as entry points for capacity building and resource provision for economic activities that strengthened livelihoods and increased incomes from investments in agriculture, livestock and handicraft production.

2. The proposed project would consolidate and scale up the LEAP's early achievements. The RGC also intends to use this model for addressing urban poverty. It will be tested as an instrument to address the needs of urban poor communities in Phnom Penh. The Project will primarily benefit the poorest and most vulnerable households in selected communes/Sangkats in Siem Reap and Phnom Penh, in particular, those identified as IDPoor 1 and 2. Support will be provided through Self-Help Groups, producer groups, and agricultural cooperatives (in Siem Reap Province only), as well as through skills-building and employment support services (in both rural and urban target areas). Potentially all commune/Sangkat or village households could benefit from infrastructure improvements (i.e. water supply or community road repair), but preference will be given to priorities expressed by poor households, so these households should benefit most.

3. As part of project preparation, a screening exercise was conducted in the proposed target area in Siem Reap where the project will be implemented to determine the presence of Indigenous Peoples. There is only two communes in Siem Reap identified as having ethnic indigenous minorities, the Kuoy indigenous group, located in Srae Noy and Khun Ream communes. This is not one of the project target communes. There are also no indigenous groups present in Phnom Penh. In the absence of indigenous groups in the project area, the Bank's policy on indigenous peoples (OP 4.10) is not triggered.

1.2. Social Analysis

4. As part of project preparation, a Social Analysis (SA) was conducted with the following objectives: (i) identify project beneficiaries in urban and rural areas where the project will be implemented; including the presence of vulnerable groups and indigenous communities; (ii) identify how these groups are organized and their preferences to participate during project design and project implementation; and (iii) assess the potential social risks associated with project activities including positive and adverse impacts.

5. Several instruments were drawn upon to comprise a full SA of activities planned under the project in both Siem Reap and Phnom Penh. To inform preparation of the project at the time that it was targeting 50 communes in Siem Reap, and aiming for World Bank approval in 2010, a Social Assessment as well as a Lead Social Development Specialist Report were conducted in late 2009/early 2010 and August 2010/January 2011, respectively. While only a pilot project was implemented in six communes, the lessons from this pilot were well documented in project reporting and an impact evaluation was undertaken in 2012 with a specific focus on measuring changes in social capital in treatment villages. Upon reactivation of the preparation process in 2015, the target area was expanded to include Phnom Penh. To understand the unique context of Phnom Penh, an Urban Poor Community Needs Assessment was conducted in 2015. Finally, as a complement to this array of social analysis instruments, community consultations have been reactivated in Siem Reap and expanded to include Phnom Penh. These consultations have provided additional insights into the challenges and opportunities to implementing the proposed activities in Siem Reap and Phnom Penh, highlighting new areas

for livelihood support which have since been incorporated into the project design, namely skills development, training and community infrastructure.

6. *Siem Reap Social Assessment (2009-2010)*. The methodology for the SA included a literature review (including relevant legislation and policy), interviews and group meetings with key stakeholders, and in-depth investigations in a selected, target commune (Chob Tatrav), including focus groups, semi-structured interviews and household surveys. The SA found that there was a significant need for the improvement of livelihoods of poor households to provide income for the improvement of living conditions. There was interest in SHG formation and it was highlighted that support would be needed for members to successfully raise animals and for vegetable cultivation for consumption and sale. Vulnerable groups such as handicapped, elderly and female-headed households/widows would need additional support to participate in, and benefit from, SHGs. Types of income generation activities identified included paddy rice and farm cultivation; fish raising; animal raising; vegetables and other crops; collect other non-timber forest products such as like resin, rattan, malva nuts, bamboo, etc. For people that live near water sources such as Tonle Sap river, lake and stream, they would prioritize production of Prahok and Pha Ak, dried fish, etc for selling after fishing season (when fish price increases).

7. Most community members interviewed indicated that they would provide land for livelihood activities, but some had concerns as to potential disputes among members of SHGs and others had very little or no land and would not be able to provide any to group activities. Respondents added that any land donated for SHG activity (i.e. pig raising) must be free of squatters, encroachers or other claims or encumbrances and the land donation of each family had to be recognized by the village and commune authorities, as is normal practice for land donation under the Commune/Sangkat Fund. The SA recommended that the limitation of voluntary land donation of no more than 5% of a household's land applied by the Commune/ Sangkat Fund be applied for LEAP activities. The report also outlined steps to undertake dispute resolution and to address the needs of women and vulnerable groups (i.e. ensuring they are not left out).

8. To assess the potential benefits and impact of the project in the additional coverage area of Phnom Penh, an *Urban Poor Community Needs Assessment* was conducted in 15 poor communities that were identified as likely target communities under the project. Both quantitative and qualitative data were collected. Quantitative data such as estimated number of households, number of poor households, community settlement dates, were mainly from secondary sources and through key informant interviews including officials of PPC, Khan administrators and Sangkat councilors. Relevant data from the secondary sources (for example, MOP/NIS IDPoor reports) were reviewed. A total of 40 officials were covered in the key informant interviews. Primary data were gathered mainly through field investigations in the sample communities. The field investigations allowed for data triangulation and/or updates of information obtained from secondary sources and/or key informant interviews and collection of data, which were not available from the latter. The field investigations used a combination of data gathering techniques, namely, focus group discussions and physical observation.

1.3. Requirements for RPF and Purpose

9. The rural and urban components of the Project are embedded in a community driven development model whereby local communities/groups of households (mainly organized into Self-Help Groups) make decisions regarding the types of interventions they seek and these may require the acquisition of land, primarily by voluntary donation. For example, small pieces of land may need to be acquired for the benefit of communities for income generating purposes such as small grain storage, cattle sheds, as well as basic public infrastructure such as the upgrading of roads, water supply, irrigation and drainage systems (Component 1.3). For these reasons, OP/BP 4.12 Involuntary Resettlement policy is triggered.

10. As most of the project activities for the LEAP project are to be determined during project implementation based on community demand, it is not possible to develop a firm Plan as to how to address the social risks that may arise. To mitigate potential risks associated to land acquisition, and land donation, in compliance with the World Bank (the Bank) policy on Involuntary Resettlement (OP 4.12), the Resettlement Policy Framework (RPF) will be applied to all Project investment activities. The RPF has been cleared by the

IRC-MEF. The RPF will establish the principles and procedures to follow if subsequent stages of project implementation are to cause any type of land acquisition. The Cambodian Government and the World Bank has agreed to implement the safeguard requirements under the project in accordance with the relevant Cambodian laws and regulations and the World Bank environmental and social safeguard policies in the design and implementation of this project, including OP 4.12, "Involuntary Resettlement". For this project, design and scheduling considerations make it impossible to determine the extent of resettlement planning requirements at appraisal.

11. While the pilot phase did not include small-scale community infrastructure investments, this activity type has been added to the proposed new phase of the project. As such, this RPF draws heavily upon the time-tested, social and environmental risk management procedures included in the Commune/Sangkat Fund Project Implementation Manual (C/SF-PIM). The Commune/Sangkat Fund has been providing grants to every Commune/Sangkat in the country since 2003 for activities such as road improvements, water supply, irrigation, and other activities that are consistent with the activities to be financed under LEAP. The last update of the C/SF-PIM was undertaken in 2009. This C/SF-PIM's relevant procedures and forms will be applied for the implementation of local/community infrastructure activities under LEAP. In addition to the C/SF-PIM, the RPF and the ESMF include measures for identifying and managing the environmental and social risks of other project-financed activities that are not included in the C/SF-PIM, in particular, small-scale livelihood investments by individual households, self-help groups and producer groups. MOI will be responsible for ensuring that the provisions of the ESMF are followed and complied with during implementation.

12. This RPF has been prepared based on lesson learnt from the LEAP Pilot Project and social analysis conducted at various stages of the project preparation. This RPF will be annexed to LEAP's Project Implementation Manual (PIM). This RPF document is considered a living document and could be modified and revised in line with the changing type of the project activities. When situations make it appropriate that the RPF be revised, the IRC and the World Bank will be consulted prior to its revision and any changes or revisions to the RPF will require IRC cleared and No-Objection by the World Bank.

2. PROJECT DEVELOPMENT OBJECTIVE AND PROJECT DESCRIPTION

2.1. Project Development Objective

13. The Project Development Objective (PDO) is to improve access of poor and vulnerable households in selected communities to financial services, opportunities for generating income, and small-scale infrastructure, and to provide immediate and effective response in case of an eligible crisis or emergency.

2.2. Project Beneficiaries

14. The key beneficiaries of the project would be the IDPoor³ and vulnerable households in the target 47 communes and 13 Sangkats in Siem Reap Province and Phnom Penh Capital, respectively.

15. The beneficiaries in Siem Reap Province would come from the 47 communes that did not receive support from the TSSD Project. 42 communes did not receive any TSSD support and will be fully covered by LEAP; 5 communes that did not receive full coverage by TSSD but have above average poverty levels and will have respective villages included in LEAP. The beneficiaries in Phnom Penh Capital would come from the 13 Sangkats that were selected as follows: (a) for the eight districts where IDPoor data is available, the Sangkats with the largest total number of IDPoor households were selected. Specifically, one Sangkat each

³ Since IDPoor surveys are only conducted every three years, commune and Sangkat leaders would be asked to identify potential households beneficiaries that may have become poor since the last survey due to economic factors (commodity price drops), natural calamities (drought, floods, destroyed crops) or other shocks based on the IDPoor questionnaire. Those identified as new IDPoor households would be given a proxy means test based on the IDPoor methodology to validate their eligibility.

was selected from the six districts with up to 10 Sangkats, while two Sangkats each were selected from the two districts with more than 10 Sangkats; and (b) in the four districts for which IDPoor data is not available due to their central/downtown location, one Sangkat per district which has the highest total number of urban poor communities (UPC) households as identified by Phnom Penh Capital was selected. In the absence of IDPoor data for the entire city, this criteria allowed the inclusion of both peri-urban and central-urban districts. The lower target for Phnom Penh coverage was purposely done to allow the piloting of project activities in the urban context, with the potential of scaling-up as the project progresses.

16. The IDPoor household members of existing and to be established SHGs, producer groups and agricultural cooperatives would be the main project beneficiaries. All community members would be invited to apply but the beneficiaries would largely be from IDPoor and vulnerable households as the beneficiary selection would be based on the IDPoor criteria and determined by proxy means testing of applicants. It is expected that the households in the communes/Sangkats would all benefit from the planned infrastructure improvements under the project, but preference would be given to priorities expressed by IDPoor households to ensure that they benefit the most.

2.3. Project Description

17. The project would be implemented in two distinct contextual and institutional environments of the mostly rural Siem Reap Province and the rapidly urbanizing Phnom Penh Capital. The core project activities would be separated into rural and urban components, each would have specific geographical scope and implementation arrangements which are customized to each unique setting while maintaining consistency and continuity across the project.

2.4. Project Components

18. **Component 1: Improving Livelihoods for Rural Poor and Vulnerable Households (US\$14 million).** This component aims to address the needs of the IDPoor and vulnerable households in the 47 communes in Siem Reap Province through a demand driven approach. Activities would include: (a) conduct of organizational and capacity building support to SHGs, producers groups and agricultural cooperatives; (b) provision of seed grants for their livelihood sub-projects; (c) conduct of market studies; (d) extension of business support services; (e) skills development training; (f) employment support services; and (g) provision of productive infrastructure to improve livelihood and increase productivity. As the predominant sources of income for these rural poor households are from agriculture, livestock and fisheries, the project would leverage the technical support of the Ministry of Agriculture, Fisheries and Forestry (MAFF) and other technical service providers. Drawing from the experience of the pilot project, this component would be implemented by the Siem Reap Provincial Government through the following sub-components:

19. **Sub-Component 1.1: Building and Strengthening Institutions of the Rural Poor.** This would support the formation and strengthening of beneficiaries mainly through SHGs, producers groups or agricultural cooperatives, and enable their members to engage jointly or individually in productive activities. Capacity building assistance would include basic financial literacy (savings, budgeting, etc.), micro-enterprise/business planning, basic accounting and record keeping, good governance practices, and access to financial services. Furthermore, groups and individual farmers would be assisted and strengthened through facilitation of market linkages, technical assistance and capacity building for producers to increase access to assets, skills, technology and markets.

20. To supplement the initial savings generated by the SHGs, the project would provide seed grants (US\$1,000-1,500 per SHG) for on-lending to members to implement their Micro Investment Plans (MIPs). The grant would be for SHGs that have previous experience in implementing and managing microenterprises/livelihood activities. Where commune-level federations of SHGs, producers groups, agricultural cooperatives, etc. are existing and qualified to be financial intermediaries, the project would provide them with Community Livelihood Investment Fund (CLIF) grant of up to US\$30,000 per federation.

This grant would be for on-lending to member groups that are not qualified to access credit from MFIs and other formal banking institutions. The project would also link the federations with financial institutions to access additional/bigger credit funds and other financial services.

21. MAFF as well as NGOs/other service providers would be tapped to provide technical assistance and market linkage services to the beneficiary groups and where warranted, to individuals. These would focus on improving production efficiency, productivity enhancement, access to technology extension, logistics infrastructure and information services, and building pro-poor market systems for small and marginal producers that would enable them to participate in higher value chains.

22. ***Sub-Component 1.2 Enhancing Skills and Employment Opportunities for the Rural Poor.*** Taking advantage of the opportunities offered by enterprises connected to the rapidly growing tourism industry in Siem Reap, this sub-component would provide a complementary livelihood pathway to self-help group, value-chain and market access support under Sub-component 1.1. The Project would invest in the development of beneficiary skills (particularly unemployed youth and women from poor households) and the ability to obtain new or improved wage employment. Activities would include: (a) local labor market surveys and training provider certification; (b) beneficiary targeting and selection; (c) employability training and career counseling; (d) voucher provision and skills training; (e) job placement and employment support.

23. ***Sub-Component 1.3: Improving Basic Services and Community Infrastructure.*** This would support small-scale community infrastructure and services to respond to the priority needs of the beneficiaries and contribute to their productivity and income generating potential. Investments would include storage or small warehouses, water supply and sanitation facilities, small-scale irrigation schemes, community access roads, and better on-farm water management practices, among others. The identification of priority needs would follow the existing annual participatory identification and planning process that provides opportunity for the beneficiaries to advocate their investment priorities and ensure that these are included in the Commune Investment Plan (CIP). The project would adopt the Commune/Sangkat Fund Project Implementation Manual (CSF-PIM) to be used in the preparation and implementation of community sub-projects. The CSF-PIM has been used by Communes to small-scale investments for several years. The CSF-PIM has been used by Communes to small-scale investments for several years.

24. **Component 2: Improving Livelihoods for Urban Poor and Vulnerable Households (US\$4 million).** This component aims to address the needs of the IDPoor and vulnerable households in 13 Sangkats in Phnom Penh Capital through a demand driven approach. Activities would include: (a) skills development training; (b) employment support services and (c) provision of productive infrastructure to improve livelihood and increase productivity. Direct financial services support would not be provided but where appropriate, linkages to existing financial institutions and services would be facilitated. This component would be implemented by the Phnom Penh Capital Hall through the following sub-components:

25. ***Sub-Component 2.1 Enhancing Skills and Employment Opportunities for the Urban Poor.*** Since there are many training and employment programs in Phnom Penh and a wider range of employment opportunities, support would be provided to more secure, satisfying and higher earning jobs. As in the case of the rural component, this sub-component would provide a complementary livelihood pathway to beneficiaries. The Project would invest in the development of beneficiary skills (particularly unemployed youth and women from poor households) and the ability to obtain new or improved wage employment. Activities would include: (a) local labor market surveys and training provider certification; (b) beneficiary targeting and selection; (c) employability training and career counseling; (d) voucher provision and skills training; (e) job placement and employment support. Some of the livelihood priorities identified during project preparation include food preparation and processing, handicraft making, retailing/ buy and sell, off-site garment factory sewing/dressmaking, cosmetology services, tuk-tuk operation, etc. Beneficiaries, particularly youth, would be encouraged to consider a wider range of career opportunities and skills where there is high demand and potential for career development. . Some of the livelihood priorities identified during project preparation

include food preparation and processing, handicraft making, retailing/ buy and sell, off-site garment factory sewing/dressmaking, cosmetology services, tuktuk operation, etc. Beneficiaries, particularly youth, would be encouraged to consider a wider range of career opportunities and skills where there is high demand and potential for career development.

26. **Sub-Component 2.2: Improving Basic Services and Community Infrastructure.** This would follow the same process as in Sub-Component 1.3, using the C/SF-PIM. To ensure that the sub-projects would most benefit the poor and vulnerable households such as the UPCs, the community planning meetings would include both IDPoor households and representatives of the UPCs. The types of infrastructure facilities that would be funded include but not limited to drainage system, community road/footpath, water supply and sanitation system, and street lighting. These community infrastructure investments have been identified in the UPC needs assessment survey and are expected to increase the beneficiaries' productivity, resilience and ability to adapt to natural and economic shocks.

27. **Component 3: Project Management (US\$2 million).** This component would support the overall implementation, supervision and coordination of the project at the national, provincial, district/Khan, commune/Sangkat, and village/community levels, including: (a) social and environmental safeguard risk management; (b) procurement planning and contracts management; (c) financial management, disbursement and audit; and (d) monitoring and evaluation (M&E), and communication.

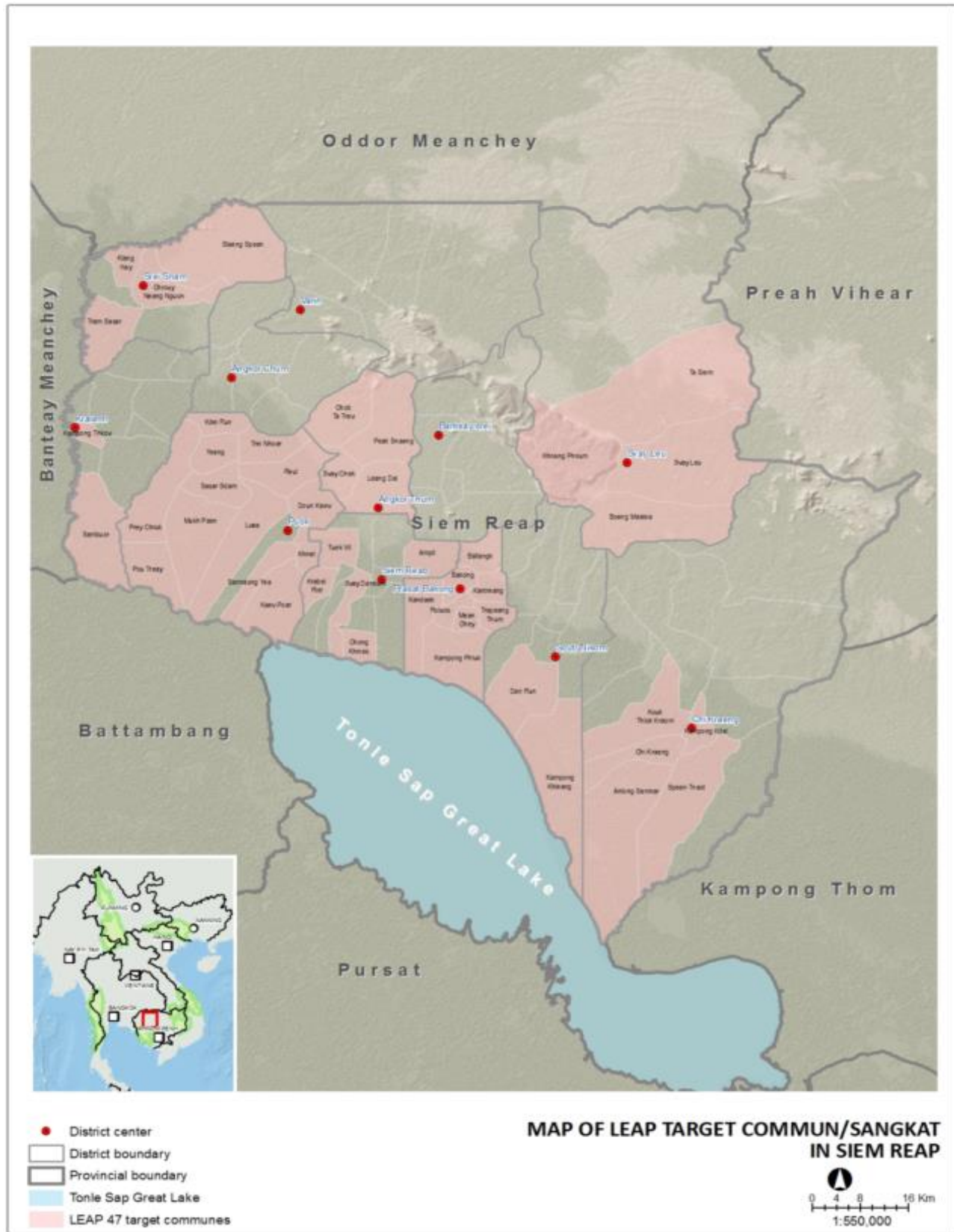
28. **Component 4: Contingent Emergency Response (US\$0.00 million).** This component, with an initial allocation of zero dollar, is part of the World Bank's (IDA's) support to an immediate response mechanism in Cambodia. This would allow the reallocation of a portion of undisbursed balance of the project for recovery and reconstruction support following a formal government request in the event of an eligible emergency.

2.5. Overview of Project Location

29. Siem Reap province is surrounded by five other provinces, in the north is Otdar Meanchey, in the west is Banteay Meanchey, in the east are Preah Vahaer and Kampong Thom, and in the south the province borders partly with Battam Bang and partly with Tonle Sap Lake. In Siem Reap, the project covers 47 communes in 9 districts (Angkor Thum, Chi Kraeng, Kralanh, Prasat Bakong, Puok, Svay Leu, Siem Reap, Srei Snam and Sotr Nikum). These communes have been selected largely on the basis of geographic distribution of the province across two donor-financed projects, the ADB and IFAD-financed TSSD project and LEAP. 58 communes in Siem Reap have already been covered by TSSD, so LEAP will cover the remaining communes in the province. Figure 1 is map of the project location in 47 communes in rural Siem Reap province.

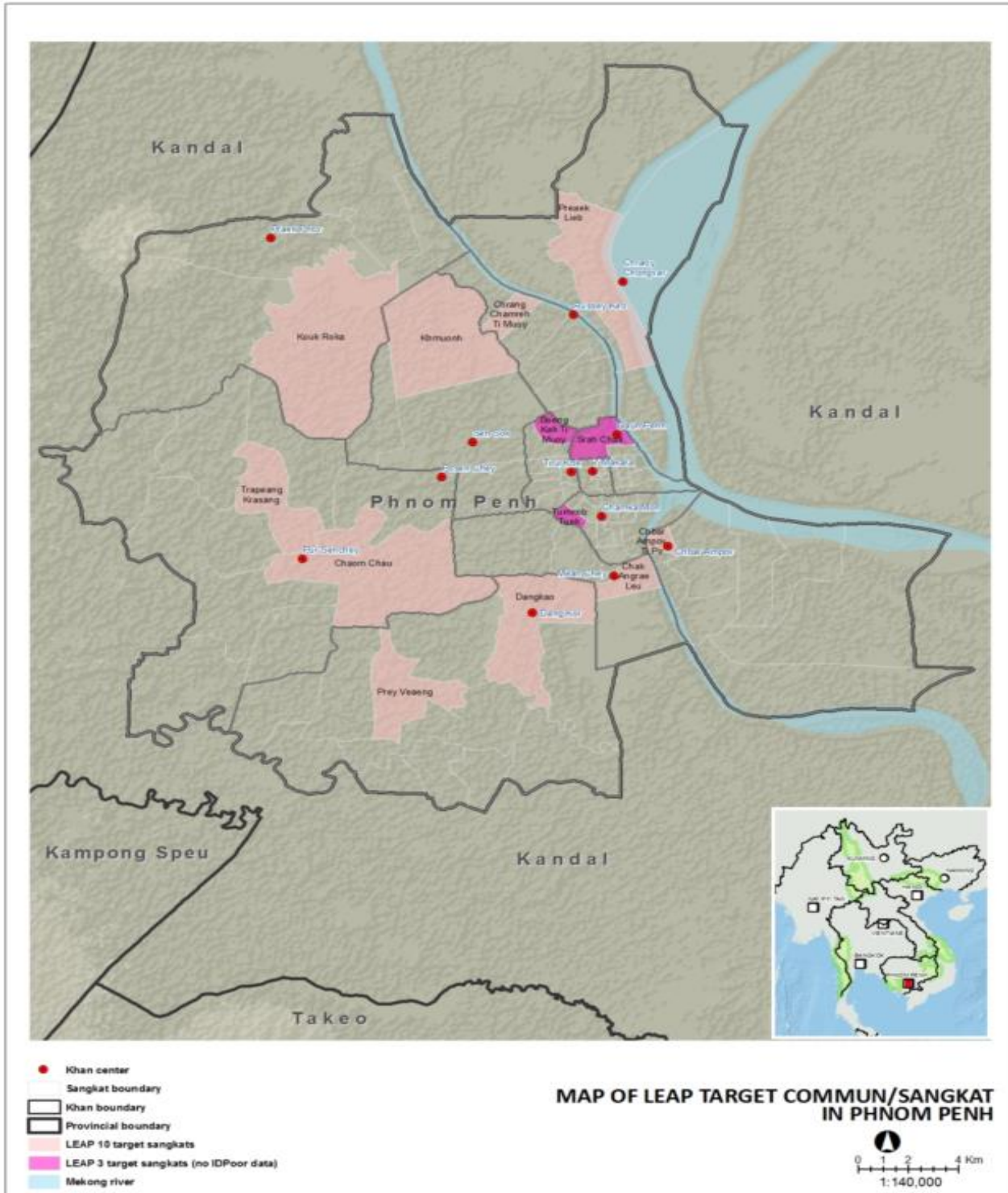
30. There are five protected areas located in Siem Reap Province, and two of them are located in the project area (Angkor Protected Landscape area and Phnom Kulen National Park). However, it is expected that the Project as well as proposed sub-projects in Siem Reap will finance SHGs and producer groups to invest in agriculture, livestock and fisheries activities as well as small-scale productive infrastructure (e.g. post-harvest processing equipment, storage facilities and poultry shed, etc.). These activities may affect natural habitats, wet land, protected areas and their biodiversity in the project area in particular Tonle Sap Lake from wastewater discharge from livestock raising activity and utilization of illegal fishing gears and methods, etc. These impacts are minor and site specific and it can be mitigated through the application of Technical Environmental Guidelines included in the ESMF. The LEAP Project will not finance activities related to protected areas management, neither facilitation or access restriction activities.

Figure 1: Map of Project Location in 47 Communes in Rural Siem Reap Province



31. In Phnom Penh, 13 out of 105 Sangkats (the urban equivalent of a commune) will be included in the project. Figure 2 is map of the project location in 13 Sangkats in urban Phnom Penh Capital.

Figure 2: Map of Project Location in 13 Sangkats in Urban of Phnom Penh Capital



3. LEGAL AND POLICY FRAMEWORK OF THE RPF

32. This Section briefly describes the national legislative and policy framework which is relevant to the proposed LEAP project as well as the World Bank OP4.12. A gap analysis of the two policies (the Bank and the RGC) is presented below, and gap filling measures are proposed.

3.1. Cambodia Legislation and Regulations Applicable to LEAP

3.1.1. Cambodia Constitution 1993

33. The 1993 Constitution of Cambodia has established two governing principles pertaining to land acquisition.

- i. Article 44 states that: All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall have the right to own land. Legal private ownership shall be protected by law; and
- ii. The right to confiscate properties from any persons shall be exercised only in the public interest as provided for under the law and shall require fair and just compensation in advance.

34. Some protection for vulnerable groups is also specified in the Constitution in Article 73: “The State shall give full consideration to children and mothers. The State shall establish nurseries, and help support women and children who have inadequate support” and Article 74: “The State shall assist the disabled and the families of combatants who sacrificed their lives for the nation”.

3.1.2. Land Law 2001

35. The rights to land and property in Cambodia are governed by the 2001 Land Law, which is primarily based on the provisions of the 1993 Constitution. It defines the scope of ownership of immovable properties, such as land, trees and fixed structures.

36. The Land Law, Article 5, states, “No person may be deprived of his ownership, unless it is in the public interest. Any ownership deprivation shall be carried out in accordance with the governing procedures provided by law and regulations, and after the payment of fair and just compensation in advance.”

37. Other provisions of the Land Law that are relevant to land acquisition, compensation and resettlement are:

- (i) Legal possession is the sole basis for land ownership as defined by law, and all transfers or changes of rights of ownership shall be carried out in accordance with the required general rules for sale, succession, exchange and gift or by court decision. (Article 6);
- (ii) Any regime of ownership of immovable property prior to 1979 shall not be recognized. (Article 7);
- (iii) Article 15 states that "the following properties are included as public properties of state and public legal entities: a) any property that has a natural origin, such as forests, courses and banks of navigable and floatable rivers or natural lakes and seashores; b) that is made available for public use such as quays of harbors, port, railways, railways station and airports; or, c) any property which is made available, either in its natural state or after development, for public use such as roads, tracks, oxcart ways, pathways, gardens or public parks and reserved lands;
- (iv) Article 18 states that "the following are null and void and cannot be made legal in any form whatever: (a) any entering into possession of public properties of State and public legal entities and any transformation of possession of private properties of State into ownership rights that was not pursuant to the legal formalities and procedures that have been stipulated prior to that time,

- irrespective of the date of creation of possession or transformation; (b) any entering into possession of private properties of State, through any means, that occurs after this law comes into effect;”
- (v) Article 19 states that "any persons whose land title or factual circumstance fall within the scope of Article 18 of this law shall not have the right to claim compensation or reimbursement of expenses paid for the maintenance or management of immovable property that was illegally occupied;”
 - (vi) Any illegal and intentional or fraudulent acquisition of public properties of state or of public legal entities shall be penalized pursuant to Article 259 of this law;
 - (vii) The penalties shall be doubled where any occupation of public properties cause damages or delay to works undertaken in the general interest, especially the occupation of roadway reversed land;”
 - (viii) Ownership of immovable properties described in Article 25 is granted by the state to indigenous minorities⁴ as collective ownership. This collective ownership includes all of the rights and protections as enjoyed by private owners. The exercise of collective ownership rights shall be subject to the responsibility of traditional authorities and decision-making mechanisms of the indigenous community, according to their customs and subject to the laws of general enforcement related to immovable property such as the law on environmental protection. (Article 26);
 - (ix) Persons with legally valid possession of land for five years (at the time the law came into effect) are allowed to be registered as the owner of the land (Article 30). Persons who (at the time the law came into effect) held legal possession but had not yet completed the five years are allowed to remain in possession until they are eligible to be registered as the owner. (Article 31);
 - (x) Any beginning of occupation for possession shall cease when this law comes into effect (Article 29). After this law comes into force, any new occupant with title to an immovable property belonging to the public bodies or private persons shall be considered as illegal occupant and shall be subject to the penalties provided in Article 259 of this Law (Article 34);
 - (xi) Article 38 states that "in order to transform into ownership of immovable property, the possession shall be unambiguous, non-violent, publically known, continuous and in good faith;” and
 - (xii) Landless people may apply for land for residential and subsistence farming purposes at no cost, as part of a social land concessions scheme. The concessionaire may obtain ownership of this land after fulfilling conditions set out in a separate Sub-Decree on Social Land Concessions. (Articles 50, 51).

3.1.3. The Expropriation Law

38. The Expropriation Law defines the procedures for acquiring private property for the national or public interest.

- (i) Article 2: the law has the following purposes: (a) ensure reasonable and just deprivation of a legal right to ownership of private property; (b) ensure payment of reasonable and just prior compensation; (c) serve the public and national interests; and (d) further development of public physical infrastructure;
- (ii) Article 5 provides a list of public physical infrastructures which are larger scale type and include primarily construction or expansion of railroads, roads, bridges, airports, ports; power stations and transmission line; buildings and equipment for postal, telecommunication and information technology systems; irrigation systems, clean water supply systems, sewage systems, and public interest spaces; etc.
- (iii) Article 7: Only the state may carry out an expropriation for use in the public and national interest;

⁴As per Article 23 of the Land Law, “An indigenous community is a group of people that resides in Cambodia whose members manifest ethnic, social, cultural and economic unity and who practice a traditional lifestyle, and who cultivate the lands in their possession according to the customary rules of collective use.

- (iv) Article 8: The state shall accept the purchase of the remaining part of real property left over from an expropriation at a reasonable and just price at the request of the owner of land/or the holder of rights in the expropriated real property, if he is no longer able to live near the expropriated scheme or build a residence or conduct any business; and
- (v) Article 22: Stipulates the amount of compensation to be paid to the owner of and/or holder of rights in the real property, which is based on the market value of the real property or the replacement cost as of the date of the issuance of the *Prakas*⁵ on the expropriation scheme. The market value or the replacement cost shall be determined by an independent commission or agent appointed by the expropriation committee.

39. The Law on Expropriation launched in 2010 provides principles, mechanisms, and procedures of expropriation, and defining fair and just compensation for any construction, rehabilitation, and expansion of public physical infrastructure project for the public and national interests and development of Cambodia. The Expropriation Law which is largely consistent with the main principles of the Bank’s Involuntary Resettlement Policy (OP 4.12) will be adopted by the LEAP for any **unlikely**, but required appropriation of ownership of immovable property or the real right to immovable property of a physical person or legal entity or legal public entity, which includes land, buildings, and cultivated plants, and for construction, for rehabilitation or for expansion of public physical infrastructure that serve the public and national interests.

3.1.4. Sub-decree on Right of Way for National Road and Railroad

40. The Sub-decree No.197 is to manage the use of right of way (ROW) for national road and railroad for the development in the Kingdom of Cambodia. The Sub-decree defines the ROW for national roads as below (Article 8):

- National Road with 1 digit: ROW is 30 meters measures from the center line
- National Road with 2 digits: ROW is 25 meters measured from the center line

41. The above determination is not applicable for Phnom Penh, provincial towns and other urban areas where a separate ROW will be defined. The Government will compensate to the owner of land affected by the new re-defined ROW as per Article 8 and 9 of this Sub-decree. The compensation will be in accordance with the resettlement policy and of the Land Law (Article 13). The Sub-decree did not determine the ROW for other road i.e. provincial roads and district or commune roads and rural road or other road defining the boundary of national or sanctuary parks.

3.1.5. Other Relevant Policies

42. The private ownership of land was re-established in 1989, and confirmed in 2001. The Land Law (Article 4) enables Cambodians to register the land they occupy with the local Cadastral Administration Office, whereupon a certificate of land title is granted. Issuing land titles is a lengthy process and most offices have a major backlog of applications. People are given a receipt and until the official title deed is issued, this receipt is accepted as a proof of real occupant of the land for land purpose or sale.

43. **Sub-Decree on Social Land Concession, March 2003.** This provides for allocations by the State for private land for the purposes of the alleviation of landlessness and poverty, including the replacement of land lost in the context of involuntary resettlement.

⁵ A “Prakas” is a ministerial or intra-ministerial decision signed by the relevant minister(s). A parkas must conform to the Constitution and to the law or sub-decree to which it refers.

44. **Circular No. 02** dated on February 26th, 2007 Stated clearly that i) illegal occupant of state land has no right to compensation and can be punished in accordance to the land law 2001 and ii) illegal occupant who are poor, landless and part of vulnerable group can be provided a plot of land.

45. **MEF Circular No.006** on the Resettlement Implementation Procedure for development projects dated on April 2nd, 2014. This new circular instructed clearly the administrative management and role and responsibility of all relevant Implementing Agency and Provinces in implementing the resettlement for development project. The Circular give mandate to General Department of Resettlement (GDR) of Ministry of Economy and Finance to review and approve the resettlement plan prior to submit to funding agency for final review. GDR also is responsible for coordinating implementation of RP and other resettlement issues.

46. **Decision No. 001 SSR/NCDD on Promulgating of the Second Revision of the C/S Fund Project Implementation (C/SF PIM)** dated on 14 January 2009 is for implementing Commune/Sangkat fund projects. The C/S Fund will support local/community infrastructure. A local infrastructure project is a project which creates a durable physical asset that is fixed in one place and can be used by all the people in the local area⁶. Section 2.9 of the C/SF PIM provides guidelines for preparing land study reports consisting of voluntary land contribution reports and land acquisition reports if land and/or asset, used or owned by someone, are affected by the local infrastructure development.

3.2. World Bank Policy on Involuntary Resettlement (OP/BP4.12)

47. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

- (i) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- (ii) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- (iii) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

48. This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by

- a) The involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons, for LEAP project this does not apply.

49. This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are (a) directly and significantly related to the Bank-assisted project; (b) necessary to

⁶ The “local area” can mean the whole commune (for example, a road project), or a part of one village (for example, a well) but it cannot mean just one house. The parts of the infrastructure that are used by just one house (for example, the wire connecting one house to the electricity system) should be paid for by the house owner.

achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project.

50. For land acquisition, the policies require close consultation with the affected population and appropriate mitigation of the potential negative impacts given special attention to 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.

3.3. Gap Between the Government Policies and the World Bank OP/BP4.12

51. The World Bank’s Policy requires the RGC to analyze and summarize national laws and regulations pertaining to land acquisition, compensation payment, and relocation of affected persons in their RPF or resettlement action plan (RAP). The RGC will compare and contrast such laws and regulations with the Bank’s Policy principles and requirements. If a gap between the two exists, the RGC will propose suitable gap-filling measures, for impact minimization. Such measures would be included in the RPF or RAP in consultation with the Bank’s officer in charge, or called the Project’s Policy for Compensation and Entitlement. In general, Cambodia Law on Expropriation and other relevant policy and procedure are in line with the World Bank OP/BP4.12. Below is the gap analysis comparing existing Cambodian laws and regulations to the Bank OP4.12.

Table 1: Gap Analysis between RGC Legal/Regulatory Framework and the World Bank OP4.12

Subjects	OP 4.12	RGC	Gap/Project Measures
<i>1. Land Property</i>			
<i>1.1. Policy objectives</i>	<i>PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher</i>	<p>The Expropriation Law aims to i) Ensure just and fair deprivation of legal rights to private property; ii) Ensure a fair and just compensation in advance; iii) Serve the national and public interest, and iv) Develop public physical infrastructures (Article 2)</p> <p>Sub-degree on social land concession provide allocation for free state land to landless people of residential or farming purpose, including the replacement of land lost in the context of involuntary resettlement</p> <p>Resettlement practice:</p> <ul style="list-style-type: none"> - Provide income restoration program for all relocated PAPs and for on-site severely PAPs and vulnerable PAPs. - Provide living allowance - Special assistance to vulnerable PAPs 	<p>Physical displacement is not allowed, thus no impact on livelihood and standard of living is expected;</p> <p>However, sub-projects may result in economic displacement. The numbers would be small if indeed it will occur.</p> <p>Entitlement Matrix is developed as a gap filling measure</p> <p>Projects funded through C/S fund will apply C/SF PIM</p>

		C/SF PIM: C/S Council does not have any right to take private land when it will cause a house where people live to be moved or destroyed, or a building used for business to be moved or destroyed.	
<i>1.2. Support for affected households who have no recognizable legal right or claim to the land they are occupying</i>	<i>Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)</i>	<p><i>Article 19 [Land Law]: “...any illegal and intentional or deceitful acquisition of the public domain of the State or public legal entity shall be punished...”</i></p> <p><i>Article 23 [Expropriation Law]:”The owner and/or the rightful owner has the right to compensation for actual damages commencing from the last date of declaration of expropriation (cut-off date) for which they are entitled to fair and just compensation.</i></p> <p><i>Resettlement practice:</i></p> <ul style="list-style-type: none"> - No compensation for losing productive land located in the public land. - Those who become landless by the project will receive a plot of residential land (7m by 15m = 105m²) in the village or village nearby or at relocation site with provision of access road, intra road network, water and electricity network (if locally available), and individual household latrine. Special assistance to vulnerable PAPs <p><i>C/SF PIM recognizes land owners and users without land title</i></p>	<p>Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)</p> <p>Vulnerable PAPs will receive special assistance.</p> <p>Entitlement Matrix is developed as a gap filling measure</p> <p>Projects funded through C/S fund will apply C/SF PIM</p> <p>LEAP PIM will include assistance for non-recognized land users</p>
<i>1.3. Compensation for illegal structures</i>	<i>Compensation at full cost for all structures regardless of legal status of the PAP’s land and structure.</i>	<i>The RGC will not spend national budget to make payments for structures or other items located on the RGC claimed rights of way, i.e. ROW for roads and</i>	<i>Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structure.</i>

		<p>railroads. (MEF Decision No. 961)</p> <p>However in real resettlement practice the RGC agreed to provide compensation for such illegal structures at replacement cost without deduction or depreciation of salvage materials plus transport allowance</p> <p>C/SF PIM does not clearly address.</p>	<p>Provide transport allowance based on structure types.</p> <p>Entitlement Matrix is developed as a gap filling measure</p> <p>Projects funded through C/S fund will apply C/SF PIM</p>
2. Compensation			
<p><i>2.1. Methods for determining compensation rates</i></p>	<p><i>Compensation for lost land and other assets should be paid at full replacement costs,</i></p>	<p>Article 22 [Expropriation Law]: “Financial compensation given to the property owner and/or rightful owner shall be based on a market price or replacement price on the date of declaration of the expropriation. The market price or the replacement price shall be determined by an independent committee or agent selected by the Expropriation Committee.”</p> <p>C/SF PIM requires to set up compensation valuation chaired by commune/Sangkat chief</p>	<p>Independent appraiser conducts replacement cost study for all types of assets affected in order to establish compensation rate, which are appraised by IRC/GDR to ensure full replacement costs.</p> <p>Entitlement Matrix is developed as a gap filling measure</p> <p>Projects funded through C/S fund will apply C/SF PIM</p>
<p><i>2.2. Compensation for loss of income sources or means of livelihood</i></p>	<p><i>Loss of income sources should be compensated (whether or not the affected persons must move to another location)</i></p>	<p>Article 29 [Expropriation Law]:</p> <ul style="list-style-type: none"> - A lessee who is holding a proper lease agreement is entitled to compensation for disruptions arising from dismantling equipment and transporting it to a relocation site. - The immovable property’s lessee who is operating a business shall have access to compensation for effects on the business and to just and fair additional compensation for the capital actually invested for the business operation. The compensation shall commence from the date of the declaration on an expropriation project. 	<p>Apply current resettlement practice measures for temporary loss of business income including renter.</p> <p>Entitlement Matrix is developed as a gap filling measure</p> <p>Projects funded through C/S fund will apply C/SF PIM</p>

		<p>- For the expropriation of a location where a business is in operation, the owner is entitled to support of additional compensation at a fair and just rate for the cost of the property that is actually affected, commencing from the date of the declaration of the expropriation.</p> <p>In resettlement practice owners of relocating shop will receive one-time cash assistance and renter will receive i) transport allowance, ii) disruption allowance, and iii) rental allowance.</p> <p>C/SF PIM does not address</p>	
2.4. <i>Livelihood restoration and assistance</i>	<i>Provision of livelihood restoration and assistance to achieve the policy objectives.</i>	<p>The government has no clear policy in this regard. However, income restoration program is provided under the multilateral funded projects. TOR is included in RAP and contracted agency is carried out the IRP under supervision of IRC</p> <p>C/SF PIM does not address</p>	<p>Income restoration program is not expected as there is no physical displacement and severely PAP.</p> <p>Entitlement Matrix is developed as a gap filling measure</p>
2.5. <i>Consultation and disclosure</i>	<i>Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms</i>	<p>Article 16 of Expropriation Law: In conducting this survey, the Expropriation Committee shall arrange a public consultation with the authorities at capital, provincial, municipal, district, khan levels, and with the commune and Sangkat councils and village representatives or the communities affected by the expropriation in order to give them clear and specific information and to have opinions from all concerned parties about the proposal for a public physical infrastructure project.</p> <p>C/SF PIM clearly addresses public consultation and information disclosure of the proposed project</p>	<p>Extensive consultation and participation will be conducted at every stage of RAP planning and implementation.</p> <p>Entitlement Matrix is developed as a gap filling measure</p> <p>Projects funded through C/S fund will apply C/SF PIM</p>

3. Grievance redress mechanism			
<i>Procedures for recording and processing grievances</i>	<i>Grievance redress mechanism should be under Government Officials Responsibilities for handling grievances with clear procedures for recording and processing grievances</i>	Grievance redress mechanism is stated in the Expropriation Law but it has provision to exclude public infrastructure projects In resettlement practice every project that involve involuntary resettlement Grievance Redress Committee is established from commune to provincial level C/SF PIM clearly address grievance procedure	Grievance Redress Committee will be established in Siem Reap and in Phnom Penh following the RPF guidance. Projects funded through C/S fund will apply C/SF PIM
4. Monitoring & Evaluation			
	<i>Internal and external independent monitoring are required</i>	Not included in Expropriation Law C/SF PIM clearly address the monitoring for compensation arrangement	Both internal and external (independent) monitoring is required. Monitoring indicators will be developed and end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved. Projects funded through C/S fund will apply C/SF PIM

4. POLICY FRAMEWORK FOR LAND ACQUISITION AND COMPENSATION

52. This Policy covers only if sub-projects involve involuntary land acquisition and are funded apart from C/S fund, and serve the national and public interest. However, it is unlikely exist under the LEAP.

4.1. Definition of Terms

53. **Beneficiary** – all persons and households from the villages who voluntarily seek to avail themselves of, and be part of, the project.

54. **Compensation** – payment in cash or in kind at the replacement cost of the acquired assets for the project.

55. **Cut-off Date** – the cut-off date is defined as the date prior to which the occupation or use of the Project areas makes residents/users eligible to be categorized as project affected persons. The cut-off date for this Project will be the date of conducting public consultation for each sub-project that requires land acquisition with the project-affected persons before conducting inventory of loss (IOL) or the detailed measurement survey (DMS).

56. **Displaced persons** – refers to all of the people who, on account of the activities listed above, would have their (1) standard of living adversely affected; or (2) right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed temporarily or permanently; (3) access to productive assets adversely affected, temporarily or permanently; or (4) business,

occupation, work or place of residence or habitat adversely affected; and “displaced person” means any of the displaced persons.

57. **Eligible land holders** – refers to affected persons who (a) hold title to land; or (b) do not hold title but whose possession of land can be legalized with a title pursuant to the Land Law of Cambodia including those with recognizable rights.

58. **Entitlement** – range of measures comprising compensation, income restoration support, transfer assistance, income substitution, and relocation support which are due to affected people, depending on the nature of their losses, to restore their economic and social base. The entitlements adopted for LEAP were guided by the applicable national laws, regulations, and WB OP/BP 4.12. The entitlements may be further revised based on actual status of impact, if applicable, in an updated version of the RPF.

59. **Household** – means all persons living and eating together as a single social unit.

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

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

62. **Land acquisition** – the process whereby a person involuntarily loses ownership, use of, or access to, land as a result of the project. Land acquisition can lead to a range of associated impacts, including loss of residence or other fixed assets (fences, wells, tombs, or other structures or improvements that are attached to the land).

63. **Project Authorities** – refers to the Ministry of Interior (MoI), the Ministry of Economy and Finance (MEF), the General Department of Resettlement (GDR) of the Ministry of Economy and Finance,).

64. **Project Executive Agency** – Refer to Ministry of Interior (MoI) and its Project Steering Committee (PSC)

65. **Project Affected Persons (PAPs)** – includes any person, households, entity, organizations, firms or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected, (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, plantations, grazing, and/organizing land), water resources, fish ponds, communal fishing grounds, annual or perennial crops and trees, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, permanently or temporarily, with or without displacement.

66. **Rehabilitation** – refers to assistance provided to persons seriously affected due to the loss of productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life. Compensation for assets often is not sufficient to achieve full rehabilitation.

67. **Replacement cost** – is the method of valuation of assets, which determines the amount of compensation sufficient to replace lost assets, including any necessary transaction costs. Compensation at replacement cost is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is

the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in the World Bank (WB) Operational Policy (OP)/Bank Policy (BP) 4.12, Para. 6.

68. **Resettlement** – means that all measures should be taken to mitigate any and all adverse impacts of a project on PAP property and/or livelihood's, including compensation, relocation (where relevant) and rehabilitation as needed.

69. **Vulnerable groups** - are distinct groups of people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households with no means of support and landlessness, and (v) indigenous peoples. The vulnerability of each household will depend on the impact and their socio-economic status that will be assessed as the result of detail baseline socio-economic survey during the detail measurement survey or inventory of lose assets.

4.2. Objectives and Principles of the RPF

70. The objectives of this Resettlement Policy Framework are (a) to avoid or minimize any land acquisition and resettlement deriving from activities under the LEAP project, and (b) to provide fair compensation in case of occurrence of involuntary resettlement.

71. The fundamental principle incorporated in this Framework is that all necessary measures will be undertaken to improve, or at least restore, incomes and living standards of all persons adversely affected as result of land acquisition. The Framework further incorporates the relevant laws of the Royal Government of Cambodia and the guiding principles espoused in the World Bank OP/BP 4.12. Specific principles that apply for LEAP include:

- (i) Construction of community infrastructure and other structures or buildings shall avoid acquisition of privately owned land and relocation of peoples. If private land must be acquired for such construction, compensation shall be paid at replacement cost. Voluntary land donation can be accepted as per below VLD framework;
- (ii) No physical relocation is accepted under LEAP, and any economic displacement must be minimal;
- (iii) Ensure design standards minimize the need to impose land use restrictions on adjoining areas;
- (iv) Develop fair and transparent procedures, as defined in the Entitlement Matrix of this RPF to determine compensation for (i) temporary loss of land and/or assets during construction; and (ii) permanent acquisition of land and/or assets;
- (v) Upon completion of construction, restore land as best as possible to its original condition in the event of temporary disruption so as to enable landowners/users/lessees to resume their pre-project activities;
- (vi) Keep PAPs, and communities fully informed about the construction activities, the process that will be followed to acquire and compensate for land, and their related rights and avenues for redress;
- (vii) Ensure that aggrieved PAPs will have redress and recourse options and that solutions are in line with principles stipulated in this RPF and, importantly, are employed;
- (viii) All PAPs, without regard to legal status of property, will receive support of various kinds, as per the principles set out in the Entitlement Matrix, to assist them in their efforts to maintain their livelihoods

and well-being prevailing prior to the LEAP. Unrecognized/unauthorized land users will not be compensated for loss of land but will receive compensation for loss of other assets they own which had been established prior to the cut-off date, and for loss of income such that they are assisted in their efforts to maintain their livelihoods and well-being. Detailed measures to be implemented will be determined based on census, inventory of loss (or detailed measurement survey) and baseline socio-economic survey conducted when the ARAP/RAP is developed;

- (ix) PAPs will be notified of the project implementation schedule and consulted regarding the principles of land acquisition and loss of or damage to assets; and
- (x) Damages to assets, such as standing crops, trees, fences and kiosks, and loss of income (including loss of harvest) will be minimized, if inevitable, it will be compensated without regard to legal status of ownership according to the Entitlement Matrix illustrated in Table 2.

4.3. Eligibility, Entitlements and Compensation

4.3.1. Eligibility Criteria

72. All PAPs who are identified in the sub-project-impacted areas on the cut-off date would 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 sub-project investment. Those who encroach into the investment area after the cut-off date will not be entitled for compensation or any other assistance. PAPs, under LEAP, may be categorized into i) legal owner, ii) recognizable owner, and iii) unrecognized/unauthorized user. The three categories will also be impacted differently based on severity. Thus, eligible PAP will be entitled to receive compensation based on category of PAP, scope of impact and severity. The three categories of PAPs and his/her entitlements include:

(a) **Legal owner.** If a person or household, who is a legal owner of land (with land title) as defined under the Land Law, loses fixed assets or access to agricultural land in the planned LEAP area, he/she is entitled to receive compensation for land and assets. All 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.

(b) **Recognizable owner.** Refer to a person or household who has no land title but he/she is legitimate as owner, collective or co-owner, and customary land right under the Land Law. A person falling under this category will be entitled to the same as a legal owner.⁷

(c) **Unrecognized/unauthorized user.** Refers to a person or household who are using or residing on public land or other land that is prohibited under the Land Law. A person falling under this category will not be entitled for land compensation. However, he/she will be entitled for compensation, at replacement cost, for fixed assets he/she owned, apart of land. He/she may request for proof of ownership of the non-land affected assets. Additionally, he/she will also be entitled for livelihood restoration and/or special assistance if he/she is severely affected and/or fall under the special consideration (the vulnerable group).

4.3.2. Entitlements and Compensation

73. **Entitlements** are defined as the right of the PAPs to receive compensation/assistance from the LEAP project because the project causes them loss of land, user right, and loss of non-land based assets. Different

⁷ The Commune/Sangkat Fund Project Implementation manual uses the term “affected land user” to refer to both any person who owns land, or uses the land for residence, business or agriculture, “even if they do not have a land title.” As such, these people or households are “recognized” by the local community as being entitled to compensation if they do not wish to donate their land for Project investments.

PAP will have different entitlements for compensation. Below Compensation and Entitlements Matrix is developed as gap filling measures in order to minimize land acquisition impacts. The Entitlements Matrix will be updated if ARAP/RAPs are developed and impacts are clearly identified.

74. **Compensation** can be in kind or in cash. Land for land is preferred option if land is acquired for the project. However, previous practice indicates that majority of PAPs opt to get paid by cash because they can purchase other land where he/she prefer. Structure for structure has been opted for communal or public structure i.e. pagoda gate or school fence. All privately own structures affected are paid in cash. Compensation is paid at replacement cost without deduction or depreciation of salvage materials. A replacement cost study (RCS) is a method used to establish compensation rates for lands, structures and trees and crops at current market price. Normally, the RCS is updated if the project is unexpectedly delayed or market price of materials are inflated drastically.

Table 2: Entitlement Matrix for Involuntary Resettlement

TYPE OF LOSS	ELIGIBLE PERSONS/HOUSEHOLD	ENTITLEMENTS	IMPLEMENTATION ISSUES
A. LOSS OF LAND			
PRIVATE LAND			
I. Loss of Land: Either Partial or Entire Land	<ul style="list-style-type: none"> ▪ All PAP with recognized or recognizable proof of ownership whose land will be acquired. 	<ul style="list-style-type: none"> ▪ Land for land replacement with similar quality and productivity; or ▪ Cash compensation at replacement cost. 	<ul style="list-style-type: none"> ▪ PAP to be notified at least <u>30 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project. ▪ Inter-ministerial Resettlement Committee (IRC) will ensure payment of all compensation for which PAP are entitled to at least <u>30 days</u> prior to the commencement of civil works.
STATE PUBLIC/PRIVATE LAND			
I. Partial Loss of Residential and/or Commercial Land, in which the remaining land is STILL VIABLE for continued use	<ul style="list-style-type: none"> ▪ PAP with main house and/or small shop (independent/family-owned business) 	<ul style="list-style-type: none"> ▪ PAP must be removed entirely from state public/private land without compensation for such loss of land. ▪ No new permanent or non-permanent structures (i.e. structures on a foundation or wooden house larger than the affected one or small store) are permitted to be re-constructed. 	<ul style="list-style-type: none"> ▪ PAP to be notified at least <u>30 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project. ▪ If PAP fully occupies state public/private land, the remaining portion remains state public/private land. ▪ All new structures will not be compensated if needed for further development in the future.
II. Entire Loss of Residential or the remaining land is NOT VIABLE ⁸ for continued use (Landless PAP)	<ul style="list-style-type: none"> ▪ PAP with main house or shops affected by the project. 	<ul style="list-style-type: none"> ▪ No cash compensation for affected state public/private land. ▪ Land replacement by land in a resettlement site or nearby village provided by the RGC ▪ In case resettlement site is developed, land replacement by land is provided in a resettlement site with basic infrastructures will be provided by RGC. A land plot will be 7.0m x 15.0m = 105.00m² per landless PAP. Or a 	<ul style="list-style-type: none"> ▪ PAP to be notified at least <u>30 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project. ▪ Remaining land remains state public/private land.

⁸ The size of viable land will be discussed between IRC-WG and the PAH during the detailed measurement survey (DMS).

plot of land (same size) located within the same village if available

- Land title for the land plot in the resettlement site with names of husband and wife will be provided to each household after five consecutive years of living on the land.

III. Loss of productive land use, either partial or entire land lose

- All PAPs occupying land or using land belong to public/state

▪ No cash compensation is provided

- PAPs to be notified at least 90 days in advance prior to the start of civil works in the locality of the actual date that the land will be acquired by the project
- PAPs will not be moved from the land without justification (i.e. unless or until the land is required by the project).

Table 2 (Cont'd.)

TYPE OF LOSS	ELIGIBLE PERSONS	ENTITLEMENTS	IMPLEMENTATION ISSUES
B. LOSS OF STRUCTURES			
<p>I. Partially loss of Houses or Shop/Store;</p> <p>“Entirely lost or partially lose but remain portion is not viable for use is not allowed under the project”</p>	<ul style="list-style-type: none"> All the PAP confirmed to be residing in, doing business within the project affected area before and on the Cut -off Date. 	<ul style="list-style-type: none"> Cash compensation at replacement cost without deduction for depreciation or salvageable materials. 	<ul style="list-style-type: none"> PAP to be notified at least <u>30 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project. PAP to get cash compensation at least <u>30 days</u> ahead of civil works in the locality to allow the PAP sufficient time to gradually reorganize the house and/or shop, thereby avoiding any disruption in their livelihood. PAP must completely cut and move back the affected land within <u>30 days</u> after receiving compensation.
<p>II. Other Structures (porch, extended eaves, spirit house, fence, etc.)</p>	<ul style="list-style-type: none"> All the PAP confirmed to be residing in, doing business within the project affected area before or on the Cut- off Date. 	<ul style="list-style-type: none"> Cash compensation at replacement cost without deduction for depreciation or salvageable materials. 	<ul style="list-style-type: none"> PAP to be notified at least <u>30 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project. IRC will ensure payment of all allowances for which PAP are entitled to at least <u>30 days</u> prior to the scheduled start of civil works.
C. LOSS OF CROPS AND TREES			
<p>I. Loss of Crops</p>	<ul style="list-style-type: none"> Owners of crops regardless of land tenure status 	<ul style="list-style-type: none"> To the extent possible, PAP will be allowed to harvest their annual and perennial crops prior to construction. If crops cannot be harvested due to construction schedule, PAP are entitled to cash compensation for the affected crops at replacement cost. 	<ul style="list-style-type: none"> Annual Crops – PAP will be given <u>90 days</u>’ notice that the land on which their crops are planted will be used by the project and that they must harvest their crops before the civil work.
<p>II. Loss of Fruit or Shade Trees</p>	<ul style="list-style-type: none"> Owners of trees regardless of land tenure status 	<ul style="list-style-type: none"> Fruit trees will be compensated in cash at replacement cost. In the case of mature fruit bearing trees, the value of a years harvest for the tree multiplied by the amount of time for 	<ul style="list-style-type: none"> PAP to be notified at least <u>90 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project. Remaining ROW is still public state land.

the tree to reach maturity will also be
compensated for

Table 2 (Cont'd.)

TYPE OF LOSS	ELIGIBLE PERSONS	ENTITLEMENTS	IMPLEMENTATION ISSUES
<i>D. LOSS OF COMMON PROPERTY RESOURCES</i>			
I. Partial or Entire Loss of Community and/or Public Assets (i.e. pagoda gate, school, health center fences) resulted from infrastructure improvements	<ul style="list-style-type: none"> ▪ Affected communities or concerned government agencies who own the assets 	<ul style="list-style-type: none"> ▪ Replacement by similar structures and quality at the area identified in consultation with affected communities and relevant authorities. 	<ul style="list-style-type: none"> ▪ Communities to be notified at least <u>30 days</u> in advance before the start of civil works in the locality of the actual date that the land will be acquired by the project.
<i>a) E. TEMPORARY IMPACTS AND ALLOWANCE</i>			
I. Temporary loss of business income	<ul style="list-style-type: none"> ▪ Owners of assets 	<ul style="list-style-type: none"> ▪ Restoration of income lost during the period in which the business was interrupted 	<ul style="list-style-type: none"> ▪ Disruption period should be no longer than 30 days or ▪ Business shall be fully resume not more than 30 days
II. Vulnerable AHs	<ul style="list-style-type: none"> ▪ PAPs 	<ul style="list-style-type: none"> ▪ One time cash assistance equivalent to US\$100 	<ul style="list-style-type: none"> ▪ All vulnerable PAPs shall be the beneficiary of the project

4.4. Asset Valuation Method

75. **Replacement cost study (RCS)** is the basic document detailing methodology for calculating unit cost for compensation of all kind of affected assets i.e. land, main structure, secondary structures, scope and trees and other rehabilitation assistance. RCS will be conducted by an independent expert who is knowledgeable about the construction material price and property valuation. Bill of Quantity Method is normally used to derive unit cost of every affected structure.

76. Relevant definitions to assess entitlement and compensation for eligible PAPs include:

- (a) **Replacement Cost Study (RCS).** The main objective of the RCS is to determine the rate of land prices based on actual transaction records of the affected areas, of affected main and secondary⁹ structures, and of fruit trees, trees and crops. Based on the results of RCS, the PAH will receive compensation at replacement cost (reflecting market price) from RGC for their loss of land and property due to the Project. The RCS will be implemented during the DMS;
- (b) **Unit Costs for Lands.** The affected private lands were divided into four main categories: (1) rice field, (2) orchard, (3) residential land, and (4) commercial lands. The way to obtain data on market rates is to gather data on recent land sales, however sale cost recording could not be found at/around the Project area. Therefore, data of recent sales were collected by direct interviews with (i) land owners at/around the Project area who are both PAHs and non-PAHs, and (ii) local authorities at/around the project area. Per results of the RCS, the unit costs of land covered with recognized proofs of ownership, structures, crops, perennials, and timber trees in districts and communes traversed by the project road are provided;
- (c) **Unit Costs for Structures.** The houses/structures affected by the project have been categorized into two main groups – house/dwelling and other structures. The methodology employed for costing house/structures were composed of quantity survey and detailed measurement of the component parts of each structure. Labor costs were also assessed at market prices for the structure as a whole based on the information provided by local building contractors on regional basis. Other structures such as wells and fences, and cultural assets such as stupa (Chetdey), have to be compensated at their market price, and the results of the specific rates of structures are provided; and
- (d) **Unit Costs of Crops and Trees.** The data will be collected through interviews on the income at which owners/cultivators of crops and trees at the project area. The market rates of crops and trees have been calculated based on the yield and the period of maturity of trees and crops as determined from interviews with farmers. The formula used for fruit trees is as follows:

77. Fruit Trees = ((quantity of harvested per year x market price) x (number of years it will mature)) + cost of seedling

- (a) Perennial trees that have a growth period of more than five (5) years have been classified as follows:
 - Sapling tree under 1 year will not be compensated as it can be replanted;
 - Young tree (1-3 years): will be valued at one-third (1/3) of its full price because it can be replanted;
 - Young tree (3-5 years), bearing some fruit will be valued at two-thirds (2/3) of its full price; and
 - Mature tree (more than five years) fully bearing fruit will be compensated at full price.

4.5. Special Considerations

⁹ This includes fences, wells, pig pens, toilets, kitchens, etc.

78. ***Vulnerability and gender:*** LEAP 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 finance 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.

79. During implementation, the Project will give special attention to women and female households as beneficiaries of the project interventions. Active participation of women and community 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 community groups specific actions will be developed and included in ARAP/RAP.

4.6. Gender Strategy

80. 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 SMTs will provide training for all resettlement committees to build capacity in resettlement administration and to enhance gender 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.

81. See Annex 1A for Gender Action Planning Matrix.

5. RESETTLEMENT POLICY FRAMEWORK'S PROCESS

5.1. Safeguard Screening

82. Safeguard screening is required during sub-project preparation. Social safeguard processes will be applied as per the relevant sections of the Commune/Sangkat Project Implementation Manual (C/SF-PIM). Social screening will be carried out by the Commune/Sangkat councils once the sub-project investment priorities have been identified using C/SF-PIM's Safeguard Screening Form, see Annex 2. District Facilitators

and Community Professionals will assist the Commune/Sangkat council in the safeguard screening process to ensure compliance with the RPF and ESMF. If a sub-project is:

- (a) Implemented with C/S fund procedures and involving land acquisition, follow section 9.2: Guideline for Preparing a Land Study Report of the C/SF PIM; or
- (b) Implemented without the use of C/S fund procedures, serves the national and public interest, and involves land acquisition will follow Section 4: Policy Framework for Land Acquisition and Compensation and other relevant Sections of this RPF.

83. Below described are procedures used for sub-projects involved in land acquisition which DO NOT use C/S fund procedures and those which DO use the C/S fund procedures.

5.2. Procedures Used for Sub-projects NOT utilizing C/S Fund Procedures

84. Expropriation Law identifies public physical infrastructures that serve for national and public interests and that may acquire land for construction, rehabilitation or expansion. Those public physical infrastructure include:

- (a) construction or expansion of railroads, roads, bridges, airports, ports and accompanying structures and equipment;
- (b) construction or expansion of power stations, structures, equipment and lines for transmission and distribution of electrical energy;
- (c) construction or expansion of buildings and equipment for postal, telecommunication and information technology systems;
- (d) construction or expansion of roads, city space, vehicle parking lots, markets, parks, and public squares;
- (e) construction or expansion of irrigation systems, clean water supply systems, sewage systems, and public interest spaces;
- (f) construction or expansion of buildings for education, training, science, culture, health care, social security, and stadiums for performances to public audiences;
- (g) construction or expansion of refineries, purification stations, buildings and equipment for protection of nature and the environment;
- (h) construction or expansion of buildings and equipment for research and exploiting mines and other natural resources;
- (i) construction or expansion of gas systems, fuel pipes, oil refineries, oil rigs, and other systems;
- (j) construction or expansion of buildings/residences which are seriously destroyed by natural disasters such as earthquakes, floods, fires, and landslides etc., and for preparation for resettlement;
- (k) construction or expansion of buildings for protecting and supporting residents;
- (l) construction or expansion of border crossing posts;
- (m) construction or expansion of or preparation for necessary construction for national defense or security;
- (n) establishment of new sites for protection of natural resources, forests, cultural and archeological sites or protection of the environment; and

(o) the implementation as required by the nation in accordance with the determination made by the government;

85. If the above projects involve land acquisition and it is carried out by the government, bilateral and multilateral development agencies a resettlement action plan is required.

5.2.1. ARAP/RAP Preparation and Approval

86. The Ministry of Interior (MoI) in association with General Department of Resettlement (GDR) of the MEF (secretariat of the Inter-Ministerial Resettlement Committee - IRC) provides the general direction for planning the relocation and involuntary land acquisition process, ensures coordination between various stakeholders concerned with the LEAP including those directly connected with relocation and monitoring implementation. Prior to commencement of sub-project activities, stakeholders from investment communities where there are potential resettlement impacts will be consulted to establish planning principles and work arrangements aimed at identifying and mitigating adverse social impacts induced by the construction activities. The ARAP/RAP will obtain information through census, inventory of lose, baseline surveys, valuation of properties, public consultation, and a determination regarding compensation, whether in the context of temporary or permanent relocation and compensation or in the context of mitigating other project related social impacts.

87. The RAP preparation must include the following precepts for PAPs so that they are:

- (a) Informed about their options and rights pertaining to relocation and compensation;
- (b) Consulted on, offered choices among, and provided with technically and economically feasible relocation and/or compensation alternatives; and
- (c) Provided prompt and effective compensation at full replacement cost for losses of assets and access which are attributable to the project.

88. Adequate public consultation and participation are mandatory requirements of the RAP process. In addition, PAPs must be made aware of:

- (a) Their options and rights pertaining to land donation, relocation and/or compensation;
- (b) Specific technically and economically feasible options and alternatives for relocation or resettlement sites (but not expected under the LEAP);
- (c) Process of and proposed dates for relocation, resettlement and/or compensation (but not expected under LEAP);
- (d) Effective compensation rates at full replacement costs for loss of assets and services; and
- (e) Proposed measures and costs to maintain or improve their standards of living and livelihood.

89. The ARAP/RAP requires site-specific comprehensive information to identify the following parameters:

- (a) Persons who will be affected (positively and adversely) by the project activities;
- (b) Persons eligible for compensation and/or assistance;
- (c) Types of lose by type of land, structure, other miscellaneous, trees and crops; and
- (d) Type of land donation, if any, and/or assistance required.

90. Following completion, the ARAP/RAP will be submitted to IRC for review and approval prior to submitting to the World Bank.

91. The ARAP includes the following information:

- (a) Brief description of the target sub-project, location and its impacts;
- (b) Consultation with PAPs;
- (c) Baseline information of PAPs;
- (d) Category of PAPs by degree and type of impacts;
- (e) Entitlements for compensation, allowances and rehabilitation or restoration assistance by category of impacts in a compensation/entitlement matrix;
- (f) Information on relocation site, where applicable;
- (g) Institutional responsibilities for implementation and monitoring;
- (h) Grievance redress procedures;
- (i) Estimated cost of resettlement and budget allocation by phases; and
- (j) Time-bound plan for implementation.

92. A sub-project that affects more than 200 people in terms of loss of land, assets, access to common resources and livelihoods requires a RAP to be prepared. Typically, the RAP would include the following:

- (a) Brief description of the sub-project, location and its impacts;
- (b) Principles and objectives governing resettlement preparation and implementation;
- (c) Legal framework;
- (d) Baseline information of PAP and PAH;
- (e) Category of PAP and PAH by degree and type of impact(s);
- (f) Entitlement to compensation, allowances, and rehabilitation or restoration assistance by category of impacts in a compensation/entitlement matrix;
- (g) Information on relocation site together with socio-economic conditions on the secondary PAP and PAH and host communities, where applicable;
- (h) Institutional arrangement for planning and implementation;
- (i) Participatory procedures during planning and implementation;
- (j) Grievance redress procedures;
- (k) Estimated cost of resettlement and budget allocation by phases;
- (l) Time-bound action plan for implementation; and
- (m) Internal and external monitoring procedures, including the terms of reference (TOR) for external monitoring and evaluation.

93. Annex 4 provides formats for Resettlement Action Plan including annotated ARAP and RAP documents. ARAP/RAP will be prepared by MoI's PSC team with assistance from social safeguard consultant and submit to IRC/GDR for review and approval prior to further submitting to the World Bank.

94. Any single sub-project investment that affect more than 200 persons shall not be allowed due to high transaction costs of address such impacts that exceed project benefit unless it proves that investment cost is much lower than the benefit.

5.2.2. ARAP/RAP Implementation Process

95. After request for ARAP/RAP implementation by MoI, IRC will mobilize its working group to work closely with PRSC-WG before commencement of any resettlement activities. Land acquisition and relocation of PAPs will not commence until the detailed RAP has been reviewed and approved by both IRC and the WB. Several steps are integral to the ARAP/RAP implementation process, including:

- (i) Detailed Measurement Survey (DMS) and Baseline Socioeconomic Survey (BSS): DMS, including census, and sample-based BSS will be conducted under management of the IRC-WG based on the approved detailed designed and as requested by MoI. The surveys will be implemented by IRC-WG in close cooperation with PRSC-WG and relevant local authorities. Recently, IRC/GDR has

outsourced BSS to consulting firm in order to fasten the data collection process that normally takes longer time. DMS will be a binding legal document for compensation payment to PAP. Therefore, it is necessary to have it signed by PAP and chief of village and commune of their residency.

- (ii) Replacement Cost Study (RCS): In parallel with the above surveys, the RCS will be conducted by an independent agency hired by IRC. The contracted agency will conduct construction materials and other agricultural product market price in and nearby the project area. Land valuation is also part of the study based on selling and buying record. RCS will use the collected data for calculating current market price/value of all affected items identified by DMS and establish unit cost for compensation for each affected items. RCS report including proposed unit cost for compensation will be reviewed and approved by IRC. RCS is required to update if the compensation is not paid within 12 months from the date of conducting RCS or if the marketing price is significantly fluctuated during the course of implementing the ARAP/RAP. See Annex 1B for survey requirement for RAP
- (iii) Preparation and approval of ARAP/RAP: Based on results of DMS, BSS and RCS, MoI will prepare the ARAP/RAP in compliance with the approved RPF and submit to IRC for review and approval prior to further submit to the World Bank for final approval. ARAP/RAP will be updated if RCS is updated or scope of the project is changed leading to change in scope of resettlement. MoI may seek technical assistance from the Bank for ARAP/RAP preparation if they have no qualified staff.
- (iv) Preparation and approval of resettlement budget: IRC/GDR will be responsible for preparing budget for compensation and other assistance based on the approved budget in the ARAP/RAP and submit to the government for approval and disbursement. Approval of budget is time-consuming. However, the government will make sure that budget for resettlement is made available before commencement of civil work and PAP give sufficient time (at least 30 days) for removal of their affected assets.
- (v) Contract sign and compensation payment: Once the budget is available, IRC-WG will go house-to-house to conduct contract sign for compensation payment. At this stage, it is important that IRC-WG confirm quantity of affected assets by items together with compensation amount. IRC-WG need to request budget for compensation and payment will be paid in the public place accessible to all PAP. For security reason, compensation amount to each PAP will not be publicly announced. However, independent agency or external monitoring agency will monitor the process and randomly select the PAP to verify their payment amount with the contract.
- (vi) Public Information, Consultation and Disclosure: Series of public consultative meetings are conducted during the course of ARAP/RAP preparation and implementation (see Section 7 for Public Consultation and Disclosure and Annex 1C for Framework for Community Consultation and Participation Process).
- (iii) Notification on Site Clearance: PAP who will be relocated shall be informed about the schedule for the project site clearance and start-up of the physical works. PAP will be given at least 30 days advance notice of the commencement of physical work. Letter of Notification for site clearance will be publicly posted in the beneficiary community and commune council or head of village house, wherever easy access to PAPs.

5.3. Procedure Used for Sub-projects Funded through C/S Fund Procedures

96. C/SF PIM Section 1.7 describes Commune/Sangkat Fund projects. Only local or community infrastructure projects will be funded by the C/S fund. Below are examples of local infrastructure projects funded by C/S fund:

- (a) Roads that provide access from the villages in the Commune/Sangkat to local services (markets, schools, health centres etc.) or that link to roads leading to the District or Provincial centre, and bridges, culverts and other structures on these roads;
- (b) Water supplies such as wells, ponds, reservoirs, or piped water schemes, for houses in the local area;
- (c) The public parts of sanitation and drainage systems;
- (d) Irrigation systems, except for mobile pumps;
- (e) Electricity generation and distribution systems for the houses in the commune;
- (f) Market buildings or market places;
- (g) School buildings;
- (h) Health centres;
- (i) Community buildings meaning any type of building used to provide public or community services and not used for political or religious purposes, for Council administration or as a private dwelling;
- (j) Water supplies and sanitation at public buildings such as markets, schools, health centres etc.;
- (k) Constructions used for waste disposal (for example, an incinerator at the market);
- (l) Constructions used to support schemes for environmental protection and natural resource management; and
- (m) Other types of building or structure are also can use Commune/Sangkat fund development component.

97. A Local infrastructure project is a project, which creates a durable physical asset that is fixed in one place and can be used by all the people in the local area. The “local area” can mean the whole commune (for example, a road project), or a part of one village (for example, a well) but it cannot mean just one house. The parts of the infrastructure that are used by just one house (for example, the wire connecting one house to the electricity system) should be paid for by the house owner.

98. Section 2.9 of the C/SF PIM provides guidelines for preparing land study reports consisting of a voluntary land contribution report and/or a land acquisition report if land and/or assets, used or owned by someone, are affected by the local infrastructure development.

99.

6. IMPLEMENTATION AND MONITORING ARRANGEMENTS

6.1. Institutional and Implementation Arrangement

100. **Ministry of Interior (MOI)**, in particular NCDDS, which hosts the PCO, has experience in safeguards implementation. However, the MOI staff need further support in the procedures for monitoring and recording environmental and social safeguards activities. Staff of other implementing agencies also need continued support, specifically during the first year of the implementation.

101. **Steering Committee (PSC)**. The project would be supervised by a Steering Committee chaired by a Secretary of State in the Ministry of Interior (MoI). This committee would provide the strategic direction and

guidance in the management and operations of the project, and would include members from relevant government institutions involved in rural and urban development programs. Other institutions and individuals from academia, NGOs and the private sector would also be invited to provide advice to the committee. PSC will ensure that safeguard activities under the LEAP will be carried out in compliance with the provisions set forth in this RPF. **Project Coordination Office (PCO)** will provide overall management and operation of the project would be led by the PCO under the General Secretariat of the MoI. The PCO would be headed by a Project Manager and composed of a team of specialists responsible for project operations, procurement, financial management, social and environmental safeguards, and M&E activities.

102. **General Department of Resettlement (GDR) of MEF:** RPF is required reviewing by GDR prior to submitting to the World Bank for final review and approval. If there are resettlement impacts caused by the sub-projects, not through C/S fund, and ARAP/RAP is required, MoI will request the GDR to deal with resettlement impacts. The GDR, through designated Inter-ministerial Resettlement Committee (IRC) and its Working Group (WG), will work closely with Provincial Resettlement Sub-Committee (PRSC) for coordinating resettlement issues where the sub-project is located and have resettlement impact. In this case, an ad-hoc Provincial Resettlement Sub-Committee Working Group (PRSC-WG) will be established as secretariat to PRSC. In this case, MOI through its PSC will prepare the ARAP/RAP and submit to DGR for review prior to submitting to the World Bank. GDR will take leading role in ARAP/RAP implementation.

103. **Commune/Sangkat Council** is in charge of implementing sub-projects that are funded through C/S fund and will comply with guidelines and forms as per C/SF PIM.

6.2. Monitoring and Disclosure

104. Implementation of the RPF will be regularly supervised and monitored by the respective SMTs (Siem Reap and Phnom Penh) responsible for implementation of the investment activities that involve land acquisition. The findings and recommendations will be recorded in the project file for possible review by the Bank's mission to be conducted twice a year. The SMTs 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 SMT staff in close consultation with local governments and PAPs will establish a set of practical monitoring indicators. Consultant to be hired by MOI will conduct spot check at least twice a year as internal monitoring.

105. In case ARAP/RAP is prepared and implemented monitoring will be required both internal and external monitoring in order to ensure transparency and full compliance.

6.2.1. Internal Monitoring

106. The PCO in close coordination with GDR will conduct internal monitoring on resettlement implementation. The monitoring will include progress reports, status of the RAP implementation, information on location and numbers of people affected, compensation amounts paid by item, and assistance provided to PAHs. The report of monitoring results will be prepared by PSC team and submitted to MoI and the World Bank on a quarterly basis, and a copy to GDR. The following indicators will be monitored on bi-monthly basis by the PSC team to ensure:

- (i) Compensation and entitlements are computed at rates and procedures as provided in the approved RAP;
- (ii) PAHs are paid as per agreed policy provided in the RAP by the Project authorities;
- (iii) Public information, public consultation and grievance redress procedures are followed as described in the approved RP;
- (iv) Public facilities and infrastructure affected by the Project are restored; and
- (v) The transition between resettlement and civil works is smooth.
- (vi) See Annex 1D for Internal Monitoring Indicators.

6.2.2. External Monitoring

107. The external monitor has the specific responsibility of studying and reporting on RAP implementation and on social and economic situations of PAH particularly relocated PAPs or disrupted by the construction works, including all households whose houses or shops and stalls are relocated. The external monitor also has the responsibility of reviewing potentials for job opportunities for PAH, including women and youth, which would be assisted by provincial authorities.

108. If required and needed based on the project impact, IRC will hire an External Monitoring Agency (EMA) to carry out external monitoring and post evaluation. The TOR for the engagement of the EMA will be prepared before procurement process. The external monitoring reports will be submitted to IRC on quarterly basis, and then IRC will forward to MoI and to the World Bank. The post evaluation will be conducted within six-months after all resettlement activities are completed. See Annex 1E for External Monitoring Indicators.

109. 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 SMT offices and in project areas.

7. PUBLIC CONSULTATION AND INFORMATION DISCLOSURE

7.1. World Bank Policies for Public Consultation and Information Disclosure

110. 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.

7.2. Public Participation and Consultation in LEAP

111. Sub-projects to be funded through C/S fund will follow the guidelines of the C/SF PIM. In cases where the C/S Fund procedures are not being used, the below participation and consultation approach will be used.

112. Participation is a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them. The decision to participate is the start of the whole participatory process in the project cycle. The Bank's OP/BP4.12 and the Government Law on Expropriation and IRC's practical resettlement implementation procedure provide clear guidance and direction to project proponents in both the public and private sectors, on the need for public consultation and participation and underscore the importance of getting PAPs informed about the project and, more importantly, getting their actual and active involvement in the planning and implementation.

113. Participation is an active and continuous process of interaction among the key stakeholders, including the communities directly affected (whether positively or adversely), national agencies and line ministries, the project consultants, civil society and international donor agencies. Participation as a generic term usually encompasses two distinct dimensions: information exchange (i.e., dissemination and consultation) and varying forms of joint decision-making (i.e., collaboration or participation):

114. In the context of LEAP, extensive stakeholder consultations were carried out during the pilot project, project identification and project preparation. Thus, RPF has been developed based on outcomes of those consultations. See Annex 1C for Framework for Community Consultation and Participation Process.

115. During implementation, PAP and communities will participate throughout the development and implementation process of involuntary land acquisition and voluntary land donation process. In case of involuntary resettlement PAP and PAH will be consulted by IRC-WG with cooperation from PRSC-WG using free, prior, and informed consultation approach. A following generic information will be informed to PAP during the consultative meeting:

- Project objective, scope, potential benefits and impacts;
- Objectives of WB-OP/BP4.12 and relevant government law and regulation, particularly Law on Expropriation;
- Process and schedule of resettlement implementation process
- Resettlement and compensation policy, eligibility and entitlements;
- Relocation and rehabilitation assistance
- Public information, public consultation and grievance redress procedures are followed as described in the approved RAP

116. PAPs are involved in public consultation meetings in various stages of the process. Their resettlement impacts and concern are properly recorded during data collection process (DMS, BSS and public consultation and focus group discussion). All these issues and concerns are well incorporated into ARAP/RAP for compensation and rehabilitation assistance. Vulnerable, female and any special interest groups will be consulted separately using focus group discussion method. The following is a series of consultative meeting practically conducted by the IRC-WG.

- (i) First consultative meeting will be conducted with PRSC and PRSC-WG at provincial hall as the kick-off meeting. The purpose of the meeting is to brief members of PRSC and its WG the project objective, resettlement implementation process and schedule, their role and responsibility and their allowances, and requesting their active participation.
- (ii) Second consultative meeting will be conducted with local community and PAP at school or pagoda or commune hall at the project area. The purpose of this meeting is to inform community and PAP about the project, its benefit and potential impact, resettlement and compensation policy and entitlements, resettlement implementation process, eligibility and cut-off-date, and schedule for DMS and BSS. PAP's head is requested to present at the affected house or asset for verification of impact and sign of DMS form. Notification of Cut-off-Date will be publicly posted at commune council or any place easily access to.
- (iii) Third consultative meeting will be conducted prior to contract signing. The purpose of this meeting is to inform them about the schedule for conducting contract sign (possibly village by village) and necessary legal document to present to the IRC-WG and possible schedule for compensation payment. Both PAP's head and spouse are requested to present at home during contract sign. They both must sign on the contract form.
- (iv) Fourth public consultative meeting will be conducted prior to compensation payment. The purpose of the meeting is to inform PAP about the schedule of compensation payment (village by village), venue for payment, and legal document to bring along as proof.

117. Local authority, head of village and commune chief are members of PRSC-WG and they are presented during public consultative meetings and have important role in identifying PAPs and certify on the DMS form. Representatives of PAPs are members of (i) community/village committee and (ii) grievance redress committee under the LEAP.

7.3. Disclosure

118. RPF and other safeguard documents will be uploaded into the World Bank InfoShop website (date to be confirmed) and later will be uploaded into project website, once it is developed (both in Khmer and English version). The ARAP/RAP, if prepared, will be translated into local language (Khmer) and upload into project website and send a copy to keep in each commune council, or village committee where is convenience to PAP and the community, where there is involuntary resettlement.

8. TRANSPARENCY AND GRIEVANCE MECHANISM

119. 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 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 Commune/Sangkat's Planning Committee, Chief and Council mechanism and form an important part of the conflict resolution mechanism that is community-based, involving representatives of vulnerable groups, and therefore, collectively managed.

120. At the beginning of the project implementation, the grievance redress committees will be established at commune, districts, and provincial levels built on the existing structures consisting of concerned departments, NGOs, community organizations, women and ethnic representatives, if exist. At the village the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, which are largely acceptable to local communities and will be strengthened as the first tier conflict resolution mechanisms of the Commune/Sangkat Council. This arrangement helps ensure that a system is in place to help resolve any grievances to or complaints 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.

121. For implementing this RPF, if complaints exist, it is recommended to use the grievance procedure stated in Sub-section 2.9 of the C/SF PIM, described below.

122. Any land user who feels that he/she has not been treated fairly or given enough compensation for the loss of his/her land or asset, may complain verbally or in writing to the C/S chief. If this does not solve the problem, the land user may complain to the District Facilitator responsible for the Commune/Sangkat. If this does not solve the problem, the land user may complain verbally or in writing to the provincial/municipal governor. If this does not solve the problem, the land user may complain verbally or in writing to the National Committee for the Management of Decentralization and Deconcentration (NCDD) Secretariat which is located in the General Department of Local Administration of the Ministry of Interior in Phnom Penh. The Secretariat of NCDD will facilitate and solve the problem.

123. At any level, the land user has the right to receive a written reply to his/her complaint within 10 days after making a complaint. The land user does not have to pay any charge of any kind in order to make a complaint under this grievance procedure.

124.

9. BUDGET AND COSTS

125. Budget for implementing RPF will be part of the Project budget. It will be used to cover costs of consultants to carry out spot check and prepare compliance reports including supervising and monitoring reports, data collection, and preparation of ARAP/RAP etc. Below is a rough budget estimate for RPF implementation. Budget for ARAP/RAP implementation is separated. It is assumed that the consultant input is 30 days per year for 4 years. Transport, data collection and other costs are included. **Thus, total budget is estimated at US\$115,000.**

Table 3: Budget estimate for RPF implementation

No.	Items	Unit	Rate	Quantity	Amount
1	Consultant fee	Day	300	120	36,000
2	Transport	Day	200	120	24,000
3	Data collection and reporting	Lump sum	1000	50	50,000
4	Others	Lump sum	100	50	5,000
TOTAL (in US Dollars)					115,000

126. In case of ARAP/RAP preparation, each ARAP/RAP will include the detailed cost of compensation and other rehabilitation entitlements as part of the process to compensate PAPs. Arrangements will be made for PAPs property and assets segregated on the basis of agricultural land, residential land, business land, houses, business assets and other holdings. The detailed budgetary estimates will make adequate provision for contingencies and the RAP will explicitly establish sources for all funds required. The RAP will ensure that fund flows are compatible with the timetable for payment of compensation and provision of all other assistance.

127. The budget will cover land acquisition, relocation site development, compensation costs, allowances and administration costs, and contingency. Resettlement costs will be part of the Government's counterpart fund, not the project. The RGC will ensure timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objective.

ANNEX 1: TECHNICAL GUIDELINE

1A. Gender Action Planning Matrix

Project Component	Objectives	Activities/Tasks	Responsible Entity	Indicators	Means of Verification
Project Preparation	<p>Identify gender- specific issues and needs to be taken into account in the design of investments and livelihood interventions</p> <p>Involve women in identifying these needs and issues</p> <p>Develop gender- specific indicators for women participation and empowerment to be used for project monitoring and evaluation</p>	<p>Formulate gender baseline information to be included in survey</p> <p>Conduct a survey with gender indicators</p> <p>Conduct focus group discussions with women to identify gender- specific issues and concerns for input into community planning process and design of development interventions</p> <p>Select and train women who will serve as project monitors and motivators</p> <p>Develop gender indicators for project monitoring and evaluation.</p>	SMT1 (for Component 1) and SMT2 (for Component 2), with participation of Women Community Groups (WCGs)	<p>Gender indicators incorporated in the survey instrument</p> <p>Number of focus group discussions (FGDs) held</p> <p>Number of women and women heads of household who participated in FGDs</p> <p>Set of gender- specific indicators incorporated in project monitoring and evaluation tool</p> <p>Number of community women volunteers willing to serve as project monitors</p>	<p>Survey Instrument</p> <p>Feasibility Study/ ARAP</p> <p>Documented feedback from women beneficiaries and participants of FGDs</p> <p>List of women volunteers and or list of organizations</p>
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</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</p>	SMT1 (for Component 1) and SMT2 (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>

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

	friendly investment designs	planning activities of building designs preparation			
Project Implementation on 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</p> <p>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 that whatever have been agreed upon in the design stage is faithfully adhered to during the construction or implementation stage.</p>	<p>Information and Education Campaign (IEC) directed at women community members to inform them of project benefits and value of participation</p>	<p>SMT1 (for Component 1) and SMT2 (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>
b. Livelihood Intervention	<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>	<p>SMT1 (for Component 1) and SMT2 (for Component 2)</p> <p>Contracted NGOs, MFIs</p>	<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>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</p>

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

				<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>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. Capacity 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 programs and project monitoring</p>	<p>Trainings on leadership, organizational management, financial management, investment management, monitoring and evaluation</p> <p>Formation of women’s organizations</p> <p>Organizational meetings</p>	<p>SMT1 (for Component 1) and SMT2 (for Component 2) Leaders/Officers of women’s groups and committees</p>	<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 formed</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 the income comparison before the assistance and the current income level after the assistance.</p>
d. Monitoring and Evaluation	<p>Involve women in project monitoring and evaluation</p> <p>Assess the project’s impact on the welfare of women through the use of gender-specific indicators</p>	<p>Monitoring and evaluation workshops with the community</p> <p>Data collection and review of reports and pertinent documents</p>	<p>SMT1 (for Component 1) and SMT2 (for Component 2) External Monitoring Agency (EMA)</p>	<p>Monitoring and Evaluation tools</p> <p>Number of monitoring workshops</p> <p>Number of monitoring and evaluation reports</p>	<p>Monitoring and Evaluation Reports</p> <p>Report card per project beneficiary and their progress in terms of income and or rehabilitation status after the project assistance.</p>

1B. Survey Requirements for ARAP/RAP Preparation

Detailed Measurement Survey (DMS)	<p>The census and detailed measurement survey (DMS) 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"> • Total and affected areas of land, by type of land assets; • Total and affected areas of structures, by type of structure (main or secondary); • Legal status of affected land and structure assets, and duration of tenure and ownership; • Quantity and types of affected crops and trees; • Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops; • Quantity/area of affected common property, community or public assets, by type; • 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; • 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.
Socioeconomic Survey	<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> <ul style="list-style-type: none"> A. Household head: name, sex, age, livelihood or occupation, income, education and ethnicity; B. Household members: number, livelihood or occupation, school age children and school attendance, and literacy, disaggregated by gender; C. Living conditions: access to water, sanitation and energy for cooking and lighting; ownership of durable goods; and D. Access to basic services and facilities.
Replacement Costs Study	<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>

1C. Framework for Community Consultation and Participation Process

Stages	Subject of Consultation	Role of Target Communities and Affected Persons/Households	Reasons for Community Participation
Preparation Stage			
Consultation and focused- group discussions/meetings	Understanding the investment	<p>Participate in community consultation.</p> <p>Create committees with at least 25-50 percent of the members is composed of women.</p>	<p>Ensure that target beneficiaries and PAPs fully understand the proposed investment and its benefits.</p> <p>Promote an informed and collective-decision</p>

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

			making. Gather issues and concerns of the community that can be incorporated in the proposed investment.
Planning for investment/s	Design and planning investments	Approve the design and proposed by the beneficiaries and PAPs.	This measure will lessen conflicts and send the message to target beneficiaries and PAPs that they are involve and came from their collective decisions.
Formulating compensation and entitlement package.	Compensation and entitlement package for PAPs.	Approve the compensation and entitlement package of the PAPs.	This also promotes an informed and collective decision-making among beneficiaries and PAPs.
Consultation on proposed investment/s before submission.	Contents of proposed investment/s.	Review and concur the contents of proposed investment/s.	Such consultation delivers the message of transparency seeing to it that their comments /suggestions are incorporated in the proposed investment/s.
Implementation Stage			
Consultation on the implementation of investment/s and provision for and acquisition	Phasing of investment implementation and transfer to agreed area(s) for PAPs. Agreement on implementation schedule	Orderly dismantling and reconstruction of affected structures, if any Inform PAPs for the scheduling of transfer	Ensure that the impacts of disruption are lessened. It will also enable the implementing agency to determine the budgets for food and transport of PAPs/ household Participation in plot marking in the presence of designated staff/facilitator will avoid misunderstanding among PAPs and beneficiaries.
Consultation with PAPs concerning affected land and/or structures,	Boundaries on plot allocation, road access and provision for social services, i.e., water	Mark the affected lot boundaries as determined by land surveyors consistent with the	Enable the implementing agency to estimate budgets for entitlements like allowances for foods, transportation and special

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

livelihood, etc.	sewerage, drainage.	assigned area and plans.	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 Involvement of women in livelihood development.	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.	Beneficiaries or any of their household members will be employed as laborer during the construction of an investment/s.	Employment with the project will also provide additional or enhance their income.
Grievance and redress.	Grievance and redress mechanism.	Provide background of the issues.	Ensure that problems are address within reasonable time. 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.
Monitoring and Evaluation	Implementation of investment/s	Provide inputs and status for implementation on investments.	The information from PAPs and beneficiaries will assist the SMTs 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.

1D. Internal Monitoring Indicators

Types of Monitoring	Basics for Indicators	Sources of Information
Budget and Timeframe	<ul style="list-style-type: none"> • Have the personnel of SMTs and counterpart staff from district and village authority been organized, deputized and provided their office as scheduled? • Have capacity building and training of staff of SMTs; District and Village government been conducted on time? 	SMTs and District authority

	<ul style="list-style-type: none"> • Have the district authority provided adequate budgetary support for compensation of PAPs and beneficiaries? • Have the district authority released and disbursed the equity funding for implementing the project on time? • Has the social preparation phase been undertaken according to schedule? • Have the proposed investment/s been agreed with beneficiaries and PAPs and concurred by the respective district and village authorities? 	
Deliveries of investments and entitlements	<ul style="list-style-type: none"> • Have all the beneficiaries and PAPs received their respective investment's and compensation and entitlements according to their numbers? • Have the PAPs received their payments on time? • Have special assistance been provided to vulnerable PAPs? • Have all PAPs received the agreed transportation and food allowances? • Have all PAPs that lost their livelihoods or small business received their compensation? • Have all the beneficiaries entitled been implementing investments? • Have the women been trained according to their desired livelihood? • Was the number of women trained on desired livelihood the same as that of the actual number engaged in micro enterprises? • Are the beneficiaries engaged in micro enterprises assisted by micro financing institutions? • Were the actual amounts of investment costs and compensation been disclosed to beneficiaries and PAPs? 	SMTs and District authority Beneficiary-communities
Consultation, Grievance and Special Issues	<ul style="list-style-type: none"> • Were IEC campaign materials prepared and distributed to stakeholders during investment disclosures? • Have consultations, focus group discussions and/or public meetings been undertaken as scheduled? • Were the beneficiaries and PAPs took active participation in planning and implementation according to what were prescribed in the project? • Have any beneficiaries and/or PAPs used the grievance and redress procedures? What were the outcomes? • How many have filed their grievances? What were the outcomes? • Was social preparation for the PAPs taken place? 	Beneficiaries/District authority/SMTs
Benefit Monitoring	<ul style="list-style-type: none"> • Where there changes occurred in patterns of occupation of the beneficiaries compared to their pre-project situation? • 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? • What changes have taken place in the lifestyle of beneficiaries? 	Beneficiaries

1E. External Monitoring Indicators

Types of Indicators	Indicators	Information required in Monitoring and Evaluation
Process Indicators	Staffing	<ul style="list-style-type: none"> • Number of SMTs and district staff assigned for project implementation; • Number of Social Development and Resettlement Specialist assigned by CMUs.
	Consultation, Participation, and Grievances	<ul style="list-style-type: none"> • Number of consultations and participation programs held with PAPs and various stakeholders; • Types of IEC campaign materials distributed to target-beneficiaries and PAPs;

	Resolution	<ul style="list-style-type: none"> • Number and types of grievances received from beneficiaries and PAPs and the number of days consumed in resolving them by concerned GRCs; • Number and names of representatives who participated in the consultations and in the implementation of the investment project.
	Operational Procedures	<ul style="list-style-type: none"> • Types of forms used in recording the activities undertaken in the project implementation; • Efficiency of coordination with CMUs, district authority; PAPs and other institutions/stakeholders; • Type of database being maintained; • Efficiency of SMTs and district government staff; • Efficiency of compensation payment system; • Adequacy of logistical support for implementing the investment project; • Assess if the project policies in ARAPs have adequately been complied with.
	Issues and Problems Encountered	Indicate the issues and problems encountered in staffing, during consultations and grievances resolution, and in the execution of operational procedures.
	Compensation and Entitlement	<ul style="list-style-type: none"> • Number of PAPs awarded with housing units, if any; • Indicate if the type of compensation delivery is either one time or installment; • Indicate the number of PAPs engaged in micro business who were compensated for their loss of business incomes; • Indicate if the number of PAPs provided with transportation assistance; • Indicate if food assistance were given to PAPs who transferred to staging area or to other destinations; • 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.
	Social Rehabilitation	<ul style="list-style-type: none"> • Indicate the number of women that attended the livelihood trainings; • Indicate the number of PAPs, especially women, who have set up their micro enterprises after the training on livelihood development; • Indicate if the PAPs have adequate access on safe drinking water.
	Issues and Problems Encountered	Indicate the issues and problems encountered in the implementation of investment/s, payment of compensation and entitlement and social rehabilitation of PAPs.
Impact Indicators	Household Earning Capacity	<ul style="list-style-type: none"> • Present income as compared to income from pre-project level; • Employment of housing beneficiary members in investment construction; • Change in income of micro entrepreneurs.
	Health and Environment	<ul style="list-style-type: none"> • Problems/issues on waste management disposal; • Improved access to safe drinking water; <p>Improvement on health conditions of women and children.</p>
	Changes in Socio-cultural Pattern	<ul style="list-style-type: none"> • More women participating in microenterprises; • Access to new technology brought about by having electricity connections;

ANNEX 2: SAFEGUARD SCREENING CHECKLIST FORM

(see a completed example in the CSF/PIM)

Province/Municipality	District/Khan	Commune/Sangkat
Name of Project :		
Does the project need environmental analysis (EA)? Yes [<input type="checkbox"/>] No [<input type="checkbox"/>] If NO, reason why? Does the project potentially affect any known physical, cultural, and religious resources? If yes, immediately report to the World Bank Group and the relevant Government departments. In case of potential damage to chance finds, stop work in the area immediately and proceed in line with the relevant national laws and WB OP 4.11.....		
Does the project need report on Environmental Safeguard Measures in connection? Yes [<input type="checkbox"/>] No [<input type="checkbox"/>] If NO, reason why?		
Date.....C/S Chief Date: The official conducted the screening Date.....Technical Assistant		

Source: Adapted from the commune/sangkat PIM 2009.

ANNEX 3: SUMMARY INFORMATION MATRIX ON AFFECTED LAND AND INFRASTRUCTURE

Province: _____ District: _____ Village/Commune: _____

HH No.	Name of Head of Household	No. of Persons in Household	Total Landholding of Household (m2)	Land to be acquired (m2)	Loss as % of Total	Loss of Assets			Loss of Crops			Loss of other Assets	Other Loses		
						Structures Permanent (m2)	Structures Temporary (m2)	Area of Residential Land Lost (m2)	Fruit Trees Lost (Type and Number)	Area of Trees/Crops Lost (m2)	Other (Specify)		Example: graveyards, wells, etc. (type and number)	Residence (rented)	Business Lost

ANNEX 4: FORMATS OF RESETTLEMENT ACTION PLAN

A. Abbreviated Resettlement Action Plan (ARAP)

Introduction

- (e) Project description in brief: refer to the RAF that covers the project and provides the policies and principles for the ARAP;
- (f) Brief description of the subproject development objectives and intended beneficiaries; and
- (g) Describe the activities that will give rise to impacts that require “resettlement” (i.e., anything that causes loss of land, assets or elements of PAP livelihood – not only physical relocation, but also, loss of trees, temporary relocation of roadside stall (kiosk), and comprised access.

Census of PAP and Inventory of Assets

- (h) Brief description of how the data was gathered (e.g., household survey);
- (i) Table of PAP and PAH, contact details, affected livelihoods, assets, value of affected dwelling/structures/assets; and
- (j) Brief comment about any significant differences, sources of vulnerability of PAP and different populations (ethnic peoples and vulnerable groups – women and female/male youth and children, the elderly and disabled, landless, and poor, etc.), or state that they are representative of the general socio-economic profile of the country.

Compensation to be provided

- (k) Forms of compensation to be provided (e.g., cash or in-kind);
- (l) Description of the conditions for voluntary donation (if applicable), including:
 - Free, prior and informed consultation (FPIC) made of the PAP own volition and is uncoerced with the decision making ability to withhold consent;
 - No severe impacts on living standards; no physical relocation and less than 10 percent of PAP livelihood assets affected;
 - Availability of complaints and compensation procedure; and
 - Documentation and independent verification of the donation of land or assets.

Consultation with Affected Persons

- (m) Brief description of the general public disclosure communications to announce the project and invite comment;
- (n) Subsequent consultations with known or self-identified PAP;
 - Alternatives discussed with PAP and the community; and
 - Dissemination of information about the cut-off date for registering as PAP; availability of a complaints/grievance mechanism
- (o) Arrangements for formal disclosure of resettlement instrument; availability for public disclosure, review and comment, and posted on MoEYS and the World Bank websites.

Institutional Responsibilities for Delivery of Compensation

- (p) Responsible agencies;
- (q) Method of notification to PAP;
- (r) Timing of settlement (before the incidence of the loss to be compensated);
- (s) Method of verification, disclosure and witnessing of the settlement (i.e., annex form for recording and witnessing handover of entitlement); and
- (t) Process for handling complaints or grievances, and appeals.

Implementation Reporting and Monitoring

- (u) Institutional responsibilities for reporting and monitoring of the ARAP;
- (v) Independent participation in monitoring (e.g., CSOs, research institutes, etc.); and
- (w) Summary report on consultation with the wider community (append attendance register to document).

Timetable and Budget

- (x) Time and task matrix;
- (y) Source and flow of funds;
 - Consultation costs;
 - Personnel costs;
 - Office overhead expenses;
 - Compensation funds; and
 - Monitoring and reporting costs.

B. Resettlement Action Plan (RAP)

Introduction

- (z) General description of project in relation to policies and principles which inform the RAP;
- (aa) Describe sub-project development objectives and intended beneficiaries briefly; and
- (bb) Describe the activities that will give rise to impacts that require “resettlement” and comprised access.

Scope of Land Acquisition and Resettlement Impacts

- (cc) Level of detail varies with the magnitude and complexity of the resettlement;
- (dd) Collect up-to-date and reliable information, including:
 - The proposed resettlement and its impacts on the displaced persons and other adversely affected groups; and
 - Legal issues involved in resettlement.
- (ee) Any issue described below which is not relevant to sub-project circumstances, should be explained.

Description of the Sub-project

- (ff) Short detailed narrative on subproject initiatives and/or activities; and
- (gg) Identification of the subproject area and footprint.

Potential Impacts Identified

- (hh) Project component or activities that give rise to resettlement;
- (ii) Zone of impact and region of influence (ROI) of subproject initiatives and/or activities;
- (jj) Alternatives considered to prevent (avoid) or minimize resettlement; and
- (kk) Mechanisms established to minimize resettlement, to the extent possible, during project implementation.

Main Objectives of the Resettlement Program

- (ll) Sets out the purpose and objectives.

Socioeconomic Studies

- (mm) Conducted in early stages of subproject preparation and with the involvement of potentially displaced people, including:
 - The results of a census survey covering:
 - ◆ Current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - ◆ Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (i.e., production levels and income derived from both formal and informal economic activities) and standards of living including health status and well-being of the PAP and PAH;
 - ◆ The magnitude of the expected loss of assets (i.e., total or partial) and the extent of displacement, physical or economic;

- ♦ Information on vulnerable groups or persons (OP/BP 4.12, paragraph 8) for whom special provisions may have to be made; and
 - ♦ Provisions to update information on the displaced PAP and PAH livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
- (nn) Other studies describing the following:
- Land tenure and transfer systems, including an inventory of common property natural resources from which PAP derive their livelihoods and sustenance, non-titled usufruct systems (i.e., fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub-project footprint;
 - Patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
 - Public consultation and social services that will be affected; and
 - Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (i.e., civil society organizations including CBOs, NPAs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework

- (oo) Findings of an analysis of the legal framework, covering:
- The scope of the power of eminent domain and the nature of compensation associated with it in terms of both the valuation methodology and the timing of payment;
 - The applicable legal and administrative procedures, including a description of the remedies available to displaced persons (PAP and PAH) in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
 - Relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;
 - Laws and regulations relating to the agencies responsible for implementing resettlement activities;
 - Gaps, if any, between local laws covering eminent domain and resettlement and the World Bank's *Resettlement Policy* (OP/BP 4.12), and the mechanisms to bridge such gaps; and
 - Any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including (as appropriate) a process for recognizing claims to legal rights to land (i.e., claims that derive from customary law and traditional usage – see OP/BP 4.12, paragraph 15 b).

Institutional Framework

- (pp) Findings of an analysis of the institutional framework, covering:
- Identification of agencies responsible for resettlement activities and CSOs that may have a role in project implementation;
 - Assessment of the institutional capacity of such agencies and CSOs; and
 - Any steps proposed to enhance the institutional capacity of agencies and CSOs responsible for resettlement implementation.

Eligibility

- (qq) Definition of displaced persons (PAP and PAH) and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Valuation of Land

- (rr) Methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

Resettlement Measures

- (ss) Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons (PAP and PAH) to achieve the objectives of the policy (see OP/BP 4.12, paragraph 6). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

Site Selection, Site Preparation, and Relocation

- (tt) Alternative relocation sites considered and explanation of those selected, covering:
- Institutional and technical arrangements for identifying and preparing relocation sites, whether urban or rural, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
 - Any measures necessary to prevent land speculation and influx of ineligible persons at the selected sites;
 - Procedures for physical relocation under the project; including timetables for site preparation and transfer; and
 - Legal arrangements for regularizing tenure and transferring titles to resettlers.

Housing, Infrastructure, and Social Services

- (uu) Plans to provide (or, to finance PAH provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services, etc.); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

Environmental Protection and Management

- (vv) Description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the ESMP of the main investment requiring the resettlement).

Community Participation

- (ww) Description of the strategy for consultation with and participation of PAH and hosts in the design and implementation of the resettlement activities;
- (xx) Summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
- (yy) Review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g., places of worship, pilgrimage centers, cemeteries); and
- (zz) Institutionalized arrangements by which displaced people (PAP) can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such different populations (ethnic peoples and vulnerable groups – women and female/male youth and children, the elderly and disabled, landless, and poor, etc.), are adequately represented.

Integration with Host Populations

- (aaa) Consultations with host communities and local governments;
- (bbb) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAH;
- (ccc) Arrangements for addressing any conflict that may arise between PAH and host communities; and

- (ddd) Any measures necessary to augment services (e.g., education, water, health and productive services) in host communities to make them at least comparable to services available to PAP (i.e., resettlers).

Grievance Procedures

- (eee) Affordable and accessible procedures for third-party settlement and disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

Organizational Responsibilities

- (fff) Organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services;
- (ggg) Arrangements to ensure appropriate coordination between agencies and jurisdiction(s) involved in implementation; and
- (hhh) Measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or PAH (resettlers) themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

Implementation Schedule

- (iii) Schedule covering all settlement activities from preparation through implementation, including target dates for the achievement of expected benefits to PAH (resettlers) and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

Costs and Budget

- (jjj) Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds; and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

Monitoring and Evaluation

- (kkk) Arrangements for monitoring and evaluation activities by the implementing agency, supplemented by independent monitors as considered appropriate by the World Bank, to ensure complete and objective information;
- (lll) Performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities;
- (mmm) Involvement of the displaced persons (PAP and PAH) in the monitoring process; and
- (nnn) Evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed using results of resettlement monitoring to guide subsequent implementation.

ANNEX 5: COMMUNITY CONSULTATIONS DOCUMENTATION

Below is a summary of each of the community consultation meetings conducted in July 2016, seeking feedback regarding overall project design and safeguard arrangements, as well as a summary of all community consultations during the preparation of the project.

Summary of Consultations on Project Design, Project Budget and Implementation Arrangements, and the related safeguards instruments and documentation in Anlong Samnar Commune Hall, Chi Kraeng District, Siem Reap Province, July 22, 2016

Participants:

Anlong Samnor Team: Mr. Seng Yon - commune Chief, Mr. Kong Choeun, Mr. Sok Thoeun, Ms. Nob Cheng Nay (see detail attendance list in Annex 11d)

SRP Team: Mr. Chun Chamnan, Mr. Ngorn Soytry

WB Team: Erik, Kate, Reaksmey, Andreas, Saroeun, Kongkea, Sarin, Narya

Topics/issues presented:

- Introduction of participants and meeting purposes.
- The WB team presented status of LEAP project design.
- Provincial team brief results of LEAP pilot project to the meeting
- Villagers shared experiences on the success and failure of their saving and SHGs groups that they have been established and supported by NGOs.
- Discussion and brainstorming problems and issues faced in communities

Discussion and conclusions:

- The importance of NGO involvement in the process of establishing and strengthening saving and SHGs has been acknowledged.
- They still need NGOs or other saving or SHG experts to help in group facilitation and book keeping.
- In rainy season flood, in dry season, water is not enough for their farming activities, since the existing dump is not high enough (request to repair and add one more meter high)
- Road renovation is also the priority for Kampong Samnor commune.
- They need technical support on animal rearing, farming both rice and vegetable
- They also need other vocational skills to improve their sale labor.

List of People Met, Consultation Meeting, Anlong Samnar Commune, Chi Kraeng District

No.	Name	Position	Institution
1	Mr. Seng Yon	Commune Chief, Anlong Samnar Anlong Samnar Commune	Siem Reap
2	Mr. Kong Choeun	1 st Vice Chief of Commune Council	Siem Reap
3	Mr. Sok Thoeun	Commune Council Member	Siem Reap
4	Ms. Nob Cheng Nay	Commune Council Member	Siem Reap
5	Mr. Khim Khouloung	Commune Council Member	Siem Reap
6	Mr. Korng Noy	Commune Council Member	Siem Reap
7	Mr. Khiev Song	Commune Council Member	Siem Reap
8	Mr. Ath Eng	Commune Clerk	Siem Reap
9	Mr. Poy Phally	Commune Assistant	Siem Reap
10	Mr. Ly Langdy	Village Chief, Anlong Samnar Village	Siem Reap
11	Mr. Pheu Phoeun	Village Chief, Sdau Village	Siem Reap
12	Mr. Chay Phat	Village Chief, Samrong Thom Village	Siem Reap
13	Mr. Hun Chen	Village Chief, Lbaeuk Village	Siem Reap
14	Mr. Leap Hay	Village Chief, Chaek Khsach Kraom Village	
15	Mr. Keov Ching	Vice Village Chief, Chaek Khsach Kraom Village	Siem Reap

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

16	Ms. Samrith Eng	Villager, Chaek Khsach Kraom Village	Siem Reap
17	Mr. Tim Ry	Vice Village Chief, Anlong Ruessei Village	Siem Reap
18	Mr. Peng Hay	Village Chief, Prek Angkor Thmei Village	Siem Reap
19	Mr. Kim Khorn	Vice Village Chief, Svay Ta Daok Village	Siem Reap
20	Mr. Nhem Korn	Village Chief, Ta Kuem Kraom Village	Siem Reap
21	Mr. Hy Kheang	Village Chief, Anlong Pring Leu	Siem Reap
22	Mr. Chea Mok	Vice Village Chief, Trapeang Tras Village	Siem Reap
23	Mr. Keov Cheng	Vice Village Chief, Ta Kuem Leu Village	Siem Reap
24	Mr. Keo Nara	PC, LEAP	Siem Reap
25	Mr. San Seuhan	Project Coordinator, TCO	Siem Reap
26	Mr. Ngorn Soytry	M&E, Provincial HALL/LEAP	Siem Reap
27	Mr. Chun Chamnan	District Facilitator/LEAP	Siem Reap

Summary of Consultation on Project Design, Project Budget and Implementation Arrangements, and the related safeguards instruments and documentation in Sen Sok 1 Village, Sangkat Khmuonh, Khan Sen Sok, Phnom Penh, July 27, 2016

Participants:

Sangkat Khounh Team: Mr. Mom Sam Oeun – Sangkat Officer, Ms. Em Kimsreng, Ms. Sorn Sreyneang, Ms. Ek Reaksmey (see detail attendance list in Annex 11e)

PPC Team: Mr. Nao Vath

MOI Team: Mr. Mr. Ros Phea, Mr. Heanh Bunna

WB Team: Inguna, Mudita, Erik, Kate, Saroeun, Sarin, Narya, and Kong Kea

Topics/issues presented:

- Introduction of participants and meeting purposes.
- Brief project rationale and brief status of LEAP project design
- Villagers shared experiences on the success and failure of their saving that they have been established and supported by NGOs.
- Discussion and brainstorming problems and issues faced in communities

Discussion and conclusions:

- The importance of NGO involvement in the process of establishing and strengthening saving and SHGs has been acknowledged.
- Lack of capital to invest and enlarge their business
- No pre-school facility in community
- Lack of drinking water
- Roads in community very bad, especially in rainy season, it needs to be repaired
- Lack of sewerage system
- They need capacity to manage saving and SHG activities
- They also need other vocational skills to improve their sale labor.

List of People Met, Consultation Meeting, Sen Sok 1 Village, Sangkat Khmuonh, Khan Sen Sok,

No.	Name	Position	Institution
1	Mr. Mom Sam Oeun	Official Sangkat Khmuonh	Khan Sen Sok
2	Ms. Em Kimsreng	Vice Village Chief, Sen Sok 1 Village	Khan Sen Sok
3	Ms. Sorn Sreyneang	Villager, Samrong Meanchey Community	Khan Sen Sok
4	Ms. Ek Reaksmey	Villager, Samrong Meanchey Community	Khan Sen Sok
5	Mr. Oum Sophy	Chief of Sen Sabay Community	Khan Sen Sok
6	Mr. Vann Lyvay	Committee of Sen Sabay Community	Khan Sen Sok
7	Ms. Ing Ponluek	Villager, Sen Sabay Community	Khan Sen Sok
8	Ms. Em Sivmey	Villager, Sen Sabay Community	Khan Sen Sok
9	Ms. Ieng Sophear	Villager, Sen Sabay Community	Khan Sen Sok
10	Ms. Oum Synoun	50 Knang, Sen Sabay Community	Khan Sen Sok
11	Ms. Kim Syphanvatei	Chief of Trapeang Rang Community	Khan Sen Sok
12	Ms. Van Sreypov	Committee of Trapeang Rang Community	Khan Sen Sok
13	Mr. Hem Phan	Chief of Sen Rik Reay Community	Khan Sen Sok
14	Mr. Sin Sarun	Committee of Sen Rik Reay Community	Khan Sen Sok
15	Mr. Prak Sophorn	Chief of Sen Ponleu 1 Community	Khan Sen Sok
16	Mr. Sat Seat	Chief of Sen Ponleu 2 Community	Khan Sen Sok

Summary of Consultation on Project Design, Project Budget and Implementation Arrangements, and the related safeguards instruments and documentation in Sangkat Trapeang Krasang, Khan Pur Sen Chey, Phnom Penh, July 27, 2016

Participants:

Sangkat Trapeang Krasang Team: Mr. Sim Phoun – Chief of Sangkat, Ms. O Theary, Mr. Im Kimhong, Ms. Mr. Chan Pheara (see detail attendance list in Annex 11f)

PPC Team: Mr. Nao Vath

MOI Team: Mr. Mr. Ros Phea, Mr. Heanh Bunna

WB Team: Inguna, Mudita, Erik, Kate, Saroeun, Sarin, Narya, and Kong Kea

Topics/issues presented:

- Discussion and brainstorming problems and issues faced in communities
- Introduction of participants and meeting purposes.
- Brief project rational and brief status of LEAP project design
- Discussion and brainstorming problems and issues faced in communities

Discussion and conclusions:

- Needs capital to set up, invest and enlarge their business
- Roads in community very bad, especially in rainy season, it need to repair
- Lack of sewerage system
- Garbage collection company did not collect garbage regularly
- No pre-school facility in community
- High interest rate when borrow money from private money lenders
- They need capacity to manage business
- They also need other vocational skills to improve their sale labor.

List of People Met, Consultation Meeting, Sangkat Trapeang Krasang, Khan Pur Sen Chey

No.	Name	Position	Institution
1	Mr. Sim Phoun	Chief of Sangkat Trapeang Krasang	Khan Pur Sen Chey
2	Ms. O Theary	1 st Chief of Sangkat Trapeang Krasang	Khan Pur Sen Chey
3	Mr. Im Kimhong	2 nd Chief of Sangkat Trapeang Krasang	Khan Pur Sen Chey
4	Mr. Chan Pheara	Council Member Sangkat Trapeang Krasang	Khan Pur Sen Chey
5	Mr. Rim Yet	Council Member Sangkat Trapeang Krasang	Khan Pur Sen Chey
6	Mr. Nou Sokhom	Official Sangkat Trapeang Krasang	Khan Pur Sen Chey
7	Mr. Mom Soth	Clerk, Sangkat Trapeang Krasang	Khan Pur Sen Chey
8	Mr. Khob Sokhoeun	Assistant Sangkat Trapeang Krasang	Khan Pur Sen Chey
9	Mr. Khob Vibol	Assistant Sangkat Trapeang Krasang	Khan Pur Sen Chey
10	Mr. Neang Oudom	Police Chief of Trapeang Krasang	Khan Pur Sen Chey
11	Mr. Vath Syvorn	Sangkat Support Working Group	Khan Pur Sen Chey
12	Mr. Touch Sam	Village Chief Trapeang Anchanh Chas	Khan Pur Sen Chey
13	Mr. Chan Sopheak	Community Leader Trapeang Anchanh 1	Khan Pur Sen Chey
14	Mr. Kith Poly	Community Leader Trapeang Anchanh 2	Khan Pur Sen Chey
15	Mr. Chin Sinna	Community Leader Trapeang Anchanh 3	Khan Pur Sen Chey
16	Ms. San Navy	Vice Community Leader Trapeang Anchanh 4	Khan Pur Sen Chey
17	Mr. Dang Sam On	Trapeang Anchanh 5	Khan Pur Sen Chey
18	Mr. Yim That	Village Chief Samaki 3	Khan Pur Sen Chey
19	Mr. Kang Ro	Villager, Trapeang Anchanh 6	Khan Pur Sen Chey
20	Mr. Yin Sokchea	Community Leader, Samaki 4	Khan Pur Sen Chey
21	Mr. Hang Sokhun	Community Leader, Samaki 5	Khan Pur Sen Chey
22	Mr. Mao Sothea	Vice Community Leader, Samaki 6	Khan Pur Sen Chey

23	Mr. Koy Chanthon	Villager Samaki 1 Community	Khan Pur Sen Chey
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Summary of Consultation on Project Design, Project Budget and Implementation Arrangements, and the related safeguards instruments and documentation in Sangkat Praek Phnov, Khan Praek Phnov, Phnom Penh, July 28, 2016

Participants:

Sangkat Praek Phnov Team: Mr. Pich Synoun – Chief of Sangkat, Mr. Tep Pov, Mr. Hang Vanny, Mr. Prom Navy (see detail attendance list in Annex 11g)

PPC Team: Mr. Nao Vath

MOI Team: Mr. Mr. Ros Phea, Mr. Heanh Bunna

WB Team: Mudita, Erik, Kate, Saroeun, Sarin, Narya, and Kong Kea

Topics/issues presented:

- Introduction of participants and meeting purposes.
- Brief project rational and brief status of LEAP project design
- Discussion and brainstorming problems and issues faced in communities

Discussion and conclusions:

- Needs capital to set up, invest and enlarge their business
- Roads in community very bad, especially in rainy season, it need to repair
- Lack of sewerage system
- High interest rate when borrow money from private moneylenders. They could not borrow money from micro finance because they have no land or house title to deposit.
- They need capacity to manage business
- They also need other vocational skills to improve their sale labor.

List of People Met, Consultation Meeting, Sangkat Praek Phnov, Khan Praek Phnov

No.	Name	Position	Institution
1	Mr. Pich Synoun	Chief Sangkat Praek Phnov	Khan Praek Phnov
2	Mr. Tep Pov	1st Chief of Sangkat Praek Phnov	Khan Praek Phnov
3	Mr. Hang Vanny	2 nd Chief of Sangkat Praek Phnov	Khan Praek Phnov
4	Mr. Prom Navy	Council Member Sangkat Praek Phnov	Khan Praek Phnov
5	Mr. Sor Charya	Council Member Sangkat Praek Phnov	Khan Praek Phnov
6	Mr. Vorn Sovann	Clerk Sangkat Praek Phnov	Khan Praek Phnov
7	Ms. Ven Phorn	Assistant Sangkat Praek Phnov	Khan Praek Phnov
8	Ms. Chhin Chanthon	Villager, Phsar Lech Village	Khan Praek Phnov
9	Ms. Preu Symean	Villager, Phsar Lech Village	Khan Praek Phnov
10	Ms. Chamroeun Sreymean	Villager, Phsar Lech Village	Khan Praek Phnov
11	Ms. Huot Synoun	Villager, Phsar Lech Village	Khan Praek Phnov
12	Ms. Nao Sokheng	Villager, Phsar Lech Village	Khan Praek Phnov
13	Ms. Yei Chen	Villager, Phsar Lech Village	Khan Praek Phnov
14	Ms. Eng Thoeun	Villager, Phsar Lech Village	Khan Praek Phnov
15	Ms. Sam Channy	Villager, Phsar Lech Village	Khan Praek Phnov
16	Ms. Men Lean	Villager, Phsar Lech Village	Khan Praek Phnov
17	Ms. Long Mab	Villager, Phsar Lech Village	Khan Praek Phnov
18	Ms. Nao Luek	Villager, Phsar Lech Village	Khan Praek Phnov
19	Ms. Chan Sarann	Villager, Phsar Lech Village	Khan Praek Phnov
20	Ms. Nay Thoeun	Villager, Phsar Lech Village	Khan Praek Phnov
21	Ms. Pal San	Villager, Phsar Lech Village	Khan Praek Phnov
22	Ms. Pal Kan	Villager, Phsar Lech Village	Khan Praek Phnov
23	Ms. Pal Kang	Villager, Phsar Lech Village	Khan Praek Phnov
24	Ms. Seng Yan	Villager, Phsar Lech Village	Khan Praek Phnov
25	Ms. Sorn Sytha	Villager, Phsar Lech Village	Khan Praek Phnov
26	Ms. Nhem Kang	Villager, Phsar Lech Village	Khan Praek Phnov

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

27	Mr. Boy Sao	Villager, Phsar Lech Village	Khan Praek Phnov
28	Ms. Lin Din	Villager, Phsar Lech Village	Khan Praek Phnov
29	Ms. Math Chanthon	Villager, Phsar Lech Village	Khan Praek Phnov
30	Ms. On Nanin	Villager, Praek Phnov Village	Khan Praek Phnov
31	Mr. Vy Pov	Village Chief, Doung Village	Khan Praek Phnov
32	Mr. Ing Rithy	Villager (Priest), Pur Mongkol Village	Khan Praek Phnov
33	Ms. An Yan Mom	Villager, Pur Mongkol Village	Khan Praek Phnov
34	Ms. Sou Srey Poch	Villager, Pur Mongkol Village	Khan Praek Phnov
35	Ms. Chrek Sam On	Villager, Pur Mongkol Village	Khan Praek Phnov
36	Ms. Chrek Samay	Villager, Pur Mongkol Village	Khan Praek Phnov
37	Ms. Sreng Mab	Villager, Pur Mongkol Village	Khan Praek Phnov
38	Mr. Chan Thy	Villager, Pur Mongkol Village	Khan Praek Phnov
39	Ms. Moeun Naymom	Villager, Pur Mongkol Village	Khan Praek Phnov
40	Ms. Thong Sothea	Villager, Pur Mongkol Village	Khan Praek Phnov
41	Ms. Keo Soeun	Villager, Pur Mongkol Village	Khan Praek Phnov

Summary of Consultation on Project Design, Project Budget and Implementation Arrangements, and the related safeguards instruments and documentation in Sangkat Svay Pak, Khan Russey Keo, Phnom Penh, July 28, 2016

Participants:

Sangkat Svay Pak Team: Mr. Hou Samon – Chief of Sangkat, Mr. Ly Raman – Khan officer, Ms. Choun Mary, Mr. Sou Sok Ren (see detail attendance list in Annex 11h)

PPC Team: Mr. Nao Vath

MOI Team: Mr. Mr. Ros Phea, Mr. Heanh Bunna

WB Team: Mudita, Erik, Kate, Saroeun, Sarin, Narya, and Kong Kea

Topics/issues presented:

- Introduction of participants and meeting purposes.
- Brief project rationale and brief status of LEAP project design
- Villagers shared experiences on the success and failure of their saving that they have been established and supported by NGOs.
- Discussion and brainstorming problems and issues faced in communities

Discussion and conclusions:

- The importance of NGO involvement in the process of establishing and strengthening saving group has been acknowledged.
- Needs capital to set up, invest and enlarge their business
- Roads in community very bad, especially in rainy season, it need to repair
- Lack of sewerage system
- High interest rate when borrow money from private moneylenders. They could not borrow money from micro finance because they have no land or house title to deposit.
- Needs fire extinguisher because it usually to have house fire in community.
- They need capacity to manage business
- They also need other vocational skills to improve their sale labor.

List of People Met, Consultation Meeting, Sangkat Svay Pak, Khan Russey Keo, Phnom Penh

No.	Name	Position	Institution
1	Mr. Hou Samon	Chief Sangkat Svay Pak	Khan Russey Keo
2	Mr. Ly Raman	Official Khan Russey Keo	Khan Russey Keo
3	Ms. Choun Mary	Council Member Sangkat Svay Pak	Khan Russey Keo
4	Mr. Sou Sok Ren	Village Chief, Lor Kambor Village	Khan Russey Keo
5	Mr. Ngim Sovannthay	Community Leader Stung Kamboth	Khan Russey Keo
6	Ms. Kom Sophany	Leader 50 Shelter, Stung Kamboth Community, Lor Kambor Village	Khan Russey Keo
7	Ms. Soun Theara	Villager, Stung Kamboth Community, Lor Kambor Village	Khan Russey Keo
8	Ms. Phon Chenda	Villager, Stung Kamboth Community, Lor Kambor Village	Khan Russey Keo
9	Ms. Koy Chreb	Villager, Stung Kamboth Community, Lor Kambor Village	Khan Russey Keo

Cumulative List of LEAP Community Consultations in Siem Reap and Phnom Penh

Phase	Date	Location	Purpose	Participants (including approximate number)
Project Identification	October 31, 2015	Woth Slaeng, Chi Kraeng Commune, Chikraeng District Siem Reap	To learn how LEAP pilot beneficiaries have fared since the close of pilot operation and to assess what kind of support they need.	World Bank Vice President, WB Team, including many members of SHGs supported under the LEAP pilot. Approximately 200 villagers, most of whom participated in the pilot.
Project Preparation	April 10, 2016 April 9-13, 2016 April 18 to May 6, 2016	Rolum Run Thmey village, Sre Noy commune, Varin District Siem Reap Siem Reap, and Phnom Penh	To conduct screening exercise to find out for Ethnic Minorities/IP	Village Chief, 3 Group Leaders, and 159 Villagers
	April 11, 2016 (AM) April 10, 2016	Woth Slaeng, Chi Kraeng Commune, Chikraeng District Siem Reap Rolum Run Thmey village, Sre Noy commune, Varin District Siem Reap	To discuss and explain Social and Environmental Safeguards and conduct capacity need assessment. To conduct screening exercise to find out for Ethnic Minorities/IP	Commune Council Member 14 Vice Village Chiefs from 10 villages, and 31 villagers from the 10 villages. Village Chief, 3 Group Leaders, and 159 Villagers
	April 11, 2016 (PM) April 11, 2016 (AM)	Leang Dai Commune, Angkor Thom District Siem Reap Woth Slaeng, Chi Kraeng Commune, Chikraeng District Siem Reap	To discuss and explain Social and Environmental Safeguards and conduct capacity need assessment To discuss and explain Social and Environmental Safeguards and conduct capacity need assessment.	Commune Council Chief, Member, 10 Village Chiefs, and Saving Leaders from 7 Villages, and 16 villages Commune Council Member 14 Vice Village Chiefs from 10 villages, and 31 villagers from the 10 villages.
	April 12, 2016 April 11, 2016 (PM)	Kantuot Commune, Svay Leu District	To conduct screening exercise to find out for Ethnic Minorities/IP.	Commune Chief, Member, Clerk, Assistant, Village Chief, and 8 villagers

	Siem Reap Leang Dai Commune, Angkor Thom District Siem Reap	To discuss and explain Social and Environmental Safeguards and conduct capacity need assessment	Commune Council Chief, Member, 10 Village Chiefs, and Saving Leaders from 7 Villages, and 16 villages
April 20, 2016 April 12, 2016	Provincial Hall Siem Reap, Kantuot Commune, Svay Leu District Siem Reap	Lessons Learned Workshop: to identify revisions to LEAP design documents based on pilot lessons To conduct screening exercise to find out for Ethnic Minorities/IP.	LEAP team members from the Siem Reap Provincial Government, other provincial line department representatives, ADB and NGOs Commune Chief, Member, Clerk, Assistant, Village Chief, and 8 villagers
April 21, 2016 (AM) April 20, 2016	Woth Kampong Phluk, Kampong Phluk Commune, Prasat Bakong District Siem Reap Provincial Hall Siem Reap	To present the project design, confirm demand and seek feedback Lessons Learned Workshop: to identify revisions to LEAP design documents based on pilot lessons	4 Commune Council Members, 3 Village Chiefs, Vice Village Chief, and 18 Villagers from 3 villages LEAP team members from the Siem Reap Provincial Government, other provincial line department representatives, ADB and NGOs
April 21, 2016 (PM) April 21, 2016 (AM)	Sasar Sdam Commune, Puok District Siem Reap Woth Kampong Phluk, Kampong Phluk Commune, Prasat Bakong District Siem Reap	To present the project design, confirm demand and seek feedback To present the project design, confirm demand and seek feedback	Village Chief and Vice Village Chief from 12 villages, 25 villagers from 12 villages 4 Commune Council Members, 3 Village Chiefs, Vice Village Chief, and 18 Villagers from 3 villages
April 22, 2016 April 21, 2016 (PM)	Mr. Proun's house, Preah Dak Village, Preak Dak Commune, Banteay Srei District	To present the project design, confirm demand and seek feedback To present the project design,	Vice Commune Chief, Member, Clerk, Village Chief, Vice Village Chief, and 26 villagers. Village Chief and Vice Village Chief

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

		Siem ReapSasar Sdam Commune, Puok District Siem Reap	confirm demand and seek feedback	from 12 villages, 25 villagers from 12 villages
April 29, 2016April 22, 2016		World Bank Office Phnom PenhMr. Proun's house, Preah Dak Village, Preak Dak Commune, Banteay Srei District Siem Reap	Lessons Learned workshop to hear and share examples of good practices in identifying and targeting poor households and communities To present the project design, confirm demand and seek feedback	with Urban Poor NGOs, DPs and Technical Line Departments Vice Commune Chief, Member, Clerk, Village Chief, Vice Village Chief, and 26 villagers.
April 29, 2016		World Bank Office Phnom Penh	Lessons Learned workshop to hear and share examples of good practices in identifying and targeting poor households and communities	with Urban Poor NGOs, DPs and Technical Line Departments
July 21, 2016		Doun Kaev Commune, Puok District Siem Reap	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	50 people from commune councils, Village chiefs, and villagers
July 22, 2016July 21, 2016		Anlong Samnar Commune, Chi Kraeng District Siem ReapDoun Kaev Commune, Puok District Siem Reap	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	27 people from commune councils, Village chiefs, and villagers50 people from commune councils, Village chiefs, and villagers
July 27, 2016 (8.30-10.30am)July 22, 2016		Sen Sok 1 Village, Sangkat Khmounh, Khan Sen Sok, , Phnom PenhAnlong	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community	16 people from Official Khan, and 6 difference Communities27 people from commune councils,

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

		Samnar Commune, Chi Kraeng District Siem Reap	feedback Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	Village chiefs, and villagers
July 27, 2016 (10.30-12.00pm) July 27, 2016 (8.30-10.30am)		Sangkat Trapeang Krasang, Khan Por Sen Chey, , Phnom PenhSen Sok 1 Village, Sangkat Khmounh, Khan Sen Sok, , Phnom Penh	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	23 people from Sangkat, and 9 difference Communities16 people from Official Khan., and 6 difference Communities
July 28, 2016 (8.30am-10.00am) July 27, 2016 (10.30-12.00pm)		Sangkat Praek Phnov, Khan Praek Phnov Phnom PenhSangkat Trapeang Krasang, Khan Por Sen Chey, Phnom Penh	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	41 people from Sangkat, and 4 difference Communities23 people from Sangkat, and 9 difference Communities
July 28, 2016 (10.30-12.00pm) July 28, 2016 (8.30am-10.00am)		Sangkat Svay Pak, Khan Russey Keo Phnom PenhSangkat Praek Phnov, Khan Praek Phnov Phnom Penh	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	9 people Official Khan, Sangkat, and 1 community 41 people from Sangkat, and 4 difference Communities

P153591 LEAP – Resettlement Policy Framework, November 14, 2016

	July 28, 2016 (10.30-12.00pm)	Sangkat Svay Pak, Khan Russey Keo Phnom Penh	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek community feedback	9 people Official Khan, Sangkat, and 1 community
	September 15, 2016	World Bank, Phnom Penh	Discussion of safeguard arrangements and overall project design issues with Social Safeguard Specialist	Representatives of 4 different CSOs mainly working in Phnom Penh
	November 7, 2016	Sangkat Dankor, Khan Dankor, Phnom Penh	Informal discussion of community needs, seeking feedback on proposed project activities	Informal discussion with leader of Urban Poor Community, Sangkat Councillor and others
	November 7, 2016	Sangkat Prey Veng, Khan Dankor, Phnom Penh	Informal discussion of community needs, seeking feedback on proposed project activities	Informal discussion with leader of Urban Poor Community, Sangkat Councillor and others
	November 11, 2016	World Bank Office, Phnom Penh	Present overall LEAP design, benefits, risks and proposed safeguard arrangements. Seek feedback from civil society organizations	Representatives of 7 different CSOs operating in either Phnom Penh or Siem Reap, or both.