

KINGDOM OF CAMBODIA  
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Ministry of Public Works and Transport



Cambodia Road Connectivity  
Improvement Project

**BASIC RESETTLEMENT PLAN**

***DRAFT***

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Prepared by the Ministry of Public Works and Transport with the assistance of consultants under the guidance and direction of the General Department of Resettlement of the Ministry of Economy and Finance.

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## LIST OF ACRONYMS

AH	Affected Household
AP	Affected People
BRP	Basic Resettlement Plan
CED	Conceptual Engineering Design
COD	Cut-Off Date
COI	Corridor of Impact
CRCIP	Cambodia Road Connectivity Improvement Project
DED	Detailed Engineering Designs
DMS	Detailed Measurement Survey
DRP	Detailed Resettlement Plan
ESF	Environment and Social Framework
ESMF	Environmental and Social Management Framework
ESO	Environment and Social Office/Officer
ESS	Environment and Social Standards
GDR	General Department of Resettlement
GRM	Grievance Redress Mechanism
IOL	Inventory of Loss
IRC	Inter-Ministerial Resettlement Committee (Project-Level)
IRC-WG	Inter-Ministerial Resettlement Committee Working Group
LAR	Land Acquisition and Involuntary Resettlement
MEF	Ministry of Economy and Finance
MPWT	Ministry of Public Works and Transport
MRD	Ministry of Rural Development
OPBRC	Output and Performance Based Road Contract
PIB	Project Information Booklet
PGRC	Provincial Grievance Redress Committee
PRSC	Provincial Resettlement Subcommittee
PRSC- WG	Provincial Resettlement Subcommittee Working Group
RCS	Replacement Cost Study
RF	Resettlement Framework
RGC	Royal Government of Cambodia
ROW	Right of Way
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedures
WB	World Bank

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## DEFINITIONS AND TERMS

**Affected Households (AHs)/Affected People (AP).** In the context of involuntary resettlement, AP are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically affected (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) land acquisition and involuntary resettlement; or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. In the case of AHs, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components. In this RF the term used will be “AH”.

**Basic Resettlement Plan.** Prepared when the development partners’ safeguard policies require a resettlement plan for review and approval before the completion of detailed design and/or land demarcation (for instance, before development partner’s project appraisal). Also referred to as an Initial Resettlement Plan.

**Consultation.** A process that (i) begins early in the project preparation stage and is carried out at different stages of the project and land acquisition cycle; (ii) provides timely disclosure of relevant and adequate information in Khmer Language that is understandable and readily accessible to AP; (iii) is undertaken in an atmosphere free of intimidation or coercion with due regard to cultural norms; and (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups.

**Corridor of Impact (COI).** It is the area which is required by civil works in the implementation of the Project, and it is agreed by the implementing agency and demarcated by the civil work consultant within which the construction activities will take place

**Cut-off date (COD).** Date established by the government that establishes the eligibility for receiving compensation and the resettlement assistance by the project affected persons. As per WB ESS5 para 20, the COD needs to be well-documented. Persons not covered can be eligible in case they can show proof that they have been inadvertently missed during the census.

**Detailed measurement survey (DMS)** – With the aid of detailed engineering design, this activity involves the finalization of the results of the inventory of losses, measurement of losses, 100% socio-economic survey and 100% census of displaced persons.

**Detailed Resettlement Plan.** Prepared when detailed designs or land demarcation have been completed and the full impacts following a DMS are known. Also referred to as Full Resettlement Plan or Resettlement Action Plan. Where a Basic Resettlement Plan has been prepared, the Detailed Resettlement Plan is an update of the Basic Resettlement Plan

**Economic Loss.** Loss of land, assets, access to assets, income sources, or means of livelihood as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

**Eligibility.** Eligible include all AHs confirmed to be residing in, doing business, or cultivating land within the project affected area or land to be acquired or used for the project before the cut-off date are eligible for resettlement compensation for their affected properties.

**Eminent Domain.** The right of Cambodia using its sovereign power to acquire land for public purposes. National law establishes which public agencies have the prerogative to exercise eminent domain.

**Entitlement.** – Refers to a range of measures comprising compensation, assistance and income restoration, relocation support etc. which are due to the DPs, depending on the type and severity of their losses, to restore their economic and social base.

**Expropriation.** Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise use. Expropriation under the Cambodian Law refers to the confiscation of ownership or real right to immovable property of a natural person, private legal entity, and legal public entity, which includes land, buildings, and cultivated plants, for the purpose of constructing, rehabilitating, or expanding public physical infrastructure for the national and public interests with prior and just compensation.

**Grievance redress mechanism** – Refers to an established mechanism to receive and facilitate the resolution of affected persons' concerns and grievances/complaints about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups. As per WB ESS10, the grievance mechanism is expected to: (a) address concerns promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all project-affected parties, at no cost and without retribution, and without preventing access to judicial processes. Affected people will be appropriately informed about the GRM and keep adequate records that are made publicly available, and (b) handling of grievances will be done in a culturally appropriate manner and be discreet, objective, sensitive and responsive to the needs and concerns of the project-affected parties. The mechanism will also allow for anonymous complaints to be raised and addressed. In the context of this RF, the GRM is for grievances/complaints arising from involuntary land acquisition and resettlement. The GRM for handling grievances/complaints related to other safeguard aspects like environment safeguard requirements labor and working conditions, etc are stipulated in the Stakeholder Engagement Plan as per WB ESS10.

**Host Communities.** Communities receiving physically affected persons of a project as re- settlers.

**Income Support.** Re-establishing the productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.

**Information Disclosure.** The process of disseminating project information to stakeholder to allow them to understand the risks and impacts of the project, and potential opportunities. Information disclosure should be in line with the project's Stakeholder Engagement Plan and the requirements of ESS10, which require the disclosure of project information including: (a) the purpose, nature and scale of the project; (b) the duration of proposed project activities; (c) potential risks and impacts of the project on local communities, and the proposals for mitigating these, highlighting potential risks and impacts that might disproportionately affect vulnerable and disadvantaged groups and describing the differentiated measures taken to avoid and minimize these; (d) the proposed stakeholder engagement process highlighting the ways in which stakeholders can participate; (e) the time and venue of any proposed public consultation meetings, and the process by which meetings will be notified, summarized, and reported; and (f) the process and means by which grievances can be raised and will be addressed.

**Inventory of losses.** This is the process where all fixed assets (i.e. lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of AP will be determined.

**Involuntary Resettlement.** Resettlement is considered involuntary when directly affected persons or communities do not have the right to refuse project related land acquisition or restrictions on land use that result in their displacement.

**Land Acquisition.** Refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. Land acquisition refers to anything growing on or permanently affixed to land, such as crops, buildings and other improvements.

**Meaningful Consultation.** As per WB ESS10, is a two-way process that: (a) begins early in the project planning process to gather initial views on the project proposal and inform project design; (b) encourages stakeholder feedback, particularly as a way of informing project design and engagement by stakeholders in the identification and mitigation of environmental and social risks and impacts; (c) continues on an ongoing basis, as risks and impacts arise; (d) is based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information in a timeframe that enables meaningful consultations with stakeholders in a culturally appropriate format, in relevant local language(s) and is understandable to stakeholders; (e) considers and responds to feedback; (f) supports active and inclusive engagement with project-affected parties; (g) is free of external manipulation, interference, coercion, discrimination, and intimidation; and (h) is documented and disclosed by the Borrower. Under This RF, which is specific for land acquisition and involuntary resettlement, the meaningful consultation refers to consultation in respect of land acquisition and involuntary resettlement which is clearly stipulated in the Government's SOP for LAR and incorporates all the above elements.

**Physical Loss.** Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

**Relocation.** This is the physical relocation of a displaced person from her/his pre-project place of location and/or business to another location or shifting back.

**Replacement Cost.** Replacement cost involves replacing an asset, including land, at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. Depreciation of assets and structures should not be considered for replacement cost. As per WB ESS5, replacement market is the value as established through independent and competent real estate valuation, plus transaction costs. The valuation method for determining replacement cost should be documented.

Transaction costs include administrative charges, registration or title fees, reasonable moving costs, and any similar costs imposed on affected persons

**Relocation Assistance.** Support provided to persons who are physically displaced by a project. Relocation assistance may include transportation, food, shelter, and social services that are provided to the displaced persons during their relocation. It may also include cash allowances that compensate displaced persons for the inconvenience associated with resettlement and defray the expenses of a transition to a new location, such as moving expenses and lost workdays.

**Resettlement Framework.** Prepared when project components are not known and therefore land acquisition needs cannot be identified. The RF will guide the preparation of future Resettlement Plans if these become necessary.

**Voluntary Donations.** Defined as the ceding of a property by an owner who is (a) appropriately informed about the project and their right to seek compensation and (b) can refuse to donate. Under WB ESS5, paragraph 6, ESS5 does not apply to voluntary, legally recorded market transactions unless such voluntary land transactions may result in displacement of persons, other than the seller.

**Vulnerable Groups.** Group of affected persons who are likely to be more adversely affected by land acquisition than others and who are likely to have limited ability to re-establish their livelihoods or improve their status. Vulnerable persons are categorized as: (i) households living below the poverty rate as established by the RGC; (ii) elderly people headed households with no means of support; (iii) female headed households with dependents living below the poverty rate; (iv) disabled headed households, and (v) indigenous peoples (who often have traditional land rights but no formal titles).

## EXECUTIVE SUMMARY

1. This is an Executive Summary of main points discussed in this Basic Resettlement Plan (BRP). The Executive Summary should not be relied for full information; the full BRP should be read for this purpose.
2. This BRP has been prepared by the Ministry of Public Works and Transport (MPWT) for the MPWT component of the proposed Cambodia Road Connectivity Improvement Project (CRCIP) with assistance of international and national consultants, and under the guidance and direction of the General Department of Resettlement (GDR). This BRP will be applied to all investments under the MPWT component to be financed by the World Bank (WB) Group for technical and/or financial support for CRCIP. The BRP has been prepared in line with the Royal Government of Cambodia's (RGC's) Standard Operating Procedures (SOP) on Land Acquisition and Involuntary Resettlement, and the WB's Environment and Social Framework.
3. This document is considered a living document and shall be modified and updated in line with the changing situation or scope of the activities. The Detailed Resettlement Plans (DRP) will be prepared based on this BRP, when final road designs are completed, in close consultation with stakeholders and the WB. Clearance of future DRPs by the WB will be necessary. If applicable, based on the guidance in this BRP, voluntary donation reports will be produced and updated.
4. The proposed CRCIP will support the improvement of climate resilient accessibility in roads NR7 (30km), PR377 (36km) and PR377a (13km) in Kratie province and NR73 (50km) in Tboung Khmum. The road rehabilitation works will be carried out along the existing road alignment, road width and shoulders and therefore land acquisition has been avoided and/or minimized.
5. The proposed Project will use an Output and Performance Based Road Contract (OPBRC) approach covering detailed design, road improvement and maintenance (*Design, Build and Maintain*). OPBRC bidding document will include the Conceptual Engineering Design (CEP) prepared during project preparation. As per OPBRC requirements and based on CEP, the contractor will prepare detailed engineering design (DED) within 3 months after contract award.
6. In Cambodia, the Expropriation Law (2010) is the main legal framework that governs land acquisition and involuntary resettlement. Under the Article 3 that governs the provision for projects financed by development partners in Cambodia, the RGC issued in 2018 the Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement. The GDR of the Ministry of Economy and Finance (MEF) is responsible for providing guidance and clarification to users of the SOP. Given that the proposed CRCIP will be funded WB, the SOP is the guiding RGC sub-decree for land acquisition and should be read together with this document. This BRP also complies with the WB's Environment and Social Standard (ESS) 5 on Land Acquisition and Involuntary Resettlement. There are some, but no significant, gaps between the policies of the SOP and WB's ESS5, which are addressed and clarified in this BRP. One of the most relevant ones is except that the SOP does not have a provision for voluntary donations. This BRP describes a process for voluntary donations consistent with footnote 10 of the WB's ESS5.
7. Based on the meaningful consultations carried out in January and February 2020, it is expected that 147 affected people (AHs) will be minimally impacted by land acquisition. While AHs have

expressed their willingness to voluntarily contribute their assets and renege on their right to compensation, this BRP has been prepared for cases where voluntary donations do not fit the WB criteria, if people change their minds on donating, and/or if for unforeseeable reasons, impacts are greater than expected.

8. Therefore, this BRP covers: (i) where land, or assets, are voluntarily donated; and (ii) where land, or assets, are involuntarily acquired. Voluntary contributions, with proper information and documentation as explained in this BRP, can be justified because road rehabilitation will directly benefit the people who are living/operating along the roads and the benefit from an improved road may far outweigh the impact on a small asset such as a concrete driveway.
9. This BRP applies to permanent or temporary physical and economic displacement as described in the SOP, and compliant with WB's ESS5. All affected households (AHs) who have assets in the corridor of impact (COI) before the Cut-off Date (COD) will be eligible for compensation, regardless of their legal status. Eligibility will be determined with regards to the COD, which will be the last day of the first round of consultations, when the road section and COI has been identified, and through announcement in the consultations and posting on commune/Sangkat/public boards and/or pagodas. The COD for the Component 1 of the proposed Project is January 17, 2020. Those who encroach into/or occupy the roads subproject areas after the COD will not be eligible for any compensation or any other assistance.
10. Based on an initial census in February 2020, it is expected that 147 AHs will lose minimal assets as a result of the rehabilitation of the roads under Component 1 of the proposed Project: mostly minimal impacts to 193 secondary structures, mainly zinc roofs and concrete pavement and 11 trees. In addition, one AH is expected to fully lose his wooden, vacant, shop, but this can be compensated and rebuilt in land owned by the AH next to the current location.

#### Estimated Impacts

Description	Number
Estimated number of permanently affected main structure (shop)	1 vacant shop to be demolished and rebuilt on adjacent land belonging to the same AH (behind structure) located along PR377
Estimated total number of affected households (including permanently affected)	147
Estimated number of affected secondary structures (mainly corrugated iron roof and concrete driveways)	193
Estimated number of households losing business income due to impacts to one shop	1
Estimated number of households losing fruit or productive trees	11

11. This BRP details the process for voluntary donations as well as for land acquisition, including institutional arrangements and responsibilities, consultations, information disclosure, funding arrangements and monitoring.
12. The Grievance Redress Mechanism (GRM) is established as a locally based arrangement for receiving, recording, assessing and facilitating the resolution of complaints and grievances raised

by the affected persons in relation to the CRCIP. There will be a GRM specific to voluntary donation and one specific to land acquisition as described in this BRP.

13. The BRP also describes the process for consultation and information disclosure in cases of voluntary donations and for land acquisition. During project planning, the main elements of this BRP were consulted and disclosed with AHs and local authorities, and minutes of the consultations are annexed to this BRP. A project information booklet with information in Khmer language on the: (i) purpose, nature, location and scale of the project; (ii) duration of proposed project activities; (iii) corridor impacts, right of way, eligibility, entitlements and compensation policy and the timing of the establishment of the grievance redress mechanism; (iv) potential risks and impacts of the proposed project on local communities, and proposals for mitigating these; and (v) names and contact details of key persons at MPWT and GDR was disclosed in January 2020. This BRP will also be publicly disclosed in the MPWT and WB websites. Future updates to this BRP, whether in the form of Voluntary Donation reports or Detailed Resettlement Plans, will also be consulted and disclosed.

# 1 PROJECT DESCRIPTION

## 1.1 Overview

1. The Proposed Cambodia Road Connectivity Improvement Project's (CRCIP) will support the improvement of climate resilient road accessibility in targeted provinces of Kampong Cham, Kratie, and Tboung Khmum with a total population of over 2.3 million people. The proposed project builds on a network connectivity approach to improve and rehabilitate climate resilient road accessibility in rural areas, between rural areas and urban centers, and to the main road network. The project provinces were selected considering several criteria including rural population density, agricultural potential, vulnerability to floods, existing road conditions, and connectivity of provincial road networks to connect larger geographic area. Full description of the proposed CRCIP, including its rationale, can be found in the World Bank's Project Appraisal Document (PAD).

## 1.2 Detailed Description of Components

2. The proposed CRCIP consists of four (4) components<sup>1</sup>: two (2) of which are institutional and the remaining two (2) are investments; of the latter, only one is the subject of this Basic Resettlement Plan (BRP). The project investment component to be implemented by the Ministry of Rural Development (MRD), Component 2, will not be discussed in detail in this BRP<sup>2</sup>. This BRP will only apply to the proposed project investment components to be implemented by the Ministry of Public Works and Transport (MPWT).

3. The MPWT component will finance improvement of road condition, safety and climate resilience of selected national and provincial road sections, and design and supervision services in four road sections in Kratie and Tboung Khmum provinces: two National Roads (NR) namely NR7 and NR73 and two Provincial Roads (PR) namely PR377 and PR377a.

4. The proposed project will use an Output and Performance Based Road Contract (OPBRC) approach covering detailed design, road improvement and maintenance (*Design, Build and Maintain*). OPBRC bidding document will include the Conceptual Engineering Design (CED) prepared during project preparation. As per OPBRC requirements and based on CED, the contractor will prepare detailed engineering design (DED) within 3 months after contract award. Preparation of DED by the contractor will enable efficient risk allocation between the contractor and employer under OPBRC approach. The CED has identified the Corridor of Impact (COI) based on detailed studies<sup>3</sup> to inform preparation of DED by contractor as part of OPBRC.

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<sup>1</sup> Full description of the CRCIP, including its rationale can be found in the WB's Project Appraisal Document (PAD).

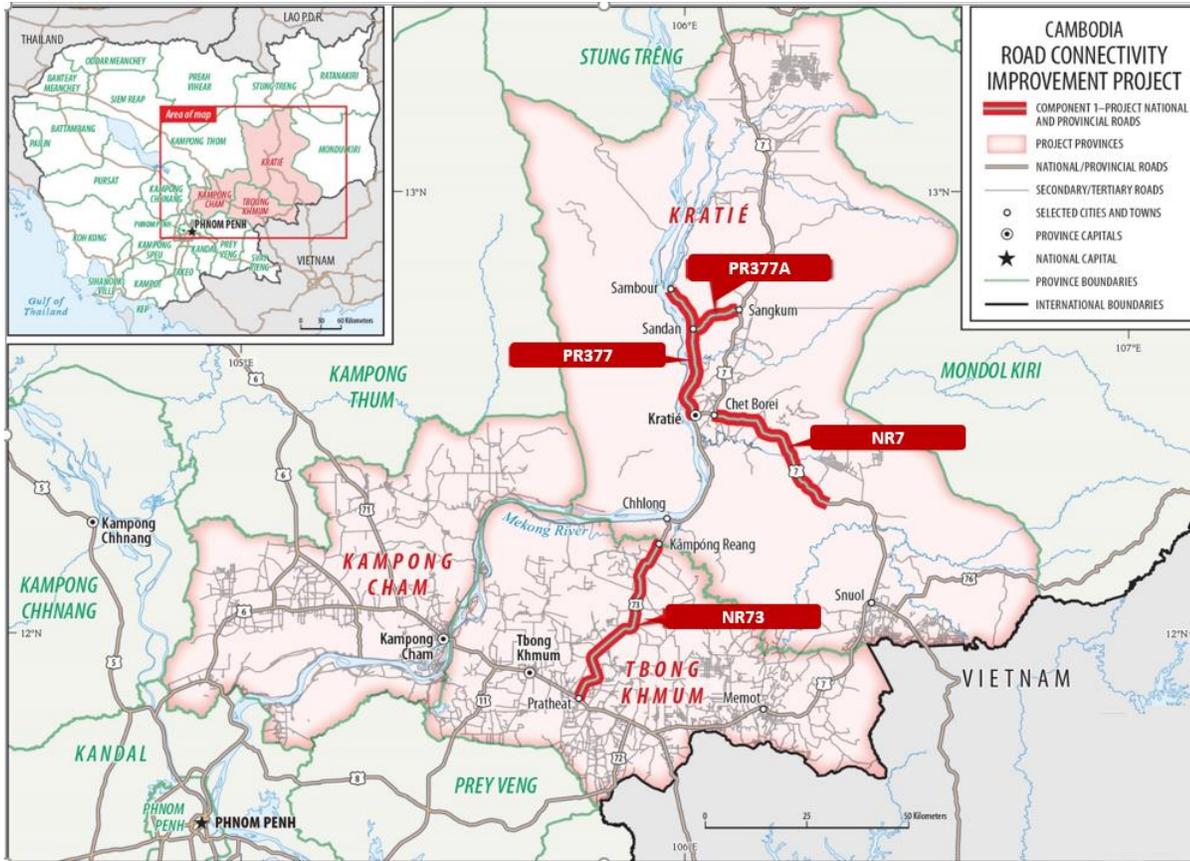
<sup>2</sup> For information on Component 2 implemented by MRD, please refer to the WB's PAD and Resettlement Framework and Environment and Social Management Framework prepared by MRD.

<sup>3</sup> Conceptual Engineering Designs include (a) technical studies: topographic survey, geotechnical design for road and structures, pavement design, hydrology study and hydrology design for side drainage, cross-drainage (culvert), structures and flood plains (including implementation drawings and supporting calculations), design for bridges and culverts, with at least plan view, general layout plan and elevation, study of existing utilities and their need for relocation, proposed road furniture and road safety equipment; and (b) drawings: road alignment and profile, at a scale of 1/1000, typical cross-sections as required with their location of application as well as actual cross-sections at max. 25m intervals, proposed

### 1.3 Subproject Roads

Figure 1 illustrates the location of the subproject roads.

**Figure 1: MPWT Component Subproject Roads**



Source: MPWT

5. **NR7 (31.25km)**: This section is the last section of NR7 before entering Kratie province from Kampong Cham province (PK300+00-331+250)<sup>4</sup>. The road runs mostly through open space. The 31.250 km of road works are located in Kratie province, in Snuol and Chet Borei districts and Svay Chreach and Kantuot communes. Small land acquisition impacts are only expected in Kantuot commune (Chet Borei district).

6. **NR73 (49.850km)** is in Tboung Khmum province links with NR7 in Kratie. The rehabilitation works will be from the intersection with NR7, which is the beginning for NR73, PK 0+000 to PK 49+850. This section of road passes through the Tboung Khmum provincial capital and has three bridges, and goes through an intersection in Dambae village, nearby a school and pagoda, as well as across two markets. There are

arrangements in main junctions and typical designs for accesses (1/500 or less), typical drawings for drainage structures and ancillaries, design drawings for bridges and culverts, including proposed steelwork and reinforcement drawings, relocation plans of existing utilities, drawings of proposed road furniture and road safety equipment.

<sup>4</sup> Several other sections of NR7 (158 km) are being improved under the ongoing World Bank-financed Road Asset Management Project II (RAMP II).

Cham communities along the road<sup>5</sup>. The road crosses Tboung Kmum and Dambae district, and Sralab, Chong Cheach, Kouk Srok, Dambae, Trapeang Pring and Seda communes. Small land acquisition impacts, as noted in para. 20, are only expected in Seda and Dambae communes (respectively in Seda and Dambae district).

7. **PR377 (35.500km)** is in Kratie province, linking Kratie town (PR377) to an important touristic destination, the Mekong river dolphins. The road is currently in poor condition, with single-lane bridges and deteriorated carriageways requiring rehabilitation works. The scope of works under PR377 will start from PK 0+500 and finish at PK 36+000. Parts of the PR377, which runs along the Mekong river, are also extremely vulnerable to flooding, and there are two market areas where the road has a very narrow section. There are several vendors along PR377 due to the influx of tourists and, in general, the road is more densely populated than other project road sections. PR377 crosses Kratie, Chet Borey and Sambour districts. Due to the narrowness of the road and the denser population, this road section has the greatest land acquisition impacts, though most are small areas and located in Sombok, Chet Borey and Krakor communes (Kratie district); Thmarkrae commune (Chet Borey district); Sandan commune (Sambour district), and Sambour commune (Sambour district). Civil works will also include the rehabilitation of 12 bridges.

8. **PR377a (13.600km)** is in Kratie province, links NR7 (PR377a), through PR377, to the Mekong river dolphins. The road is currently dusty and does not provide adequate access for tourists. Road rehabilitation will impact Sambour District, Sandan commune.

9. The scope of work for all road sections consists of asphalt concrete (AC) overlay and upgrading the side drainage system including inlet and outlet structures. All works are limited within the existing constructed road width. Thus, there will be minimal impacts as a result of land acquisition, mostly related to small impacts on structures (mostly parts of iron roofs and concrete driveways) and trees.

10. The Right-of-Way (ROW) of roads in Cambodia is determined by Sech Kdey Prakas No. 6, and states that the ROW for NR7 is 30m from the centerline, or 60m total. Based on the RGC's Standard Operating Procedures on Land Acquisition and Involuntary Resettlement (SOP), assets on the ROW are eligible for compensation but land is only eligible for compensation if affected households have legal claims to the land. In the case of the proposed CRCIP in the four road components, road rehabilitation will be limited to the existing carriageway and shoulders and therefore minimal land acquisition is expected, only minor assets as expected to be impacted. The Corridor of Impact (COI) is the area that will need to be cleared of all structures and trees during and after civil works. The COI for NR7, NR73, PR377 and PR377a are detailed in Tables 1, 2, 3 and 4 respectively.

**Table 1: Corridor of Impact NR7 PK 300.000-331.250km<sup>6</sup>**

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Section	Remarks
NR7	60	30	11.0	5.5	PK300+000 to PK317+870	General Section <sup>7</sup>
			16.8	8.4	PK317+820 to PK318+200	General Section

<sup>5</sup> But no Indigenous Peoples as per WB ESS7. For further information refer to the MPWT Environment and Social Management Plan (ESMP).

<sup>6</sup> May need to modify the exact COI after DED is finished.

<sup>7</sup> General section: low density areas with no or very minor and temporary impacts, i.e. during construction.

			11.0	5.5	PK318+200 to PK331+000	Kantout Market Area
			15.0	7.5	PK331+000 to PK331+250	Intersection Area

**Table 2: Corridor of Impact NR73 PK0.000-49.850km<sup>8</sup>**

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Section	Remarks
NR73	50	25	14.0	7.0	PK0+000 to PK0+250	Intersection
			11.0	5.5	PK0+250 to PK7+600	General Section <sup>9</sup>
			17.0	8.5	PK7+600 to PK8+000	Market Area
			11.0	5.5	PK8+000 to PK26+500	General Section
			17.0	8.5	PK26+500 to PK27+300	Market Area Roundabout
			11.0	5.5	PK27+300 to PK39+400	General Section
			14.0	7.0	PK39+400 to PK40+300	General Section
			11.0	5.5	PK40+300 to PK49+850	General Section

**Table 3: Corridor of Impact PR377 PK0.500-36.00km<sup>10</sup>**

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Section	Remarks
PR377	40	20	8.0	4.0	PK0+500 to PK 7+350	General Section <sup>11</sup>
			9.0	4.5	PK7+350 to PK7+500	General Section
			8.0	4.0	PK7+500 to PK23+230	General Section
			11.0	5.5	PK23+230 to PK23+670	Market Area
			8.0	4.0	PK 23+670 to PK 30+500	General Section
			11.0	5.5	PK30+500 to PK31+860	General Section
			8.0	4.0	PK31+860 to PK34+750	General Section
			9.0	4.5	PK34+750 to PK34+850	Market Area
			12.0	6.0	PK34+850 to PK35+000	Market Area
			8.0	4.0	PK35+000 to PK36+000	General Section

<sup>8</sup> May need to modify the exact COI after DED is finished.

<sup>9</sup> General section: low density areas with no or very minor and temporary impacts, i.e. during construction.

<sup>10</sup> May need to modify the exact COI after DED is finished.

<sup>11</sup> General section: low density areas with no or very minor and temporary impacts, i.e. during construction.

**Table 4: Corridor of Impact PR377a PK0.00-13.600km<sup>12</sup>**

<b>Road No.</b>	<b>ROW (m)</b>	<b>Distance each side from Centerline (m)</b>	<b>COI (m)</b>	<b>Distance each side from Centerline (m)</b>	<b>Section</b>	<b>Remarks</b>
<b>PR377a</b>	40	20	8.0	4.0	PK0+000 to PK13+600	General Section <sup>13</sup>

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<sup>12</sup> May need to modify the exact COI after DED is finished.

<sup>13</sup> General section: low density areas with no or very minor and temporary impacts, i.e. during construction.

## 2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

11. At this stage of project design, Conceptual Engineering Designs (CED) have been completed and the Corridor of Impact (COI) for the subproject roads has been established. However, DED have not been finalized and therefore this document is prepared as a BRP that discusses the main elements and procedures of land acquisition and the estimate of affected households (AHs) and assets adversely impacted. While DED is not expected to change the road alignment or COI, this BRP will need to be updated once DED is complete.

12. Given the minor extent of land acquisition necessary, and the strong desire of communities for an improved road, it is expected that most people will voluntarily contribute their affected assets and not seek compensation, as will be further discussed in this BRP. Nevertheless, this BRP discusses the procedures to prepare Detailed Resettlement Plans (DRP) for those cases where voluntary donations do not apply, in the event the affected people change their mind and decide to seek compensation or, if for unforeseen reasons, impacts are greater than originally expected in CED.

13. This BRP recognizes that certain social groups may be to a lesser extent be able to restore their living conditions, livelihoods and income levels and therefore, are at greater risk of impoverishment when their land and other assets are affected. During The DED, the subproject roads will identify any specific needs or concerns that need to be considered for the vulnerable groups. Gender integration will be considered during the planning, preparation and implementation of future DRPs.

14. The rehabilitation of all four (4) subproject roads will mostly have positive impacts on people by enabling them to have access to a more reliable, durable, improved and safer subproject roads. Those living or operating along the subproject roads stand to benefit the most from the Project as they will have better and safer roads that will connect them in much lesser time to markets, schools, hospitals and provincial centres. The 31.250km of NR7 cover a variety of settings, including residential houses, farmland, empty land, shops and kiosks and a market area. In NR73, the nearly 50km also cover residential houses, farmland, empty land, shops and kiosks and a market area, with flat and windy road sections. However, the nearly 35.500km of PR377 covers a more densely populated area, with a narrow road, along the Mekong river on the West side, and flood prone areas to the East. The road passes through residential areas, markets and there are also numerous shops and kiosks along the road, catering to tourists coming to see the Mekong dolphins. Finally, the 13.600km of PR 377a mainly passes through open areas, farmland and residential houses.

15. Most of the road sections being rehabilitated by CRCIP are free from encumbrances, as people in the area have mostly respected the existing carriageway and shoulders of the ROW. However, there are some cases where concrete driveways, protruding roofs or trees, among others, are too close to the road shoulder and need to be cut or moved back. There is also one case of a currently-unused and vacant shop that needs to be fully demolished, and moved back to where there is ample space away from the road shoulder. Based on a preliminary Census undertaken by Environment and Socialal Office (ESO) staff from MPWT in February 2010, it is estimated that 147 AHs will be impacted. Of these, 142 AHs will have small impacts to structures (mostly corrugated iron roofs and concrete driveways), 11 AHs will have impacts to fruit or productive trees<sup>14</sup> and 1 AHs will have their wooden shop fully impacted. Table 5 summarizes the estimated resettlement impacts.

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<sup>14</sup> Some AHs with impacts to trees are also AHs with impacts to structures.

**Table 5. Summary of Estimated Impacts**

Description	Number
Estimated number of permanently affected main structure (shop)	1 vacant shop that needs to be demolished and rebuilt on adjacent land belonging to the same AH (behind structure) located in PR377
Estimated total number of affected households (including permanently affected)	147
Estimated number of affected secondary structures (mainly corrugated iron roof and concrete driveways)	193
Estimated number of households losing business income due to impacts to shops	1
Estimated number of households losing fruit or productive trees	11

Source: Estimated census and inventory of loss data February 2020

16. Of the estimated 11 AHs losing trees, 9 AHs are along PR377 (Table 6) and 2 AHs are along PR377a (Table 7). No AHs along NR7 and NR73 are expected to lose trees.

**Table 6: Loss of Trees along PR 377**

Type of trees/perennial plants	Quantity	Number of AHs	Women AHs
Fruit Trees	17	6 AHs	3 AHs
Timber Trees	3	3 AHs	2 AHs
<b>Total</b>	<b>20</b>	<b>9 AHs</b>	<b>5 AHs</b>

Source: Estimated census and inventory of loss data February 2020

**Table 7: Loss of Trees along PR 377a**

Type of trees/perennial plants	Quantity	Number of AHs	Women
Fruit Trees	3	2 AHs	2 AHs
<b>Total</b>	<b>3</b>	<b>2 AHs</b>	<b>2 AHs</b>

Source: Estimated census and inventory of loss data February 2020

17. The improvement of subproject roads will partially affect an estimated 192 structures, and one full structure, all of them owned by 142 AHs, of which 65 AHs are women (i.e. women are the main owner of the structure impacted). Exact measurements will be available after the DED in the DRP. Out of the estimated 193 structures affected by the proposed Project, an estimated 81 structures are corrugated iron roofs, 99 are concrete driveways, 2 are gates/fences and 3 are parts of wooden shops. The details of the affected structures are in Tables 8-11.

**Table 8: Affected Structures by Type on NR 7**

Type	Number of Structures
Corrugated Iron Roof	1
Concrete Driveway	1
Total	2

Source: Estimated census and inventory of loss data February 2020

**Table 9: Affected Structures by Type on NR 73**

Type	Number of Structures
Corrugated Iron Roof	18
Concrete Driveway	8

Total	26
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Source: Estimated census and inventory of loss data February 2020

**Table 10: Affected Structures by Type on PR 377**

Type	Number of Structures
Corrugated Iron Roof	54
Concrete Driveway	75
Gate/Fence	2
Wooden shop (partial)	2
Wooden shop (full)	1
Other (tent roof, banner, stair, wooden floor, spirit house)	4
Total	137

Source: Estimated census and inventory of loss data February 2020

**Table 11: Affected Structures by Type on PR 377a**

Type	Number of Structures
Corrugated Iron Roof	8
Concrete Driveway	15
Gate/Fence	0
Wooden shop	2
Other (tent roof, banner, stair, wooden floor, spirit house)	3
Total	28

Source: Estimated census and inventory of loss data February 2020

18. As substantiated in the above tables, there is almost no land acquisition in NR7 (only 2 partial structures impacted), with similar numbers in NR73 and PR377a (less than 30 secondary structures/trees), and the greatest number in PR377 (approximately 150 structures/trees). Therefore, the resettlement impacts are very minor.

### 3 SOCIOECONOMIC SUMMARY

19. A total of 35 AHs (16 male and 19 female) living along CRCIP sections of NR7 and NR73 are generally reasonably well-off and above the poverty line as they are living adjacent to a major national road and have ease of access to public facilities and other towns, even when considering the poor road condition. The main livelihood of affected persons interviewed is owners of business and/or seller. Some affected persons are farmers. In areas of NR73 there are Cham ethnic groups, mostly around the market areas. Most of the market stalls are owned and run by women. It is therefore important to ensure that women are adequately consulted during the land acquisition process. Table 12 summarizes the type of livelihood of men and women along NR7 and NR73.

**Table 12: Main Livelihoods of Men and Women<sup>15</sup> along NR7 and NR73**

Type of Livelihood	Men	Women	Total
Own business and/or seller	13	17	30
Farmer	2	2	4
Army Officer	1	0	1
Total	16	19	35

20. Similarly, people living along PR 377 and PR 377 are reasonably close to main public services as the roads have good connectivity (but are in poor condition) and are not generally considered poor. Most of the affected people along both road sections derive most of their income from running their own businesses/shops. This is not unexpected since they live along the main and touristy road PR377, which runs parallel to the Mekong river, and provides access to people to see the endangered dolphins (both roads). Several people also are professionals – such as doctors, teachers or police – while others are farmers or work in service-related jobs (mechanics, repair, etc.). Women own more shops and businesses than men. Table 13 summarizes the main types of livelihood of men and women along PR377 and PR377a.

**Table 13: Main Livelihoods of Men and Women<sup>16</sup> in PR 377 and PR 377a**

Type of Livelihood	Men	Women	Total
Own business and/or seller	55	73	128
Farmer <sup>17</sup>	12	3	15
Professional (army, teacher, school principal, police, doctor, NGO worker, government worker, journalist)	15	5	20
Service (barber, salon, sewer, repairman, carpenter, mechanic, taxi driver)	14	2	16
At home/Domestic duties	1	18	19
No response	9	4	13
Total	106	105	211

21. A full socioeconomic survey will be carried out as part of the DMS once final DED of the road components is finished.

<sup>15</sup> Includes person interviewed and their spouse when possible and/or applicable.

<sup>16</sup> Includes person interviewed and their spouse when possible and/or applicable.

<sup>17</sup> All in PR377, none in PR377a.

## 4 LEGAL FRAMEWORK

22. The RGC's Expropriation Law (2010) is the main legal framework that governs land acquisition and involuntary resettlement. The **Expropriation Law (2010)** has listed the development of public infrastructure as one of its objectives and extended the definition of public infrastructure to any infrastructure *"required by the Nation in accordance with the determination made by the government."* Public interest is also understood in a broad manner as *"the use of land or property by the public or by public institutions or their agents."* The expropriation of the ownership of immovable property and real right to immovable property can be exercised only if the Expropriation Committee has paid fair and just compensation in advance to the owner and/or holder of real right.

23. Key articles include:

- a) Article 2: The law has the following purposes: (i) ensure reasonable and just deprivation of a legal right to ownership of private property; (ii) ensure payment of reasonable and just prior compensation; (iii) serve the public and national interests, and (iv) development of public physical infrastructure;
- b) Article 7: Only the State may carry out an expropriation for use in the public and national interests;
- c) Article 22: An amount of compensation to be paid to the owner of and/or holder of rights in the real property shall be based on the market value of the real property or the alternative value as of the date of the issuance of the Prakas on the expropriation scheme. The market value or the alternative value shall be determined by an independent commission or agent appointed by the expropriation committee;
- d) Article 29: For the expropriation of a location that is operating business activities, the owner of the immovable property shall be entitled to additional fair and just compensation for the value of the property actually affected by the expropriation as of the date of the issuance of the declaration on the expropriation project. A tenant of the immovable property who is operating a business shall be entitled to compensation for the impact on their business operation and to additional assistance at fair and just compensation to the capital value actually invested for the business operation activities as of the date of the issuance of the declaration on the expropriation project.

24. Under the Article 3 that governs the provision for projects financed by development partners in Cambodia, the RGC issued in 2018 the Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement (LAR).<sup>18</sup> The **SOP for Externally Financed Projects in Cambodia and LAR (2018)**, reflects RGC's laws and regulations relating to the acquisition of land and the involuntary resettlement of AP and the safeguard policies and procedures of Development Partners (DPs) as applied to public infrastructure investment projects, such as the proposed CRCIP. Where appropriate, the SOP includes references to international good practices in resettlement planning, implementation, monitoring and reporting. The SOP has been promulgated under **Sub Decree No. 22 ANK/BK** on 22 February 2018 and applies to all externally financed projects in the Kingdom of Cambodia. The GDR of the Ministry of Economy and Finance (MEF) is responsible for providing guidance and clarification to users of the SOP. Given that the proposed CRCIP is a donor-funded project, the provisions of SOP will apply to the proposed CRCIP and therefore should be read together with this RF.

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<sup>18</sup> Accessible at [https://www.mef.gov.kh/documents/laws\\_regulation/LAR-SOP-Final-13032018.pdf](https://www.mef.gov.kh/documents/laws_regulation/LAR-SOP-Final-13032018.pdf)

#### 4.1 Gap Analysis: WB’s ESF and RGC SOP

25. The WB’s ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. The WB’s ESS5 and the RGC’s SOP both cover objectives and principles of land acquisition and involuntary resettlement, and the principles of both are largely similar. Hence, there are no significant gaps between the policies. However, there is only one main gap found on voluntary donations, and a very few minor clarifications reflected in Tables 14 and 15 respectively.

**Table 14: Summary of Main Gaps Between RGC’s SOP and WB’s ESS5**

Items with Difference	RGC SOP	WB’s ESS5	Measures to Address Differences
Voluntary Donations	<ul style="list-style-type: none"> <li>The SOP deals with land acquisition and <i>involuntary</i> resettlement and therefore does not provide guidance on voluntary donations.</li> </ul>	<ul style="list-style-type: none"> <li>WB ESS5 is also applicable to cases where affected people choose to voluntarily donate land or assets based on conditions set in footnote 10 of ESS5: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor’s remaining land area below that required to maintain the donor’s livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land.</li> </ul>	<p>This BRP provides guidance, in line with ESS5, on when voluntary donations would be appropriate and the process of carrying out the donations, including documentation which will need to be followed by MPWT.</p>

**Table 15: Summary of Clarifications Between RGC’s SOP and WB’s ESS5**

Items for Clarification	RGC SOP	WB’s ESS5	Clarifications
Livelihood restoration and assistance	<ul style="list-style-type: none"> <li>SOP details specific measures to restore livelihoods which are land-based, employment-based and business-based.</li> </ul>	<ul style="list-style-type: none"> <li>Provision of livelihood restoration and assistance to achieve WB ESS5 objectives in cases of significant loss of livelihood to assist displaced persons in their efforts to improve, or at least restore,</li> </ul>	<ul style="list-style-type: none"> <li>Based on SOP, an Income Restoration Program would be provided in order to re-establish sources of livelihoods for those APs who have permanently lost their sources of livelihood<sup>19</sup>. DRPs will include provisions to ensure livelihood restoration programs are robust and can accurately</li> </ul>

<sup>19</sup> At this stage of project design, no AH is expected to permanently lose their income as the one shop impacted has ample space to rebuild in the AH’s own land.

		their livelihoods and living standards.	meet the livelihood restoration objectives in line with WB ESS5.
Grievance Redress Mechanism	<ul style="list-style-type: none"> <li>Appendix 8 of the SOP provides the structure and details on the operating guidelines and procedures of an effective functioning Grievance Redress Mechanism. It provides a 3-step process including, the registration and recording of complaints and the judicial process if, the complaints remain unresolved at the administrative level. The detailed procedures for at each step are also provided in the SOP.</li> </ul>	<ul style="list-style-type: none"> <li>Annex 1 of ESS10 includes details of administrative and judicial process on Grievances Redress Mechanisms to handle grievances/complaints under all ESS. Participation in resettlement planning and implementation, including in developing appropriate Grievances Redress Mechanisms that are useful and accessible to local people.</li> </ul>	<ul style="list-style-type: none"> <li>The SOP states that there will be consultations with APs at various stages including during DRP preparation. Prior to the preparation of the DRP, consultation is carried out to confirm eligibility criteria and discuss entitlement matrix, as well as to introduce GRM. In addition, the copies of the Guidelines for GRM are translated in Khmer and provided and explained in detail to the APs during the public consultation process. There are clear mechanisms for grievance redress in the SOP.</li> <li>While the mechanisms are clearly set out, GDR will ensure it is accessible to all APs, in particular vulnerable APs and women.</li> </ul>
Consultations and Stakeholder Engagement	<ul style="list-style-type: none"> <li>The SOP details out number of steps to carry out consultations at various stages of the land acquisition and resettlement process and compensation.</li> <li>Para 126 mentions that the consultation is undertaken throughout the project cycle.</li> <li>SOP provides for stakeholder engagement in respect of land acquisition and involuntary resettlement.</li> <li>The SOP provides for disclosure of the RF to the stakeholders and public before the approval of the project. Similarly, the DRPs are also disclosed to stakeholders and public after approval by the development partner.</li> </ul>	<ul style="list-style-type: none"> <li>ESS1 requires that stakeholder engagement with affected and interested stakeholders will be throughout the project cycle in line with the project's Stakeholder Engagement Plan (SEP), including ongoing consultations and document disclosure.</li> </ul>	<ul style="list-style-type: none"> <li>Meaningful consultations as per WB ESS10 should be conducted, with particular attention to ensuring it is a two-way process, that allows for feedback from APs and they are informed how their feedback was incorporated.</li> </ul>

## 5 PRINCIPLES, OBJECTIVES AND COMPENSATION

26. The purpose of this BRP is to ensure that all people affected by the proposed project can maintain or improve their pre-project living standards. The BRP will apply if road rehabilitation in any of the MPWT road sections (NR7, NR73, PR377 & PR377a) negatively affect people as a result of land acquisition. The DED will be carried out with a mitigation hierarchy in mind, trying to avoid, or where avoidance is not possible minimize, land acquisition.

27. The proposed project's approach – through initial design and the finalization of DED – to manage resettlement, follows the World Bank's mitigation hierarchy by:

- a) Adjusting designs to avoid impact on land and assets;
- b) When impacts cannot be avoided, minimize them;
- c) Where land acquisition impacts remain, compensate people as per guidelines in this BRP<sup>20</sup>.

28. This BRP covers resettlement: (i) where land, or assets, are voluntarily donated; (ii) where land, or assets, are involuntarily acquired and compensated for. Voluntary contributions, with proper information and documentation as explained in this Draft BRP, can be justified because road rehabilitation will directly benefit the people who are living/operating along the roads and the benefit from an improved road may far outweigh the impact on a small asset such as a concrete driveway.

29. This BRP must be updated for all land acquisition – whether voluntarily donated or compensated – once the final DED of the proposed project roads is complete. The updating of this BRP will ensure voluntary donations are confirmed and the documentation (para. 36) is updated as needed, and/or that DMS assess the extent of land acquisition impacts needing compensation (para. 43).

### 5.1 Principles and Objectives

#### 5.1.1 Principles and Requirements on Voluntary Donation

30. Specific principles that will guide the process of voluntary donations include:

- Detailed design should select alignments that avoid or, otherwise minimize, impacts on land, structures and other fixed assets;
- Consult with AHs whether voluntary contributions, based on guidance in this BRP, is possible and acceptable, ensuring that they are fully informed that by voluntarily donating they are reneging on their right to compensation (as was done in Jan-Feb 2020 – see Annexes 2 and 3 – though this process will need to be updated once DED are finalized);
- Develop fair and transparent procedures for voluntary donation, in consultation with AH and the community;
- Ensure that those voluntarily donating are those living next to the road (and directly benefiting from road rehabilitation), that donated land is minor and will not reduce the donor's remaining area below that required to maintain the donor's livelihood at current levels and that no household relocation is involved;

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<sup>20</sup> Or properly document voluntary donations, if applicable, based on guidelines in this BRP.

- Ensure that donated assets are owned and used by the owner, and that if others are using the asset they are also fully consulted and agree to the donation<sup>21</sup>;
- Ensure that no fees are paid by the person donating, and that any fees or taxes incurred are covered by MPWT;
- In cases of community or collective land, donation can only occur with the consent of individuals using or occupying the land;
- Keep AH fully informed about the voluntary donation process and their related rights and avenues for redress, in line with consultation procedures outlined in this BRP and the proposed project's Stakeholder Engagement Plan (SEP), with particular attention to gender, and
- Ensure that the process is clearly documented by MPWT and submitted to the WB.

### 5.1.2 Principles and Requirements on Land Acquisition

31. Specific principles that will guide the process of land acquisition include:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring proposed project design alternatives.
- To avoid forced eviction<sup>22</sup>.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost<sup>23</sup> and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of proposed project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the proposed project, as the nature of the proposed project may warrant; and
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

32. In line with requirements in ESS 1 and ESS5, the proposed project will adopt a mitigation hierarchy which will:

- a) **Adjust engineering designs to anticipate and avoid land acquisition impacts:** *This step has already happened, and proposed project planners have conducted CED and set the COI for road rehabilitation trying to avoid land acquisition as much as possible. This will also be done during the finalization of DED of the road sections;*

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<sup>21</sup> For instance, if part of a business stall is leased and is being donated by the owner, the person leasing the stall should also be consulted.

<sup>22</sup> The exercise of eminent domain will not be considered to be forced eviction, provided it complies with requirements in WB ESS5 and is conducted in a manner consistent with basic principles of due process (advance notice, grievance redress mechanism, avoidance on use of force, etc.)

<sup>23</sup> As defined in this BRP.

- b) **Where avoidance is not possible, minimize or reduce land acquisition impacts:** *This step has already happened, and proposed project planners have conducted CED and set the COI for road rehabilitation trying to minimize land acquisition as much as possible. This will also be done during the finalization of DED of the road sections;*
- c) **Where land acquisition impacts remain, compensate affected people in line with the DRP before civil works take place, with appropriate disclosure of information and available grievance mechanism as described in this document<sup>24</sup>:** *This has not happened and this BRP provides guidance for this process.*

## 5.2 Eligibility Criteria and Cut-Off Date

33. This BRP applies to permanent or temporary physical and economic displacement directly caused by the proposed project as described in the SOP, and compliant with WB's ESS5. All AHs who have assets in the COI before the cut-off date (COD) will be eligible for compensation, regardless of their legal status<sup>25</sup>. Eligibility will be determined with regards to the COD, which will be the last day of the first round of consultations with affected people, when the road section and COI has been identified, and through announcement in the consultations and posting on commune/Sangkat/public boards and/or pagodas. This first round of consultation with affected people has already taken place, where the subproject roads was discussed and the COD announced and explained to AHs and local authorities (Annex1 for the proposed Project Information Booklet and Annex 2 for Minutes), and therefore the COD is January 17, 2020. Those who encroach into/or occupy the proposed project area after the COD of January 17, 2020 will not be eligible for any compensation or any other assistance.

34. This BRP does not apply to impacts on incomes or livelihoods that are not a direct result of land acquisition or land use restrictions imposed by the subproject roads. These impacts would be addressed under ESS1 of the ESF (on Assessment and Management of Environmental and Social Risks and Impacts) and the NR7, NR73 and/or PR377 & PR377a Environment and Social Management Plans (ESMPs).

## 5.3 Resettlement Process

### 5.3.1 Voluntary Donations

35. During consultations on January 16-17, 2020, affected people were informed about the proposed project, the estimated impacts, and people's right to compensation. During the consultation, affected people expressed their support for road rehabilitation as it has the potential to greatly improve their lives by cutting down dust, travel times to schools/markets/towns, as well as increasing tourism in the area. In PR377 particularly, the poor road condition means that tourism is greatly impacted as the current poor road condition hampers tourism. An improved road has the potential to greatly increase the income of people living along PR377. Given that land acquisition is expected to be very small, with mostly impacts to protruding corrugated iron roofs and/or concrete driveways that extend beyond the road shoulders, the affected people explained that they were not very concerned about impacts but about having road

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<sup>24</sup> Or where voluntary donations apply and are agreed to, ensure adequate consultations take place and that the process is properly conducted and recorded as guided by this BRP

<sup>25</sup> With formal legal rights to land or assets; without formal legal rights but with recognized or recognizable claim under national law; with no recognizable legal right or claim to land or assets they occupy and use.

rehabilitation happen as soon as possible. When asked whether they would consider voluntarily donating assets and renege on compensation, in order to gain early the expected economic benefits by speeding up the civil works process, people were very supportive.

36. Follow up consultations and a Census and initial measurement of impacted households and assets, was conducted on February 1-10, 2020. During this time, affected people reiterated their willingness to contribute their affected assets to road rehabilitation without seeking compensation and going through the formal land acquisition process. All assets were recorded and affected people thumb-printed their intent to donate their impacted assets. This documentation is recorded in Annex 3<sup>26</sup>.

37. The main reasons people were agreeable to voluntarily donating their assets were:

- The road is being designed avoiding and/or minimizing impacts by rehabilitating along existing alignment;
- Road rehabilitation, even with acquisition of small assets, will not affect many people or their income;
- Most of the affected assets are either temporary assets (i.e. not permanent structures) or secondary structures (such as driveways);
- AHs won't lose their business as a result of the proposed project;
- AHs need a good road instead of small compensation received from affected assets;
- AHs said a good road will increase the number of tourists, save time for transportation, and help them to grow their business after road construction is finished;
- AHs don't want to waste time processing document for compensation and delaying the construction period.

38. However, regardless of people's willingness to donate impacted assets, MPWT will need to ensure that voluntary donations follow the criteria defined in this BRP, consistent with WB ESS5:

- Donated assets must belong to people with structures/trees close to the road who are expected to directly benefit from the proposed project;
- The potential donor or donors have been appropriately informed<sup>27</sup> and consulted about the proposed project and choices available to them (in this case, seeking compensation);
- Potential donors are aware that refusal is an option, and have confirmed in writing (see Annex 3 for a Voluntary Donation Form) their willingness to proceed with the donation;
- The portion of asset donated is minor and will not reduce the asset of the donor below what is required to maintain the donor's livelihood at existing level;
- That no household relocation is involved;
- That donated assets are owned and used by the owner, and that if others are using the asset they are also fully consulted and agree to the donation<sup>28</sup>;
- That no fees are paid by the person donating, and that any fees or taxes incurred are covered by MPWT;

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<sup>26</sup> This Annex includes a detailed list of the 146 AHs who expressed their desire to donate assets and an estimated measurement of those assets. Only a single AH was not eligible to donate assets given that the entirety of his shop is expected to be impacted (see Section 3.5.2).

<sup>27</sup> Appropriately informed means that the owner has all available information regarding the proposed activity and its impacts, its land requirements, and its alternate activity sites, as well as his or her rights to compensation.

<sup>28</sup> For instance, if part of a business stall is leased and is being donated by the owner, the person leasing the stall should also be consulted.

- For community or collective land or assets, donation can only occur with the consent of individuals using or occupying the land or asset.

39. MPWT has kept in mind the above criteria when conducting the consultations and census process to ensure that all households willing to donate assets comply with the criteria of WB ESS5. The only case where the criteria does not apply, is in the case of one vacant shop in PR377 which has to be fully demolished, and rebuilt in adjacent land, due to its proximity to the road shoulder and the need to minimally widen the road on the east section due to erosion of the riverbank on the west side. In this case, given that relocation is involved, regardless that the shop is currently vacant, voluntary donation will not be accepted.

40. MPWT is responsible for carefully documenting the voluntarily donation process and compiling a report (see Annex 3), that needs to be submitted to the World Bank that documents:

- a) Proposed project name and location;
- b) Description of the road section, the Corridor of Impact (COI) and the extent of impacts on assets (done following careful measurement and recording of assets by MPWT in the Voluntary Donation Form, see Annex 3);
- c) Description of consultation activities that took place to inform people of the proposed project and their rights to compensation and donation;
- d) List of voluntarily asset contribution;
- e) Minutes of meetings disclosing the proposed project, informing about rights and options in the proposed project, and notes on house-to-house consultation activities on voluntary donations.

41. The GDR will not be involved in the voluntary land donation process. Voluntary land donation will be the sole responsibility of MPWT and will need to be cleared by the World Bank.

### 5.3.2 Land Acquisition

42. At this stage of proposed project design, there is 1 AH, with a vacant shop along PR377, which needs to be fully relocated and will need to be compensated, as the criteria for voluntary donations does not apply (there is relocation). The wooden shop is at PK 7+400 and measures approximately 24m<sup>2</sup>.

43. After the DED of PR377 is complete, for the case of the wooden shop above, and for any other cases that may arise – including if those stating that they would voluntarily donate change their mind – MPWT will inform GDR, as the agency in directly responsible for implementing land acquisition. GDR, working with MPWT, will need to conduct a DMS and Replacement Cost Survey, as described below, as well as prepare Detailed Resettlement Plans based on this BRP.

## 5.4 Detailed Measurement Survey

### 5.4.1 Voluntary Donations

44. When final DED is complete, MPWT will be responsible for updating the documentation for voluntary donation (Annex 3), including a detailed measurement of assets being donated, conducted and recorded by MPWT, ensuring that it fully complies with the WB ESS5 criteria.

## 5.4.2 Land Acquisition

45. For those cases where voluntary donations do not fit the criteria, are not desirable or are not accepted by AHs, a DMS, compiling household (socioeconomic) and inventory of loss information, needs to be conducted by GDR, with support from MPWT, as soon as the final DED are ready. At this stage it is expected that the DMS will focus on one wooden shop in PR 377, but it is possible that minor design changes could result in further, unexpected, impacts, and/or that those that had expressed their desire to voluntarily donate change their minds. The DMS will thus focus on any AH who requires compensation.

46. The DMS will involve the detailed measurement of the land, structures and other productive assets of each affected person who will receive compensation, and DMS will be the basis to determine the compensation package. The measurement will be carried out with the full involvement of the displaced person to avoid any disputes on incorrect measurements or calculations and under payment of compensation. The DMS Team will install pegs or markers for the demarcation of the affected land in the presence of the displaced person and carry out the calculation of the area of the land that will be lost. The land is also classified based on actual land use.

## 5.5 Replacement Cost Study and Asset Valuation

47. Replacement Cost Study (RCS) does not apply to voluntary donations.

48. For land acquisition, all compensation will be based on the principle of full replacement cost as required by the WB's ESS5 and RGC's SOP. The rate of compensation for land, housing and other assets will be based on full replacement costs. The calculation of full replacement costs will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued; (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent are still in a formative stage, consultations with the AHs and the host populations will be conducted to obtain adequate information about the recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project/subproject area or region and other related information. Baseline data on housing, house types, and construction materials will also be collected.

49. To conduct a replacement cost study (RCS), the GDR will recruit one professional independent appraiser/firm (RCS Consultant) qualified and experienced in valuation of acquired assets in all the subproject areas during the DMS in order to determine compensation rates reflecting current market prices for (i) agricultural, residential and commercial land; (ii) different types of affected structures; (iii) crops and trees, and (iv) other, such as business losses, transportation costs and allowances.

50. The RCS in the subproject areas will be valid for one year after the date of the endorsement of the RCS report by the IRC. If the offer of the compensation and/or assistance is not made to the AH within this period, the replacement cost will be updated to reflect the then prevailing market valuation by the RCS Consultant. The RCS results will be the basis for estimating the budget for financing the resettlement costs.

51. **For replacement costs of land**, the RCS Consultant will directly interview households that have recently bought or sold land to collect the evidence of the rate of land transaction; and, interview households who are looking for properties to sell or buy within and around the subproject area. The RCS

Consultant will also find out from local residents, subject to confirmation/validation through official records of local authorities, the price of various types of land that have been the subject of transactions in the past six (6) months to one (1) year in the community or nearby areas and the prices of various types of land local residents are willing to buy or sell as well as collects data from government offices on recent land transactions and land market assessment.

52. **For structures**, the RCS Consultant will interview owners of structures to determine the construction materials usually used in the locality for each type of building following existing government categories or standards; sources of construction materials used and the unit costs of said materials, including the costs of transporting the same to the locality; and the cost of labor for constructing each type of building found in the locality. In the survey, interviews will also be conducted with building contractors to determine the cost of construction materials for each type of structures in the subproject area following existing government categories; the cost of transporting construction materials to the subproject area (community); the cost of labor for constructing each type of building; and the unit cost per meter square of each type of building in the subproject area following existing government categories. The replacement cost will be based on the latest item rates for construction within the subproject area.

53. **For the crops and trees**, interviews will be conducted with owners, market vendors and seedling suppliers to determine the current selling farm gate price of fruits or crops in the area and compensated accordingly to the formula as shown in the Entitlement Matrix. RCS will collect data from statistics offices on average yields per type of crop and/or tree identified during the DMS. For allowances, it will be based on interviews with AHs and local authorities, or other as deemed relevant by the RCS consultant.

54. A binding legal instrument will be used to record all loss of assets which will be signed by the AH and IRC-WG, witnessed by local authority. The compensation eligible to each affected entity will be determined based on an Entitlement Matrix and the detailed methodology to calculate compensation will be articulated in the DRP. The methods of valuing the affected assets and the calculation of the compensation for each eligible AH will be all full replacement cost in line with ESS5 of the WB’s ESF.

55. The preparation of DRPs will follow the procedures above as described in the SOP and be consistent and in compliance with the WB’s ESS5, including the concept of full replacement cost (see Definitions). A detailed sample outline for a DRP, consistent with RGC’s SOP and the WB’s ESS5, is included in Annex 4. Key tasks for DRP preparation are summarized in Table 16. Clearance of DRPs by the WB will be necessary.

**Table 16: Key Tasks by GDR on Detailed Resettlement Plan Preparation as per the SOP and Compliance with WB ESS5**

Task	Requirement
Institutional Arrangements	<ul style="list-style-type: none"> <li>• Establishment of the IRC and IRC-WG.</li> <li>• Establishment of the PRSC and Provincial Resettlement Sub-Committee Working Group (PRSC-WG).</li> </ul>
Detailed Measurement Survey (DMS)	<ul style="list-style-type: none"> <li>• Demarcation of Land and DMS (100% household survey, 100% IOL and Full Census through DMS Questionnaire).</li> </ul>
Gender	<ul style="list-style-type: none"> <li>• Gather gender information.</li> <li>• Prepare plan for provision of social support, services, employment, and means of subsistence for income support for women headed households.</li> </ul>

Poor and Vulnerable Groups	<ul style="list-style-type: none"> <li>• Update the database based on DMS.</li> <li>• Determine the different categories and eligibility to receive additional assistance package.</li> <li>• Finalize the additional assistance package.</li> </ul>
Replacement Cost Study (RCS)	<ul style="list-style-type: none"> <li>• Hire external expert to carry out RCS to determine the prevailing market rates for replacing loss assets. The methods of valuing the affected assets and the calculation of the compensation for each eligible AP will be all full replacement cost in line with ESS5 of the WB's ESF.</li> </ul>
Compensation Package	<ul style="list-style-type: none"> <li>• Update the RF Entitlement Matrix to show the full and complete compensation package that will be made available to the AHs.</li> </ul>
Livelihood Support Plan ( <i>if applicable</i> )	<ul style="list-style-type: none"> <li>• Prepare Plan for Livelihood Support Program for permanent loss of sources of livelihood in consultation with AHs.</li> </ul>
Grievance Redress Mechanism (GRM)	<ul style="list-style-type: none"> <li>• Operationalize the GRM at Provincial level.</li> <li>• Outline the procedures for handling complaints in line with SOP, provide details during the consultation process and ensure it is readily accessible and useful to the AHs.</li> </ul>
Consultation	<ul style="list-style-type: none"> <li>• Meaningful consultation based on WB ESS10, and definitions described in this RF, with AHs at commune level to inform about the overall entitlements and method of computation of compensation and the GRM procedures, to seek their feedback of the resettlement process.</li> <li>• Meaningful consultation with AHs eligible for relocation on the Resettlement Sites (if applicable) at commune/village level as per guidelines above.</li> <li>• House to house consultation to confirm measurement surveys during DMS.</li> <li>• Consultations on compensation rates prior to signing of contracts.</li> </ul>
Monitoring and Reporting	<ul style="list-style-type: none"> <li>• Arrangements, roles, and responsibilities for monitoring and reporting of the implementation of DRP; and the reporting requirements.</li> <li>• Scope of internal monitoring.</li> </ul>
Formulation of Budget	<ul style="list-style-type: none"> <li>• Prepare estimates on land acquisition by GDR.</li> </ul>

Source: Based on the SOP, 2018

## 5.6 Entitlements, Compensation and Other Resettlement Assistance

56. This section applies in cases of land acquisition only. All persons with assets in the COI before COD will be eligible for compensation for lost assets regardless of their legal status. Given that road rehabilitation is expected to be conducted in the road's ROW, which is expected to be fully state land, there would be no compensation for land but only compensation for assets such as structures and trees. However, if there are any instances of AHs with legal claims to land ownership in line with this BRP, compensation for land may also be necessary based on market rates.

57. Unless voluntarily donated, fruit trees, other productive trees and crops, if applicable, will be fully compensated as per principles of replacement cost (see Definitions) and guidelines in the SOP and ESS5 of the WB's ESF. As much as possible, AHs will be allowed to harvest crops before acquisition (though, at this stage of design, this is unlikely to be applicable).

58. Unless voluntarily donating – with the portion of the donated asset being minor and not reducing the asset of the donor below what is required to maintain the donor’s livelihood at existing level – businesses affected by land acquisition will be compensated for loss of income as well as transport allowances where relevant.

59. Unless voluntarily donating, cash compensation based on the principles of replacement cost will be provided to AHs losing land, structures, or parts of structures, such as kiosks, roofs, concrete pavements and fences. Transport allowances will also be provided where relevant.

60. Unless voluntarily donating – with the portion of the donated asset being minor and not reducing the asset of the donor below what is required to maintain the donor’s livelihood at existing level – AH’s losing income during the transition period will be provided with allowances. At this stage of proposed project design, this is estimated to include 1 AH.

61. If applicable, livelihood restoration programs will be provided for AHs who permanently lose their source of livelihoods. At this stage of proposed project design, no AHs are expected to permanently lose their income.

62. Unless voluntarily donating – with the portion of the donated asset being minor and not reducing the asset of the donor below what is required to maintain the donor’s livelihood at existing level – vulnerable households will receive double the amount of allowances (such as for the transition period).

63. Based on the impacts identified during the initial Census and results of public consultations with affected people and the local authorities, the corresponding entitlements to-be provided to the AHs are presented in the entitlement matrix in Table 17 below. All entitlements on compensation and assistance are based on replacement cost. The entitlements matrix will be updated and may be enhanced or improved in the DRP preparation and finalization, as necessary, during the detailed design stage of the subproject roads, but not downgraded.

**Table 17: Entitlement Matrix**

C A T	Type of Loss	Application <sup>29</sup>	Category of AH	Entitlements	Clarification
<b>Loss of Use of Land</b>					
<b>1a</b>	Loss of Crops and Fruit Trees	Agricultural land	All AHs who are engaged in farming	<ul style="list-style-type: none"> <li>• For rice/crop farming: <b>Net annual income X 1year</b></li> <li>In addition, AHs can harvest and retain income from standing crop.</li> <li>• For fruit trees, replacement cost of loss based on following formula:  <b>[Quantity Harvested per Year) X (Market Price) X (Number of years it will bear fruit)] + Cost of Seedling</b></li> </ul>	<p>RCS will determine the amounts</p> <p>Market Price is based on Farm-Gate Price</p>
				<p>Perennial trees that have a growth period of more than 5 years are classified as follows:</p> <ul style="list-style-type: none"> <li>• Sapling Trees under 1 year-not compensated as it can be replanted. Cost of seedling provided.</li> <li>• Young Tree (1 to 3 years): Valued at 1/3 of its full price as it can be replanted plus cost of seedlings</li> <li>• Young Tree (More than 3 to 5 years) bearing some fruits: valued at 2/3 of its full price plus cost of seedlings</li> <li>• Mature Tree (more than 5 years) full bearing fruits valued at full price plus cost of seedlings</li> </ul>	<p>Full Price is amount calculated from the formula shown in [ ] without cost of seedling</p>
<b>1b</b>	Loss of Business	Commercial land and businesses	All AHs who are engaged in businesses	<ul style="list-style-type: none"> <li>• For businesses which need to be relocated to a new site, an amount equal to loss of projected net income for <b>2 months</b></li> <li>• For businesses relocated on-site (move back or same area), an amount equal to loss of projected net income for <b>one month.</b></li> </ul>	<p>RCS will determine the amounts</p> <p>Both registered and unregistered businesses are compensated except when the</p>

<sup>29</sup> No loss of land is expected since all rehabilitation works will be within the ROW. However, in the event that there was loss of land, with adequate documentation of ownership or claims to ownership, this would be compensated as per guidelines in the SOP and ESS5.

C A T	Type of Loss	Application <sup>29</sup>	Category of AH	Entitlements	Clarification
				<ul style="list-style-type: none"> <li>• For operating of illegal nature of businesses like gambling, prostitution, drugs and similar types, no compensation is paid.</li> </ul>	nature of business is illegal
<b>Loss of Houses and Structures</b>					

C A T	Type of Loss	Application <sup>29</sup>	Category of AH	Entitlements	Clarification
2a	Loss of Houses and Structures	Residential, commercial structures and other assets	Owners of houses, buildings and structures	<ul style="list-style-type: none"> <li>• Cash compensation equivalent to replacement value of lost portion of the house/building/structure. If the owner rents or leases, compensation for any improvements/construction carried out by the renter/leaseholder will be deducted from the compensation payment to the owners.</li> <li>• In case of loss of only part of the houses/buildings/structure and the remaining portion is not liveable or useable, compensation will be paid for complete structure at same replacement cost.</li> <li>• In case houses/buildings are rented/leased, any improvements/construction added by renters and leaseholders will be compensated at replacement cost and paid to renter/leaseholder. Owners will not get compensation for such improvements/construction.</li> </ul>	<p>RCS will determine the replacement cost</p> <p>When loss is 75 % or more of the floor space</p>

C A T	Type of Loss	Application <sup>29</sup>	Category of AH	Entitlements	Clarification
2b	Loss of Houses and Structures	Residential, commercial structures and other assets	Tenants and Leaseholders	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost for any improvements or construction by the tenants or leaseholders</li> <li>• In case of no improvements or construction, no compensation is paid.</li> <li>• Transfer/Disturbance Allowance equivalent to <b>1 month</b> of rental or lease amount</li> </ul>	RCS will determine replacement cost  Documentary evidence is required
2c	Loss of Houses and Structures	Residential, commercial structures and other assets	Illegal occupiers/squatters	<ul style="list-style-type: none"> <li>• Cash compensation equivalent to replacement value of loss of structures constructed by illegal occupier/squatters</li> </ul>	RCS will determine replacement value
2d	Loss of Houses and Structures (Transport Allowance)	Transport allowance for household and personal goods	AHs	<ul style="list-style-type: none"> <li>• Fixed Lump Sum allowance per AH based on average cost of transportation to new relocation place.</li> <li>• Up to 5 km</li> <li>• More than 5 km</li> </ul>	RCS will determine the lump sum amount for the 2 rates
<b>Loss of Income and Livelihood</b>					
3a	Loss of Income during Transition Period- <b>Subsistence Allowance</b>	Loss of Income	AHs who lose income during the transition period.	<ul style="list-style-type: none"> <li>• Lump sum amount equivalent to <b>3 months</b> of income based on the official monthly poverty rate established by RGC.</li> <li>• <b>Monthly Poverty Rate X Number of Members in AH X 3</b></li> <li>• In case AH is classified as poor vulnerable group, the <b>above lump sum amount is doubled.</b></li> </ul>	Monthly Poverty Rate as established by the RGC

C A T	Type of Loss	Application <sup>29</sup>	Category of AH	Entitlements	Clarification
3b	Permanent Loss of Livelihood Source due to Physical Relocation	Income Restoration	AHs who lose their source of livelihood permanently	<ul style="list-style-type: none"> <li>• Entitled to participate in any one of the <b>3 Livelihood Restoration/Support Programs:</b></li> <li>• <b>Land Based Livelihood Restoration</b> for AHs engaged in land-based livelihood. (i) facilitate access to other land-based sources of income, if productive land is available, like vegetable gardening, fruit tree, livestock and other similar land-based income generating sources; (ii) provision of training in farming or livestock; and (iii) lump sum cash grant of <b>USD 200</b> to re-start land based livelihood</li> <li>• In case of unavailability of suitable land, the AHs can opt for either <b>employment or business</b> base livelihood program.</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• <b>Employment Based Livelihood Restoration</b> for AHs who lose employment permanently. (i) provision of employment skills training; and (ii) lump sum cash grant equivalent to <b>3 months</b> of income based on official poverty rate to supplement income support during the training period.</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• <b>Business Based Livelihood Restoration</b> for AHs who lose businesses permanently or AHs who opt for this as an alternative livelihood source. (i) provision of business skills; and (iii) a lump sum cash grant of <b>USD 200</b> to assist in starting micro or home-based business.</li> </ul>	<p>Land Based for AH who lose land-based livelihood</p> <p>Employment based for AH who lose employment-based livelihood</p> <p>Business based livelihood program for AH who lose business-based livelihood.</p> <p>Can be provided for the AHs who may opt for this. AHs will only be eligible for <b>any one of the above three options</b></p>

C A T	Type of Loss	Application <sup>29</sup>	Category of AH	Entitlements	Clarification
				<ul style="list-style-type: none"> <li>For <b>Poor and Vulnerable</b> AHs. In addition to skills training, (i) lump sum cash grant will be <b>doubled</b>; and (ii) priority in any employment opportunity under the Project</li> </ul>	Classification will be carried out during the DMS and in accordance with the established criteria prescribed in Section IV.D SOP

## 5.7 Vulnerable Groups

64. In cases where there is land acquisition and vulnerable groups are identified, it will be important for DRPs to be prepared keeping in mind the needs of vulnerable groups. Special attention should be paid to gender aspects.

65. Vulnerable persons are categorized as: (i) households living below the poverty rate as established by the RGC; (ii) elderly people headed households with no means of support; (iii) female headed households with dependents living below the poverty rate; (iv) disabled headed households, and (v) indigenous peoples. No IPs have been found in the MPWT Component 1 CRCIP road sections (additional information is provided in the ESMPs).

## 5.8 Livelihood Restoration Program

66. In the unlikely event that after final DED there are affected people who lose their source of livelihood permanently, there will be a livelihood restoration support program to assist displaced persons in re-establishing their livelihood. At this stage of the proposed project design, no AHs are expected to permanently lose their income.

67. The Livelihood Restoration Support Program would offer three categories of programs: (i) Land-Based Livelihood Restoration; (ii) Employment-Based Livelihood Restoration; and (iii) Enterprise or Business-Based Livelihood Restoration. Displaced persons will be entitled to participate in any one of the three programs. If relevant in the CRCIP, these programs should be further designed in consultation with AHs. Programs would include a mixture of skills training and financial support to assist in the re-establishment of the new livelihood.

### 5.8.1 Land-Based Livelihood Restoration

68. This would be offered to affected households who rely and permanently lose land-based source of livelihood like agriculture and livestock. AHs would be provided:

- Access to other land-based sources of income, like vegetable gardening, fruit trees, and livestock if alternative agricultural land is available. This would be accompanied by skills training in farming and livestock specifically designed for them.
- Financial support in the form of a lump sum cash grant to assist in re-establishing the livelihood.

In case no alternative agricultural land is available, these AHs would be offered the option to participate either in the employment or business-based livelihood restoration program.

### 5.8.2 Employment-Based Livelihood Restoration

69. This would be offered to AHs who rely on employment for their livelihood and have permanently lost employment directly as a result of land acquisition. They would be provided:

- a) Provision of employment skills training. A survey of the employment opportunities in the proximity of the relocation sites would be carried out as part of the preparation of the DRP which would be analysed to determine the types of jobs available and the skills set requirements. The training program would be developed to help build these skills set for the AHs. In lieu of skill training provided under the proposed project, a cash grant for AHs to pursue skills training of their choice elsewhere may be offered when there are insufficient number of AHs who lose their employment.
- b) Financial support in the form of cash grant.
- c) The proposed project could also provide temporary job opportunities at the construction site, at the office, or other places. Construction work often requires low-skills and could be available more easily. For other jobs in offices or those requiring higher level of skills, skill training would be provided to the displaced person to access these jobs.

### 5.8.3 Business-Based Livelihood Restoration

70. This would be offered to AHs who rely on business for their livelihood and have lost them permanently. They would be provided:

- a) Provision of business skills training focusing on micro or home-based businesses. In case of insufficient number of AHs, a cash grant may be offered to pursue skills training elsewhere of their choice.
- b) Financial support in the form of a lump sum cash grant to assist in starting or re-establishing micro or home-based businesses.

## 6 INSTITUTIONAL ARRANGEMENTS

71. The **Ministry of Public Works and Transport (MPWT)** is the implementing agency responsible for CRCIP Component 1 and will implement proposed project activities using their existing institutional setup and departments. As such, a separate Project Implementation Unit will not be used. The Project Director (PD) at MPWT will be responsible for overall guidance and policy advice, internal coordination, discussion and resolution of proposed project matters with counterparts in the ministry and other government agencies, donor alignment and harmonization, and public disclosure and civil society involvement. The project manager (PM) at MPWT will provide day-to-day support to the PD and will have the responsibility to ensure that the Project Operation Manual (POM) is followed, environment and social activities are implemented, all consultants follow their terms of reference and delivery schedule, proposed project activities are carried out on schedule and within budget, and financial management reports are submitted on time.

72. **MPWT Environmental and Social Officer (ESO)**. In cases where there are minor impacts on assets in the road corridor and the criteria for voluntary donation outlined in this BRP applies, the MPWT ESOs, under the direction and guidance of the PM, will be responsible for carrying out the process of voluntary donations as described in this BRP. The ESOs will be supported by ISWSC in this process (see 4.4). The ESOs will be responsible for adequately informing AHs of their rights to compensation and their option to renege their right and voluntarily donate assets. The ESOs will also be responsible for updating the documentation in this BRP (see Annex 3). The ESOs will also be responsible for keeping people informed about the voluntary donation process, schedule and grievance redress as outlined in this BRP. For road components where there are voluntary donations, only the MPWT and ESOs will be responsible; MEF staff will not be involved.

73. In the case of land acquisition, the MPWT ESO, under the direction of the Project Manager, will liaise with the GDR to ensure the timely preparation of DRPs. Specifically, the ESO will support GDR and work with GDR:

- Participate as a member of the IRC-WG and assist the Provincial Resettlement Sub-Committee Working Group (PRSC-WG) in carrying out the land acquisition tasks at the provincial level, including participating in DMS, consultations and delivery of entitlements;
- Ensure that GDR participates and carries out all safeguard reviews during proposed project review missions;
- Advise GDR in case of any resettlement bottleneck hampering or having the potential to delay the construction activities.

74. The MPWT ESO has already been tasked with working with GDR in the initial consultation for this BRP, as well as conducting the initial census and recording of voluntary donations, as well as the drafting of this BRP.

75. The **Inter-Ministerial Resettlement Committee (IRC)** has the mandate to review and evaluate the resettlement impact and land acquisition for public physical infrastructure development projects in the Kingdom of Cambodia. The IRC is a collective entity, permanently chaired and led by the Ministry of Economy and Finance (MEF), with members from different line ministries. The IRC carries out its roles through a Working Group (IRC-WG) which is established by MEF for each public investment project. The IRC is the approving authority for all RFs, BRPs, and DRPs prior to submission to the WB for its approval.

76. The **General Department of Resettlement (GDR)** is the permanent Secretariat of the IRC and is the lead agency for the preparation, implementation, and monitoring and reporting of land acquisition and resettlement activities. The GDR carries these activities through its Resettlement Departments. The Resettlement Department acts as the first point of contact and interface with MPWT for the entire resettlement cycle. The preparation of the BRP has been carried out by MPWT with the assistance of consultants, under the direction and guidance of GDR and will be reviewed and endorsed by the GDR before submission to the IRC for approval. The GDR is responsible for all other land acquisition and resettlement activities, including preparation of DRPs,<sup>30</sup> its implementation, establishment and function of Grievance Redress Mechanism and preparing DRP Compliance report upon completing compensation payment and during DRP implementation.

77. The **Inter-Ministerial Resettlement Committee Working Group (IRC-WG)** will carry out the day-to-day land acquisition activities under the proposed project, led by the Deputy Director/Chief of the Department of Resettlement of the GDR and comprise technical staff of MPWT, staff of GDR and staff of the Ministry of Land Management, Urban Planning and Construction if relevant. The IRC-WG will be responsible for all the field work under the supervision of the Director of the Resettlement Department and overall guidance and direction of the Director General of the GDR.

78. The **Provincial Resettlement Sub-Committee (PRSC)** is established by the Provincial Governor at the request of the IRC for each proposed project/subproject and comprises (i) the Provincial Governor or the Deputy Provincial Governor as the Head, (ii) Provincial Department Directors of the Line Ministries represented in the IRC, and (iii) the respective chiefs of the Districts and Communes of the locations affected by the proposed project/subproject as Members. The role of the PRSC is as follows:

- Provide the coordination and supporting role to the GDR, IRC and IRC-WG for land acquisition activities at the local level;
- Ensure all relevant provincial and local government authorities provide the necessary support for land acquisition;
- Manage the public consultation meetings at Provincial Level; and
- Responsible and accountable for the disbursements of the compensation payments at the provincial level.

79. The **Provincial Resettlement Sub-Committee Working Group (PRSC-WG)** is established by the Provincial Governor and is mainly responsible for technical functions of the PRSC and works with the IRC-WG in carrying out the land acquisition activities at the provincial level. In addition to supporting the PRSC, the PRSC-WG has the following specific functions:

- Facilitate all public consultation and information disclosure meetings and maintain records;
- Cooperate with IRC-WG in carrying out DMS and Inventory of Losses (IOL) and in the implementation of the approved DRP;
- Lead the payments of compensation; and
- Prepare monthly progress reports on all land acquisition activities at the provincial level and submit to PRSC and GDR.

80. The **Contractor** is responsible for preparing DED based on the CED that have been prepared during proposed project preparation. As part of finalization of DED, the contractor is expected to follow CED requirements following approved COI and the existing road alignment. No significant changes in design in

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<sup>30</sup> The ISWSC engaged under Component 1 will prepare RPs, as applicable, in close coordination with GDR.

terms of the COI are expected<sup>31</sup>. The mitigation hierarchy described (avoiding, minimizing, mitigating), will be followed by the Contractor in preparation of DED. The Contractor is expected to ensure no civil works takes place before entitlements have been delivered and/or voluntary donation forms signed and approved by MPWT and the World Bank. The Contractor will be responsible for working collaboratively with MPWT, GDR, the IRC-WG and PRSC-WG. Moreover, in cases of unforeseen land acquisition impacts as a result of construction (such as knocking down a tree by mistake), the Contractor will be responsible for negotiating and payment of appropriate compensation, based on this BRP and the ESMP, to Affected Households.

81. The **Implementation Support and Works Supervision Consultants (ISWSC)** will work with MPWT to monitor DED preparation to ensure compliance with BRP and CED requirements. ISWSC will need to support MPWT including in updated the full documentation of voluntary donations and working collaboratively with MPWT and GDR in terms of the land acquisition process described in this BRP.

82. The ISWSC with have an Environment and a Social specialist(s) as part of the team with responsibilities for:

- a) Supporting the ESO to fulfil their roles, including by conducting capacity building training, helping with work plans, monitoring reports, conducting site visits and recording the voluntary donation process, etc.;
- b) Leading the drafting of required DRPs in coordination with GDR;
- c) Assist the Project PM and ESO to monitor the implementation of the DRPs and ensure no AHs are worse off as a result of the proposed project;
- d) Assist MPWT in establishing and implementing the Grievance Redress Mechanism for voluntary donations as described in this BRP, as well as monitoring the GRM for land acquisition;
- e) Prepare Monitoring Reports as needed on voluntary donations, land acquisition and/or grievance redress;
- f) Participate in regular supervision missions with MPWT.

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<sup>31</sup> Some minor changes to design could be considered if there is a need to improve road safety or resilience of the road to heavy rains and floods (i.e. to include additional culverts).

## 7 GRIEVANCE REDRESS MECHANISM

83. The Grievance Redress Mechanism (GRM) is established as a locally based arrangement for receiving, recording, assessing and facilitating the resolution of complaints and grievances raised by the persons in relation to the CRCIP. Complaints regarding impacts not related to land acquisition will be dealt with by the proposed project's Grievance Mechanism detailed in the SEP and the ESMP.

### 7.1 Voluntary Donations

84. For voluntary donations, MPWT will establish a project level GRM for receiving and resolving grievances or complaints on voluntary donations, environmental and other social safeguards including any project implementation issues raised by the APs. The ESO's of MPWT will be responsible for receiving and resolving in a fair, objective, and constructive manner, all concerns or complaints raised by affected households due to voluntary land donations. Their broad responsibilities of the grievance management include:

- Developing and publicizing the grievance management procedures during the voluntary land donation consultation process;
- Receiving, reviewing, investigating and keeping track of grievances;
- Adjudicating grievances;
- Monitoring and evaluating fulfilment of agreements achieved through the grievance mechanism.

85. For the interest of all parties concerned, the grievance mechanism is designed with the objective of solving disputes at the earliest possible time. A recommended timeframe for the resolution of a complaint should be sought within two weeks. However, where a complaint cannot be readily resolved, then it must be escalated.

86. The first level of complaint resolution, following traditional methods in Cambodia, should be the Village and/or Commune level as described above who may be able to resolve issues on the spot. The Village/Commune level, should record the grievance and how it was resolved and communicate it to MPWT's Environment and Social Officers (ESO). In cases where grievance is related to a labour dispute, the grievance may be first submitted to the contractor and/or human resource staff of the contractor directly as per the ESMPs.

87. In cases where grievances cannot be resolved on the spot, the second level of complaint people will be able to file grievances directly with the ESO. People will have been informed of the ESO's contact information during consultations. The ESO will be able to record the grievance and offer a solution within 15 days, consulting with the MPWT Project Manager and Director, as needed. This may include a visit to the project site by the ESO if necessary. There are no fees or charges levied for the lodgement and processing of grievances for level one or two.

88. In cases where grievance still cannot be resolved, or not resolved to the satisfaction of the person making the complaint, the person could decide to submit a complaint to the District or Province authorities. The Complainant could also decide to submit the complaint directly to the Courts. The complainant will bear the cost for these steps, but will be reimbursed for their expenses by the MRD if their complaint is successful.

## 7.2 Land Acquisition

89. A GRM will be set up to deal with complaints relating to unjust compensation, inadequacy of entitlements, inaccuracies in detailed measurements or errors in computation of the compensation payments, among others. The GDR through IRC will facilitate the establishment of a Provincial Grievance Redress Committee (PGRC). The PGRC will be established by the Provincial Governor in consultation with the IRC. In the meantime, AHs have been informed of contact information of MPWT ESOs and contact information of GDR should they have any questions during this preparatory stage.

90. The PGRC comprises of representatives from the relevant provincial authorities and MEF as follows:

- Chair: Provincial Governor, or person appointed by the Provincial Governor
- Vice Chair: Director of Provincial Department of Land Management, Urban Planning and Construction
- Member: Director of Provincial Department of MEF (PDEF)
- Member: Chief of Provincial Office of Law and Public Security
- Member: District Governor
- Member: One Representative of Local Based CSO

91. During consultations relating to land acquisition, AH will be encouraged to resolve grievances on the ground as a first step in order to expedite the process. An AH could seek the assistance of the village or commune chief or a community elder to discuss and find an amicable solution to the grievance with the leader of the PRSC-WG. This would be done verbally and a formal written complaint by the AH is not required (although the complaint and how it was resolved will be recorded as part of the grievance records and the project's monitoring process). The PRSC-WG would consult with the IRC-WG to ensure the grievance is properly addressed. However, if the grievance is not resolved to the satisfaction of the AH or in case the AH prefers, he/she may seek the formal route for lodging the grievance as explained below.

92. **First Step.** The aggrieved AH can lodge a written complaint to the Head of the District Office where the subproject is located. The AH can bring a community elder or representative to mediate in the matter at the District level. The IRC-WG will appraise the Head of the District Office about the matter. The conciliation meeting must be held and a decision taken within 15 working days after the date of registration of the complaint by the District Office. If the complaint is resolved at the District Level to the satisfaction of the AH, the IRC-WG will inform GDR's Department of Internal Monitoring and Data Management (DIMDM), which will review and seek the approval of the Director General, GDR for appropriate remedial action. The AH will be informed in writing by the GDR of the decision and the remedial action that will be taken within 15 working days from the receipt of the letter from the District Office. If the complaint is rejected at this stage, the District Office will inform the AH in writing and if the AH is not satisfied with the result, s/he can proceed to the next step and lodge a written complaint to the GDR for resolution.

93. **Second Step.** The GDR through its DIMDM will carry out a holistic review of the complaint and submit a report on its findings with the relevant recommendations, if any, to the Director General, GDR for a decision. It may also conduct a field visit to meet the aggrieved AH and the IRC-WG to gather the relevant details. The final report must be completed within 30 working days from the date of receipt of the complaint and submitted to the Director General, GDR for a final decision within 5 working days of receipt of the final report. In the event that the subject matter requires a policy level intervention, it will be

referred to the IRC for a decision in which case 10 more working days will be added to the deadline for final decision.

94. **Third Step.** The AH will submit a written complaint with the PGRC through the Provincial Governor's Office. The AH or a representative will be given an opportunity to present its case during the meeting and the PGRC may consider any compelling and special circumstances of the AH when reaching a decision. The GDR will send a representative, as a non-voting member, to provide explanation for the rejection of the complaint at the second step by the GDR. The decision of the PGRC must be reached on a consensus basis and will be final and binding except when the matter relates to any policy of the Government. Decisions on Government policy matters on land acquisition and resettlement are decided by the IRC. The PGRC will have 40 working days from the date of receipt of the complaint to reach a final decision. The decision of the PGRC will be sent to the IRC through the GDR for endorsement before taking any remedial action.

95. The handling of the complaint ends at the Third Step. There are no fees or charges levied on the AH for the lodgement and processing of the complaints under the First, Second and Third Steps. However, as provided for in the Expropriation Law, the aggrieved AH can file a suit at the Provincial/Municipal Courts, as applicable, to seek a resolution. Such actions will be at the cost of the AH. At this stage, there is no involvement of the GDR, PRSC or IRC-WG unless there is a judicial order from the competent courts.

## 8 RESETTLEMENT BUDGET, FINANCING AND IMPLEMENTATION ARRANGEMENTS

### 8.1 Budget and Financing

96. The budget for land acquisition and resettlement is prepared after the DMS and RCS are completed and is included in the DRP. The DRP budget is financed by the counterpart funds allocated from the national budget by the RGC. There is no financing for land acquisition from the WB's CRCIP.

97. The GDR will be responsible and accountable for all financial management functions relating to the use of the budgeted funds. The Government will set up a designated account, called the Counterpart Funds Account for the Project in the National Bank of Cambodia which is used for expenditures for the implementation of the DRP. The funds for land acquisition are provided to the GDR from the Counterpart Funds Account. The budget is prepared by the GDR and submitted to MEF approval once the Project is approved by the WB. The GDR will submit a request for the release of the allocated budget to the General Department of International Cooperation and Debt Management (GDICDM) which will process the request and submit to the General Department of National Treasury. The funds are released and deposited into a project designated account established by the GDR for the Project in the National Bank of Cambodia. The funds are released from the Project designated account, as and when necessary, and provided to the PRSC which is responsible for making payments to the AHs.

98. While a detailed budget cannot be provided at this stage, an estimated budget is provided based on the census of impacts carried out from February 1-10, 2020. While, at this stage, all AHs (except for one with the entire shop being affected, who does not apply) expressed their desire to voluntarily contribute affected assets, this indicative budget is included for planning purposes. Detailed measurement of impacted assets was not carried out during the initial census but impacted assets were noted, measurements were estimated, and the costs to compensate were calculated based on using existing rates in other donor-funded projects in the subproject roads areas in Cambodia. Therefore, the budget is indicative only and would need to be updated during preparation of DRPs (with DMS and RCS completed), after DED is completed.

**Table 18: Indicative Costs for Compensation, Assistance and Resettlement**

No	Estimate of Items	Unit	Unit price*	Estimated Quantity	Estimated Amount
			(\$)		(\$)
I	<b>Compensation</b>				
1	Corrugated iron roof	m <sup>2</sup>	12.00	657.15	7,885.80
2	Concrete driveway	m <sup>2</sup>	5.00	866.2	4,331.00
3	Metal shed	m <sup>2</sup>	15.00	26.75	401.25
4	Roofed iron house	m <sup>2</sup>	70.00	10	700.00
5	Wooden shed	m <sup>2</sup>	20.00	9.5	190.00
6	Spirit House	Unit	60.00	2	120.00
7	Wooden floor	m <sup>2</sup>	4.00	8	32.00
8	Higher quality cement slab	m <sup>2</sup>	12.00	7	84.00
9	Metal door	m <sup>2</sup>	60.00	19.8	1,188.00
10	Small shop	m <sup>2</sup>	6.00	25	150.00
11	Tent	m <sup>2</sup>	8.00	4	32.00

12	Stairs (made of rocks)	Unit	150.00	1	150.00
13	Banner	m <sup>2</sup>	15.00	6.5	97.50
14	Cement Post	m <sup>2</sup>	50.00	2.66	133.00
15	Fruit tree or other productive tree	Tree	50.00	28	1,400.00
16	Entire wooden shop	m <sup>2</sup>	150.00	24	3,600
	<b>Total Compensation</b>				<b>20,494.55</b>
II.	<b>Cash Assistance</b>				
1	Vulnerability assistance	household	400.00	N/A	N/A
2	Business relocation -shift back	household	450.00	1	450.00
3	Loss of income during transition	household	400.00	1	400.00
4	Transportation assistance	household	7.00	N/A	N/A
	<b>Total Cash Assistance</b>				850.00
III	<b>Total = (I) + (II)</b>				<b>21,344.55</b>
IV	<b>RCS Consultant (10% of III)</b>	\$			<b>2,134.46</b>
V	<b>Administration cost (20% of III)</b>	\$			<b>4,268.91</b>
VI	<b>Contingency cost (20% x of III)</b>	\$			<b>4,268.91</b>
VII	<b>GRAND TOTAL=(III)+(IV)+(V)+(VI)</b>	\$			<b>32,016.83</b>

\* Estimated based on other projects in Cambodia in 2019. This will be updated in the RCS.

## 8.2 Implementation Schedule

99. The proposed Project is expected to be implemented over a period of 5 years, from 2020 to 2025.

100. In cases of **voluntary donations**, the implementation process will consist of continuous consultation to ensure people are adequately informed of their choices, updating of the donation of assets is well documented (i.e. updating of Annex 3), people are informed of the process of donating assets, the commencement of civil works, etc. as described in this BRP. The process for updating the documentation of the voluntary donations should be completed and cleared by the World Bank before the civil works contractor commences works on that road section. During civil works, the contractor will work with the ESO to remove donated assets and restore a good condition to the donating person (for instance, if part of a concrete driveway is donated, the contractor will assist to ensure the rest of the driveway is in good condition – this will be part of the contractor’s own budget as per the ESMP and will be specified in bidding documents). MPWT, with support of the ISWSC, will closely monitor the process and ensure full compliance as per the BRP.

101. For **land acquisition**, the procurement of civil works will commence after the DEDs have been completed and the demarcation of land is completed jointly by MPWT and GDR. It is expected that the full DMS will be completed within 2 months after the COI and DEDs for a subproject road is submitted to GDR. The preparation of the DRP and its approval by the IRC and the WB is expected within 3 months thereafter if the number of AHs is minimal (less than 100), or 4-5 months if the number of AHs is higher (more than 100). After the approval of the budget and release of funds, the payment of the compensation will take about 2 to 3 months depending on the number of AHs.

102. Civil works can commence only in sections where the payment of compensation at full replacement cost and other entitlements listed in the DRP have been delivered to AHs, and a comprehensive income restoration program supported by an adequate budget is in place, if applicable. In case any AH refuses the

compensation payment or where complaints have been lodged for resolution under the GRM, these cannot prevent the commencement of civil works and funds should be put in a separate account on hold for the AH. In the event any assets are damaged during construction by the civil works contractor, the contractor will be required to restore them back to the original or better standard as per the ESMPs.

**Table 19: Indicative Schedule of Resettlement Activities**

<b>Activities</b>	<b>Schedule</b>
Demarcation of the alignment (COI) and CED	December 2019
Preparation of Basic Resettlement Plan (BRP), including initial consultation and initial census	December-February 2020
Submission of BRP to WB for review and concurrence	March 2020
Disclosure of final BRP on MPWT and WB website	March 2020
WB Loan approval	July 2020
<b>In cases of Voluntary Donations</b>	
Start bidding for civil works (OPBRC)	July 2020
OPBRC Contract Award	November-December 2020
Contractor mobilization and DED preparation	January-March 2021
Updating of the voluntary donation process per road section, including ensuring MPWT has set up Grievance Redress system	March 2021
Submission of documents on voluntary donation to WB for review and concurrence	March 2021
Start of civil works on portions where there are no impacts or where there are recorded voluntary donations	March 2021
Internal monitoring	March 2021 onwards
<b>In cases of Land Acquisition</b>	
Submission of DED to GDR	March 2021
Detailed measurement survey for land acquisition for needed cases	April -May 2021
Preparation of the DRP by the GDR for land acquisition	June – July 2021
Approval of the DRP and submission to WB for review and concurrence	August 2021
Disclosure of the agreed DRP	August 2021
Approval of budget by MEF	September 2021
Disbursement of compensation and entitlements	October -November 2021
Submission of hand over letter to MPWT by GDR-IRC with a copy to WB for “no-objection” to civil works in cases of land acquisition	December 2021
Start of civil works (for sections where there was land acquisition)	January 2021
Internal monitoring (submission of monthly reports)	Starting April 2021

## 9 INFORMATION DISCLOSURE, CONSULTATIONS AND PARTICIPATION

103. Keeping affected people and the general public informed about the Project, benefits and potential impacts is very important. The disclosure of relevant project information helps the displaced persons and other stakeholders to understand the risks, impacts and opportunities of the development project. Meanwhile meaningful dialogue in consultations can avoid the potential for conflicts, address the concerns of persons to the extent possible, avoid bottlenecks to minimize project delays and contribute towards mitigating adverse impacts. The consultation and disclosure activities should be aligned with the SEP.

### 9.1 Disclosure of Information

104. Information in this BRP has been consulted on and disclosed at local-level meetings in the form of Project Information Booklets (PIBs) with authorities and affected people on January 16-17, 2020 (see Annex 1 for PIB and Annex 2 for Minutes), and the full BRP will be disclosed in the MPWT and WB website. The PIB has been prepared in English and Khmer language and handed out to AHs and local authorities during consultations in January. Additional copies have been left at the commune office and a translated copy of this BRP or its Executive Summary will be made available in the commune office.

105. The information in the first PIB was disclosed in January 2020 included:

- The purpose, nature, components, location and scale of the proposed project;
- The duration of proposed project activities and the implementing agencies of the proposed project components;
- The corridor impacts, right of way, eligibility, entitlements and compensation policy and the timing of the establishment of the grievance redress mechanism;
- Potential risks and impacts of the proposed project on local communities, affected assets and proposals for mitigating these;
- Names and contact details of key persons at MPWT and GDR.

106. In cases of **voluntary donations**, in addition to the PIB explained above and the additional census and consultations carried out from February 1-10, 2020, once DED is completed, additional consultations will be carried out to update the voluntary donation process (i.e. check that affected people are still willing – and fit the criteria – to donate). Affected people will also be once again informed of the approved Project, the implementation schedule and their option to seek compensation. The grievance mechanisms will be explained and MPWT ESO information will be shared. As described, when the affected people chose to voluntarily donate, the process will be adequately recorded and documented in English and Khmer, updating the information already gathered (see Annex 3) and documentation will be submitted to the WB and publicly disclosed at the local level (such as commune offices), with sensitive personal details of affected people removed to protect their privacy.

107. In cases of **land acquisition**, the disclosure of relevant information will continue to be made in a timely manner in places accessible to AHs and the communities and in Khmer, or other appropriate, language. The information disclosed to the displaced persons and local communities would comprise the main elements of the DRPs, including:

- Information about the approved Project;
- Scope of land acquisition and likely impacts;

- General information on compensation policy and eligibility criteria;
- DMS Questionnaire;
- Methodology for calculation of compensation rates;
- Grievance Redress Mechanism;
- Contact person in the IRC-WG and MPWT as appropriate.

108. Information disclosed to AHs relevant to land acquisition will be done in a series of PIBs designed to address the main issues at a point in time: for instance, a PIB detailing the DMS process ahead of DMS, and a PIB detailing the delivery of entitlements ahead of when entitlements are delivered. Drafts and Final DRPs, without including sensitive personal information, will also be disclosed at the local level (such as commune offices) and national level (MPWT website) as well as the WB website.

## 9.2 Consultations and Participation

109. As per the SEP, meaningful consultations should ensure that women's perspectives, as well as those of vulnerable groups, are obtained and their interests factored into all aspects of resettlement planning and implementation. A translated copy of the Executive Summary of the SEP will also be made available at the commune office and full copies are disclosed in the MPWT and WB websites.

### 9.2.1 Consultations during Project Planning

110. Meaningful public consultations to inform AHs of the project, the extent of impacts (and efforts to minimize these), the land acquisition process, entitlements, compensation, options for voluntary donations, grievance redress and implementation schedule, among others, took place from January 16-17, 2020. Five consultations were held in total:

- Kon Tuot commune hall for NR7, with 31 people attending (17 women)
- Dambae District hall for NR73, with 45 people attending (6 women);
- Beng Thmey Market for NR73, with 23 people attending (7 women);
- Sandan market for PR377 & PR377a with 35 people attending (13 women);
- Kbal Chour Loe pagoda for PR377 with 48 people attending (16 women);

111. These consultations were led jointly by MPWT and GDR. The PIB was distributed and explained to all AHs and local authorities. The AHs and local authorities were given the opportunity to ask questions or to clarify doubts on project information which had been recorded in the minutes of the consultations, including photographs and participant's list, and are included in Annex 2. At the end of each meeting the AHs and local expressed their support and desire for an improved road. They also expressed their willingness to donate their affected assets in order to speed up the process of road rehabilitation because they considered the impacts to be small and not having a significant impact on their lives or businesses. This was reiterated during the census process from February 1-10, 2020 (see Annex 3).

112. Meaningful consultations with AHs will continue through the process leading final DED to keep them abreast of the proposed project timeline and any changes in the road design that may lead to any additional impacts.

## 9.2.2 Consultations during Project Implementation

### 9.2.2.1 Voluntary Donations

113. Once the final DED are completed, all AHs will be informed again of the approved project, the impacts, implementation schedule and their right to compensation or the option for voluntary donation of assets, as well as grievance redress. If people are voluntarily donating assets, this will be recorded and disclosed as described in para.99. Key stakeholders include AHs and local authorities.

### 9.2.2.2 Land Acquisition

114. In cases of land acquisition, key stakeholders in the consultation process will include:

- AHs with special attention to women and other poor and vulnerable people;
- MPWT and its Provincial Department;
- IRC and GDR, including IRC-WG and PRSC-WG;
- Provincial and Local authorities (District/Khan, Commune/Sangkat Councils and Village Offices), including representatives of women's groups; and
- Civil Society Organizations, if relevant.

115. Meaningful public consultations on land acquisition will be a continuous process and will consist of several rounds taking place in various project locations, as described in the SOP. Consultations have already started (para.107). A second round of consultations on land acquisition will focus on project impacts and will be undertaken jointly by IRC-WG and PRSC-WG during the detailed design stage. The PIB will have been updated by GDR with information on entitlements, DMS and IOL process and the consultation will take place with AHs only, and relevant authorities, before the start of the DMS. The purpose is for the AHs to confirm the loss of assets and the measurements and fully understand the basis on which the compensation will be paid for the loss assets and other entitlements. During the house-to-house DMS, GRM process and procedures will also be shared and explained to the AH.

116. A third public consultative meeting will be held prior to the signing of the agreement/contract for the compensation package and is undertaken jointly by the IRC-WG and PRSC-WG. At this stage, the DMS and the RCS are completed, the compensation package for each AH is known and draft contracts will be prepared. The consultative meeting is carried out in two parts and advance notice of the meeting is provided to the AHs through the commune/village council offices. In the first part, a public meeting is held at the commune/village level for all AHs and commune/village representatives and the PIB for Compensation Package is provided and explained to all the displaced persons. The schedule for the displaced persons contract signing (with deadlines), and the legal requirements to receive the compensation (national ID, evidence of land ownership) will also be explained.

117. In the second part which commences soon after the completion of the first part and is held on the same day to avoid the need for the displaced persons to return on another day, each AH is provided with the draft contract and the compensation amounts explained to the satisfaction of the AH on one to one basis. The AHs are provided the option to sign the contract there and then or given 3 working days to submit the signed contract to the IRC-WG through the village council office. For those AHs who were unable to participate in the meeting, best efforts will be made to visit them at their homes or seek the assistance of the village office to contact them.

118. Additional formal consultative meetings will be conducted when the compensation payments will be ready to be disbursed. Details on consultation entitlements, schedule and process will be provided as well as the GRM the process. This consultation will be undertaken jointly by the IRC-WG

and PRSC-WG. The schedule for compensation payments will be informed to displaced persons at least one week in advance through the commune and village offices.

## 10 MONITORING AND REPORTING

119. MPWT will be responsible for monitoring of the overall implementation of the proposed Project as well as all aspects relating to voluntary donations. The MPWT will be assisted by the ISWSC in the day-to-day monitoring of the implementation of the proposed Project engaged under Component 1. However, GDR will also be responsible for the monitoring and reporting of the implementation of the land acquisition activities under the approved DRP.

### 10.1 Internal Monitoring

120. In case of **voluntary donations**, MPWT will be responsible for keeping adequate records of donations and ensuring they meet the provisions outlined in this BRP. As part of internal monitoring, the Project Manager will be responsible for reviewing the reports submitted by the ESO on voluntary donations and any grievances before civil works commence.

121. It is expected that ISWSC social staff, would conduct due diligence on the voluntary contributions before civil works commence. The ISWSC will report on the following:

- Verification and documentation that assets required for the project are given voluntarily and are free from any dispute on ownership or any other encumbrances;
- Verification that donated asset is within COI and person(s) donating directly benefit from the project;
- Verification that donated asset was minor and does not cause any significant impact on livelihoods;
- Verification that no relocation or displacement of persons is involved;
- Verification that meaningful consultation has been conducted in good faith with all potential donors, including that donors are aware that they were entitled to compensation. Separate discussions to be held with women as required to facilitate meaningful participation, and
- Verification that a grievance redress mechanism is in place and a review and documentation of grievances, if relevant.

122. In case of **land acquisition**, the objective of internal monitoring is to (i) measure and report on the progress in the preparation and implementation of the approved DRP; (ii) identify problems and risks, if any, and the measures to mitigate them; and (iii) assess if the compensation and rehabilitation assistance are in accordance with the provisions under the approved DRP.

123. GDR's Department of Internal Monitoring and data Management (DIMDM) will be responsible for carrying out the internal monitoring which will review the quarterly progress reports provided by the relevant Resettlement Department, including fielding its own missions to verify the progress and the validity of the data and information, where necessary. The DIMDM will validate that the (i) entitlements and the corresponding compensation are paid in accordance with the Entitlement Matrix in the DRP; and (ii) GRM is functioning as per the guidelines. The GDR will provide MPWT a quarterly progress report and submit semi-annual monitoring report to the WB. There will be one monitoring report covering all subprojects per province. An indicative list of internal monitoring indicators is in Annex 5.

124. It is expected that ISWSC social staff, will conduct additional monitoring of land acquisition activities. This will be a hybrid internal/external monitoring role given that the ISWSC is external to the MPWT and GDR but will be hired to work with MPWT and the ESO. The ISWSC will report on the following:

- (i) Set up of institutional arrangements;

- (ii) Compensation payments for entitlements;
- (iii) Relocation;
- (iv) Grievance redress mechanism;
- (v) Public consultations;
- (vi) Budget expenditures;
- (vii) Livelihood support program, where applicable;
- (viii) Overall progress against agreed implementation schedule;
- (ix) Major problem and issues, and
- (x) Proposed remedial actions.

## 10.2 External Monitoring

125. Since no significant involuntary resettlement impacts are expected as a result of proposed CRCIP Component 1 and given that road rehabilitation will follow the existing road alignment, no external monitoring will be required for the DRPs.

## ANNEX 1: PROJECT INFORMATION BOOKLET

### Proposed Road Connectivity Improvement Project (National and Provincial Roads Component)

#### 1. Project Background

##### What is the Cambodia Road Connectivity Improvement Project?

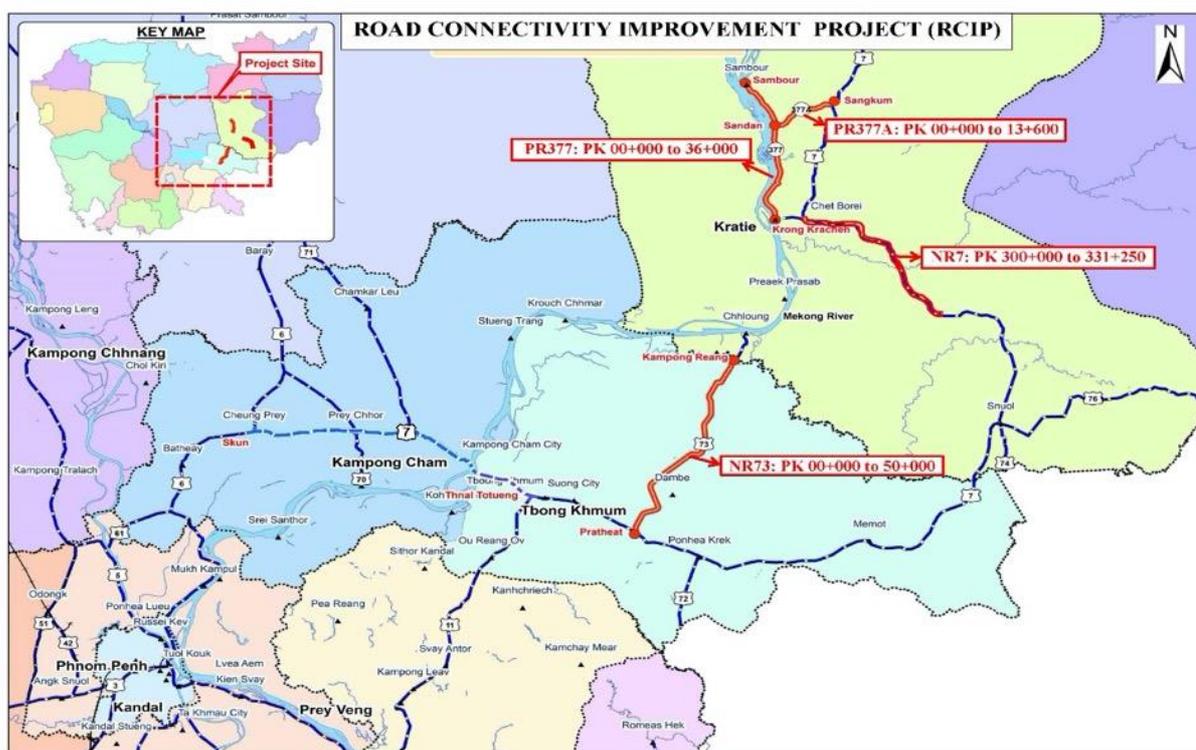
The Royal Government of Cambodia (RCG) has requested the World Bank to finance the Cambodia Road Connectivity Improvement Project (the Project) to rehabilitate national, provincial roads and rural roads. The national and provincial roads are located in parts of Kratie and Tboung Khmum Provinces. If the Project is approved by the World Bank, the national and provincial roads components will be implemented by the Ministry of Public Works and Transport (MPWT). The rural roads will be implemented by the Ministry of Rural Development (MRD)

This Project Information Booklet (PIB) is prepared for the national and provincial roads component of the proposed Project.

#### 2. What are the proposed Project Components and their location?

The location of the Project roads for MPWT Component are in Kratie and Tboung Khmum Provinces as illustrated in the map below.

Location Map of the Project



The MPWT component comprises:

- National Road 7 (NR7). 31.25km between PK 300+00 - PK331+250
- National Road 73 (NR73). 50km in Tboung Khmum province linking Kratie with NR7.
- Provincial Road (PR) 377. 35.50km and PR 377a. 13.60km.

Table 1: Summary of Location of Project Roads and Length

Province	Project Location	Length (km)	No. of Bridges
Kratie	NR7: PK 300+000 - PK331+250	31.25	-
	PR377 :Preap Sor Roundabout, Kratie City to Sambo District	35.50	12
	PR377a :Sandan Commune to Sangkum Commune to NR7	13.60	-
Tboung Khmum	NR73: (Preatheart) to Kampong Reang	50.00	-

<b>Total Length</b>	<b>130.35</b>	<b>12</b>
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### 3. What are the Objectives of the Project?

The proposed objective is to improve climate resilient road access to hospitals, schools and markets. The scope of works will include paving/sealing of the roads and improving bridges and other road structure including raising above flood levels. Roads will be improved along the existing alignment of the carriageway and shoulders. Road safety will be improved by sealing shoulders, through better marking and signage, building footpath for the sections passing through community areas, specific traffic calming measures at critical locations, and close consultations with communities living close to the road.

### 4. What is the Scope of Land Acquisition and Likely Impacts?

The impact on land acquisition will be minimal as the rehabilitation works will be carried out in the Corridor of Impact (COI) which falls within the existing Right-of-Way (RoW) and no expansion of any of the roads is planned. Most of the impacts will be on a few concrete access driveways that currently extend into the RoW and relocation of stalls that are located in the COI. However, in PR 377, there may be a need for minor realignment in a small section where the embankment has collapsed. Everyone occupying or using land in the COI will need to move out from the COI.

### 5. What is the Right-of-Way and Corridor of Impact of the Project Roads?

The Right-of-Way (RoW) is the state or government-owned land. The Corridor of Impact (COI) is where the proposed works are to be carried out. Table 2 summarizes the ROWs and COIs of the proposed project roads.

**Table 2: Summary of ROWs and COIs of Proposed Project Roads**

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Chainages
NR7	60	30	11.0	5.5	PK300+000 to PK317+870
					PK318+200 to PK331+000
			16.8	8.4	PK317+820 to PK318+200
					15.0
NR73	50	25	14.0	7.0	PK0+000 to PK0+260
					PK 39+400 to PK40+300
					PK49+700 to PK49+850
			11.0	5.5	PK0+260 to PK7+500
					PK27+300 to PK39+400
			17.0	8.5	PK49+700 to PK49+850
					PK7+500 to PK8+000
PK27+300 to PK39+400					
PR377	40	20	8.0	4.0	PK0+500 to PK 7+350
					PK7+500 to PK23+230
					PK 23+670 to PK 30+500
					PK35+000 to PK36+000
			9.0	4.5	PK7+500 to PK23+230
					PK34+750 to PK34+850
10.0	5.0	PK30+500 to PK31+860			
		11.0	5.5	PK23+230 to PK23+400	
12.0	6.0	PK23+400 to PK23+670			
PK34+850 to PK35+000					
PR377a	40	20	8.0	4.0	PK0+000 to PK13+600

All the above dimensions are subject to adjustment after the detailed engineering designs (DED) are completed. The DED will determine the actual COI. A second consultation will be conducted with the AHs at the commune or village level after the completion of the DED to inform them of this.

### 6. What is the cut-off date for eligibility?

The cut-off date is the date established by RGC that establishes the eligibility of the affected households/affected persons (AH/AP) for receiving compensation and resettlement assistance under the proposed Project. Only those AHs who are located in the COI or lose their assets on or before the cut-off-date will be eligible for

compensation. Any person who occupies land after the cut-off-date will be ineligible for receiving compensation. Fixed assets such as built structures (new or expansion of existing structures), crops, fruit trees, and other similar assets after the cut-off-date will not be compensated.

A census and Inventory of Loss (IOL) will be conducted soon after the current public consultation with the affected communities is completed to determine the potential AHs. The cut-off-date will be **the last date** on which the census is completed. The census will determine the list of AHs who will be eligible for compensation for their loss of assets.

#### **7. What is the detailed measurement survey and when will it be conducted?**

The detailed measurement survey (DMS) is a detail survey and measurement of all affected assets including land, houses and structures, shops, crops and trees of all the AHs. It will be conducted for each AH to record and agree on all the AH's losses. The survey will also collect information and data on socio economic status, sources of livelihood, income, etc. This is carried out in the presence of the AH and witnessed by a commune or village official. The DMS will be the basis for the calculation of the compensation package for each AH.

The DMS will be carried out after the Project is approved by the World Bank and when the DED is completed. The AHs and the local authorities will be informed prior to the commencement of this activity.

#### **8. What will be the Compensation and Entitlements?**

Households/People affected by the proposed Project are entitled to receive compensation for affected assets under the following key compensation principles:

- Provisions of fair and just compensation in advance.
- Full compensation paid before expropriation or clearance.
- Compensation is based on the replacement cost of loss assets at market price that will be determined by an independent agent for replacement cost study without any deductions made for depreciation, salvage materials and transaction costs.

##### **(a) Will I be compensated for my land?**

The RoW is state land and AHs who occupy land on the RoW will not be compensated for the land. However, they will be compensated for any loss resulting from using the land like for example, for operating a stall or planting crops or fruit trees.

In case, after the completion of DED, if it becomes necessary to acquire private land or land on which the AH has a legal right that falls **outside of the RoW**, then compensation will be paid for the replacement cost of this land.

##### **(b) Will I be compensated for affected house and structures that I own?**

Yes. Private houses and structures that are affected by the proposed Project will be compensated at replacement cost. No amount from the replacement cost will be made for depreciation, salvage materials or transactions costs. Structures include fences, wells, pavements and other similar structures for which the AH can show ownership. If the house or structure is partially affected, then the compensation will be paid for the affected portion unless it can be shown that the remaining portion can no longer be useful with the removal of the affected portion. In such cases, compensation will be paid for whole structure.

##### **(c) Will I be compensated for my crops and trees?**

Yes. For annual crops that are produced on annual seasonal basis like rice, sufficient notice will be provided to the AHs so that they can harvest the crops in time. No compensation is paid for crops in this case. For standing crops that are ripening but cannot be harvested by the time the land is required, the AHs will be compensated for the lost crop on replacement cost basis.

For perennial crops (trees that produce fruits for multiple years like mango tree), the AHs will be compensated for the loss of fruit which will take into account the loss of potential income and the time required to re-establish the perennial trees. However, under the proposed Project, there is minimal chance of any perennial trees growing in the COI.

##### **(d) If I have to relocate my house or stall, is there any relocation assistance provided?**

There is no physical relocation of houses or similar residential structures from the COI envisaged in the proposed Project. There may be some relocation of stalls where they will be required to self-relocate or move back outside of the RoW. Apart from the compensation for the structures at replacement cost, transitional allowances will be paid as follows: (i) fixed lump sum transportation allowance for moving the assets; and (ii) loss of business income in case of stalls carrying out business. In case, the AHs are classified as poor and vulnerable, these allowances will be **doubled**.

**(e) In case my livelihood is affected, how will I be compensated?**

The DMS will take note of the livelihoods of the AHs and whether there is any impact on them. Under the proposed Project, for AHs whose livelihood is impacted they will be provided with income loss or restoration support:

- (i) Loss of income during the transitional period where physical relocation is required. This will cover loss of income during the period of self-relocation.
- (ii) When main source of livelihood source is **permanently** lost, a livelihood restoration/support will be provided to assist the AHs rebuild/restore their livelihood.

In case the AHs are classified as poor and vulnerable, these allowances will be **doubled**. In addition, the proposed Project will seek to provide work opportunities during the construction period.

**9. How will the replacement cost be decided, and compensation calculated?**

The payment for compensation will be made based on the market value or replacement cost of the lost assets without deduction being made for salvage materials, depreciation or transaction costs. A **Replacement Cost Study (RCS)** will be carried out by a local qualified independent consultant with the necessary experience in asset valuation to determine the prevailing market rates. This will be done at the time of the DMS. The RCS consultant will carry out a detailed analysis of the market rates for all types of assets prevailing in the proposed Project area and prepare the **unit rates** for each category of the loss asset. These will be used to calculate the replacement value. The General Department of Resettlement of the Ministry and Economy and Finance will select the RCS consultant before the commencement of the DMS.

**10. Who do I contact in case I need clarifications or have a problem/complaint?**

**At this stage** of the preparation of the proposed Project, the contact persons and their mobile numbers are provided in the box below who can provide you with clarifications on the proposed Project related technical issues. At this point in time, the eligibility, loss of assets, the DMS and the compensation packages have not been decided and hence any complaints relating to them will not be entertained.

When the proposed Project is approved by the World Bank, the Inter-Ministerial Resettlement Committee of the Ministry of Economy and Finance will establish a Grievance Redress Mechanism (GRM) under which Grievance Redress Committees will be established at the local District level and at the Provincial level. These Committees will be set up and made operational before the commencement of the DMS. Any complaints or grievances on any aspects of the compensation package will need to be sent to these Committees for resolution. An updated PIB with all the details on the GRM will be circulated to the AHs during a separate public consultation meeting before the commencement of the DMS.

**Contacts Persons Related to Land Acquisition and Resettlement**

**Mr. Khuon Davith, Deputy Director, General Department of Resettlement,  
Ministry of Economy and Finance, Phnom Penh.**

**Tel: 012831977**

**Mr. Kang Phirith, Project Manager, Project Management Unit, Ministry of  
Public Works and Transport, Phnom Penh**

**Tel: 012850197**

# សៀវភៅឯកសារព័ត៌មានសាធារណៈ

## សេចក្តីស្នើគម្រោងកែលម្អការតភ្ជាប់ផ្លូវថ្នល់នៅកម្ពុជា (សមាសភាគផ្លូវថ្នល់ខេត្ត និងជាតិ)

### ១. សាវតាកម្រោង៖

#### តើគម្រោងកែលម្អការតភ្ជាប់ផ្លូវថ្នល់នៅកម្ពុជាគឺជាអ្វី?

រាជរដ្ឋាភិបាលកម្ពុជាបានស្នើសុំថវិកាហិរញ្ញប្បទានពីធនាគារពិភពលោកដើម្បីអនុវត្តគម្រោងកែលម្អការតភ្ជាប់ផ្លូវថ្នល់នៅកម្ពុជា (គម្រោង) ដែលនឹងធ្វើការស្រាវជ្រាវរៀបចំផ្លូវថ្នល់ខេត្ត និងផ្លូវជាតិ និងផ្លូវជនបទ។ ផ្លូវខេត្ត និងផ្លូវជាតិស្ថិតក្នុងភូមិសាស្ត្រនៃខេត្តក្រចេះ និងខេត្តត្បូងឃ្មុំប្រសិនបើគម្រោងត្រូវបានអនុម័តដោយធនាគារពិភពលោក សមាសភាគផ្លូវថ្នល់ខេត្ត និងផ្លូវជាតិនឹងត្រូវអនុវត្តដោយក្រសួងសាធារណការ និងដឹកជញ្ជូន (MPWT)។ ផ្លូវជនបទនឹងត្រូវអនុវត្តដោយក្រសួងអភិវឌ្ឍន៍ជនបទ (MRD)។

សៀវភៅឯកសារព័ត៌មានសាធារណៈត្រូវបានរៀបចំឡើងសម្រាប់ផ្នែកនៃសមាសភាគបណ្តាផ្លូវខេត្ត និងផ្លូវជាតិនៃគម្រោងដែលបានស្នើសុំដោយក្រសួងសាធារណការ និងដឹកជញ្ជូន (MPWT)។

#### ២. តើសមាសភាគគម្រោងដែលបានស្នើសុំ និងទីតាំងគម្រោងមានអ្វីខ្លះ?

ទីតាំងផ្លូវថ្នល់នៃគម្រោង ដែលជាសមាសភាគរបស់ក្រសួងសាធារណការ និងដឹកជញ្ជូន គឺស្ថិតនៅក្នុងខេត្តត្បូងឃ្មុំ និងខេត្តក្រចេះដូចមានបង្ហាញនៅក្នុងផែនទីខាងក្រោម។



សមាសភាគដោយក្រសួងសាធារណការ និងដឹកជញ្ជូន (MPWT) រួមមាន៖

- ផ្លូវជាតិលេខ៧ (NR7) ប្រវែង៣១,២៥គម រវាង PK ៣០០+០០ - PK ៣៣១+២៥០។
- ផ្លូវជាតិលេខ៧៣ (NR73) ប្រវែង៥០គម ស្ថិតក្នុងខេត្តត្បូងឃ្មុំ តភ្ជាប់ខេត្តក្រចេះជាមួយផ្លូវជាតិ NR7។
- ផ្លូវខេត្ត៣៧៧ (PR377) ប្រវែង៣៦គម និងផ្លូវខេត្ត៣៧៧A ប្រវែង១៣,៦០គម។

### តារាង១ សង្ខេបទីតាំងគម្រោងផ្លូវថ្នល់ និងប្រវែង

ខេត្ត	តំបន់គម្រោង	ប្រវែង (គម)	ចំនួនស្ពាន
ក្រចេះ	NR7: PK 300+000 - PK331+250	31,25	-
	PR 377: រង្វង់មូលព្រាបស ក្រុងក្រចេះ ដល់ស្រុកសំបូរ	36,00	13
	PR 377A: ឃុំសណ្តាន់ ដល់ឃុំសង្កែម ដល់ផ្លូវ NR7	13,60	-
ត្បូងឃ្មុំ	NR 73: (ព្រះធាតុ) ដល់កំពង់រៀង	50,00	-
<b>ប្រវែងសរុប</b>		<b>130,85</b>	<b>13</b>

**៣. តើគោលបំណងរបស់គម្រោងមានអ្វីខ្លះ?**

គោលបំណងដែលបានស្នើឡើង គឺដើម្បីកែលម្អផ្លូវថ្នល់ដែលធ្វើឲ្យប្រសើរឡើងក្នុងការការពារពីការប្រែប្រួលអាកាសធាតុ ការធ្វើដំណើរទៅកាន់មន្ទីរពេទ្យ សាលារៀន និងទីផ្សារនានា។ វិសាលភាពនៃការងារ រួមមានការក្រាលថ្ម/ចាក់កៅស៊ូផ្លូវ និងកែលម្អស្ពាន និងហេដ្ឋារចនាសម្ព័ន្ធផ្លូវថ្នល់ផ្សេងទៀត រួមទាំងការលើកកម្ពស់និរន្តរ៍ខ្ពស់ជាងកម្រិតទឹកជំនន់។

ផ្លូវថ្នល់នឹងត្រូវបានកែលម្អតាមបណ្តោយទ្រូងផ្លូវ និងជាយ/ចិញ្ចឹមផ្លូវដែលមានស្រាប់។ សុវត្ថិភាពផ្លូវថ្នល់នឹងត្រូវបានធ្វើឱ្យប្រសើរឡើងដោយការចាក់កៅស៊ូជាយ/ចិញ្ចឹមផ្លូវ តាមរយៈធ្វើឱ្យប្រសើរឡើងនូវការដាក់សញ្ញាសម្គាល់ និងផ្លាកសញ្ញា កសាងផ្លូវថ្មីជើង សម្រាប់ផ្នែកឆ្លងកាត់តំបន់ សហគមន៍ វិធានការកាត់បន្ថយចរាចរណ៍ជាក់លាក់នៅទីតាំងសំខាន់ៗ និងការពិគ្រោះយោបល់យ៉ាងជិតស្និទ្ធជាមួយសហគមន៍ដែលរស់នៅជិតផ្លូវ ។

**៤. តើវិសាលភាពនៃការដោះស្រាយផលប៉ះពាល់ និងផលប៉ះពាល់ដែលអាចកើតមានអ្វីខ្លះ?**

ផលប៉ះពាល់ចំពោះដី ត្រូវបានកាត់បន្ថយអោយមានផលប៉ះពាល់តិចតួចបំផុតក្នុងពេលការងារស្តារនីតិសម្បទានី ដកត្រូវបានអនុវត្តនៅក្នុងរបៀងនៃផលប៉ះពាល់ (Corridor of Impact) ដែលស្ថិតនៅក្នុងព្រំដីចំណីផ្លូវថ្នល់ (Right-of-Way) ដែលមានស្រាប់ និងពុំមានផែនការក្នុងការពង្រីកបន្ថែមផ្លូវណាមួយឡើយ។

ផលប៉ះពាល់ភាគច្រើនអាចនឹងមានចំពោះ ផ្លូវបេតុងចូលផ្ទះមួយចំនួនដែលបច្ចុប្បន្នបានពង្រីកចូលទៅក្នុងព្រំដីចំណីផ្លូវថ្នល់ និងការរំកិលតូបលក់ចូលទៅក្នុងរបៀងនៃផលប៉ះពាល់។ យ៉ាងណាមិញ ផ្លូវខេត្ត៧៧ ប្រហែលជាគម្រូវឱ្យមានការរៀបចំឡើងវិញនូវផ្នែកមួយចំនួនក្នុងនៃច្រាំងទន្លេ ដែលបានបាក់ស្រុត។ ចំពោះប្រជាពលរដ្ឋទាំងឡាយណាដែលបានកាន់កាប់ ឬប្រើប្រាស់ដីនៅក្នុងរបៀងនៃផលប៉ះពាល់ និងគម្រូវឱ្យមានការរើចេញពីរបៀងនៃផលប៉ះពាល់។

**៥. តើអ្វីទៅជាដីចំណីផ្លូវថ្នល់ និងរបៀងនៃផលប៉ះពាល់របស់គម្រោង?**

ដីចំណីផ្លូវថ្នល់ (ROW) គឺជាដីដែលជាកម្មសិទ្ធិរបស់រដ្ឋ ។ របៀងនៃផលប៉ះពាល់ (COI) គឺជាទីតាំងការងារដែលបានស្នើឡើងនឹងត្រូវអនុវត្ត។ សូមមើលតារាង២ សេចក្តីសង្ខេបនៃដីចំណីផ្លូវថ្នល់ និងរបៀងនៃផលប៉ះពាល់របស់ផ្លូវថ្នល់គម្រោងដែលបានស្នើឡើង។

ទំហំផ្លូវថ្នល់ទាំងអស់គឺអាចនឹងមានការកែតម្រូវ បន្ទាប់ពីកំនួសប្តូរច្រកទេសលម្អិត (DED) ត្រូវបានបញ្ចប់។ កំនួសប្តូរច្រកទេសលម្អិតនឹងកំណត់របៀងនៃផលប៉ះពាល់ពិតប្រាកដ។ ការពិគ្រោះយោបល់លើកទី២ នឹងត្រូវធ្វើឡើងជាមួយនិងគ្រួសារទទួលរងផលប៉ះពាល់នៅថ្នាក់ឃុំ ឬភូមិបន្ទាប់ពីការបញ្ចប់ កំនួសប្តូរច្រកទេសលម្អិតដើម្បីជូនដំណឹង។

**តារាង២៖ សេចក្តីសង្ខេបនៃដីចំណីផ្លូវថ្នល់ និងរបៀងនៃផលប៉ះពាល់**

**របស់ផ្លូវថ្នល់គម្រោងដែលបានស្នើឡើង**

លេខផ្លូវ	ROW (ម)	ប្រវែងសងខាង ពីអ័ក្សផ្លូវ (ម)	COI (ម)	ប្រវែងសងខាង ពីអ័ក្សផ្លូវ (ម)	បណ្តោយគីឡូម៉ែត្រ
NR7	60	30	11,0	5,5	PK300+000 to PK317+870
			16,8	8,4	PK318+200 to PK331+000
			15,0	7,5	PK317+820 to PK318+200 PK331+000 to PK331+250
NR73	50	25	14,0	7,0	PK0+000 to PK0+260
			11,0	5,5	PK 39+400 to PK40+300 PK49+700 to PK49+850
			17,0	8,5	PK0+260 to PK7+500 PK27+300 to PK39+400 PK49+700 to PK49+850
			8,0	4,0	PK7+500 to PK8+000 PK27+300 to PK39+400
			9,0	4,5	PK0+000 to PK 7+350 PK7+500 to PK23+230 PK 23+670 to PK 30+500 PK35+000 to PK36+000
			10,0	5,0	PK7+500 to PK23+230 PK34+750 to PK34+850
PR377	40	20	11,0	5,5	PK30+500 to PK31+860 PK23+230 to PK23+400 PK23+400 to PK23+670
			12,0	6,0	PK34+850 to PK35+000
			8,0	4,0	PK0+000 to PK 7+350 PK7+500 to PK23+230 PK 23+670 to PK 30+500 PK35+000 to PK36+000
			9,0	4,5	PK7+500 to PK23+230 PK34+750 to PK34+850
PR377A	40	20	8,0	4,0	PK0+000 to PK13+600

**៦. តើថ្លៃឱសានវាទនៃសិទ្ធិទទួលបានសំណង គឺជាអ្វី?**

ថ្លៃឱសានវាទនៃសិទ្ធិទទួលបានសំណង គឺជាកាលបរិច្ឆេទដែលកំណត់ដោយរាជរដ្ឋាភិបាលកម្ពុជាដែលបង្កើតឡើងនូវសិទ្ធិទទួលបានសំណង របស់គ្រួសាររងផលប៉ះពាល់ពីគម្រោង (AH/AP) និងការឧបត្ថម្ភផ្សេងៗក្នុងការតាំងទីលំនៅថ្មី។ មានតែគ្រួសាររងផលប៉ះពាល់ដែលមានទីតាំងនៅក្នុងរបៀងនៃផលប៉ះពាល់ ឬបាត់បង់ទ្រព្យសម្បត្តិមុនកាលបរិច្ឆេទថ្លៃឱសានវាទទេ ដែលមានសិទ្ធិទទួលបានសំណង។ ជនណាកាន់កាប់ដីធ្លីបន្ទាប់ពីថ្លៃឱសានវាទ នៃសិទ្ធិទទួលបានសំណង និងពុំមានសិទ្ធិទទួលបានសំណងឡើយ។ អចលនទ្រព្យដូចជាសំណង់ (ផ្ទះ ឬពង្រីករចនាសម្ព័ន្ធដែលមានស្រាប់) ដំណាំ ដើមឈើហូបផ្លែ និងទ្រព្យសម្បត្តិស្រដៀងគ្នាផ្សេងទៀតបន្ទាប់ពីថ្លៃឱសានវាទ និងពុំត្រូវបានផ្តល់សំណងឡើយ។ ជំរឿន និងសារពើភ័ណ្ឌនៃការបាត់បង់ (IOL) និងត្រូវបានធ្វើឡើងភ្លាមៗ បន្ទាប់ពីការពិគ្រោះយោបល់ជាសាធារណៈជាមួយសហគមន៍ដែលរងផលប៉ះពាល់ដើម្បីកំណត់ គ្រួសាររងផលប៉ះពាល់ដែលអាចមាន។ ថ្លៃឱសានវាទគឺជាកាលបរិច្ឆេទចុងក្រោយដែលជំរឿនត្រូវបានបញ្ចប់។ ជំរឿននឹងកំណត់បញ្ជីចំនួនគ្រួសាររងផលប៉ះពាល់ដែលនឹងមានសិទ្ធិទទួលបានសំណងសម្រាប់ការបាត់បង់ទ្រព្យសម្បត្តិរបស់ពួកគេ។

**៧. តើការអង្កេតវាស់វែងលម្អិតគឺជាអ្វី និងពេលណាទើបត្រូវបានអនុវត្ត?**

ការអង្កេតវាស់វែងលម្អិត (DMS) គឺជាការអង្កេតលម្អិត និងវាស់វែងរាល់ទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់ដោយសារគម្រោង រួមមានដីធ្លី ផ្ទះ និងសំណង់ គូបលក់ ដំណាំ និងដើមឈើរបស់គ្រួសាររងផលប៉ះពាល់ទាំងអស់។ វានឹងត្រូវបានធ្វើឡើងសម្រាប់គ្រួសាររងផលប៉ះពាល់នីមួយៗដើម្បីកត់ត្រា និងព្រមព្រៀងលើរាល់ការខាតបង់របស់គ្រួសាររងផលប៉ះពាល់។

ការអង្កេតនេះក៏នឹងប្រមូលព័ត៌មាន និងទិន្នន័យស្តីពីស្ថានភាពសេដ្ឋកិច្ចសង្គម  
ប្រភពនៃការចិញ្ចឹមជីវិត ប្រាក់ចំណូលជាដើម  
ដែលត្រូវបានធ្វើឡើងដោយមានវត្តមានរបស់គ្រួសាររងផលប៉ះពាល់  
និងមានការចូលរួមពីមន្ត្រីឃុំ ឬភូមិជាសាក្សី។ ការអង្កេតវាស់វែងលម្អិត  
នឹងក្លាយជាមូលដ្ឋានសម្រាប់ការគណនាកញ្ចប់សំណងសម្រាប់គ្រួសាររងផលប៉ះពាល់នីមួយៗ  
។

ការអង្កេតវាស់វែងលម្អិត  
នឹងត្រូវអនុវត្តបន្ទាប់ពីគម្រោងត្រូវបានអនុម័តដោយធនាគារពិភពលោក  
និងនៅពេលដែល គំនូសប្លង់បច្ចេកទេសលម្អិតត្រូវបានបញ្ចប់។ គ្រួសាររងផលប៉ះពាល់  
និងអាជ្ញាធរមូលដ្ឋាននឹងត្រូវបានជូនដំណឹងមុនពេលចាប់ផ្តើមសកម្មភាព។

**៨. តើអ្វីទៅជាសំណង និងការផ្តល់សិទ្ធិ?**

គ្រួសារ/ប្រជាពលរដ្ឋដែលរងផលប៉ះពាល់ពីគម្រោង  
មានសិទ្ធិទទួលបានសំណងសម្រាប់ទ្រព្យសម្បត្តិដែលរងផលប៉ះពាល់ស្របតាមគោលការណ៍សំ  
ណងសំខាន់ៗដូចខាងក្រោម៖

- ការផ្តល់សំណងត្រឹមត្រូវ និងយុត្តិធម៌ជាមុន។
- សំណងពេញលេញដែលបានទូទាត់មុនពេលដកហូត ឬល្មមសាយ។
- សំណងត្រូវបានផ្អែកលើតម្លៃជំនួសនៃទ្រព្យសម្បត្តិដែលបាត់បង់ក្នុងតម្លៃទីផ្សារដែល  
នឹងត្រូវកំណត់ដោយភ្នាក់ងារឯករាជ្យសម្រាប់ការសិក្សាតម្លៃជំនួសដោយពុំមានការផ  
្តាច់ចេញ ដែលធ្វើឡើងសម្រាប់ការរំលស់នៃទ្រព្យសម្បត្តិ តម្លៃសម្ភារៈនៃអគារ  
ឬដើមឈើចាស់ៗ និងកម្រៃប្រតិបត្តិការ។

**(ក) តើខ្ញុំនឹងទទួលបានសំណងសម្រាប់ដីរបស់ខ្ញុំដែរឬទេ?**

ដីចំណីផ្លូវថ្នល់ គឺជាដីរបស់រដ្ឋ  
ហើយគ្រួសាររងផលប៉ះពាល់ដែលកាន់កាប់ដីនៅលើដីចំណីផ្លូវថ្នល់នឹងពុំត្រូវបានផ្តល់សំណង  
សម្រាប់ដីនោះឡើយ។ យ៉ាងណាមិញ  
ពួកគេនឹងត្រូវបានផ្តល់សំណងសម្រាប់ការបាត់បង់ណាមួយដែលបណ្តាលមកពីការប្រើប្រាស់  
ដី ឧទាហរណ៍ដូចជា សម្រាប់ការដំណើរការតូបលក់ដូរ ឬការដាំដុះដំណាំ ឬដើមឈើហូបផ្លែ។  
ក្នុងករណីបន្ទាប់ពីការបញ្ចប់គំនូសប្លង់បច្ចេកទេសលម្អិត  
ប្រសិនបើវាក្លាយជាភាពចាំបាច់ដោះស្រាយដី  
ឬដីឯកជនដែលគ្រួសាររងផលប៉ះពាល់មានសិទ្ធិស្របច្បាប់ដែលស្ថិតនៅក្រៅដីចំណីផ្លូវថ្នល់  
នោះសំណងនឹងត្រូវបានទូទាត់សម្រាប់តម្លៃដីតាមអត្រាតម្លៃជំនួស។

**(ខ) តើខ្ញុំនឹងទទួលបានសំណងសម្រាប់ផ្ទះ និងសំណង់ជាកម្មសិទ្ធិដែលរងផលប៉ះពាល់ដោយសារគម្រោង ដែរឬទេ?**

បាទ/ចាស។ ផ្ទះ និងសំណង់ឯកជនដែលរងផលប៉ះពាល់ពីគម្រោងដែលបានស្នើសុំ  
នឹងត្រូវបានទូទាត់សំណងដោយអត្រាតម្លៃជំនួស។  
អត្រាតម្លៃជំនួសនឹងត្រូវធ្វើឡើងដោយមិនត្រូវគិតពីការរំលស់នៃទ្រព្យសម្បត្តិ  
តម្លៃសម្ភារៈចាស់ៗនៃអគារ ឬដើមឈើ និងជាកម្រៃប្រតិបត្តិការឡើយ។ សំណង់រួមមាន របង  
អណ្តូងទឹក ទីលាន  
និងសំណង់ប្រហាក់ប្រហែលដទៃទៀតដែលគ្រួសាររងផលប៉ះពាល់អាចបង្ហាញពីកម្មសិទ្ធិ។  
ប្រសិនបើផ្ទះ ឬសំណង់ជាផ្នែកមួយដែលទទួលរងផលប៉ះពាល់  
នោះសំណងនឹងត្រូវបានទូទាត់សម្រាប់តែផ្នែកដែលរងផលប៉ះពាល់នោះ  
លើកលែងអាចបង្ហាញថាផ្នែកដែលនៅសល់ពីផលប៉ះពាល់លែងមានប្រយោជន៍ទៀត  
ក្នុងករណីនេះសំណងនឹងត្រូវបានទូទាត់សម្រាប់សំណង់ទាំងមូល។

**(គ) តើខ្ញុំនឹងទទួលបានសំណងសម្រាប់ដំណាំ និងដើមឈើរបស់ខ្ញុំដែរឬទេ?**

បាទ/ចាស។ ចំពោះដំណាំរយៈពេលខ្លីដែលត្រូវបានដាំដុះតាមរដូវកាលប្រចាំឆ្នាំដូចជាស្រូវ  
ការជូនដំណឹងទាន់ពេលនឹងត្រូវផ្តល់ជូនគ្រួសារទទួលរងផលប៉ះពាល់ទាំងអស់  
ដើម្បីឱ្យពួកគេអាចប្រមូលផលបានទាន់ពេលវេលា។

ពុំមានការទូទាត់សំណងសម្រាប់ដំណាំដូចករណីនេះឡើយ។  
ចំពោះទិន្នផលដំណាំនៅតំបន់មួយដែលកំពុងលូតលាស់  
ប៉ុន្តែពុំអាចប្រមូលផលបាននៅពេលដែលមានតម្រូវការដី  
គ្រួសារដែលទទួលរងផលប៉ះពាល់ទាំងអស់  
និងត្រូវផ្តល់សំណងសម្រាប់ដំណាំដែលបាត់បង់ដោយផ្អែកលើអត្រាតម្លៃជំនួស។  
ចំពោះដំណាំរយៈពេលវែង (ដើមឈើហូបផ្លែច្រើនឆ្នាំ ដូចជាដើមស្វាយ)  
គ្រួសារដែលទទួលរងផលប៉ះពាល់ទាំងអស់ នឹងត្រូវទូទាត់សងសម្រាប់ការបាត់បង់នូវផ្លែឈើ  
ដែលនឹងគិតគូរពីការបាត់បង់ចំណូលដែលអាចទទួលបាន  
និងពេលវេលាដែលត្រូវការដើម្បីដាំដើមឈើទាំងនេះឡើងវិញ។ យ៉ាងណាមិញ  
នៅក្រោមគម្រោងដែលបានស្នើសុំ  
មានដើមឈើធំៗតិចតួចបំផុតដែលកំពុងលូតលាស់នៅក្នុងរបៀបនៃផលប៉ះពាល់។

**(ឃ) ប្រសិនបើខ្ញុំត្រូវវិវឌ្ឍ ឬតូបលក់របស់ខ្ញុំ**

**តើមានការផ្តល់ប្រាក់ឧបត្ថម្ភក្នុងការផ្លាស់ប្តូរដែរឬទេ?**

តាមការក្រោងទុក គម្រោង ពុំមានផលប៉ះពាល់ដល់ការរុះរើផ្ទះសំបែង  
ឬក៏សំណង់លំនៅដ្ឋាននៅក្រៅពីរបៀបនៃផលប៉ះពាល់ នោះទេ។  
វាអាចមានការផ្លាស់ទីខ្លះនៃតូបលក់ដែលពួកគេនឹងតម្រូវឱ្យផ្លាស់ប្តូរទីតាំងដោយខ្លួនឯង  
ឬផ្លាស់ប្តូរទីតាំងទៅខាងក្រៅដីចំណីផ្លូវថ្នល់។  
ក្រៅពីសំណងសម្រាប់សំណង់តាមអត្រាតម្លៃជំនួស  
នៅប្រាក់ឧបត្ថម្ភអន្តរកាលនឹងត្រូវទូទាត់ដូចខាងក្រោម: (i)  
ប្រាក់ឧបត្ថម្ភដឹកជញ្ជូនសរុបដែលបានកំណត់សម្រាប់ការរើទ្រព្យសម្បត្តិ; និង (ii)  
ការបាត់បង់ប្រាក់ចំណូលអាជីវកម្មក្នុងករណីដែលតូបលក់ត្រូវបិទផ្អាកធ្វើអាជីវកម្ម។  
ក្នុងករណី គ្រួសារដែលទទួលរងផលប៉ះពាល់ត្រូវបានចាត់ជា ជនក្រីក្រ និងងាយរងគ្រោះ  
ប្រាក់ឧបត្ថម្ភទាំងនេះនឹងកើនឡើងទ្វេដង។

**(ង) ក្នុងករណីបើមានការប៉ះពាល់ដល់ជីវភាពរស់នៅរបស់ខ្ញុំ**

**តើខ្ញុំនឹងទទួលបានសំណងយ៉ាងដូចម្តេច?**

ការអង្កេតវាស់វែងលម្អិត  
និងកត់សម្គាល់ពីប្រភពចំណូលពីការចិញ្ចឹមជីវិតរបស់គ្រួសារដែលទទួលរងផលប៉ះពាល់  
និងថាតើមានផលប៉ះពាល់អ្វីខ្លះដល់ពួកគេ។ ក្រោមគម្រោងដែលបានស្នើឡើង  
គ្រួសារដែលទទួលរងផលប៉ះពាល់ ដែលការចិញ្ចឹមជីវិតទទួលរងផលប៉ះពាល់  
ពួកគេនឹងត្រូវបានផ្តល់ឱ្យនូវចំណូលដែលបាត់បង់ ឬគាំទ្រដល់ការស្តារឡើងវិញ៖  
(i) ការបាត់បង់ប្រាក់ចំណូលក្នុងកំឡុងពេលអន្តរកាលដែលត្រូវការការផ្លាស់ទីលំនៅថ្មី។  
នេះនឹងគ្របដណ្តប់លើការបាត់បង់ប្រាក់ចំណូលក្នុងកំឡុងពេលផ្លាស់ប្តូរទីលំនៅដោយខ្លួនឯង។  
(ii) នៅពេលប្រភពចំណូលនៃការចិញ្ចឹមជីវិតត្រូវបានបាត់បង់ជា **អចិន្ត្រៃយ៍**  
ការស្តារឡើងវិញ/ឧបត្ថម្ភគាំទ្រការចិញ្ចឹមជីវិតនឹងត្រូវផ្តល់ដើម្បីជួយដល់គ្រួសារដែលទទួលរង  
ផលប៉ះពាល់  
កសាងឡើងវិញ/ស្តារឡើងវិញនូវចំណូលសម្រាប់ការចិញ្ចឹមជីវិតរបស់ពួកគេ។ក្នុងករណីគ្រួសារ  
ដែលទទួលរងផលប៉ះពាល់ត្រូវបានចាត់ជាជនក្រីក្រ និងងាយរងគ្រោះ  
ប្រាក់ឧបត្ថម្ភទាំងនេះនឹងកើនឡើងទ្វេដង។

**៩. តើតម្លៃជំនួសនឹងត្រូវបានសម្រេចយ៉ាងដូចម្តេច ហើយសំណងនឹងត្រូវបានគណនាយ៉ាងដូចម្តេច?**

ការទូទាត់សំណងនឹងត្រូវធ្វើឡើងដោយផ្អែកលើតម្លៃទីផ្សារ  
ឬតម្លៃជំនួសនៃទ្រព្យសម្បត្តិដែលបាត់បង់ដោយពុំមានការផាត់ចេញតម្លៃសម្ភារៈចាស់ៗនៃ  
អគារ ឬដើមឈើ រំលស់ ឬកម្រៃប្រតិបត្តិការ។ **ការសិក្សាតម្លៃជំនួស (RCS)**  
នឹងត្រូវអនុវត្តដោយអ្នកពិគ្រោះយោបល់ឯករាជ្យដែលមានលក្ខណៈសម្បត្តិគ្រប់គ្រាន់ក្នុងមូ  
លដ្ឋាន  
ជាមួយនឹងបទពិសោធន៍ចាំបាច់ក្នុងការវាយតម្លៃទ្រព្យសម្បត្តិដើម្បីកំណត់អត្រាទីផ្សារទូទៅ  
។ នឹងត្រូវបានធ្វើនៅក្នុងកំឡុងពេលនៃការអង្កេតវាស់វែងលម្អិត។  
អ្នកពិគ្រោះយោបល់សិក្សាតម្លៃជំនួស នឹងអនុវត្តការវិភាគលម្អិត

នៃអត្រាទីផ្សារសម្រាប់ទ្រព្យសម្បត្តិគ្រប់ប្រភេទដែលមាននៅក្នុងតំបន់គម្រោងដែលបានស្នើសុំ និងរៀបចំ **អត្រាឯកតាសម្រាប់ប្រភេទនីមួយៗនៃទ្រព្យសម្បត្តិដែលបាត់បង់**។ ព័ត៌មានទាំងនេះនឹងត្រូវបានប្រើប្រាស់ ដើម្បីគណនាតម្លៃជំនួស។ អគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍នៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ និងជ្រើសរើសអ្នកពិគ្រោះយោបល់សិក្សាតម្លៃជំនួស មុនពេលចាប់ផ្តើមការអង្កេតវាស់វែងលម្អិត។

**១០. តើខ្ញុំត្រូវទាក់ទងអ្នកណាក្នុងករណីដែលខ្ញុំត្រូវការការបំភ្លឺ ឬមានបញ្ហា/បណ្តឹង?**

**នៅដំណាក់កាល**នៃការរៀបចំគម្រោងដែលបានស្នើសុំ អ្នកទំនាក់ទំនង និងលេខទូរស័ព្ទរបស់ពួកគេ ត្រូវបានផ្តល់ជូននៅទំព័រទី១១ ដែលអាចផ្តល់ឱ្យអ្នកនូវការបំភ្លឺអំពីបញ្ហាបច្ចេកទេសទាក់ទងនឹងគម្រោងដែលបានស្នើឡើង។ ក្នុងកំឡុងពេលនេះ សិទ្ធិទទួលបានសំណង ការខាតបង់ទ្រព្យសម្បត្តិ ការអង្កេតវាស់វែងលម្អិត និងកញ្ចប់សំណងនៅពុំទាន់បានអនុវត្តនៅឡើយ ដូច្នោះពាក្យបណ្តឹង នឹងពុំត្រូវបានទទួលយកពិចារណាឡើយ។ នៅពេលគម្រោងដែលបានស្នើសុំត្រូវបានអនុម័តដោយធនាគារពិភពលោក គណៈកម្មការអនុវត្តស្រាវជ្រាវដោះស្រាយផលប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍ នៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ នឹងបង្កើតយន្តការដោះស្រាយបណ្តឹងគរា (GRM) ដែលគណៈកម្មការដោះស្រាយបណ្តឹងគរា នឹងត្រូវបានបង្កើតឡើង នៅថ្នាក់ស្រុក និងខេត្ត។ គណៈកម្មការទាំងនេះនឹងត្រូវបានបង្កើតឡើង និងធ្វើប្រតិបត្តិការមុនពេលចាប់ផ្តើមការអង្កេតវាស់វែងលម្អិត។ រាល់ បណ្តឹងគរា ឬការគរាអំពីផ្នែកណាមួយនៃកញ្ចប់សំណងនឹងចាំបាច់ត្រូវបញ្ជូនទៅគណៈកម្មការទាំងនេះដើម្បីរកដំណោះស្រាយ។ ការធ្វើបច្ចុប្បន្នភាពសៀវភៅឯកសារព័ត៌មានសាធារណៈជាមួយនឹងព័ត៌មានលម្អិតទាំងអស់ ស្តីពីយន្តការដោះស្រាយបណ្តឹងគរានឹងត្រូវផ្សព្វផ្សាយជូនគ្រួសារដែលទទួលរងផលប៉ះពាល់ក្នុង ការប្រជុំពិគ្រោះយោបល់សាធារណៈដាច់ដោយឡែកមុនពេលចាប់ផ្តើមការអង្កេតវាស់វែង លម្អិត។

**ទំនាក់ទំនងទាក់ទងនឹងការដោះស្រាយផលប៉ះពាល់ និងការតាំងទីលំនៅ**

១. លោក យួន ដារិត អនុប្រធាននាយកដ្ឋាន អគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍ ក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ ភ្នំពេញ ទូរស័ព្ទលេខ: 012 831 977

២. លោក កង ភិរិទ្ធ នាយកគម្រោង អង្គការគ្រប់គ្រងគម្រោង ក្រសួងសាធារណការ និងដឹកជញ្ជូន ភ្នំពេញ ទូរស័ព្ទលេខ: 012 850 197

## ANNEX 2: PUBLIC CONSULTATION MINUTES

Ministry of Public Work and Transportation (MPWT)  
CAMBODIA ROAD CONNECTIVITY IMPROVEMENT PROJECT (CRCIP)

### Minute of Public Consultation Meeting

	Total	Location
Proposed road	4	NR73, NR7, PR377 and PR377A
Consultations	5	- Dambe commune, Dambe district (PK26+500), NR73; - Seda commune, Dambe district (PK39+800), NR73; - Sambok commune, Chet Borey district, PR377; - Sandan commune, Sambour district, PR377A; - Kontout commune, Chet Borey district, NR7.

**Tbong Khmom province**  
**National Road 73**

Date: 16 January 2020  
Time: 2:00pm. to 4:00pm.  
Facilitator: ESO-MPWT  
Venue: Dambe District Hall (PK26+500)  
Boeung Thmei Village, Dambe commune, Dambe district, Tbong Khmom province

**In attendance list: 45 people**

Male: 39 people

Female: 6 people

### Meeting agenda and participant expression

Time	Contents	Speaker	Key expression note
2:00-2:10	Open speech	Mr. Sok Sarith, governor of Dambe district	Value of the proposed project and public consultation meeting. Addressed 3 main concerned points as below: 1. The road around the central Dambe district roundabout (PK27+00) at Dambe market needs to be wider extended; 2. Suggest continue to build a drainage outlet connection to the streams due to the existing 300m U drain in the North and South of roundabout constructed by MPWT ended without drainage outlet; 3. Suggest to fill asphalt pavement from the existing space of asphalt road to existing U drain; and 4. Suggest to improve central roundabout of Dambe district.
2:10-2:15	Introduction of the CRCIP	Mr. Uy Sambath, Head of ESO-MPWT	- Presentation of the CRCIP, focus on ROW and COI - The purpose of the meeting: project informing, local consultation as well as seeking feedback from the local.

2:15-2:25	Introduction of Road construction Designing	Mr. Hoc Synat, Road designer, KCI	<ul style="list-style-type: none"> <li>- Inform on NR73 road design: total length, width (COI by sections) and types of pavement</li> <li>- Concerned about drainage outlet system</li> <li>- Most concerned at the potential impact at the road section between PK 39 – 40 due to need extend and U drain build inside existing part of the shops.</li> </ul>
2:25-2:40	Principle of land acquisition and compensation	Mr. Khuon Davith, Deputy Director, GDR-MEF	<ul style="list-style-type: none"> <li>- WB and RGC land acquisition and compensation policies</li> <li>- Grievance Redress Mechanism</li> <li>- Special policy for affected person such as disability, poor or vulnerable individuals</li> </ul>
2:40-3:50	Questions and Answers	Mr. So Sovan, village chief of Veal Touch, Seda commune.	<ul style="list-style-type: none"> <li>- What is the meaning of Corridor of Impact?</li> <li>- Suggest to build U drain due to flooding during the rainy season</li> </ul>
		Mr. Seang Bora, Social safeguard consultant	<p>Question responding:</p> <p>COI is a total width space of the existing road will be improved, exactly, this road section was designed up to 11m total width of COI.</p> <p>Do you think it will make any potential impacts for this proposed COI in your village?</p>
		Crowded Participants	<p>Question responding:</p> <p>Maybe have very few cases, they all are movable things</p>
		Ms. En Hen, deputy village chief of Kork Char	On a road section connected from the NR73 to my village has a house maybe impacted due to build on the COI. The house owner should have special compensation due to she is surviving in a divorced wife condition.
		Crowded Participants	No, that road located outside of the proposed project.
		Ms. Khoch Nhong, villager from Sanchhey Sen village	In reality, most of the proposed road sections are very clear COI, and only temporary movable assets are located in existing COI.
		Mr. Choeu An, deputy governor of Tbong Khmom district	<ul style="list-style-type: none"> <li>- Share his experience to local authority as well as local people: First of all, need to be cleared on COI demarcation by PK.</li> <li>- Now right for placing out of the COI but it is improper for the law of road on ROW. What my concern is you will be wrong for located in the COI for the other new extending road project.</li> <li>- In case no affected, do we need local authorities establish a non-affected list with fingerprint certifying?</li> </ul>
		Mr. Khuon Davith, Deputy Director, GDR-MEF	<p>Question responding:</p> <ul style="list-style-type: none"> <li>- Public Information Booklet is providing useful related info that needs to be informed</li> </ul>

			<ul style="list-style-type: none"> <li>- The potential AHs/APs will be assessed by measurement survey team.</li> <li>- Only AHs/APs are needed to do verification by fingerprint.</li> </ul>
		Mr. Seang Bora, Social safeguard consultant	<p>Adding: We will take a form if there are cases of voluntary asset donation or compensation needs.</p>
		Mr. So Sovan, village chief of Veal Touch, Seda commune.	Suggest directly identification of potential affected asset by the ministry.
		Mr. Khuon Davith, Deputy Director, GDR-MEF	<p>Suggestion responding: The MPWT will has directly worked with local authorities and AHs/APs. We will be practical conducting Detailed Measurement Survey if we found that there are any AHs/APs in place.</p>
		by Mr. Sok Sarith, governor of Dambe district	<p>Raise three concerned questions: - If there are any potential AHs/APs, when will we do measurement? - How long for construction period? - Is a road improvement project for whatever pieces of road sections or completed road of NR73? Currently, there are several existing potential affected shops located by Dambe roundabout, they all known the ROW law, but they asked for temporary used.</p>
		Mr. Seang Bora, Social safeguard consultant	<p>Question responding: The detailed measurement will be conducted after SES</p>
		Mr. Hoc Synat, Road designer, KCI	The proposed project will improve completed proposed NR73 section from Brotheat to Kampong Reang with estimation from 18 months to 24 months of construction work.
		Mr. Khuon Davith, Deputy Director, GDR-MEF	<ul style="list-style-type: none"> <li>- Extend wider road around roundabout may be more affected to the existing households that need to be resettled, it will take much more time.</li> <li>- If found that there are more AHs/APs, the proposed project would be interrupted.</li> <li>- Please protect COI/ROW and no any involuntary resettlement will be considered after today's cutoff date.</li> <li>- Need to avoid any of intimidating actions from anyone or the authorities due to this is a misbehavior could make project interruption.</li> <li>- Close with asking participants' feedback and confirming to understand the PIB</li> </ul>
		All participants	Raised up their hands to confirm their understanding the proposed project and express their willingness to cooperate with voluntary donate assets located in the COI.

3:50-4:00	Close	by Mr. Sok Sarith, governor of Dambe district	Encourage all target local authorities and people for cooperation in order to move faster proceeding of a project implementing.  Thanks and wishes,
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**Photograph of consultation meeting activities**

Dambe District Hall (PK39+400), Boeung Thmei Village, Dambe district, Tbong Khmom province

	<p>Pre-meeting discussion with local authorities (target villages, communes and districts) at Dambe district hall</p>
	<p>Introduction of the CRCIP and Purpose of the consultation meeting by Mr. Uy Sambath, Head of ESO-MPWT</p>
	<p>Land acquisition and resettlement policy by Mr. Khuon Davith, Deputy Director, GDR-MEF</p>



Participants discussion on potential AHs/APs in COI and voluntary donation possibility.



Ground true information by Ms. Khoch Nhong, villager from Sanchhey Sen village



All participants appreciate raised up their hands with PIB holding to confirm their understanding and confirming their willingness to cooperate with voluntary donate assets located in COI.



Closed meeting with thanks and wishes by Mr. Sok Sarith, governor of Dambe district

**List of participants:****NR73 Consultation Meeting at Dambe District Hall, Tbong Khmom province**

**Tbong Khmom province**  
**National Road 73**

Date: 16 January 2020

Time: 4:20pm. to 5:15pm.

Facilitator: Mr. Seang Bora, Social safeguard consultant

Venue: Beng Thmei Market (PK39+800)

Beng Thmei village, Seda commune, Dambe district, Tbong Khmom province

**In attendance list: 23 people**

Male: 16 people

Female: 7 people

**Meeting agenda and participant expression**

Time	Contents	Speaker	Key expression note
4:20-4:25	Open speech	Mr. Seang Bora, Social safeguard consultant	- Welcome and team introducing - The purpose of the meeting - ROW and COI
4:25-4:30	Introduction of Road construction Designing	Mr. Hoc Synat, Road designer, KCI	- Inform on NR73 road design: total length, the total width 14m (7m from each center line) included U drain.
4:30-4:40	Principle of land acquisition and compensation	Mr. Khuon Davith, Deputy Director, GDR-MEF	- WB and RGC land acquisition and compensation policies - Informing and explaining the cutoff date
4:40-4:42	Questions	Mr. Sles Eyles, villager at Beng Thmei village	When will construction start and finish? In case of structure cutting need, who will pay for the cutting fee?
	Respondent	Mr. Hoc Synat, Road designer, KCI	Estimation from 18 months to 24 months of construction work.
4:42-4:47	Concerned remark	Mr. Ret Boran, deputy governor of Dambe district	Cutoff date reminding and explaining All most of potential affected are shop's roof, the owner should be cut by themselves in order to move faster of the road construction process.
4:47-5:00	Respondent	Most participants	Completely agree to take into account for cutting without own in-charge responsibility
	Questions	Ms. Mot Esas, Beng Thmei villager	In case of existing driving way will be cut, do project re-building?
	Respondent	Mr. Khuon Davith, Deputy Director, GDR-MEF	Yes, of course it is. Project contractor will in charge on that case.
	Close	Mr. Uy Sambath, Head of ESO-MPWT	Close with asking participants' feedback and confirming to understand the PIB
Mr. Ret Boran, deputy governor of Dambe district		Encourage affected people at the market for cooperation of clearing off COI in order to move faster proceeding of a project implementing.	

		All participants	Put up their hands to confirm their understanding the proposed project and express their willingness to cooperate with voluntary donate assets located in the COI.
		Mr. Seang Bora, Social safeguard consultant	Thanks for participations and willingness of cooperation.
5:00-5:15	COI ground true measurement clarification for few of affected households at the market		

**Photograph of consultation meeting activities**

Beng Thmei Market (PK39+800) Beng Thmei village, Seda commune, Dambe district, Tbong Khmom province

	<p>Pre-meeting: COI and potential affected shops observation by local authority and team.</p>
	<p>Welcome and team introducing</p>
	<p>Land acquisition and resettlement policy by Mr. Khuon Davith, Deputy Director, GDR-MEF</p>



Khmer Islamic women participants, discussion on the potential AHs/APs in COI and voluntary donation possibility.



All participants appreciate raised up their hands with PIB holding to confirm their understanding and confirming their willingness to cooperate with voluntary donate assets located in COI.



Closed meeting with thanks and wishes.

**NR73 Consultation Meeting at PK38+800, Beng Thmey village, Seda commune, Dambe district, Tbong Khmom province**

**Kratie province**  
**Provincial Road 377A**

Date: 17 January 2020  
Time: 8:30am. to 9:10am.  
Facilitator: ESO-MPWT  
Venue: Sandan Market (T-road PR377 and PR377A)  
Sandan village, Sandan commune, Sambour district, Kratie province

**In attendance list: 35 people**

Male: 22 people

Female: 13 people

**Meeting agenda and participant expression**

<b>Time</b>	<b>Contents</b>	<b>Speaker</b>	<b>Key expression note</b>
8:30-8:35	Open speech	Mr. Uy Sambath, Head of ESO-MPWT	- Welcome and team introducing - The purpose of the meeting
8:35-8:40	Introduction of Road construction Designing	Mr. Hoc Synat, Road designer, KCI	- Total proposed road length and width (COI) included bridges - Construction designing
8:40-8:45	Principle of land acquisition and compensation	Mr. Khuon Davith, Deputy Director, GDR-MEF	- Source of financing - WB and RGC land acquisition and compensation policies and process - Noted that land in ROW is not an asset for compensation policy. - Asset donation based on voluntary not by intimidating or urging - Detail Measurement Survey will identify the potential AHs/APs, - PIB is a useful information document need to understand. It will be reserved at the commune and district hall.
8:45-8:46		Mr. Uy Sambath, Head of ESO-MPWT	The procedure of AHs/APs identification and compensation
8:46-8:48		Mr. Khuon Davith, Deputy Director, GDR-MEF	- Explaining Cutoff date, and inform today (17 Jan 2020) is a cutoff date. The satellite images were taken and recorded before today's cutoff date. - Be aware and inform to the public no more construction activities located in the proposed COI.

8:48-9:00	Questions and Answers	Ms. Peang Khirit, Chatnoul villager	Totally agree with PIB, but please suggest to control dust pollution during construction.
		Mr. May Thearith, seller at Sandan market	Suggestion: Sandan market desired to have U drain system, potential affected small parts may cause by the project to the existing structure is not a matter of asking compensation. We would like to accept fair voluntary donation in among the community.
		Mr. Khuon Davith, Deputy Director, GDR-MEF	Question responding: We will have Detail Measurement Survey. So, we can find out the households will be affected due to their encroachment.
		Ms. Heng Sochea, Sandan villager	Suggestion: The nature of encroachment started from the competition among vendors for their front space. Currently, my shop's roof has to cut off once time in previous years, hope this new proposed COI is not affect more to my shop.
		Mr. Hoc Synat, Road designer, KCI	Suggestion responding: Due to currently total market road width is very narrow space to build up drain. Respond to the community's desired for U drain, project would like to encourage your voluntary donation small part of driving way.
		Ms. Sak Sam Oen, Chatnoul villager	Question: Do I able to obtain any compensation for the affected of my mango and coconut tree?
		Mr. Khuon Davith, Deputy Director, GDR-MEF	Question responding: Yes, the project will do Social Economics Survey as soon as possible, and will identify the potential affected case by each household.
9:00-9:10	Close	Mr. Uy Sambath, Head of ESO-MPWT	Sum up, and noted that each AHs/APs has right to request their compensation. Local authority could not expel someone from their home.
		Mr. Mut Chan Thoeun, Sambour DOPWT officer.	The existing total road width of Sandan market is 10m. So, for proposed COI is not challenge for voluntary donation.
		Mr. Seang Bora, Social safeguard consultant	Close with asking participants' feedback for cooperation and confirming understanding of PIB
		All participants	Put up their hands to confirm their understanding the proposed project and express their willingness to cooperate with voluntary donate assets located in the COI.
		Mr. Uy Sambath, Head of ESO-MPWT	Thanks for participations and willingness of cooperation.

### Photograph of consultation meeting activities

Sandan Market, Sandan village, Sandan commune, Sambour district, Kratie province



Meeting location at T-road of Sandan market (PR377 and PR377A road junction)



Welcome and team introducing



Acquisition and compensation policy by Mr. Khuon Davith, Deputy Director, GDR-MEF

	<p>Information on road designing by Mr. Hoc Synat, Road designer, KCI</p>
	<p>A woman participant close discussion about her concern on the potential AHs/APs in COI and voluntary donation possibility.</p>
	<p>All participants appreciate raised up their hands with PIB holding to confirm their understanding and confirming their willingness to cooperate with voluntary donate assets located in COI.</p>

**List of participants:**

**PR733A Consultation Meeting at Sandan market, Sandan commune, Sambour district, Kratie province**

**Kratie province**  
**Provincial Road 377**

Date: 17 January 2020  
Time: 9:35am. to 11:30am.  
Facilitator: ESO-MPWT  
Venue: Kbal Chour Loe pagoda  
Kbal Chour Loe village, Sambok commune, Chet Borey district, Kratie province

**In attendance list: 48 people**

Male: 32 people

Female: 16 people

**Meeting agenda and participant expression**

<b>Time</b>	<b>Contents</b>	<b>Speaker</b>	<b>Key expression note</b>
9:35-9:37	Open speech	Mr. Eav Narong, deputy governor of Chet Borey district	- Welcome and appreciate the participation of the meeting - Value the proposed project
9:37-9:38	Introduction of the meeting agenda	Mr. Uy Sambath, Head of ESO-MPWT	- Welcome and team introducing - The purpose of the meeting
9:38-9:40	Introduction of Road construction Designing	Mr. Hoc Synat, Road designer, KCI	- Total proposed road length and width (COI) included bridges - Construction designing and technical monitoring
9:40-9:45	Principle of land acquisition and compensation	Mr. Khuon Davith, Deputy Director, GDR-MEF	- WB and RGC land acquisition and compensation policies and procedure - ROW/COI and potential of AHs/APs - Noted that the project could be starting early based on the faster of participatory documentation proceeding. - Cutoff date informing and explaining - Ask participants express their willingness for their participation and cooperation.
9:45-9:47		Mr. Uy Sambath, Head of ESO-MPWT	There are two types of procedure: - Voluntary donation without intimidating or urging - Long compensation proceeding
9:47-10:15	Questions and Answer	Ms. Sok Leang, Kbal Chour villager	- Villagers as well as local authorities are concerned on the river bank collapsed sections - Most of the villagers are not clear about COI
		Mr. Seang Bora, Social safeguard consultant	Question responding:

			PIB contents all COI information of all proposed roads. Please disseminate the information to the other villagers.
		Mr. Sam Thul, Kbal Chour villager	Suggest WB approve sooner in order to avoid currently dust pollution.
		Ms. Thang Haka, Kbal Chour villager	Agreed with the above suggestion, and should be learned from the previous Thmor Kre road improvement experience that less of any impacts.
		Mr. Uy Sambath, Head of ESO-MPWT	- The SES will be conducted soonest in order to measure the potential impacts - Please provide your ideas for the proposed project.
		All participants	Discussion and raise their appreciate and willingness to cooperate with voluntary donate assets located in the COI in order to carry on the proposed project faster in this year of 2020.
10:15-10:20	Close	Mr. Eav Narong, deputy governor of Chet Borey district	- Note the urgent need of the road for development - Thanks for participations and willingness of cooperation
10:20-10:30	Ground true	Mr. Eav Narong, deputy governor of Chet Borey district and team	Visit few cases of potential affected assets point in road PR733's COI.

**Photograph of consultation meeting activities**

**Kbal Chour Loe village, Sambok commune, Chet Borey district, Kratie province**

	<p>Open speech by Mr. Eav Narong, deputy governor of Chet Borey district</p>
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Welcome and team introducing by Mr. Uy Sambath, Head of ESO-MPWT



Acquisition and compensation policy by Mr. Khuon Davith, Deputy Director, GDR-MEF



A woman participant addresses her concern on COI and voluntary donation.



Participants discussion on proposed road's COI.



All participants appreciate raised up their hands with PIB holding to confirm their understanding and confirming their willingness to cooperate with voluntary donate assets located in proposed COI.



A village chief took some more PIB for public informing.



Deputy district governor and team visited few of potential affected assets in road PR733's COI.

**PR733 Consultation Meeting at Kbal Chour Loe pagoda, Kbal Chour Loe village, Sambok commune, Chet Borey district, Kratie province**

**Kratie province  
Provincial Road 7**

Date: 17 January 2020  
Time: 1:30pm. to 2:30pm.  
Facilitator: ESO-MPWT  
Venue: Kon Tuot commune hall  
Kon Tuot village, Kon Tuot commune, Chet Borey district, Kratie province

**In attendance list: 31 people**

Male: 14 people  
Female: 17 people

**Meeting agenda and participant expression**

<b>Time</b>	<b>Contents</b>	<b>Speaker</b>	<b>Key expression note</b>
1:30-1:32	Open speech	Mr. Top Hon, commune chief of Kon Tuot commune	- Welcome and appreciate the participation of the meeting - Useful proposed project information needs for local authorities as well as communities
1:32-1:37	Introduction of the meeting agenda	Mr. Uy Sambath, Head of ESO-MPWT	- Welcome and team introducing - The purpose of the meeting
1:37-1:45	Introduction of Road construction Designing	Mr. Hoc Synat, Road designer, KCI	- Total proposed road length and width (COI) - Construction designing
1:45-1:47	Principle of land acquisition and compensation	Mr. Khuon Davith, Deputy Director, GDR-MEF	- Financing source of the proposed project - WB and RGC land acquisition and compensation policies and procedure - Noted that the project could be starting early based on the faster of participatory documentation proceeding. - Cutoff date informing and explaining, the satellite images were recorded for comparing the ground true.
1:47-2:25	Questions and Answer	Mr. Nay Sony, Angkrong villager	- Do we obtain any redress for the living trees in the existing COI?
		Mr. Khuon Davith, Deputy Director, GDR-MEF	Question responding: PIB was clarified the case, except land in the ROW is not the object to compensation policy. Please inform others.

		Ms. Moan Sokhi, teacher of Kontuot primary school	What is the meaning of affect? The previous my assets at Kontuot market were assessed as an affected asset, current proposed COI is not. Will do project claims in the future?
		Mr. Uy Sambath, Head of ESO-MPWT	SES will be conducted soonest in order to measure the potential impacts
		Crowd participants	Discussion and raise their concern on COI. COI demarcation is needed for clarification and preparation. Most believe that their assets in not in the proposed COI.
		Mr. Hout Koy Heng, Kon Tuot commune council	Based on our community needs for road improvement in development, our communities appreciate and support the project. Please raise your idea to accept our government policy to get faster proposed project.
		All participants	Raise up hand with PIB to accept condition and appreciate to voluntary donate.
2:25-2:30	Close	Mr. Top Hon, commune chief of Kon Tuot commune	<ul style="list-style-type: none"> <li>- Noted on value opportunity to obtain new road improvement project. Suggest local people to support and cooperate the project.</li> <li>- Thanks for participations and willingness of cooperation</li> </ul> Key message: <ul style="list-style-type: none"> <li>- Inform the others</li> <li>- No anymore structure in proposed COI from today cutoff date.</li> </ul>

**Photograph of consultation meeting activities**

**Kon Tuot village, Kon Tuot commune, Chet Borey district, Kratie province**



	<p>Open speech by Mr. Top Hon, commune chief of Kon Tuot commune</p>
	<p>Welcome and team introducing by Mr. Uy Sambath, Head of ESO-MPWT</p>
	<p>Acquisition and compensation policy by Mr. Khuon Davith, Deputy Director, GDR-MEF</p>
	<p>Introduction of Road construction Designing by Mr. Hoc Synat, Road designer, KCI</p>

	<p>Participants discussion on proposed road's COI.</p>
	<p>All participants appreciate raised up hand with PIB holding to confirm their understanding and confirming their willingness to cooperate with voluntary donate assets if affected.</p>
	<p>Closing remark with supporting and willingness cooperation by Mr. Top Hon, commune chief of Kon Tuot commune.</p>

**NR7 Consultation Meeting at Kon Tuot commune hall  
Kon Tuot village, Kon Tuot commune, Chet Borey district, Kratie province**

## **ANNEX 3: VOLUNTARY DONATION REPORT**

### **Voluntary Donation Report Cambodia Road Connectivity Improvement Project Road No. NR7, NR73, PR377 and PR377A**

#### **Project Overview**

The Road Connectivity Improvement Project of National Roads No. 7, 73, 377 and No. 377a is a project to renovate and improve the condition of the roads that are currently small and narrow, and most importantly and as the matter of fact, those roads are also in the areas of tourist attractions of Kratie province (PR377 and PR377a). Moreover, this project is supported by the World Bank and is being implemented by the Ministry of Public Works and Transport. This report was compiled by the Environment and Social Office (ESO) of MPWT, who conducted the onsite inspection, collected relevant statistics and also assessed the impact of this project for a period of 10 days starting from 01-10 February 2020.

#### **Voluntary Donations**

During consultations on January 16-17 to disclose the project and its impacts, local people expressed their desire to have road rehabilitation commence as soon as possible, as current road conditions make their daily living difficult and negatively impact their incomes. MPWT explained the schedule for the project and civil works, and that one of the ways to commence civil works earlier is if people were willing to donate impacted assets, since the formal process of land acquisition and compensation under GDR takes time (at least 6 months to one year more than if assets are donated). Based on this, people expressed their desire to donate impacted assets because assets were small, their acquisition did not negatively impact incomes and this way civil works could commence straight after engineers finished designs instead of having to go through the GDR process.

Nevertheless, the process for land acquisition as prescribed by GDR in the preparation of the BRP was followed by MPWT, and the MPWT ESO team set out to conduct an initial Census of impacted assets and people on February 1-10, 2020. At this time, people who were interviewed during the census reiterated their willingness to support the project and to forego compensation for their assets in order to expedite the road rehabilitation process. Most people, but not all, filled out and thumbprinted forms on-the-spot during this time<sup>32</sup>, whereas some people expressed their willingness verbally but did not complete yet. In any

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<sup>32</sup> Filled out and thumbprinted voluntary donations forms, and IDs of affected people, have been submitted to the World Bank, but not publicly released due to confidential information.

case, the voluntary donation process must be updated after Detailed Engineering Designs are completed, and all those AHs donating will have to complete and thumbprint forms at that time.

### Voluntary Donations by Section

1. **National Road No. 7:** Only one family was affected and thumbprints attested proof of their voluntary contribution in corridor of impact 11m in total, 5.5m measured from the centreline of the road to each side, of the National Road No. 7 Road Connectivity Improvement Project. As per the onsite inspection regarding the settlement of the impact caused by the National Road No. 7 Road Connectivity Improvement Project, the one family has agreed to voluntarily contribute their home access wooden bridge and the corrugated iron roof of a wooden stall built on the right of way.

2. **National Road No. 73** of 50km in length. The ESO conducted a site inspection and impact assessment. There are 19 families in total affected and they all have attested their thumbprints as proof of their willingness to offer voluntary contribution without claiming any compensation whatsoever from this National Road No. 73 Road Connectivity Improvement Project.

3. **National Road 377** (measured from the white dove roundabout to the pagoda of 100 columns with a total of 36km) affected 100 families. They have attested their thumbprints as proof of their voluntary contribution without claiming any compensation whatsoever from the renovation and expansion project of this National Road No. 377.

4. **National Road 377a** affected 26 families in total and they have attested their thumbprints as proof of their voluntary contribution to the project.

**Table 1: Summary of ROWs and COIs of Proposed Project Roads**

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Chainages
NR7	60	30	11.0	5.5	PK300+000 to PK317+870 PK318+200 to PK331+000
			16.8	8.4	PK317+820 to PK318+200
			15.0	7.5	PK331+000 to PK331+250
NR73	50	25	14.0	7.0	PK0+000 to PK0+260
					PK 39+400 to PK40+300
					PK49+700 to PK49+850
			11.0	5.5	PK0+260 to PK7+500
					PK27+300 to PK39+400
					PK49+700 to PK49+850
17.0	8.5	PK7+500 to PK8+000			
		PK27+300 to PK39+400			

<b>PR377</b>	40	20	8.0	4.0	PK0+000 to PK 7+350
					PK7+500 to PK23+230
			9.0	4.5	PK 23+670 to PK 30+500
					PK35+000 to PK36+000
			10.0	5.0	PK7+500 to PK23+230
					PK34+750 to PK34+850
11.0	5.5	PK30+500 to PK31+860			
		PK23+230 to PK23+400			
12.0	6.0	PK23+400 to PK23+670			
					PK34+850 to PK35+000
<b>PR377a</b>	40	20	8.0	4.0	PK0+000 to PK13+600

As per the above brief description, additional information is provided on the following key points:

- **National Road No 7 (NR7)** (around 5.5m): affected location (PK: 318+200)R.
  - One commune was affected. That is Kantuot commune, Chetr Borei district, Katrie province.
  - Supported by villagers, and they are looking forward to cooperating on the National Road No 7 Road Connectivity Improvement Project. The property affected by the project is only the corrugated iron roof of wooden stalls and cement slabs.

Table-2: Summary number AHs Voluntary contribution

1. Number Voluntary Contribution for National Road No. 7								
No.	Province	Disrict	Commune	Village	No. AHs Voluntary Contribution	No. RHS	No. LHS	Total
1	Kratie	Chetr Borei	Kantuot	Kantuot	1	1		1
<b>Grand total</b>								
								1

Table 3: COI NR7

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Chainages
<b>NR7</b>	60	30	11.0	5.5	PK300+000 to PK317+870
					PK318+200 to PK331+000
			16.8	8.4	PK317+820 to PK318+200
					PK331+000 to PK331+250
15.0	7.5				

- **National Road No 73 (NR73)** (around 7m): affected location (PK: 39+400)
  - One commune was affected. That is Seda commune, Dombae district, Tbong Khmom province.
  - Villagers have expressed their joy and agreement with the expansion project as they will have new better roads that is more convenient and safer for travel. They do not claim for any compensation whatsoever due to their previous knowledge and agreement that assets should not be constructed in the ROW. They further asked when the project would get started as they often heard about this road renovation and expansion project but nothing ever happened.

Table-4: Summary number AHs Voluntary contribution

2. Number Voluntary Contribution for National Road No. 73								
No.	Province	Disrict	Commune	Village	No. AHs Voluntary Contribution	No. RHS	No. LHS	Total
1	Tboung Khmum	Dambae	Seda	Beng Thmei	19	9	10	19
<b>Grand total</b>								<b>19</b>

Table 5: COI NR73

oad No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Chainages
<b>NR73</b>	50	25	14.0	7.0	PK0+000 to PK0+250
					PK39+400 to PK40+300
			11.0	5.5	PK0+250 to PK7+600
					PK8+000 to PK26+500
					PK27+300 to PK39+400
					PK40+300 to PK49+850
			17.0	8.5	PK7+600 to PK8+000
PK26+500 to PK27+300					

- **Provincial Road 377 (PR377)** (around 4m): affected locations are from PK: 0+580R to PK: 35+990R, and from PK: 00+550L to PK: 35+970L; (around 5.5m): affected locations are PK: 23+670L and PK: 35+970L; (around 6m): affected locations are from PK: 34+850 to PK: 35+000L.
  - 05 communes were affected including Sombok, Chetrborei and Krakor commune of Kratie district; and Thmarkrae commune of Chetrborei district; Sandan commune of Sambour district; and Sambo commune of Sambo district.

- Villagers agreed to provide thumbprints as proof of their voluntary contribution to the Road Connectivity Improvement Project of the Provincial Road 377 without claiming any compensation whatsoever since the impact is only mainly on their cement slabs and corrugated iron roof, no major impact that required villagers to move their houses or their business at all.

Table-6: Summary number AHs Voluntary contribution

3. Number Voluntary Contribution for National Road No. 377								
No.	Province	Disrict	Commune	Village	No. AHs Voluntary Contribution	No. RHS	No. LHS	Total
1	Kratie	Kratie	Krakor	Krakor	16	13	3	16
2		Chetr Borei	Thma Kreae	Ruessei Char	7	2	5	7
3		Chetr Borei	Thma Kreae	Thma Krae Kandal	3	1	2	3
4		Chetr Borei	Thma Kreae	Thma Krae Leu	3	1	2	3
5		Sambour	Sandan	Sandan	31	12	19	31
6		Kracheh	Krakor	Chetr Borei	1	1	0	1
7		Sambour	Sandan	Kakot	3	1	2	3
8		Sambour	Sandan	Thum	12	0	12	12
9		Kratie	Sambok	Kbal Chuor	3	0	3	3
10		Sambour	Sambour	Sambour	21	7	14	21
<b>Grand total</b>								<b>100</b>

Table-7: COI PR 377

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Chainages
<b>PR377</b>	40	20	8.0	4.0	PK0+000 to PK 7+350
					PK7+500 to PK23+230
					PK 23+670 to PK 30+500
					PK31+860 to PK34+750
					PK35+000 to PK35+412
			9.0	4.5	PK7+350 to PK7+500
					PK34+750 to PK34+850
			11.0	5.5	PK23+230 to PK23+670
					PK30+500 to PK31+860
			12	6.0	PK34+850 to PK35+000

- **National Road No 377a** (PR377a) (around 8m): affected locations are PK: 0+900L and from PK:0+100R to PK: 01+50R.
  - One commune was affected – Sandan commune, Sambour district, Kratie province. Affected 14 families living on the left and 12 families on the right-hand side of the road.

- Villagers will provide cooperation on the expansion project of this National Road No 377a because the current road is rather small and dusty, and very difficult to travel on, especially for tourists.

Table-8: Summary number AHs Voluntary contribution

4. Number Voluntary Contribution for National Road No. 377a								
No.	Province	Disriect	Commune	Village	No. AHs Voluntary Contribution	No. RHS	No. LHS	Total
1	Kratie	Sambour	Sandan	Sandan	26	12	14	26
<b>Grand total</b>								<b>26</b>

Table 9: COI PR377a

Road No.	ROW (m)	Distance each side from Centerline (m)	COI (m)	Distance each side from Centerline (m)	Chainages
<b>PR377a</b>	40	20	8.0	4.0	PK0+000 to PK13+600

After raising the prospect of voluntary contributions during initial consultations on January 16-17 (see Minutes of Consultations), affected people in the above sections expressed their willingness to contribute to the project and thereby speed the construction process. During the initial Census on February 1-10, AHs reconfirmed this willingness to donate and rejection of compensation, and their thumbprints were taken. Each AH was explained the impact and the process for donation. AHs were very pleased and actively participated in providing their cooperation as well as their voluntary contributions because they need a wider and better road that is convenient for them to travel and especially for the tourists. At the same time, there are a few people who raised their concerns, in particular those who are living on the riverbank as they worried that the project could affect their daily lives in case they are asked to move. Fortunately, this was not the case as only minor affects were caused by the project due to avoiding and minimizing impacts during engineering designs. All voluntary contribution forms signed have been kept by the ESO and a database of all impacts, based on the donation forms and measurements of impacted assets.

PHOTOS: Training Questionnaire and discussion of ESO team before field work



PHOTOS: Field work activities (Measurement and Thump print)





## Sample of Voluntary Contribution

### KINGDOM OF CAMBODIA

#### Nation Religion King

(Form for authorization to use/donation/voluntary contribution of property to the Road Connectivity Improvement Project (RCIP))

I, the authorizer/donor/contributor: XXX

sex: ..... F/M ....., age: ..XX years old, occupation: ..... vendor,

wife/husband: XX, age: ..XX years old, occupation: X, residing in Village: .....

Commune: ..... District/Town: ..... Province: ......

I hereby confirm that I voluntarily authorize [the use of]/donate/contribute the corrugated metal awning due to the impact (shrub/tree/m<sup>2</sup>/....), located in Village: .....  
Commune/Sangkat: ..... District/Town: ..... Province: ..... to the sub-project of construction of Road No. 377 (PK X+X).

I, XX, hereby confirm that ..... has been authorized to be used/voluntarily contributed to the construction of Road No. 377 (PK X+X) for public use and I will not claim any compensation for such impact and the loss of the following property under this sub-project.

Type of property	Size in m <sup>2</sup> / ...	Number of trees	Others
Corrugated iron roof	1m x 15m = 15m <sup>2</sup>	0	

Therefore, I hereby sign the affidavit as evidence of my decision.

1<sup>st</sup> witness: XX  
(neighbor) Name and thumbprint  
[Thumbprint]

1<sup>st</sup> witness: .....  
(the neighbor) Name and thumbprint

Date: .....  
Having seen and approved  
Village Chief

The owner  
Name and thumbprint  
[Thumbprint]  
XXX  
Head of family/Wife/Husband  
Name and thumbprint

Date: .....  
Having seen and approved  
Commune/Sangkat Chief

*Full Records of Voluntary Donations are kept by MPWT, have been shared with WB, but not publicly disclosed due to personal information.*

## **ANNEX 4: OUTLINE OF DETAILED RESETTLEMENT PLAN**

The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The Detailed Resettlement Plan<sup>33</sup> will include information on:

- Project Description
- Legal Framework
- Scope of Land Acquisition and Resettlement
- Socioeconomic Information and Profile
- Eligibility, Entitlements, Assistance and Benefits
- Information Disclosure, Consultation, and Participation
- Grievance Redress Mechanisms
- Resettlement Budget and Financing Plan
- Institutional Arrangements
- Implementation Schedule
- Monitoring and Reporting
- Livelihood Restoration Measures

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<sup>33</sup> Details under specific headings are in the Standard Operating Procedures accessible at [https://www.mef.gov.kh/documents/laws\\_regulation/LAR-SOP-Final-13032018.pdf](https://www.mef.gov.kh/documents/laws_regulation/LAR-SOP-Final-13032018.pdf)

## ANNEX 5: INDICATIVE INTERNAL MONITORING INDICATORS FOR LAND ACQUISITION

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Verify the list of compensation recipients against eligibility criteria for compensations	Number of persons in the list of compensation recipients, who do not meet eligibility criteria (included by mistake)
	Identification of persons, who may claim eligibility for compensation, but are not included in the lists of compensation recipients. Separate verification should be performed on each type of compensation	Number of persons who meet the criteria, but are not included in the list of compensation recipients (excluded by mistake)
Verification of affected area	Confirmation of the areas of affected assets (including land plots and real property) against the DRP	Area of land subject to acquisition, for which compensation has been paid
		Area of structures subject to acquisition for which compensation has been paid
Verification of compensation amount, processing and payment	Examination of financial documents	Number of persons who received compensation in time and in full amount disaggregated by compensation types
	Identification and analysis of reasons for compensations not being paid in full amount and in time.	Number of persons who did not receive compensation in time and in full amount, disaggregated by compensation types
		Amount of funding allocated for payment of compensations
	Identification of reasons for which funds for compensations have been under/overspent	Rate of spending of funds allocated for compensations, % of amount envisaged in the DRP
Verification of compensation timeline	Identification of reasons for which payment of compensations was delayed (e.g. due to the court trial, inheritance issue, etc.)	Number of persons who received compensation with delay, disaggregated by compensation types and reasons of delay; changes in amount of compensation (if any) should also be noted
Verification of consultation and participation	Determine the level of involvement and identification of reasons of inadequate participation	Number of compensation recipients who participated in consultations and coordination meetings at each stage of land acquisition
	Examination of grievance cases; analysis of disputes and complaints content, and resolution of conflicts	Number of complaints received
		Number of complaints resolved