

KINGDOM OF CAMBODIA

Nation Religion King

MINISTRY OF RURAL DEVELOPMENT

Cambodia Southeast Asia Disaster Risk Management Project II (P177185)



ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK

Final version

(10 February 2022)

TABLE OF CONTENTS

TABLE OF CONTENTS.....	III
LIST OF TABLES.....	IX
LIST OF FIGURE	IX
ABBREVIATIONS.....	X
DEFINITIONS.....	XII
EXECUTIVE SUMMARY	XIV
1. INTRODUCTION.....	1
1.1 PROJECT RATIONALE	1
1.2 PROJECT LOCATIONS	1
1.3 CONTEXTUAL SETTINGS.....	2
1.4 PROJECT DEVELOPMENT OBJECTIVE AND PROJECT COMPONENTS	3
1.5 SCOPE AND NATURE OF WORKS	4
1.6 PROJECT BENEFICIARIES AND POTENTIAL ADVERSELY AFFECTED PEOPLE	4
1.7 CIVIL WORKS ACTIVITIES	4
1.8 PURPOSE AND SCOPE OF THE ESMF	6
1.9 METHODOLOGY OF ESMF	7
1.10 APPLICATION OF ESMF	7
2. LEGAL AND INSTITUTIONAL FRAMEWORK	8
2.1 NATIONAL LEGAL FRAMEWORK RELATED TO ENVIRONMENTAL ISSUES	8
2.1.1 Law on Environmental Protection and Natural Resources Management	9
2.1.2 Sub-Decree on Environmental Impact Assessment Process #72 ANRK.BK (1999).....	9
2.1.3 Prakas on the Classification of Environmental and Social Impact Assessment for Development Projects	9
2.1.4 Guidelines on the Delegation of Power to Municipal/Provincial Departments of Environment (2005)	10
2.1.5 Protected Area Law (No. NS/RKM/0208/007)	10
2.1.6 Sub-Decree on the Control of Air Pollution and Noise Disturbance, #42 ANK/BK (2000)	11
2.1.7 Sub-Decree on Water Pollution Control #27 ANRK.BK (1999).....	12
2.1.8 Sub-Decree on Solid Waste Management (No. 36 ANRK.BK 2009)	13
2.1.9 Law on Forestry Management.....	13
2.1.10 Draft Environmental and Natural Resources Code.....	13
2.1.11 Additional Environmental Standards.....	13
2.1.12 International Conventions and Treaties on Environment	14
2.2 NATIONAL LEGAL FRAMEWORK RELATED TO SOCIAL ISSUES	14
2.2.1 Law on Protection of Cultural and National Heritage (1996)	14
2.2.2 Labor Law (1997)	14
2.2.3 Prakas on the Prohibition of Hazardous Child Labour (MoSALVY #106, April 28, 2004).....	15
2.2.4 Prakas on Light Work (2008).....	15
2.2.5 Law on the Prevention of Domestic Violence and the Protection of Victims, (NS/RPM/1005/031), 2005.....	16
2.2.6 Law on Road Traffic, PREAH REACH KRAM NS/RKAM/0115/001, 2015.....	16
2.2.7 Law on the Protection and Promotion of the Rights of Persons with Disabilities 2009 (Royal Kram NS/RKM/0709/010))	16
2.2.8 Expropriation Law (2010).....	16
2.2.9 Standard Operating Procedures for Externally Financed Projects in Cambodia on Land Acquisition and Involuntary Resettlement (2018), Sub-Decree No. 22 ANK/BK.....	16
2.2.10 The Land Law (2001)	17

2.2.11 National Policy on the Development of Indigenous Peoples (2009).....	17
2.2.12 Policy on Registration and Right to Use of Indigenous Communities (2009)	17
2.2.13 The Organic Law (2008)	18
2.2.14 Relevant International Agreements on Indigenous Peoples.....	18
2.3 INSTITUTIONAL RESPONSIBILITIES	18
2.4 WORLD BANK’S ENVIRONMENT AND SOCIAL STANDARDS (ESS)	19
2.4.1 ESS1: Assessment and Management of Environmental and Social Risks and potential impacts	20
2.4.2 ESS2: Labor and Working Conditions.....	20
2.4.3 ESS3: Resource Efficiency and Pollution Prevention and Management	21
2.4.4 ESS4: Community Health and Safety	21
2.4.5 ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.....	22
2.4.6 ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources.....	22
2.4.7 ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.....	23
2.4.8 ESS8: Cultural Heritage	23
2.4.9 ESS9: Financial Intermediaries	23
2.4.10 ESS10: Stakeholder Engagement and Information Disclosure.....	23
2.5 GAP ANALYSIS – WB’S ESF AND RGC LEGISLATION	23
3. ENVIRONMENTAL AND SOCIAL BASELINE	31
3.1 ENVIRONMENTAL BASELINE.....	31
3.2 SOCIAL BASELINE	31
3.2.1 Overview of socioeconomic, demographic characteristics	31
3.2.2 Sexual Exploitation and Abuse, and Sexual Harassment	40
3.2.3 Violence against Children.....	42
3.2.4 Child Labor	42
4. ENVIRONMENTAL & SOCIAL RISKS AND POTENTIAL IMPACTS	43
4.1 SOCIAL RISKS AND POTENTIAL IMPACTS.....	44
4.1.1 Positive Social Impacts	44
4.1.2 Social Risks and Potential Adverse Impacts	44
4.2 ENVIRONMENTAL RISKS AND POTENTIAL IMPACTS	46
4.2.1 Potential Impacts	46
4.2.2 Risks	47
5. MITIGATION MEASURES.....	49
5.1 MITIGATION MEASURES FOR ENVIRONMENTAL AND SOCIAL IMPACTS AND RISKS.....	49
5.1.1 Mitigation Measures Proposed for Design Phase	49
5.1.2 Mitigation Measures Proposed for Pre-Construction Phase	50
5.1.3 Mitigation Measures Proposed for Construction Phase	50
5.1.4 Mitigation Measures Proposed for Operation Phase.....	60
5.1.5 Cumulative Impact Mitigation	60
5.1.6 Measures to Address Potential Impact of Climate Change.....	61
5.1.7 Residual Impacts	62
5.1.8 Environmental and Social Commitment Plan	62
5.2 MITIGATION MEASURES FOR SOCIAL RISKS AND POTENTIAL IMPACTS	63
5.2.1 Sexual Exploitation and Abuse, and Sexual Harassment (SEA/SH)	73
5.2.2 HIV/AIDS.....	80
5.2.3 Exclusion/ Ineligibility Criteria	80
6. PROCEDURES FOR ENVIRONMENTAL & SOCIAL MANAGEMENT	82
6.1 SCREENING AND SCOPING	82
6.2 PREPARATION OF SITE-SPECIFIC ENVIRONMENT AND SOCIAL MANAGEMENT PLANS	83
6.2.1 Information Required in an ESMP.....	84
6.2.2 Responsibilities for Preparation and Bidding Documents.....	85

6.3 REVIEW AND APPROVAL FOR SITE-SPECIFIC ESMP	87
7. INSTITUTIONAL ARRANGEMENTS	87
7.1 MINISTRY OF RURAL DEVELOPMENT (MRD)	87
7.1.1 Social and Environmental Officers (SEO) of MRD	88
7.1.2 Provincial Department of Rural Development (PDRD)	89
7.1.3 Detailed Design Implementation and Supervision (DDIS) Consultant	89
7.1.4 E&S Consultants	90
7.1.5 Contractors	90
7.1.6 Contractor's Safety, Social and Environment Officer	92
7.1.7 Independent Social and Environment Monitoring Consultant (ISEMC)	93
7.1.8 Reporting Arrangements	94
7.2 MINISTRY OF ECONOMY AND FINANCE	94
7.3 CAPACITY ASSESSMENT AND CAPACITY BUILDING	94
7.3.1 Capacity Assessment	94
7.3.2 Capacity Building	95
8. STAKEHOLDER ENGAGEMENT & INFORMATION DISCLOSURE	96
8.1 STAKEHOLDER ENGAGEMENT	96
8.1.1 Consultations during Project Preparation	96
8.1.2 Consultations during Project Implementation	97
8.2 INFORMATION DISCLOSURE	97
9. GRIEVANCE REDRESS MECHANISM	98
9.1 STEPS IN GRIEVANCE REDRESS	98
9.1.1 Redress Procedure for complaints related to land acquisition	99
9.1.2 Redress Procedure for complaints related to labor and working condition	99
9.1.3 Redress Procedure for complaints related to SEA/SH	100
9.1.4 Redress Procedure for General Complaints	100
9.2 RECORDING GRIEVANCES IN LOGBOOK	101
10. MONITORING AND REPORTING	103
10.1 MONITORING	103
10.2 REPORTING TO STAKEHOLDERS	104
11. COSTS AND BUDGET	104
11.1 COSTS	104
11.2 BUDGET	106
APPENDICES	107
APPENDIX 1: INITIAL SCREENING PROCEDURES	107
Annex 1.1 Exclusion/Ineligibility List for Road Selection	107
Annex 1.2 Environmental and Social Screening	108
APPENDIX 2: RESETTLEMENT PLANNING FRAMEWORK	111
ABBREVIATIONS AND ACRONYMS	112
DEFINITIONS	114
EXECUTIVE SUMMARY	119
1. PROJECT DESCRIPTION	121
1.1 OVERVIEW	121
1.2 PROJECT DEVELOPMENT OBJECTIVE AND PROJECT COMPONENTS	121
1.3 LAND ACQUISITION IMPACTS AND RATIONALE FOR RESETTLEMENT PLANNING FRAMEWORK (RPF)	122

2. LEGAL FRAMEWORK.....	122
2.1 GAP ANALYSIS: WB ESF AND RGC SOP-LAR	123
3. OBJECTIVES AND PRINCIPLES.....	125
3.1 PRINCIPLES OF VOLUNTARY DONATION	126
3.2 PRINCIPLES OF INVOLUNTARY LAND ACQUISITION	129
3.3 ELIGIBILITY CRITERIA	130
3.4 RESETTLEMENT PROCESS: STEP BY STEP	131
3.5 CUT-OFF DATES.....	135
3.6 DETAILED MEASUREMENT SURVEY	135
3.7 REPLACEMENT COST STUDY AND ASSET VALUATION.....	137
3.8 COMPENSATION ASSESSMENT AND ENTITLEMENT MATRIX	139
4. INSTITUTIONAL ARRANGEMENTS	143
4.1 MINISTRY OF RURAL DEVELOPMENT	143
4.2 MINISTRY OF ECONOMY AND FINANCE.....	144
5. GRIEVANCE REDRESS MECHANISM	147
5.1 PROVINCIAL GRIEVANCE REDRESS COMMITTEE.....	147
5.2 STEPS IN THE GRIEVANCE REDRESS MECHANISM	148
6. IMPLEMENTATION ARRANGEMENTS	149
6.1 BUDGET AND FINANCING	149
6.2 IMPLEMENTATION SCHEDULE.....	150
6.3. ESTIMATED COSTS FOR RESETTLEMENT	151
7. INFORMATION DISCLOSURE AND STAKEHOLDER ENGAGEMENT	151
7.1 INFORMATION DISCLOSURE	151
7.2 STAKEHOLDER ENGAGEMENT.....	153
8. MONITORING AND REPORTING	154
8.1 INTERNAL MONITORING	154
8.2 EXTERNAL MONITORING.....	156
8.3 REPORTING	156
9. COSTS AND BUDGET	156
<i>Annex 1: Screening Form for Land Acquisition and Resettlement</i>	<i>158</i>
<i>Annex 2: Voluntary Asset/Land Donation Form.....</i>	<i>159</i>
<i>Annex 2.1 Screening form for Land Acquisition and Resettlement.....</i>	<i>161</i>
<i>Annex 2.2 Outline for Abbreviated Resettlement Plan</i>	<i>162</i>
<i>Annex 2.3 Indicative Performance Indicators for RP Implementation</i>	<i>163</i>
<i>Annex 3: Entitlement Matrix.....</i>	<i>164</i>
<i>Annex 4: Outline of Detailed Resettlement Plan.....</i>	<i>170</i>
<i>Annex 5: Indicative Internal Monitoring Indicators for Land Acquisition.....</i>	<i>171</i>
<i>Annex 6: Structure of Summary of Consultation Results (for Subproject Resettlement Plan)</i>	<i>172</i>
APPENDIX 3: INDIGENOUS PEOPLES PLANNING FRAMEWORK	187
ABBREVIATIONS.....	188
EXECUTIVE SUMMARY	189
1. INTRODUCTION	192
1.1 PROJECT BACKGROUND	192
1.2 PROJECT COMPONENTS AND ACTIVITIES	193

1.3 PURPOSE OF THE INDIGENOUS PEOPLES PLANNING FRAMEWORK (IPPF)	194
2. OVERVIEW OF INDIGENOUS PEOPLES	195
2.1 GENERAL INFORMATION ABOUT INDIGENOUS PEOPLES IN CAMBODIA	195
2.2 OVERVIEW OF INDIGENOUS PEOPLES IN PROJECT AREAS	198
2.3 SOME DISTINCTIVE CHARACTERISTICS OF MAJOR IP GROUPS IN PROJECT PROVINCES	199
3. LEGAL FRAMEWORK.....	201
3.1 NATIONAL LAWS AND REGULATIONS RELATED TO INDIGENOUS PEOPLES	201
3.2 RELEVANT INTERNATIONAL AGREEMENTS	204
4. IMPACTS, RISKS, AND MITIGATION MEASURES.....	207
4.1 SOCIAL IMPACTS.....	207
4.2 SOCIAL RISKS	208
4.3 ENVIRONMENTAL IMPACTS	211
4.4 ENVIRONMENTAL RISKS.....	211
5. PREPARATION OF INDIGENOUS PEOPLES PLAN	215
5.1 STEPS FOR PREPARING AN IPP	215
5.2 STAKEHOLDER ENGAGEMENT & INFORMATION DISCLOSURE	219
6. GRIEVANCE REDRESS MECHANISM	221
6.1 OBJECTIVE OF PROJECT'S GRM	221
6.2 GRIEVANCE REDRESS MECHANISM	222
7. IMPLEMENTATION ARRANGEMENTS, MONITORING AND REPORTING	224
7.1 IMPLEMENTATION ARRANGEMENTS.....	224
7.2 MONITORING	225
7.3 REPORTING	225
8. COSTS AND BUDGET	226
8.1 COSTS.....	226
8.2 BUDGET	226
Annex 1: Summary of Consultation during Project Preparation.....	229
Annex 2: IP Screening Form.....	230
Annex 3: Guidance on WB Criteria to Determine IP.....	231
Annex 3.1 Initial Screening for Indigenous Peoples	233
Annex 3.2 Guidance on Criteria in ESS 7 to Determine IPs.....	235
Annex 3.3 Indicative Indicators for IPP Implementation.....	237
Annex 4: Guidance Questions for targeted Social Assessment.....	242
Annex 5: Indicative Indicators for Monitoring.....	249
Annex 6: Outline for Subproject Information Booklet (SIB)	254
Annex 7: Ethnic Groups in 24 provinces in Cambodia	255
APPENDIX 4: DOCUMENTATION FOR CONSTRUCTION ACTIVITIES.....	273
Annex 1 Chance Find Procedures	273
Annex 2 Outline for Environmental and Social Management Plan	274
Annex 3 Sample Monitoring Checklist	276
Annex 4 Environmental and Social Codes of Practices for Construction.....	277
Annex 5 Guidelines for Worker's Camps.....	281
Annex 6 Contractors' General Guideline on COVID-19 Considerations in Construction Works	283
APPENDIX 5: LABOR MANAGEMENT PROCEDURES	284
ABBREVIATIONS.....	285
EXECUTIVE SUMMARY	286

1. INTRODUCTION	290
1.1 PROJECT OVERVIEW	290
1.2 PROJECT DEVELOPMENT OBJECTIVE AND PROJECT COMPONENTS	290
1.3 PURPOSE OF LABOR MANAGEMENT PROCEDURES.....	291
2. OVERVIEW ON LABOR USE UNDER THE PROJECT	291
2.1 TYPE OF WORKERS	292
2.2 DIRECT WORKERS	292
2.3 CONTRACTED WORKERS	292
2.4 PRIMARY SUPPLY WORKERS	293
2.5 COMMUNITY WORKERS	293
2.6 OTHER STAKEHOLDERS WORKING IN CONNECTION WITH THE PROJECT	293
2.7 ESTIMATED NUMBER OF WORKERS.....	293
3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS	295
3.1 PROJECT ACTIVITIES.....	295
3.2 KEY LABOR RISKS	295
4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS	301
5. BRIEF OVERVIEW OF OCCUPATION HEALTH & SAFETY LEGISLATION.....	302
6. RESPONSIBLE STAFF	303
6.1 RESPONSIBILITIES OF MRD AND MRD PMU.....	303
6.2 RESPONSIBILITIES OF PMU’S CONTRACTORS.....	304
7. POLICIES AND PROCEDURES	305
8. AGE OF EMPLOYMENT.....	307
9. TERMS AND CONDITIONS	308
10. GRIEVANCE REDRESS MECHANISM	309
10.1 PRINCIPLES FOR LABOR RELATED GRM.....	309
10.2 GRIEVANCE REDRESS PROCEDURE FOR PROJECT WORKERS.....	309
11. CONTRACTOR MANAGEMENT	311
11.1 CONTRACTOR SELECTION	311
11.2 PROJECT PERFORMANCE	312
12. PRIMARY SUPPLY WORKERS.....	313
<i>Annex 1 Occupational Health and Safety Guideline.....</i>	<i>315</i>
<i>Annex 2 Manager’s Code of Conduct.....</i>	<i>320</i>
<i>Annex 3 Workers’ Code of Conduct.....</i>	<i>324</i>
APPENDIX 6: SUMMARY OF CONSULTATIONS HOLD DURING PROJECT PREPARATION	328

List of Tables

Table 1. Classification of ESIA for Road and Bridge Construction Project	10
Table 2. Ambient Air Quality Standard	11
Table 3. Maximum Permitted Vehicle Noise in Public and Residential Areas	12
Table 4. Maximum Permitted Ambient Noise [dB(A)]	12
Table 5. Selected Effluent Standard for Pollution Sources Discharging Wastewater to Public Areas or Sewer Access.....	13
Table 6: Summary of Main Gaps Between RGC's SOP and WB's ESS5	25
Table 7: Additional Areas for Strengthening.....	28
Table 8. Mitigation Measures for Environmental Risks and Potential Impacts.....	51
Table 9. Mitigation Measures for Social Risks and potential impacts	64
Table 10. Action Plan to address SEA/SH.....	75
Table 11: Example of Environment and Social Management Plan	85
Table 13. Project Grievance Logbook (Sample)	102
Table 15. Estimated Costs for implementation of the ESMF	104

List of Figure

Figure 1 - ESMF Procedures on Approval, Scoping and E&S Plans	83
Figure 2 - ESMF Process	86

Abbreviations

AH	Affected Household
ARP	Abbreviated Resettlement Plan
C-ESMP	Contractor-Environmental and Social Management Plan
COI	Corridor of Impact
COVID-19	Corona Virus Infection Disease 19
KH-SEADRM2	Cambodia Southeast Asia Disaster Risk Management Project 2
DDIS	Detailed Design Implementation and Supervision (Consultants)
DED	Detailed Engineering Designs
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
FPIC	Free Prior and Informed Consent
GDR	General Department of Resettlement
GRM	Grievance Redress Mechanism
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
IA	Implementing Agency
IDA	International Development Association
IESIA	Initial Environmental and Social Impact Assessment
IP	Indigenous Peoples
IPPF	Indigenous Peoples Planning Framework
IPP	Indigenous Peoples Plan
IRC	Inter-Ministerial Resettlement Committee
LAR	Land Acquisition and Involuntary Resettlement
LMP	Labor Management Procedures
MEF	Ministry of Economy and Finance
MISTI	Ministry of Industry, Science, Technology and Innovation
MoE	Ministry of Environment
MOI	Ministry of Interior

MORAM	Ministry of Water Resource and Meteorology
MRD	Ministry of Rural Development
NGO	Non-Governmental Organization
OHS	Occupational Health and Safety
PA	Protected Area
PGL	Project Grievance Logbook
PDRD	Provincial Department of Rural Development
RGC	Royal Government of Cambodia
ROW	Right of Way
RP	Resettlement Plan
RPF	Resettlement Planning Framework
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SEO	Social and Environmental Office
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedure
STD	Sexually Transmitted Diseases
UXO	Unexploded Ordinance
VAC	Violence against Children
VLD	Voluntary Land Donation
WB	The World Bank

Definitions

Associated Facilities means facilities or activities that are not funded as part of the project and, in the judgment of the Bank, are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist. For facilities or activities to be Associated Facilities, they must meet all three criteria.

Chance find (procedure). A chance find is archaeological material encountered unexpectedly during project construction or operation. A chance find procedure is a project-specific procedure which will be followed if previously unknown cultural heritage is encountered during project activities. The chance finds procedure will set out how chance finds associated with the project will be managed. The procedure will include a requirement to notify relevant authorities of found objects or sites by cultural heritage experts; to fence off the area of finds or sites to avoid further disturbance; to conduct an assessment of found objects or sites by cultural heritage experts; to identify and implement actions consistent with the requirements of ESS8 and national law;

Contractor Environmental and Social Management (C-ESMP) refers to a site specific report which is prepared by the contractor following to the project ESMP.

Cultural heritage is defined as resources with which people identify as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions.

Disadvantaged or vulnerable refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon which they depend.

Pollution management includes measures designed to avoid or minimize emissions of pollutants, including short- and long-lived climate pollutants, given that measures which tend to encourage reduction in energy and raw material use, as well as emissions of local pollutants, also generally result in encouraging a reduction of emissions of short- and long-lived climate pollutants.

Primary suppliers are those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.

Project worker refers to: (a) people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers); (b) people employed or engaged through third parties to perform work related to core functions of the project, regardless of the location (contracted workers); (c) people employed or engaged by the Borrower's primary suppliers (primary supply workers); and (d) people employed or engaged in providing community labor (community workers). This includes full-time, part-time, temporary, seasonal and migrant workers. Migrant workers are

workers who have migrated from one country to another or from one part of the country to another for purposes of employment.

Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. 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. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

Executive Summary

Purpose and Scope of the ESMF

The World Bank is supporting the Royal Government of Cambodia (RGC) to deliver the KH-SEADRM 2. This ESMF sets out the principles, rules, guidelines and procedures to assess and mitigate the environmental and social risks and potential impacts of the KH-SEADRM 2. The ESMF contains measures, framework, and plans to reduce, mitigate and/or offset adverse risks and potential impacts, provisions for estimating and budgeting the costs of such measures, and information on the agency or agencies responsible for addressing project risks and potential impacts, in line with Environment and Social Standard (ESS) 1, Assessment and Management of Environmental and Social Risks and potential impacts, of the World Bank's Environment and Social Framework (ESF).

As part of this ESMF, the MRD has prepared, consulted and disclosed a Resettlement Planning Framework (RPF), an Indigenous Peoples Planning Framework (IPPF), as well as a Stakeholder Engagement Plan (SEP) and Environmental and Social Commitment Plan (ESCP) as additional documents. This ESMF includes, in its annexes, the RPF, IPPF, Labor Management Procedures, template for the ESMP, Chance-Find Procedures, Screening & Scoping Form, Codes of Conduct and Monitoring checklists, among others. Full details of the project are available in the World Bank's Project Appraisal Document.

Risks and Potential Impacts and Mitigation Measures

The social risks and potential impacts for this project are classified as "Moderate". Whilst the project aims to deliver a range of benefits, project activities have the potential to generate predictable, site specific, mitigation social risks and potential impacts, low in magnitude. These impacts include the acquisition of minor amounts of land and land affixed assets, potential cultural misunderstanding during engagement with indigenous communities, the possibility of sub-standard labor and working conditions on construction site, risks to community health and safety related to increase in traffic, and risks associated with workforce mobilization (e.g. Sexual Exploitation and Abuse and Sexual Harassments (SEA/SH) and the spread of communicable disease (Covid-19) among workers and communities). The project investment in rural road rehabilitation resilience will potentially bring direct and indirect benefits to local residents. These benefits will include reduced travel time to reach schools, health, and other public service centers, expanded access to markets and work opportunities, enhanced connectivity during the rainy season, improved road safety and improve air quality due to dust dispersion from unpaved road surfaces. The investments in the project target provinces are expected to contribute to local employment and economic development. Consultations with the vulnerable groups in these provinces in the process of designing, implementation and monitoring this project, including road selection processes, will help to ensure their enhanced access to project benefits.

The environmental risks and potential impacts is categorized as Moderate. The main activities would focus on repair/improvement of flood damaged roads and/or reconstruction of collapsed bridges and enhancement of drainage capacity in the target provinces. Of all proposed provinces, Phnom Samkos, central cardamom mountain, in Pursat and Phnom Aural, eastern part of cardamom mountain, in Kampong Speu are the wildlife sanctuary and classified as protected area under Royal Government of Cambodia. Cardamom is the rain forest and notable for its large diversity of habitats, including several types of forest. The design of the KH-SEADRM 2 will be built on the current KH-SEADRM I which is ongoing.

The environmental sensitive receptors along the roads include areas of natural vegetation, grown fruit trees, rice field and/or farmlands and freshwater habitat such as river, reservoir, creek, ponds, etc. Potential negative environmental impacts from road works include: (i) possible erosion and run-off to water bodies during earthworks; (ii) occupational and community health and safety, including temporary traffic blockages and traffic safety during road construction and operation; (iii) possibility of removing/trimming village fruit trees/branches; (iv) pollution from construction (dust, noise and vibration, wastewater from campsites, solid wastes and used engine oil); (v) water pollution from sourcing aggregates/construction materials such as soil, gravels, and water consumption for the construction etc.; and (vi) possibility of long-term adverse impacts from an unintended development activities caused by road reconstruction (running into/passing through/adjacent to the protected areas/critical natural habitats, land grabbing and/or illegal logging. Most of these impacts are likely to be temporary and reversible which could be managed by applying good construction practices and project environmental and social management plan. There are also risks related to UXOs at road and bridge works (which will be screened for and removal, if any, by experts as part of site clearance prior to commencing any physical, construction activities at the sites). Cumulative environmental impacts are expected to be negligible given the project's focus on rehabilitation of existing road infrastructure but will be assessed during sub-project screening exercise. In addition, MRD has gained experience implementing project under safeguard policies and ESF.

Based on the World Bank's ESS1, the KH-SEADRM 2 will follow a mitigation hierarchy to:

- Anticipate and avoid risks and potential impacts;
- Where avoidance is not possible, minimize or reduce risks and potential impacts to acceptable levels;
- Once risks and potential impacts have been minimized or reduced, mitigate; and
- Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible.

The nature of the project focus on the improvements to road surface, bridge construction, enhance road drainage capacity, raising of road and embankment levels, protection of structures and embankments from scour and erosion, and slope stabilization adjacent to selected roads and bridges affected by the 2020 floods and recurring flood events. No major environmental and social risks and potential impacts are expected. However, some direct risks and potential impacts associated with roads and bridges rehabilitation are expected during construction. Most of these risks and potential impacts are temporary and manageable. Some may be relevant during the operation and maintenance phase, particularly related to road safety.

ESMF Procedures

The purpose of the ESMF is to manage potential adverse risks and potential impacts by establishing a guidance document that will inform MRD, Detailed Design Implementation and Supervision (DDIS) consultants, related government ministries, as well as contractors, of the agreed set of environmental and social procedures and measures for the KH-SEADRM 2. The ESMF is also a guidance document which outlines the process for conducting future, site-specific, ESMPs, once road sections are known.

As an overarching guideline document, the ESMF seeks to ensure that:

- Road sub-projects consider environmental and social issues, especially for different populations who would be directly impacted (positively or adversely) by the sub- projects;

- Road sub-projects consider socio-cultural and gender sensitivities and environmental issues prevailing in areas where the proposed sub-projects would be implemented;
- During project formulation and design, adverse environmental and social impacts may arise during construction and operational phases, and appropriate mitigation/enhancement measures need to be designed with a monitoring plan developed to track implementation of site-specific instruments (ESMPs, RPs, IPPs);
- Environmental and social management instruments such as ESMP, RP or IPP are suitably prepared and followed;
- The contents of the project's Stakeholder Engagement Plan (including its provisions on grievance mechanisms) are applied for all the road sub-projects;
- Environment and social instruments are compliant with the World Bank ESF as well as national legislation;
- Project design takes into consideration the guidance in this ESMF and the mitigation hierarchy for environment and social impacts;
- Screening mechanism is determined for ES risks and potential impacts once road sections are identified;
- Procedures and responsibilities for the development of site-specific ESMPs are established.

The ESMF describes procedures for screening and scoping, as well as detailed steps to prepare ESMPs, including the information required, responsibilities and capacity needs and training necessary for project staff in charge of ESMP monitoring. Institutional arrangements for the project at the MRD and government-level, as well as for consultants and contractors, is also described in Section 7 of this report.

Stakeholder Engagement and Information Disclosure

The consultation and stakeholder engagement has been conducted as per the project's Stakeholder Engagement Plan (SEP). The purpose of the SEP is to set forth a plan that ensures project stakeholders, particularly those who are affected, are identified and engaged reiteratively throughout project preparation and implementation. Through implementation of the SEP, project stakeholders, particularly affected parties, will understand the project purpose, its environmental and social risks and potential impacts, proposed mitigation measures, grievance redress mechanism, and provide feedback based on such information to help the project avoid, minimize and mitigate identified risks and potential impacts during design and implementation. The SEP also describes institutional arrangements that are made to ensure implementation of this SEP is effective. The project recognizes that the voice of the disadvantaged/ vulnerable groups, such as women and indigenous peoples, are important. Since these groups may be disproportionately affected during project implementation, the SEP set out plans to ensure their meaningful feedback are sought and are considered and incorporated into project design and implementation. It also ensures project stakeholders, especially the affected ones, can participate in monitoring project's risks and potential impacts and management process, and provide continuous feedback for effective risks and potential impacts mitigation. The SEP is a living document and may be updated, as needed, during project implementation. Project stakeholders identified under this project include a) people who are affected by the project – either positively or negatively (herein referred to as “affected stakeholders”, and b) individuals/ entities who have interests in project, and/or have influence on project's activities and outcomes (herein referred to as “interested groups”).

Grievance Redress Mechanism

The objective of the project GRM is to provide complainants with redress procedures that are accessible, easily used, and free of charge to enable affected people to raise project related concerns and grievances. The project GRMs provide information on how the complaints are lodged, including forms, channels, particularly steps and time-limit for each step, such as time-limit for acknowledging receipt of complaint, notification of resolution decision, and prescriptive period, etc. During the grievance resolution progress, where necessary, dialogues will be held between the project's designated GRM unit/personnel and the aggrieved people to promote mutual understanding and collaboration among relevant parties for effective resolution. The project also has an appeal process which complainant can use when they are not satisfied with the complaint resolution decision, or their complaints are not resolved within a specified timeframe.

The project has in place three complaint handling procedures for three types of risks and potential impacts: 1) land acquisition, 2) labor and working conditions, and 3) sexual exploitation and abuse and sexual harassment (SEA/SH). These procedures are established based on the above principles for project's GRM, and in accordance with the requirements set out in pertinent national legislation. The GRM for complaints related to land acquisition is summarized in the project's Resettlement Planning Framework (RPF). It provides steps to guide complainants through complaint resolution process, including timeframe specified for each step (see RPF in Annex 2 for details). The GRM for workers regarding employment, wages, payment, working conditions, health, safety, etc. follows different procedure and are described in project's Labor Management Procedures (see LMP in Annex 5 for details). The GRM related to sexual exploitation and abuse/ sexual harassment (SEA/SH) is also established in accordance with the pertinent national laws and the World Bank's guidance on SEA/SH, and is described in project's LMP (see LMP for details). During construction, complaints and suggestions related to environmental issues, traffic safety, risks related to community health and safety, etc., are collected and resolved through different channels such as Contractor's GRM focal points, PMU's GRM focal points, village heads, community leaders, IP leaders, etc. who will convey the complaints to project's designated units that will resolve the grievances. Contact details for grievance redress resolution will be disclosed/distributed locally to community members, and to people who had participated in project's consultation meetings.

Monitoring and Reporting

Monitoring aims to collect periodically necessary information so as to evaluate/assess how proposed mitigation measures for identified risks and impacts are being implemented and whether they are effective or need corrective actions. Monthly, quarterly- and semi-annual monitoring reports will be undertaken in order to:

- Assess the implementation process and results of mitigation measures for identified risks and impact and propose/recommend measures/actions to manage effectively risks and impacts, particularly during construction process;
- Ensure the efficiency and quality of the environmental and social assessment processes;
- Establish evidence- and results-based environmental and social impact assessment; and
- Provide an opportunity to report the results of the implementation of mitigation measures in future ESMPs and other project related documents.

During road and bridge sub-project implementation, the MRD's SEO will conduct monthly internal monitoring activities on the implementation of the C-ESMPs to determine how mitigation measures are being implemented and the extent of their effectiveness. The MRD's SEO's Monitoring Reports will be reviewed by the project PM and PD and submitted to the World Bank for their review. The MRD's SEO will be assisted by the DDIS and independent E&S monitoring consultants during project implementation.

The MRD's SEO, assisted by DDIS and independent E&S monitoring consultants, will monitor that the required mitigation measures of the C-ESMP and other applicable documents are considered and implemented by the civil works contractors and/or other responsible agencies. The MRD's SEO will also monitor grievance redress resolution process and outcomes, implementation of land acquisition activities as described in the RPF, and ensuring adequate screening for presence of Indigenous Peoples in the area of project roads and bridges, preparation of required documents as needed and the implementation of the consultation and disclosure activities in accordance with the SEP.

Costs and Budgets

ESMF implementation costs include costs for 1) development of site-specific environment and social management plans (through DDIS consultant), 2) E&S monitoring (through independent E&S consultant, 3) maintenance of civil works during operation phase, 4) E&S trainings for capacity development for PMU/SEOs, 5) consultation, meetings, monitoring, and 6) Contingencies. The total indicative cost reviewed by MRD is estimated at 286,000 USD. This total estimated costs does not include variable costs that will be required for mitigation measures which will be estimated for each site-specific ESMP, RP and IPP when these instrument are determined and prepared during project implementation. Funds for ESMP and IPP implementation will be sourced through IDA (from project component 3). Funding for RP implementation will be through counterpart funding.

Consultation and Disclosure

National consultations were held by MRD during 29 November till 3 December 2021 to inform project interested stakeholders of the project purpose and activities and solicit their feedback, concerns, suggestions. The national consultation was conducted on the basis of ESF instruments that were disclosed prior to these consultation meetings. The disclosed instruments include the draft versions of the ESMF which comprises of the RPF, IPPF, and LMP as its Annexes, and SEP and ESCP. Consultation were also conducted with the potential affected people and interested stakeholder at some selected sites where road and bridge are likely to be selected for project investment. The minutes of the consultation can be found in Annex 4 of the SEP. The draft ESMF (including RPF, IPPF, and LMP as its Annexes), SEP and ESCP were disclosed on MRD's website (<https://www.mrd.gov.kh/2021/11/15/4632/>) on 15 November 2021, including full English version and Khmer executive summary. The final draft of ESF package were disclosed on MRD's website (<https://www.mrd.gov.kh/seadrm-ii/>) on 13 January 2022 in English, and on 15 February 2022 in Khmer. Executive Summaries of all above mentioned documents (ESMF, RPF, IPPF, LMP, SEP, and ESCP) are available in hard copies in Khmer language in the MRD's public library in Phnom Penh, and in the offices of Provincial Departments of Rural Development in all seven project provinces.

1. INTRODUCTION

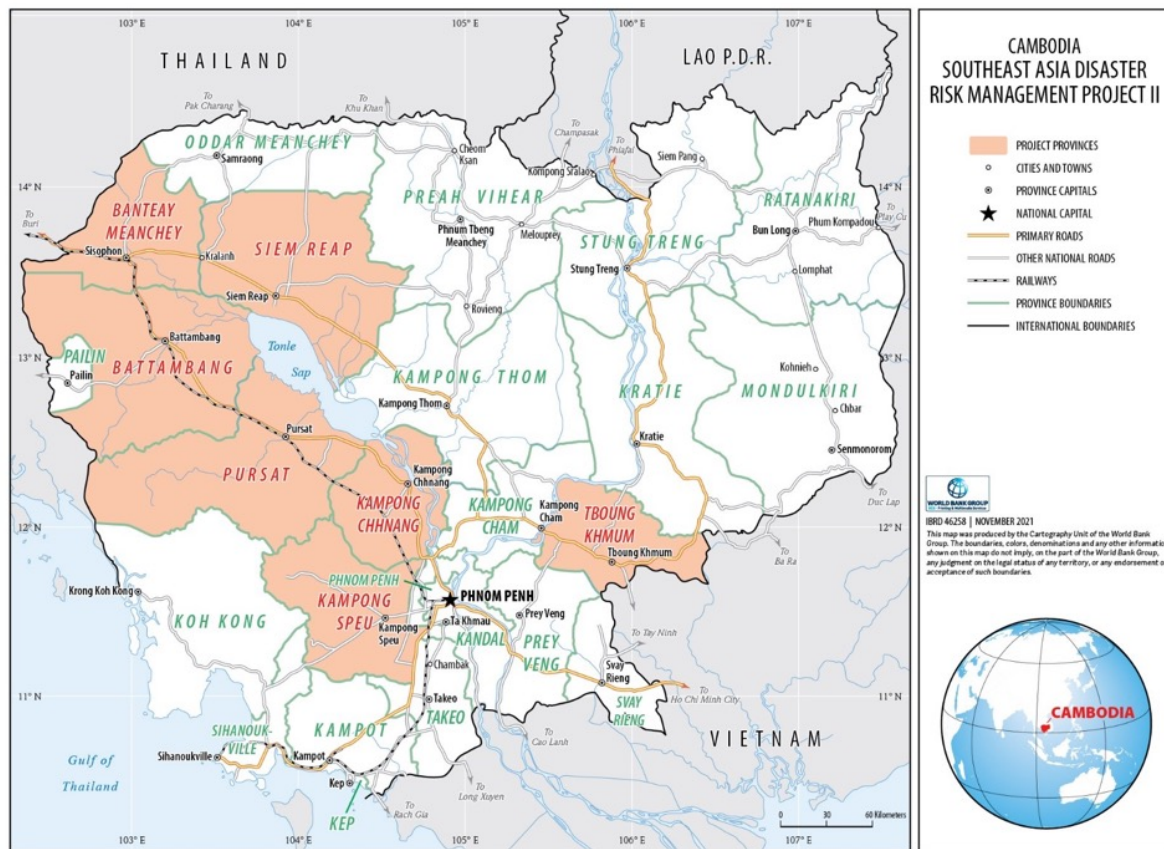
1.1 Project Rationale

From September to November 2020, Cambodia experienced heavy rainfall across the country. The heavy rains caused extensive flooding in 20 out of 25 provinces, leaving an estimated 800,000 people directly affected, of which 49% (388,000 people) had pre-existing vulnerabilities. The floods have caused damage to key transport infrastructure and loss of economic activities. According to the rapid damage and needs assessment conducted by the World Bank at the request of the Ministry of Economy and Finance (MEF), economic loss due to flooding was estimated at US\$ 448-490 million. Three sectors that were most affected include transport, irrigation, and agriculture, concentrating in nine provinces. Total costs for rehabilitation of the damaged transport infrastructure were approximately US\$508 million. It was noted that these floods came amidst a drought which did not only cause widespread crop failure, loss of assets, disruption of livelihoods but also exacerbate the inherent vulnerability of numerous households who are disadvantaged and are in areas that are prone to floods, other natural hazards.

The purpose of the second Cambodia Southeast Asia Disaster Risk Management Project (KH-SEADRM 2) is to support the government in its short-term effort to reconstruct the transport infrastructure affected by the flash floods in 2020, thereby resuming overall transport connectivity. In a longer term, the project aims to support the government to enhance its capacity and resilience to future impact of natural disaster risks through improving and mainstreaming disaster risk management (DRM) dimensions into its national long-term disaster risk management strategy, particularly in transport infrastructure. The KH-SEADRM 2 Project is built on the on-going KH-SEADRM project (P160929) and will finance resilient post-disaster road reconstruction of approximately 400km of rural roads and bridges in selected provinces that are affected by floods, including Banteay Meanchey, Battambang, Kampong Speu, Kampong Chhnang, Pursat, Siem Reap and Tbung Khnum provinces. Among these, infrastructure reconstruction activities will be mainly in Banteay Meachey, Battambang, Pursat, and Siem Reap which are among the poorest provinces where rural roads are badly damaged. In addition to support in infrastructure rehabilitation, the project also strengthens institutional capacity in DRM planning in national and rural development sector, including policy making processes. The project will also respond to crisis and emergencies related to natural disaster risks if these happened during project life.

1.2 Project Locations

Following an extensive process of screening and prioritizing done jointly by the MRD and the World Bank, seven provinces will receive project investment including Banteay Meanchey, Battambang, Kampong Chhnang, Kampong Speu, Pursat, Siem Reap and Tboung Khmum. Most infrastructure activities would focus in Banteay Meachey, Battambang, Pursat, and Siem Reap which are poorest and were severely affected by the floods (See Country map with marked Project Provinces below).



1.3 Contextual Settings

- **Socioeconomic Settings**

According to the World Bank (2021), Cambodia's economy is gradually recovering. It was projected to grow at 4% in 2021 following a contraction of 3.1% in 2020 thanks to revitalization of global demand. Agriculture remains resilient in part due to good prospects of the Cambodia-China Free Trade Agreement. Manufacturing has gradually adapted to changing external conditions. But the tourism sector continues to be hit hard due to COVID-19. As a result, growth outlook remains highly uncertain. The recovery is largely dependent on the course of COVID-19 development and the pace at which the vaccine can be rolled out. To remain resilient to the potential COVID-19, apart from urgent accelerated implementation of vaccination program, it is important to boost pro-poor and growth-enhancing public investment including cash-for-work projects, which is critical to economic recovery.

- **Disaster Risk Management**

Cambodia was the ninth most disaster-prone country in the world, according to the 2016 World Risk Index. Floods, storms, and droughts are the most common hazards in the country which are expected to become even more pronounced and severe under the influence of climate change. Typhoon Ketsana in 2009 and floods in 2011 and 2014 caused damages and losses of US\$132 million, US\$625 million, and US\$357 million, respectively. The recent floods in 2020 that hit 20 out of total 25 provinces in Cambodia also caused loss of US\$ 448-490 million. The floods are also affected by the El Niño climatic pattern, which brought severe drought to the country in 2015–2016, and recently again in 2020. The drought in 2020

affected severely the agricultural production, which is dependent on water resources, particularly the livelihoods of poor farmers who were affected again in 2020 flood, which left around 388,000 people impoverished – given the existing vulnerability.

According to the World Bank¹ (2017), disasters in Cambodia drain government resources. These impacts are greater than currently available resources, suggesting there is a significant short-term funding gap. A preliminary financial risk assessment estimated high annual economic losses for Cambodia due to natural disasters – equivalent to 0.7% of gross domestic product. An analysis based on historical data carried out indicates that every year Cambodia faces average costs of US\$54 million for emergency response to floods alone.

- ***Climate Change***

Cambodia is ranked as one of the most climate-vulnerable countries, not only in Southeast Asia but in the world. The Climate Risk Index ranks countries most affected by climate change in the period 1996–2015 (based on extreme weather events) indicated that Cambodia was ranked 13th out of 181 countries. According to the Cambodia Nationally Determined Contribution (2020), Forestry and other Land Use contributed most to greenhouse emission (49%, 76.3 MTCO₂e), followed by Energy (22%), Agriculture (17%), Industry (19%), and Waster (2%). According to a special report by the Ministry of Economy and Finance and the National Council for Sustainable Development², climate change could reduce Cambodia's GDP by 2.5% by 2030 and by almost 10% by 2050. The fall is largely because of reduced worker productivity (as a result of temperature increases), and extreme events (which affect infrastructure and loss of crops). The report recommended that two-thirds of the estimated loss could be avoided through improved policies and investment that aims to adapt to climate change and measures are in place for climate-proof infrastructure, where possible.

1.4 Project Development Objective and Project Components

Project Development Objective.

The Project Development Objective is to improve the disaster and climate resilience of flood-damaged roads in target areas, improve the capacity of the government to prepare for and respond to emergencies, and provide immediate and effective response in case of an Eligible Crisis or Emergency.

This objective will be achieved through implementation of various activities that are organized into four project components.

Project Components.

- **Component 1: Institutional Strengthening for Disaster Resilience in the Rural Development Sector (US\$3 million IDA credit and US\$0.45 million RETF).** This component will focus on provision of technical assistance to strengthen MRD's capacity to prepare for, respond to, and recover from disasters and deal with climate change.
- **Component 2: Resilient Rehabilitation and Reconstruction of Rural Roads and Bridges (US\$106 million IDA Credit).** This component will focus on carrying out climate and disaster resilient rehabilitation and reconstruction, and maintenance of selected rural roads and bridges and related infrastructure damaged by the 2020 floods and other natural disasters in target areas. The Component also provide technical assistance for: (a) protection of Road Users Through Road User Awareness-Raising; (b) developing a roadmap to expand the functionality of MRD's Rural Roads Asset Management (RRAM) System for post-disaster damage assessment and recovery; and (c)

¹ Disaster Risk Finance Country Diagnostic Note: Cambodia (World Bank – draft report).

² Modelling of Climate Change Impacts on Growth, April 2018

on-the-job Capacity Building for Design and Implementation of Road Rehabilitation to Climate-Resilient Road Standards.

- **Component 3: Project Management (US\$ 3 million IDA Credit, US\$1.5 million Counterpart Financing).** This component will provide technical and operational assistance to strengthen the institutional, organizational, and technical capacity of MRD to support day-to-day Project implementation, including coordination, technical matters, procurement, financial management, social and environmental safeguards, monitoring and evaluation, and reporting.
- **Component 4: Contingency Emergency Response Component (CERC) (US\$ 0m).** This component is designed to provide immediate and effective response to an eligible Crisis or Emergency, as needed.

1.5 Scope and Nature of Works

Scope and Nature of Activities related to Civil Works (Project Component 2 and 4).

As briefly mentioned above, project will support rehabilitation and maintenance of several existing rural road sections and bridges that were damaged by the flash flood in 2020. In addition, effort will be made to mainstream the element of disaster risk management into rehabilitation design to make the road more resilient to the impact of future recurring floods and potential impacts of climate change. The total length of these roads sections are approximately 400km, divided into an estimated 20 road lines that are located in seven provinces. These damaged roads will be reconstructed into mainly Double Bituminous Surface Treatment (DBST), laterite and earthen roads. Prior to reconstruction of the roads, selected roads and bridge will be designed taking into account aspect of disaster risk management to ensure that the reconstructed roads and bridges are resilient to future floods, including the potential impact of climate change. To enhance the function and life of the road, technical aspects such as longitudinal drainage, over- or under-passes will be considered to avoid inundating on road surface and facilitate local mobility, respectively.

1.6 Project Beneficiaries and Potential Adversely Affected People

Project beneficiaries include local people and organizations whose houses and/or business establishments are located along the roads and thus can improve their business activities thanks to improved road condition and better access to customers thanks to increased traffic volume, and general road users for a wide variety of socioeconomic and cultural purpose. From disaster risk management perspective, the reconstructed roads and bridges enhance the resilience and capacity of local people and government in response to natural disaster, such as flooding, and the potential adverse impact of climate change. During project implementation, some people in the vicinity of construction sites may be potentially affected. Project's affected people may include individuals, communities, businesses, organizations, etc., who live or operate business along the project roads and bridges, as well as general road users. During project implementation, local people near civil works may be adversely affected, temporarily as a result of construction operations such as increased level of dust, noise, vibration, loss of assets such as lands, houses, crops, and income due to acquisition of land to allow project construction. These losses are expected to be very minor because reconstruction will take place on the existing road. Other risks and adverse impact may include risks related to traffic safety, child labor, sexual exploitation and abuse (SEA), sexual harassment (SH), Violence against Children (VAC) that are related to the labor force mobilized to serve construction activities.

1.7 Civil Works Activities

- Technical working drawing

Technical working drawing will be prepared based on detailed design for each select road and bridge works to inform the construction method and process.

- Nature and scope reconstruction

All roads and bridges will be basically reconstructed on the existing locations. However, depending on the need of adjustment of alignment to enhance traffic safety and to take into account aspects of disaster risks management, some roads may be widened, heightened, and/or realigned at certain locations for these purposes.

- Construction Methods for Civil Works

Given the purpose of road and bridge rehabilitation and upgrading, projects roads and bridges will be reconstructed/upgraded on the existing road foundations. Construction methods employed include those widely adopted nationally for double bituminous surface treatment (DBST), laterite and earthen roads. Construction schedule and construction methods will be adopted in a way that minimizes the adverse impact on existing traffic (due to congestion) and ensure road safety (while part of the road is closed).

For reconstruction of roads, typical works involved include site clearance, removing debris and inappropriate top soil, aggregate, or asphalt layer; removing damaged road surface area and repairing the damaged surface area, installation of drainage system; excavating; filling; reinforcing works; reconstruction of the road surface using DBST; paving sidewalk, planting trees, installing lighting system where needed; ensuring traffic safety.

Construction of bridge will involve construction of the underwater structure and superstructure.

- Demolition of existing bridges

Measures for demolition of the old bridges: the old bridges will be demolished successively, one by one, from the middle of bridge to the bank; Dismantle railing, accessories; Using chisels, hammer to dismantle the reinforced concrete plate, dismantle the horizontal link; Using the crane to dismantle the master girder, recover the steel girder and hand it over to the local road asset management authority; Using chisels, hammer to demolish reinforced concrete structure of bridge abutment. For the offshore abutment positions, the equipment will stand on the floating system; damaged bridge's reinforced concrete pile foundation shall be demolished to at least 1m under the riverbed or underground to ensure safety; clear/remove residual materials/construction wastes from the riverbed.

- Construction of the underwater structure

Construction of underwater piers: positioning the pile, installing the platform for bored pile drilling; Construction of bored piles under water using floating rig; Erecting the steel sheet pile, installing reinforced steel frame systems; Digging soil in the sheet pile interception by suction method; Pouring concrete to seal the bottom by using the vertical drain method, absorbing water to dry the foundation pit; Driving the bored pile caps, testing and checking the quality of the pile; Installing formwork scaffolding, concreting column and pillar base;

- Construction of on-land bridge piers, bridge abutment: Embanking soil (embanking into island if construction on river banks, shrimp ponds) to create construction site; Fabricating the bored piles on land; Forming steel sheet pile to protect the foundation pit; Excavating soil in the foundation pit; [concreting to seal the bottom of the foundation pit at necessary locations]; Pouring concrete for leveling; driving the bored pile caps, testing and checking the quality of the pile; Installing formwork scaffolding, reinforcing concrete with pile base, abutment body/pillar.

- Construction of the superstructure

Constructing main span of cantilever balanced box girder: Construction of top pillar by cast-in-situ method on the scaffolding; cantilever balanced blocks will be fabricated by mobile trucks; Casting the border spans by cast-in-situ method on the scaffold; Construction of the closure joint by the form traveler.

Construction of span of prefabricated girders: the prestressed reinforced concrete girders are prefabricated at the casting site at the approach road to the bridge; Install beams to span position by specialized launching gantry or crane; Construction of horizontal beams, bridge plates and barrier.

- Completing the work

Installing expansion joints, drainage systems, handrails; Construction of bridge surface layers, paving the sidewalk; Construction of lighting system; Installing traffic warning systems (roadway and waterway); clearing all materials under the site and riverbed.

1.8 Purpose and Scope of the ESMF

- ***Purpose***

This Environmental and Social Management Framework (ESMF) sets out the principles, guidelines and procedures that guide the preparation of site-specific Environmental and Social Management Plan (ESMP) for all subprojects that have been identified and subprojects to be identified during project implementation. In particular, the ESMF provides guidance on how environmental and social risks and potential impacts could be identified in relation to construction activities and methods, including how these risks and potential impacts are assessed based on construction works that will be carried out at site specific subprojects. The ESMF suggests measures that could be adopted to avoid, or minimize, mitigate environmental and social risks and potential impacts. It also set out an institutional arrangement, led by the MRD, to ensure environmental and social risks and potential impacts are managed effectively during project implementation, and during the phase when reconstructed roads and bridges are operated. The ESMF also attempts to estimate a tentative total cost that may prompt budget allocation to ensure environmental and risks and potential impacts identified and assessed for all subprojects, and are effectively managed during project implementation. This ESMF is prepared in accordance with the laws and regulations of the RGC and the Environment and Social Framework (ESF) of the World Bank.

- ***Scope***

The ESMF covers key identified environmental and social risks and impacts anticipated as a result of reconstruction/upgrading of select roads and bridges damaged by the flash flood in 2020. E&S risks and potential impacts anticipated in this ESMF are based on a) scope and nature of road and bridge subprojects (to be selected using robust prioritization criteria and process), and b) Exclusion/Ineligibility Criteria such as exclusion of new roads, road sections requiring significant widening, and road sections and bridges requiring full EIA according to national legislation (See more details at Section 5.2.3 below). The exclusion/ineligibility list aims to limit the scope and nature of identified environmental and social risks and impacts to facilitate effective E&S management. The ESMF will also provide impacts screening checklist and identification and preparation of risk management tools to be prepared once roads and bridges are identified/finalized during project implementation.

The ESMF serves as an umbrella document, comprising the following elements:

- Project overview (rationale, locations, project affected people, contextual settings, project development objective, scope and nature of works, etc.);
- Applicable legal and institutional framework, including legislation of the RGC and WB's ESF, including analysis of policy gaps;
- Environmental and Social Baseline;

- Potential Environmental and Social Risks and Potential impacts;
- Proposed Mitigation Measures;
- Procedures to address identified potential Environmental and Social Risks and Potential impacts;
- Implementation arrangements;
- Stakeholder Engagement and Information Disclosure;
- Grievance Redress Mechanism;
- Monitoring and Reporting;
- Estimated Costs and Budget.

This ESMF includes, in its appendices, key important documents, including Resettlement Planning Framework, Indigenous Peoples Planning Framework, Labor Management Procedures which are, in aggregate, fundamental to effective management of risks and potential impacts identified based on the nature and scope of potential subprojects to be selected from seven project provinces. The Appendices of this ESMF also have, among others, a suggestive outline for a site-specific ESMP, Chance-Find Procedures, Screening & Scoping Form, Environmental and Social Codes of Conduct, Monitoring Checklists, and so forth.

1.9 Methodology of ESMF

The ESMF has been prepared following the standard methodology consisting of the following key steps:

- Review of the project concept note, previous MRD's similar project, and meeting/discussions with the MRD team;
- Review of relevant legal and institutional framework;
- Review and assess the risks and potential impacts of potential subprojects;
- Assessment of current E&S capacity of stakeholders directly involved in E&S management;
- Propose mitigation measures;
- Prepare an outline ESMP;
- Compile ESMF;
- Disclosure of draft ESMF (comprising RPF, IPPF, LMP as Appendices), SEP and ESCP; and
- Conduct public consultation with key stakeholders and update disclosed above disclosed documents based on feedback received during public consultation.

1.10 Application of ESMF

This ESMF will be applied to all project activities that are to be carried out under four projects components, as applicable. The ESMF will be applied during project implementation stage, and subsequently during the operation and maintenance of the subprojects during project implementation and following project closure. Budget for MRD's implementation of this ESMF following road and bridge completion and handover to MRD – both during project implementation and after project closure, are tentatively allocated in Chapter 11 (Costs and Budget).

Associated facilities³. This ESMF is also applied to activities or facilities that are, in the judgement of the World Bank, associated activities and/or facilities as defined in the WB' ESS1 (Assessment and

³ Associated facilities or activities are those that are not funded as part of the project and are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist. For facilities or activities to be Associated Facilities, they must meet all three criteria.

Management of Environmental and Social Risks and potential impacts). When this is the case, this ESMF will be applied to such associated activities and/or facilities – to the extent that MRD has influence over such activities and facilities.

The ESMF is a ‘living document’ and is subject to revision, if needed, during project implementation. The revision aims to reflect adaptive management of project changes and unforeseen circumstances or in response to assessment of project performance with regards to actual environmental and social management measures. In case the ESMF is revised, the updated ESMF will be disclosed and consulted on timely through the same channels that have been used by the MRD to disclose previous version of the ESMF and other agreed E&S documents. The revision and application of the updated ESMF is subject to the World Bank’s prior review and approval.

2. LEGAL AND INSTITUTIONAL FRAMEWORK

In this chapter, the national legal framework that is applicable to the Project will be briefly described. This national legal framework includes laws and regulations, such as Sub-Decree, Prakas, Guidelines, Standards, and international conventions and treaties that are currently effective and are most relevant to the Project. These laws and regulations are presented in two sections – one for environmental issues and the other for social issues. This chapter will also describe the institutional responsibilities that define how project stakeholders, particularly governmental agencies, apply these laws and regulations to the project to ensure effective management of environmental and social risks and potential impacts.

2.1 National Legal Framework related to Environmental Issues

The Constitution of the Royal Kingdom of Cambodia (1993) is the overarching legal document that defines and ensures the equal rights of all citizens in Cambodia, regardless of race, color, language and religious belief. The Constitution includes protections for social, indigenous, gender rights and equality (articles, 36, 45). It also includes provisions for the protection of workers (article 75) and worker’s rights to establish associations (article 42) and representative unions (article 36). It specifically prohibits all forms of discrimination Against women (article 45). On environment, article 59 requires the State to protect the environment and balance of abundant natural resources and establish a precise plan of management of land, water, air, wind, geology, ecological system, mines, energy, petrol and gas, rock and sand, gems, forests and forestry products, wildlife, fish and aquatic resources and it is within this constitutional context that the Ministry of Environment (MOE) was established.

Aside from the Constitution, the Government of Cambodia has established specific laws and regulations for forests, protected areas, and land law to ensure sustainable development. The national agencies that oversee environment and natural resources management are listed below:

- Ministry of Environment (MOE)
- Ministry of Agriculture, Forestry and Fisheries (MAFF)
- Ministry of Water Resources and Meteorology (MOWRAM)
- Ministry of Mines and Energy (MOME)
- Ministry of Industry, Science, Technology, and Innovation (MISTI)
- Ministry of Land Management, Urban Planning and Construction (MLMUPC)
- Ministry of Tourism (MOT)
- Ministry of Public Works and Transport (MPWT)
- National Climate Change Committee (NCCC)

The ministries are technically and administratively represented and supported at the provincial, municipal, and district/commune levels by its line departments and technical offices. The provincial departments are responsible and accountable to extend and implement the mandate of their parent ministries to the sub-national administrations including province, district/municipality, and commune/Sangkat level.

The MOE is the primary agency tasked to promote environmental protection and conservation of natural resources, thus contributing to improvement of environmental quality, public welfare, and the economy. The EIA Department of the MOE oversees and regulates the Environmental and Social Impact Assessment (ESIA) process, quality control on ESIA report and coordinates the implementation of projects in collaboration with project executive agencies and concerned ministries. The MOE has the following responsibilities:

- Review, evaluate, and approve submitted environmental impact assessments in collaboration with other concerned ministries; and
- Monitor to ensure a project owner (the executing agency of the project) satisfactorily implements the Environment Management Plan (EMP) throughout pre-construction, construction and operational phases of the projects.

2.1.1 Law on Environmental Protection and Natural Resources Management

The Law on Environmental Protection and Natural Resources Management (NS/RKM/1296/36) came into force in 1996. The law requires the government to prepare national and regional environmental plans and sub-decrees concerning a wide range of environmental issues, including EIAs, pollution prevention and control, public participation, and access to information. The Law on Environmental Protection and Natural Resource Management (1996) is the enabling legislation which allows the MOE to pass sub-decrees and regulations to protect the environment.

2.1.2 Sub-Decree on Environmental Impact Assessment Process #72 ANRK.BK (1999)

This Sub-decree sets out the current statutory requirements for Environmental Impact Assessment (EIA) process for private or public projects, including providing avenues for public participation (in particular Prakas on Public Participation in the EIA Process 2017). It sets out the minimum requirements for the nature and size of projects and activities (both existing and proposed) that shall be subject to EIAs. The Guidelines also list the specific content required in EIA reports, including: (i) introduction (ii) legal framework, (iii) project description, (iv) description of the baseline environment, (v) public participation/stakeholder engagement, (vi) assessment of impacts and mitigation measures, (vii) environmental management plan, (viii) economic assessment and valuation of environmental damages and losses, (ix) conclusion and recommendations.

The Project Proponents/Owner (public or private) is required to submit the necessary project document (IESIA / ESIA Report) to the MOE for review and approval. The IESIA / ESIA report shall be prepared by a registered company authorized by the MOE on behalf of the Project Proponent / Owner.

2.1.3 Prakas on the Classification of Environmental and Social Impact Assessment for Development Projects

The Prakas on Classification of Environmental and Social Impact Assessment for Development Project⁴ issued on 03 February 2020, classifies the road improvements projects and bridge improvement/construction projects based on its project's name and sizes (Table 1). The guidance for

⁴ <http://www.cambodiainvestment.gov.kh/wp-content/uploads/2020/02/WhatsApp-Image-2020-02-07-at-10.22.26-AM.jpeg>

preparing IEIA / EIA report is provided in the Prakas on General Guideline for Preparing IEIA and Full EIA, 2009 N. 376 BRK.BST.

Table 1. Classification of ESIA for Road and Bridge Construction Project

Code	Project's Name	Required for ESIA	Required for IESIA	Required for EPA
179	Road project	>100 km	≥ 30-100 km	10 - <30 km
180	Road widening project	>100 km	≥ 50-100 km	10 - <50 km
181	Road project in protected areas	>30 km	≥ 10-30 km	<10 km
182	Road improvement or widening project in protected areas	>50 km	≥ 10-50 km	<10 km
189	Bridge project		Weight Support ≤30 ton	

Source: Prakas No.021 dated on 03 February, 2020 on Classification of Environmental and Social Impact Assessment for Development Project

2.1.4 Guidelines on the Delegation of Power to Municipal/Provincial Departments of Environment (2005)

Guidelines stipulate that the provisional and municipal authorities shall review EIAs for all investment capital less than US\$2 million as well as “follow up, monitor, and take appropriate measures to ensure that Project's Owner will follow the EMP during project construction, operation and closure as stated in the EIA report approved.”

2.1.5 Protected Area Law (No. NS/RKM/0208/007)

Cambodia has a network of 23 natural Protected Areas managed through the MOE. These areas cover 2.2 million hectares, or 18% of Cambodia's land area, and include most of its important habitats. The Protected Area Law defines the framework of management, conservation and development of protected areas to ensure the conservation of biodiversity and sustainable use of natural resources in protected areas.

- **Article 11** divides the protected area into 4 zones namely, core zone, conservation zone, sustainable use zone and community zone.
- **Article 36** strictly prohibits all types of public infrastructure in the core zone and conservation zone; allows development of public infrastructures in the sustainable use zone and community zone with approval from the Royal Government at MOE's request.
- **Article 41** provides for the protection of each protected area Against destructive/harmful practices such as destroying water quality in all forms, poisoning, using of chemical substances and disposing of solid and liquid wastes into water or on land.
- **Article 44** requires all proposals and investments within or adjacent to protected area boundary, to conduct an Environmental and Social Impact Assessment.

Each protected area shall be divided into four (4) management zoning systems:

- **Core zone:** management area(s) of high conservation values containing threatened and critically endangered species, and fragile ecosystems. Access to the zone is prohibited except the Nature Conservation and Protection Administration's officials and researchers who, with prior permission from the MOE, conduct nature and scientific studies for the purpose of preservation and protection of biological resources and natural environment with the exception of national security and defense sectors.
- **Conservation zone:** management area(s) of high conservation values containing natural resources, ecosystems, watershed areas and natural landscape located adjacent to the core zone. Access to the zone is allowed only with prior consent of the Nature Conservation and Protection Administration at the area with the exception of national security and defense sectors. Small-scale community uses of Non-Timber Forest Products to support local ethnic minorities' livelihood may be allowed under strict control, provided that they do not present serious adverse impacts on biodiversity within the zone.
- **Sustainable use zone:** management area(s) of high economic values for national economic development and management, and conservation of the protected area(s) itself thus contributing to the local community, and indigenous ethnic minorities' livelihood improvement. After consulting with relevant ministries and institutions, local authorities, and local communities in accordance with relevant laws and procedures, the Royal Government of Cambodia may permit development and investment activities in this zone in accordance with the request from the MOE.
- **Community zone:** management area(s) for socio-economic development of the local communities and indigenous ethnic minorities and may contain existing residential lands, paddy field and field garden or swidden (Chamkar).

2.1.6 Sub-Decree on the Control of Air Pollution and Noise Disturbance, #42 ANK/BK5 (2000)

This sub-decree outlines the measures for protecting environment quality and public health from air pollutants and noise disturbance through monitoring, curbing and mitigating activities. It lists air quality standards and noise emission levels. For dust control, there should no visible emissions from stockpiles of materials, crushers or batching plants. At locations with sensitive receptors, the standard of total suspended particulates should be < 0.33 milligrams/cubic meter, PM10 <0.05 and PM2.5 <0.025, at 24-hour average (see Table 1). All vehicles should be well maintained and comply with the air quality regulations. The noise regulations do not stipulate a level of noise from construction sites but refer to mixed commercial and/or industrial and residential property or type of land use in the immediate vicinity that maybe affected by noise (see Tables 2 and 3).

Table 2. Ambient Air Quality Standard

Parameter	1-Hour Average (mg/m3)	8-Hour Average (mg/m3)	24-Hour Average (mg/m3)	1-Year Average (mg/m3)
Carbon monoxide		20.0	-	-
Nitrogen dioxide		-	0.1	-
Sulphur dioxide		-	0.3	0.1
Ozone	0.2	-	-	-
Lead	-	-	0.005	-

Total Suspended Particulate	-	-	0.33	0.1
PM10			0.05	
PM2.5			0.025	

Source: Prakas 120 dated on 11 April, 2018 on the Implementation of the Term of Reference for Infrastructure and Tourism Development Project

Table 3. Maximum Permitted Vehicle Noise in Public and Residential Areas

Category of Vehicle	Maximum Noise Level Permitted [dB(A)]
Motorcycles, cylinder capacity of the engine does not exceed 125cm ³	85
Motorcycles, cylinder capacity of the engine exceeds 125cm ³	90
Motorized tricycles	90
Cars, taxis, passenger vehicle of not more than 12 passengers	90
Passenger vehicle constructed for carriage of more than 12 passengers	85
Truck permitted maximum weight does not exceed 3.5 tons	85
Truck permitted maximum weight exceeds 3.5 tons	85
Truck engine is more than 150 kilowatts	89
Tractor or any other truck not classified here	91

Source: Prakas 120 dated on 11 April, 2018 on the Implementation of the Term of Reference for Infrastructure and Tourism Development Project

Table 4. Maximum Permitted Ambient Noise [dB(A)]

Area	Period of Time (hours)		
	6:00-18:00	18:00-22:00	22:00-06:00
Quiet areas: hospitals, libraries, school, kindergarten	45	40	45
Residential area: hotels, administration offices, houses	60	50	45
Commercial and service areas and mix	70	65	50
Small industrial factoring intermingling in residential areas	75	70	50

Source: Prakas 120 dated on 11 April, 2018 on the Implementation of the Terms of Reference for Infrastructure and Tourism Development Project

2.1.7 Sub-Decree on Water Pollution Control #27 ANRK.BK6 (1999)

This sub-decree regulates water pollution control measures in order to prevent and reduce the water pollution of the public water areas. As a minimum, all discharges of liquid wastes from construction camps, work sites or operations, to streams or water courses should conform to standards listed in Table 4.

⁶ http://www.cambodiainvestment.gov.kh/wp-content/uploads/2011/09/Sub-Degree-27-on-Water-Pollution-Control_990406.pdf

Table 5. Selected Effluent Standard for Pollution Sources Discharging Wastewater to Public Areas or Sewer Access

Parameter	Unit	Allowable limits for pollutant substance discharging to	
		Protected public water area	Public water area and sewer
Biochemical oxygen demand	mg/l	<30	<80
Chemical oxygen demand	mg/l	<50	<100
Total suspended solids	mg/l	<50	<80
Detergent	mg/l	<5.0	<15
Total dissolved solids	mg/l	<1,000	<2,000
Temperature	°C	<45	<45
pH		6-9	5-9
Oil and grease	mg/l	<5.0	<15
Dissolved oxygen	mg/l	>2.0	>1.0

Source: Prakas 120 dated on 11 April, 2018 on the Implementation of the Term of Reference for Infrastructure and Tourism Development Project

2.1.8 Sub-Decree on Solid Waste Management (No. 36 ANRK.BK 2009)

Under Article 7 of the Sub-Decree on Solid Waste Management, “the disposal of waste in public sites or anywhere that is not allowed by authorities shall be strictly prohibited”. While the Sub-Decree on Waste Management has no quantitative parameters, sensible practice is expected as detailed in this ESMF. Such practices would include (i) all general waste and food waste should be removed to a government approved landfill; (ii) all demolition waste must be removed to a government-approved location; (iii) all waste oil and grease should be disposed by a registered sub-contractor; (iv) the final destination of the oily wastes should be established.

2.1.9 Law on Forestry Management

The Law on Forestry Management prohibits the hunting of wildlife within protected areas. Aside from maintaining check points and providing rangers, the MOE has an active community education program to promote environmental awareness especially within the rural communities.

2.1.10 Draft Environmental and Natural Resources Code

A new Environmental and Natural Resources Code of Cambodia is being developed in Cambodia (10th draft after rounds of internal consultations). The draft Code includes general principles, environmental impact assessment, strategic environmental assessment, and biodiversity and protection of endangered species. It establishes biodiversity conservation corridors to provide linkages and protection for high-conservation areas. It also addresses protection of cultural heritage, public participation and access to information, a collaborative management process and dispute resolution procedures. The Code is, however, still pending the approval.

2.1.11 Additional Environmental Standards

There is no standard for vibration in Cambodia, therefore the vibration levels at any vibration sensitive property or location should be less than 1 millimeter/second (mm/s) peak particle velocity (PPV). The level of 1 mm/s PPV is a good “standard” derived from the United States Bureau of Mines publications for avoidance of damage and the United Kingdom Greater London Council standard for avoidance of nuisance.

There is also no specific regulation for hazardous waste management and substances in Cambodia. However, this aspect is in the Sub-Decree on Water Pollution Control Annex 1, and Sub-Decree on Solid Waste Management, which give details of classifications of what are defined as hazardous wastes and substances. Any hazardous wastes and substances must be stored correctly and only disposed in a manner approved by MOE.

2.1.12 International Conventions and Treaties on Environment

Cambodia has ratified the following international conventions related to environment:

- International Conventions and Agreements Kyoto Protocol ratified – 2002
- United Nations Framework Convention on Climate Change (UNFCCC) ratified – 1995; Initial National Communication – 2000; Second National Communication (2012)
- Convention on Biological Diversity (CBD) – 1995
- Cartagena Protocol on Biosafety – 2003
- UN Convention to Combat Desertification (UNCCD) ratified – 1997
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – 1997
- World Heritage Convention – 1991
- ASEAN Heritage Convention (National Parks: Bokor and Virakchey) (regional) – 2003
- Convention on the Prevention of Marine Pollution from Ships – 1994
- Measures on prevention of climate change, ozone depletion, on freshwater resource protection and on sustainable forest ASEAN – 1999
- Convention on Wetlands of International Importance (RAMSAR) – 1999
- Basel Convention on Control, Transport and Disposal of Trans-Boundary Hazardous Waste – 2001
- Stockholm Convention on Persistent Organic Pollutants – 2001
- Vienna Convention and Montreal Protocol on Substances that Deplete Ozone Layer – 2001

2.2 National Legal Framework related to Social Issues

2.2.1 Law on Protection of Cultural and National Heritage (1996)

This is the general law in Cambodia which covers all national monuments. The law widely recognizes the value of tangible and intangible cultural heritage as an asset for development and an integral part of people's identity. This is supplemented by the "Decision on the Definition of Three Zones to Protect Temple and Surrounding Areas in all Provinces and Municipalities except Angkor Wat" (1996).

2.2.2 Labor Law (1997)

This is the overarching legal instrument that regulates and protects workers in Cambodia. The law governs relations between employers and workers. The Law considers that the rules, obligations and rights are the same for casual or permanent workers. The law prohibits discrimination in any forms, including by sex, religion, social origin, or ethnicity (art 12). Employers are required to make available a copy of the Law to workers at all business locations/ operations (art 15) and forced compulsory or the hiring of workers to pay off debts is prohibited (art 16). The Law defines the role and nature of labor contracts be they are written or verbal, and sets out the acceptable working terms and conditions. Article 106 reaffirms equal conditions and wage for all work regardless of origin, age and sex for the same types of work. The Law establishes the limit for working hours to 8 hours per day and 48 hours per week as well as rates for working overtime and on public holidays.

The allowable minimum age for wage employment is set at 15 years (art 177). Children from 12-15 years of age can be hired to do light work (see Section 2.24) provided that (a) the work is not hazardous to their

health or mental and physical development, and (b) the work will not affect their regular school attendance, their participation in guidance program or vocational training approved by a competent authority. The Law recognizes statutory maternity leave on half wages (art 183), and for the performance of light duties for a further two months. Employers are prohibited from laying off women during their maternity leave (art 182).

Chapter eight of the Labor Law covers the health and safety of workers and requires maintaining standards of hygiene and sanitation in working environments and requirements for individual protective instrument and work clothes, lighting and noise levels (art.229). Machinery, mechanisms, transmission apparatus, tools, equipment and machines must be installed and maintained in the best possible safety conditions. The Ministry of Labor and Vocational Training (MoLVT) shall monitor working conditions and enforce compliance notices. All enterprises and establishments that are covered by this Law and employ more than fifty workers must have a permanent infirmary on the premises/workshop/ or work sites (art.242). Workplaces/ sites with more than 200 workers must have a health care station for injured or sick workers before transferring to a health facility and must be able to handle two per cent of the workers at the site. The Law requires that every manager at a workplace shall have someone in charge to take all appropriate measures to prevent work related accidents (art. 248). Workplaces must provide the primary health care to their workers and the levels of this vary according to the numbers employed (with 50 and 200 workers thresholds being specifically mentioned). The Law also mandates that a general insurance system obligatory for workers shall be set up and this system shall be managed under the insurance of the National Social Security Fund (art. 256).

2.2.3 Prakas on the Prohibition of Hazardous Child Labour (MoSALVY #106, April 28, 2004)

The Prakas prohibits the employment of anyone under the age of 18 in any of the 38 scheduled hazardous works / activities listed in the Prakas. Nine of the 38 are likely related to some aspects of road construction including:

- Operating cranes, hoists, scaffold winches or other lifting machines;
- Lifting, carrying, handling and moving of heavy loads;
- Operating or assisting to operate transportation equipment such as bulldozers, pile driving equipment, trailers, road rollers, tractor lifting appliances, excavators, loading machines, trucks, buses, and taxis;
- Maintenance of heavy machinery;
- Work carried out at construction sites, except in designated and safe areas for a child as permitted by a labour inspector;
- Demolition work;
- Work carried out on a ladder or scaffold at a height of over 2.5 meters;
- Work involving exposure to harmful chemical, physical, electromagnetic or ionizing agents, including tar, asphalt or bitumen;
- Operating power-driven spinning and winding machine.

2.2.4 Prakas on Light Work (2008)

Outlines 15 categories of light work that children between 12-15 years are allowed to do, limited to 12 hours per week outside of school time and 35 hours during periods of school holidays. It prohibits hazardous labor as noted above.

2.2.5 Law on the Prevention of Domestic Violence and the Protection of Victims, (NS/RPM/1005/031), 2005

The objective of the law is to prevent domestic violence, protect victims, and strengthen the culture of non-violence.

2.2.6 Law on Road Traffic, PREAH REACH KRAM NS/RKAM/0115/001, 2015

This law is intended to ensure road traffic safety and order, and protection of human and animal health and lives, properties and environment. Its establishment a requirement for all motor vehicles, trailers, and semi-trailers moving on the road to obtain a technical inspection certificate. It also outlines road safety requirements.

2.2.7 Law on the Protection and Promotion of the Rights of Persons with Disabilities 2009 (Royal Kram NS/RKM/ 0709/010))

The goal of the law is to protect and promote the rights of persons with disabilities in the country, and prevent, reduce and eliminate discrimination Against persons with disabilities. The law also seeks to ensure that persons with disabilities are able to participate fully and equally in activities within society and provide equal opportunities for employment.

2.2.8 Expropriation Law (2010)

This is the main legal framework that governs land acquisition and involuntary resettlement. It lists the development of public infrastructure as one of its objectives. 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.

Key articles include:

- **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;
- **Article 7:** Only the State may carry out an expropriation for use in the public and national interests;
- **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;
- **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.

2.2.9 Standard Operating Procedures for Externally Financed Projects in Cambodia on Land Acquisition and Involuntary Resettlement (2018), Sub-Decree No. 22 ANK/BK

The SOP reflects RGC's laws and regulations relating to the acquisition of land and the involuntary resettlement of affected households and the safeguard policies and procedures of Development Partners (DPs). Where appropriate, the SOP includes references to international good practices in resettlement

planning, implementation, monitoring and reporting. It includes details on how land acquisition must be conducted, consultation procedures, provision of entitlements and disclosure of information, among others. The SOP applies to all externally financed projects in the Kingdom of Cambodia, such as the proposed KH-SEADRM 2.

2.2.10 The Land Law (2001)

The Land Law sets out the legal rights of natural persons and legal entities in land ownership. The government can acquire private land for public purposes but has to pay a fair and just compensation in advance of the land acquisition. The law recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title.

Other provisions of the Land Law that may be relevant include:

- **Article 6:** Legal possession as defined by the Law is the sole basis for ownership, and all transfers or changes of rights of ownership shall be carried out in accordance with the required general rules for sale, succession, exchange and gift or by court decision;
- **Article 15:** State public land includes, among other categories, any property a) that has a natural origin, such as forests, courses and banks of navigable and floatable rivers or natural lakes; b) that is made available for public use such as roads, tracks, oxcart ways, pathways, gardens, public parks and reserved land, or c) that is allocated to render a public service, such as public schools, public hospitals or administrative buildings;
- **Article 26:** Ownership of the lands is granted by the State to indigenous communities as collective ownership, including all the rights and protections enjoyed by private owners. The exercise of collective ownership rights are the responsibility of the traditional authorities and decision-making mechanisms of the indigenous community, according to their customs and subject to laws such as the law on environmental protection;
- **Article 28:** No authority outside the community may acquire any rights to immovable properties belonging to an indigenous community;

2.2.11 National Policy on the Development of Indigenous Peoples (2009)

The Policy sets out government policies related to indigenous peoples in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism, industry and mines and energy. It is an umbrella document that defines principles for formal registration of indigenous communities as legal entities with their own bylaws and enables their participation in economic development that affects their lives and cultures. The Policy calls for the conduct of impact assessments for all infrastructure projects affecting indigenous peoples.

2.2.12 Policy on Registration and Right to Use of Indigenous Communities (2009)

This policy takes as its basis the recognition in the Land Law of 2001, of the right of indigenous communities to possess and use land as their collective ownership. The policy states that the registration of indigenous communities as collective ownership is different from the registration of individual privately-owned land parcels because the land registration of the indigenous communities is the registration of all land parcels belonging to the communities as a whole, consisting of both State Public Land and State Private Land in accordance with the articles 25, 26, and 229 of the Land Law and related Sub-decrees. These land parcels are different in size and can be located within the same or different communes/sangkat. Therefore, the registration of land parcels of indigenous communities requires a separate Sub-decree supplementing existing procedure of sporadic and systematic land registration.

2.2.13 The Organic Law (2008)

Recognizes indigenous peoples' vulnerability. Councils at provincial and district levels (capital, municipal and khan levels in urban areas) are given authority to formulate development plans (including physical plans and socio-economic development plans) that identify the needs of vulnerable groups including indigenous peoples. Certain functions are being delegated from national government (ministries) to sub-national level, such as in health, education, land management and urban planning aspects, and basic services to be delivered to local citizens.

2.2.14 Relevant International Agreements on Indigenous Peoples

Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples⁷, as well as the Convention on Biological Diversity (1992), which recognizes the role of indigenous people in protecting biodiversity. In 1992, the Cambodian Government ratified the International Covenant on Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia. Other relevant international agreements Cambodia has signed up to include:

- The UN Declaration on the Right of Indigenous People (2007)
- The International Convention on the Elimination of all Forms of Racial Discrimination
- The International Covenant on Economic, Social and Cultural Rights
- The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

2.3 Institutional Responsibilities

There are a number of different governmental departments responsible for the areas mentioned in the legislation system above. In general, the MRD has an overall responsibility for the construction, maintenance and rehabilitation of rural roads while the Ministry of Public Works and Transport (MPWT) is responsible for national and provincial roads. The Ministry of Environment is responsible for approving EIAs and monitoring compliance on environmental matters as well as legal enforcement of issues covered under environment -related laws and regulations. Responsibility in water resources management rest with the Ministry of Water Resources and Meteorology (MOWRAM).

The Ministry of Women's Affairs (MOWA) is the leading agency responsible for promoting gender equality and preventing violence Against women⁸. Other departments also play a contributing role such as the Cambodian National Council for Women (CNCW). The Ministry of Labor and Vocational Training (MLVT) is the leading agency in charge of labor and workforce-related matters, including minimum age of workers, wages and rights of laborer. On land acquisition, the General Department of (GDR) in the Ministry of Economy and Finance (MEF), is the main agency responsible. Meanwhile a number of government departments deal with issues relating to Indigenous Peoples, mainly the Ministry of Rural Development, the Ministry of Interior (MOI) and the Ministry of Land Management, Urban Planning and Construction (MLMUPC).

In Cambodia, Ministries have departments at the provincial level. For instance, MRD will have the Department of Rural Development established at provincial and district levels. So do other Ministries. As project roads are identified, MRD will liaise with relevant provincial and district departments under MRD to keep them of the project activities, including risks and potential impacts, mitigation measures, and

⁷ This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the Universal Declaration of Human Rights.

⁸ See National Action Plan to Prevent Violence Among Women (2014-18).

consultation that are required to collect feedback of those who are potentially affected, including those who are interested in project activities. MRD will also coordinate with relevant government stakeholders, such as Commune and Village chiefs, who are important links between national-, provincial-, and district-level government departments, and local communities. For instance, the commune and village level will be essential for the effective management of issues that may affect communities, such as those related to SEA/SH, etc. At the commune level, there may also be various important committees, such as the Commune Committee for Women and Children who are responsible for maintaining the welfare of women and children in their commune. Civil societies and NGOs may play important roles in supporting project and government in implementing mitigation measures that will be described in this ESMF. The project's SEP identifies and analyze these stakeholders and propose methods, schedule, and strategy for effective stakeholder engagement.

2.4 World Bank's Environment and Social Standards (ESS)

The following WB's Environmental and Social Standards (ESS) are applied to the Project:

- ESS1 – Assessment and Management of Environmental and Social Risks and potential impacts;
- ESS2 – Labor and Working Conditions;
- ESS3 – Resource Efficiency and Pollution Prevention and Management;
- ESS4 – Community Health and Safety;
- ESS5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlement;
- ESS6 – Biodiversity Conservation and Sustainable Management of Living Natural Resources;
- ESS7 – Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities;
- ESS8 – Cultural Heritage; and
- ESS10 – Stakeholder Engagement and Information Disclosure.

It is noted that ESS9 (Financial Intermediaries) is not relevant to this Project and thus is not applied to the KH-SEADRM 2 Project. In addition to the above ESSs, the World Bank's Guidance Note for above respective ESSs and Good Practice Notes are also referenced and applied during the preparation of agreed E&S documents. The Good Practice Notes include:

- Action Plan for Preventing and Addressing Sexual Harassment (FY19–FY21);
- Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works (Second Edition, February 2020);
- Assessing and Managing the Risks of Adverse Impacts on Communities from Project-Related
- Labor Influx (Second Edition, June 2021);
- Non-Discrimination and Disability (First Edition, June 2018);
- Road Safety (First Edition, October 2019);

In line with the application of the above ESSs, it has been agreed with the World bank and the Ministry of Rural Development that the following instruments will be prepared for effective environmental and social risks and management throughout project life.

- Environmental and Social Management Framework (including Resettlement Planning Framework, Indigenous Peoples Planning Framework, and Labor Management Procedures as it Appendices)
- Stakeholder Engagement Plan (SEP);
- Environmental and Social Commitment Plan (ESCP).

The ESMF will guide the preparation of site-specific ESMP(s). The RPF guides the preparation of subproject RP(s) and the IPPF guides the preparation of subproject IPP(s).

2.4.1 ESS1: Assessment and Management of Environmental and Social Risks and potential impacts

According to the nature of the civil work activities, nine standards are relevant under the KH-SEADRM 2. These are the ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, and ESS10. The environmental risk is rated “Moderate”. The proposed project will be implemented in seven provinces where risks associated with environmental baseline conditions are considered moderate. It is expected that the scope of work could cover 400 km of affected rural roads in the 7 target provinces. Road candidates will be identified after appraisal through a robust prioritization and environmental and social impacts screening to ensure the project activities will not cause significant environmental and social impacts. Screening for environmental and social risks and potential impacts has been informed by lessons from the ongoing Bank finance projects implemented by MRD, and the review of proposed project’s documents and other publicly available information.

Social risks and potential impacts anticipated for this project include the acquisition of minor amounts of land and land affixed assets, potential cultural misunderstanding during engagement with indigenous communities, the possibility of sub-standard labor and working conditions on construction site, risk to community health and safety related to increase in traffic, and risks associated with workforce mobilization (e.g. SEA/SH, VAC, potentially child labor and forced labor, and the spread of communicable disease (Covid-19) among workers and communities). There is also the risk of exclusion of vulnerable groups from the stakeholder engagement process, leading to the design of sub-projects and E&S mitigation measures that do not take into consideration their unique needs. Vulnerable groups that may require special attention during the stakeholder engagement and sub-project design process include people with disabilities, indigenous people, elderly road users, linguistic minorities and informal vendors. Some areas of provinces were former strongholds of the Khmer Rouge, where landmines and Unexpected Ordnance (UXO) remain an ongoing issue posing safety risks to local residents engaging in agricultural activities as well as construction workers conducting excavation works. These impacts are expected to be mostly temporary and manageable. This ESMF has laid out detailed procedures to manage these risks.

While no physical displacement is expected because reconstruction takes place on existing road, resettlement might happen for a small number of households, particularly when road alignment is adjusted for improved traffic safety and for integration of disaster risks management into road design. In addition, road rehabilitation may affect a small number of roadside vendors and fences of houses, farms encroaching the right-of-way. In some project locations, Indigenous Peoples (as per WB’s ESS7) could be present in some subproject areas. To manage risks related to land acquisition, the Resettlement Planning Framework will be applied. Similarly, when Indigenous Peoples are present in road or bridge subproject area, Indigenous Peoples Plan will be prepared in accordance with the Indigenous Peoples Planning Framework.

2.4.2 ESS2: Labor and Working Conditions

The ESMF contains Labor Management Procedures (see Appendix 5) to address any gaps between the national Labor Law and the ESS2. Requirements in LMP will be reflected in bidding documents and construction contracts. LMP will be also used to guide the preparation of the contractors’ LMP. The ESMF has as annexes on Occupational Health and Safety (OHS) (Annex 5.1), Manager’s Codes of Conduct (Annex 5.2), Workers’ Code of Conduct (Annex 5.3) and guidelines for Worker’s Camps (Annex 4.5).

While child labor in the project provinces in Cambodia is not reported to be an issue, there is potential that children could be employed in unskilled jobs and/or could be working in the supply chain (such as in factories providing raw materials for road construction). There is also a risk of Occupational Health and Safety (OHS) from operating machinery, etc. Therefore, the World Bank’s General Environmental Health and Safety (EHS) Guidelines on Occupational Health and Safety is applied (see Annex 5.1).

Potential project workers in KH-SEADRM 2 include MRD staff and their individual consultants working directly for MRD (direct workers), employees of civil works contractor and subcontractors (contracted workers), and primary supply workers (i.e. supplier of construction materials for core project activities).

The Labor Management Procedures (Appendix 5) specifies 18 years of age as the minimum working age for all project workers. Section 5, Tables 8 and 9 in this ESMF describes procedures and relevant provisions that contractors need to prepare, implement and monitor during construction process to ensure safety of its workers and others at construction sites, ensuring, in particular, appropriate use of personal protective equipment, providing training, raising awareness for workers, ensuring workers are aware of grievance redress mechanism.

2.4.3 ESS3: Resource Efficiency and Pollution Prevention and Management

Water will be consumed for suppressing dust at the construction sites, in the process of producing/batching of construction materials at the material plants and for washing the construction machinery and domestic needs at the campsites. Section 5, Tables 8 and 9, of the ESMF describes suggested mitigation measures, such as requirements for the Contractors to obtain permits indicating water sources and permissible volumes for abstraction / use and to ensure local water users are not adversely impacted. As the project activities only involve improvements/maintenance of existing roads, the project will neither consume large amount of energy and raw materials, nor use or procure pesticides. Chapter 5, Tables 8 and 9, identifies mitigation measures for efficient use of water and energy resources and measures to prevent use of resources from unlicensed sources.

Typical pollutions generated from road improvement and bridge construction activities include: (i) dust and other forms of air pollution from construction site, transportation and auxiliary facilities; (ii) noise and vibration; (iii) solid waste (domestic waste and construction waste including used oil and lubricant); (iv) wastewater from workers camps; and (v) pollution generated from asphalt plant, debris from bridge demolition, construction of underwater works for bridges, and pollution from quarries, etc. These impacts are temporary, site-specific and can be managed through a set of mitigation measures highlighted in Table 8 and Table 9, of this ESMF – which will be later updated in the ESMPs. The respective site-specific ESMPs will elaborate on the measures for waste water and solid waste management, including procedures and arrangements for the collection, sorting, removal, transportation and disposal of wastes. Where feasible, the ESMPs will envisage re-/use and/or re-cycling of certain types of wastes. These procedures will be closely monitored by MRD during project implementation.

It is important to note that the project is expected to improve air quality, in particular dust. At present, the poor state of the roads means that there is a lot of dust along the roads, often causing problems for communities living along the road corridor. Once roads are sealed, the amount of dust generated by road traffic is expected to decrease drastically.

2.4.4 ESS4: Community Health and Safety

In this ESMF, Chapter 5, Tables 8 and 9, identify risks and impacts related to Community Health and Safety (CHS), including proposed mitigation measure. Risks and potential impacts related to CHS include risks related to road safety, risks related to SEA/SH, VAC, increased risks of contracting communicable diseases such as COVID-19, HIV/AIDS, and other non-communicable diseases.. Guidelines and procedures to address identified risks and impacts are described in Labor Management Procedures (Appendix 5), OHS Guidelines (Annex 5.1), Manager's Code of conduct (Annex 5.2) and Workers' Code of Conduct (Annex 5.3).

As noted above, there are also risks related to pollution, particularly air quality. Compared to existing road condition which causes air pollution due to dust from road surface, reconstructed roads which are

mostly treated with asphalt (DBST) will reduce air pollution thanks to elimination of dust. However, air quality may be affected in the long run due to increased traffic, particularly during operation phase.

It is likely that temporary workers' camps will have to be installed/constructed, in particular in road sections that are far away from main towns. Criteria for selecting location to set up workers' camp will be established in site-specific ESMPs. Guidance on setting up worker's camps is provided in Annex 4.5. This guidance focuses on key aspects such as distance from water resources, schools, pagoda and/or physical cultural resources, land leasing/purchasing agreement/records, and distance from biodiversity conservation zones, etc. Chapter 5, Tables 8 and 9 of this ESMF include assessment on potential induced impacts as a result of labor influx, including SEA/SH/VAC and provision of procedures and institutional responsibilities with a view to avoid/minimize community conflicts, misunderstandings, and exposure to risks of communicable diseases (See Annexes 5.1, 5.2, and 5.3). There are provisions to promote local recruitment of workers, especially unskilled workers.

While the project may exacerbate road safety risks – as an improved road often leads to higher speeds – the project uses a comprehensive approach to improve road safety. On the physical side, the technical design of roads will incorporate recommendations of road safety audit and of feedback provided by local residents during consultation sessions prior to construction. Aspects of traffic safety will be mainstreamed into performance criteria and services under the Output and Performance Based Road Contracts (OPBRC). Road safety will be improved by road widening, where land is available, and by better signage and traffic calming measures at dangerous locations. Physical features also include enhanced measures to ensure pedestrians' safety, including for women and children from local communities who travel daily to and from schools, markets, and hospitals. To complement the physical measures, the project will carry out Information, Education and Communication (IEC) activities to raise local awareness on road safety, including risks related to SEA/SH/VAC.

Subproject ESMPs will include road traffic plans. Local consultations will discuss accessibility and safety needs of socially vulnerable groups (women, elderly, people with disabilities, children) and reflect in engineering design, where possible. Chapter 5, Tables 8 and 9 of this ESMF briefly describes potential risks related to natural hazards, particularly floodings.

2.4.5 ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

A Resettlement Planning Framework (RPF) has been prepared based on the consultation with representatives of potential affected people and interested parties. The RPF provides procedures for avoiding, or minimizing, mitigating land acquisition impact. It also includes resettlement principles and entitlements for the compensation at full replacement costs for those who are affected as a result of land acquisition. The RPF also has a procedure for Voluntary Donation which is an option for affected people. Once the Corridor of Impact (COI) is defined for selected road subproject, a Resettlement Plan or an Abbreviated Resettlement Plan will be prepared, if required.

2.4.6 ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources

It is anticipated that impacts on biodiversity and habitats are limited and are within the construction sites because reconstruction activities mainly take place on existing roadbeds. Any activities that adversely affect critical habitats, such as protected areas and wildlife reserves, will be avoided. Section 4 of this ESMF provides practical guidance for rural road screening Against ineligibility criteria (See Annex 1.1, and 1.2), and identification and preparation of an environmental and social management tool once project roads and bridges are identified. Such mechanisms will ensure reconstruction/upgrading of project roads and bridges will not cause significant adverse impacts on biodiversity and natural resources. Chapter 5, Table 8 and Table 9 also provide guidance to ensure (i) cutting of trees and vegetation is limited to a

minimum and justified by technical requirements; (ii) relevant national legislation is followed, and (iii) replanting is undertaken where feasible.

2.4.7 ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

The Project is not expected to acquire land from Indigenous Peoples. The project aims to ensure IP groups are included in project planning and implementation to ensure the IP in subproject areas receive socioeconomic benefits that are culturally appropriate to them. An Indigenous Peoples Planning Framework (IPPF) has been prepared and disclosed for consultation in accordance with with ESS7. IPPF guides how an IPP will be prepared for a subproject to ensure IPs can benefit from project activities while adverse impacts on them can be avoided, or minimized if avoidance is not possible. Any works that would adversely impact the integrity or productivity of collectively owned IP land would be carefully screened for and excluded. Works maybe undertaken adjacent to collectively owned IP land, but should not impact the integrity or it's productivity. As such FPIC will not be applicable for the project.

2.4.8 ESS8: Cultural Heritage

Screening suggested that compared to other parts of Cambodia, the presence of tangible and intangible cultural heritage assets in the selected provinces is low. However, close to roads, there may be temples, pagoda, mosques, stupas and graves. While these are not likely impacted by the road works, consultations will be carried out with local stakeholders, including local people, local authority, Ministry of Culture and Fine Arts (MoCFA). Consultation with religious leaders and/or indigenous village chiefs will be carried out. Mitigation measures are described in Chapter 5, Table 8 and Table 9. A Chance Find Procedure is provided in Annex 4.1.

2.4.9 ESS9: Financial Intermediaries

Financial intermediary is not applied to the project.

2.4.10 ESS10: Stakeholder Engagement and Information Disclosure

Stakeholder engagement is important to ensure that affected people as well as interested stakeholders are engaged during project design, preparation, and implementation. A Stakeholder Engagement Plan (SEP) has been prepared by MRD. The SEP will be applied and will be updated as needed during project cycle. The SEP has Project Grievance Mechanism has different complaint handling procedures that are applicable to those who are affected by land acquisition – either permanently or temporarily, project workers, and SEA/SH survivors.

2.5 Gap Analysis – WB's ESF and RGC Legislation

While Cambodia has a relatively strong environmental and social regulations and planning framework, some gaps exist between relevant national E&S regulations and the World Bank's ESSes. For instance, existing legal frameworks in Cambodia does cover the rights of workers, deal with occupational health and safety, traffic laws, and measures that seek to protect women against violence. However, some of these regulations are weakly enforced occasionally which may need enhanced monitoring for effective enforcement. On land acquisition, the WB's ESS5 and the RGC's SOP both share the objectives and principles of land acquisition and involuntary resettlement. Principles of both are, indeed, largely similar but practicing are still diffent towards the shared objectives and principles. While there is consistency between the national legislation and international donor agencies' standards on indigenous peoples, national policies are not sufficiently detailed in terms of regulations or operating procedures to facilitate full implementation of Indigenous Peoples Plans in Cambodia. In Table 6 (below), key gaps between RGC's legislation and WB ESF are identified and clarifications/measures proposed to address identified gaps. It

is noted that of all key gap assessment between RGC's legislation and WB's ESF, gaps between RGC's SOP and WB's ESS5 are particularly wider (See Items No.5, 6,7 and 8 in Table 6).

Table 6: Summary of Main Gaps Between RGC's Relevant Legislation and WB's ESSs

No.	Areas of Difference	RGC 's Relevant Regulations	WB's ESF	Key Gaps	Measures/Clarifications to Address Differences
1	Assessment of project impacts	RGC legislation focuses on project impacts from an environmental point of view and does not consider social, gender and labor impacts, among others, as well as cumulative and transboundary impacts. It does not consider the specific needs of vulnerable people (the poor, elderly, female-headed households, people living with a disability, etc.)	ESS1 is comprehensive and considers the full scope of project impacts from an environmental and social perspective, integrating all these aspects. In addition, the ESF has particular standards that deal with labor, gender and community health and safety, among others, as well as ensuring disadvantaged and vulnerable people/ groups are not disproportionately affected by projects' adverse impacts or disadvantaged in sharing development benefits.	Lack of requirement to assess potential impact on people in such environment, particularly vulnerable groups.	This ESMF covers both direct, indirect and cumulative environment and social risks/impacts and proportionate mitigation measures, taking a holistic approach to the project and looking at impacts in an integrated way, including considering the needs of disadvantaged and vulnerable persons or groups. Future ESMPs will also detail how to conduct detailed impact and risk assessment and the definition of proportionate mitigation of measures
2	Mitigation hierarchy	There is no mitigation hierarchy in RGC legislation.	WB ESF, in particular ESS1 (and also ESS 5, 6 and 7), discusses the need to have a mitigation hierarchy when planning projects, in order to avoid, minimize or, if not possible, mitigate project impacts. Having a mitigation hierarchy allows project planners to plan their projects with potential for environment and social impacts in mind.	Lack of a framework that sets out pathway for limiting as far as possible risks and potential adverse impacts.	This ESMF discusses a mitigation hierarchy to be followed by project planners when choosing road sections for rehabilitation and conducting detailed engineering designs.
3	Minimum working age	Minimum working age in Cambodia is 15 albeit children between 12-15 years can perform light work that does not conflict with schooling no hazardous work is permitted for children under 18.	ESS 2 (para 17, 19, and footnote 13) specifies that the minimum working age is 14 unless national law specifies a higher age. However, a child over the minimum age and under 18 may be employed or engaged in connection with the project if the work is not hazardous or interfere with the child's education or be harmful to the child's health, and that appropriate risk assessment is conducted prior to engaging the labor and that Borrower conducts regular monitoring of health, working conditions, hours of work and the other requirements of ESS2.	Lack of legislative requirements to ensure screening, assessment, and monitoring are in place to ensure a child under 18 can participate in work that is not hazardous to their health and affect their schooling.	This ESMF will propose a minimum working age of 18 years due to the potential for hazardous work related to road rehabilitation. The ESMF will provide monitoring guidelines and requirements of the Borrower and contractors (see LMP in Appendix 5).
4	Traffic safety	No regulations in infrastructure projects to consider traffic safety.	Ensuring safety of the community, including minimizing risks related to traffic accidents in development projects is specified in ESS4.	Lack of requirements to ensure traffic safety measures are in place	The ESMF will suggest measures to ensure safety for pedestrian during construction and over the life of the road, including

No.	Areas of Difference	RGC 's Relevant Regulations	WB's ESF	Key Gaps	Measures/Clarifications to Address Differences
				to ensure safety for community in vicinity of infrastructure projects	undertaking IEC activities on road traffic safety – targeting local road users to promote traffic safety behaviors while using the roads
5	Livelihood Restoration and Assistance	SOP-LAR details specific measures to restore livelihoods which are land-based, employment-based and business-based.	Provision of livelihood restoration and assistance to achieve WB's ESS5 objectives in cases of significant loss of livelihood to assist displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards.	Lack of clear benchmark to assist monitoring and evaluation to confirm if affected households restore their livelihood to the level prevailing prior to the beginning of project implementation	Based on RGC's SOP-LAR, 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. If applicable in SEADRM II, DRPs will include provisions to ensure livelihood restoration programs are robust and can accurately meet the livelihood restoration objectives in line with WB ESS5.
6	Grievance Redress Mechanism	Appendix 8 of the SOP-LAR provides the structure and details on operating guidelines and procedures for effective functioning of Grievance Redress Mechanism. It provides a 3-step process, including the registration and recording of complaints and the judicial process for complainant's use if complaints remain unresolved at the administrative level. The detailed procedures for at each step are provided in the SOP-LAR.	Annex 1 of ESS10 includes details of administrative and judicial process on Grievances Redress Mechanisms to handle grievances under all ESSs. Participation in resettlement planning and implementation, including in developing appropriate Grievances Redress Mechanisms that are useful and accessible to local people.	Lack of requirements for grievances to be resolved in a manner that is culturally appropriate.	The SOP states that there will be consultations with APs at various stages including during Basic Resettlement Plan (BRP) and DRP preparation. Prior to the preparation of the Detailed Resettlement Plan (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/or IPs' language (where written language is available) and provided and explained in detail to the APs during public consultation process. There are clear mechanisms for grievance redress in the SOP. While the mechanisms are clearly set out, GDR will ensure it is accessible to all APs, in particular vulnerable APs and women.
7	Consultations and	<ul style="list-style-type: none"> The SOP-LAR details the number of steps to carry out consultations at 	ESS1 requires that stakeholder engagement with affected and interested stakeholders will be	Lack of requirements to ensure two-way and	Meaningful consultations, inclusive of all gender-sensitive and vulnerable persons, as

No.	Areas of Difference	RGC 's Relevant Regulations	WB's ESF	Key Gaps	Measures/Clarifications to Address Differences
	Stakeholder Engagement	<p>various stages of the land acquisition and resettlement process and compensation.</p> <ul style="list-style-type: none"> • Para 126 mentions that the consultation is undertaken throughout the project cycle. • SOP-LAR provides for stakeholder engagement in respect of land acquisition and involuntary resettlement. <p>The SOP-LAR provides for disclosure of the RPF 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 GDR.</p>	throughout the project cycle in line with the project's Stakeholder Engagement Plan (SEP), including ongoing consultations and document disclosure.	meaningful consultation	per WB ESS10 will be conducted with particular attention to ensuring that consultation is a two-way process that allows for feedback from APs and they are informed how their feedback was incorporated into implementation plan.
8	Voluntary Donations	RGC's SOP deals with land acquisition and <i>involuntary</i> resettlement and therefore does not provide guidance on voluntary donations.	According to footnote 10 of ESS5, voluntary land donations are acceptable if: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential land 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 land donor's livelihood at current levels; (d) no land donors are relocated; (e) the land 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.	Lack of regulations on voluntary on land donation and cases where land donation is acceptable	The RPF developed provides guidance on when voluntary donations would be appropriate and the process of carrying out the donations, including documentation which will need to be followed by MRD.
9	Procedures for implementing	No detailed regulations on how to avoid impacts to Indigenous Peoples	Among others, WB ESS7 seeks to ensure that projects respect the rights and culture of IPs, adopt a mitigation hierarchy to impacts, ensure	Lack of requirement to consult IP(s) in a manner that is	An IPPF has been prepared on the basis of WB ESS7 considering relevant Cambodian policies and regulations. The IPPF details

No.	Areas of Difference	RGC 's Relevant Regulations	WB's ESF	Key Gaps	Measures/Clarifications to Address Differences
	Indigenous Peoples Plan	or how to include them in project benefits.	benefits to IPs and conduct meaningful consultation and FPIC when necessary and/or desirable.	culturally appropriate and special disclosure and consultation requirements as described in ESS5, ESS7 and ESS8.	procedures for preparing IPP(s) and how to conduct meaningful and consultation that is culturally appropriate.
10	Protecting intangible cultural heritage	No provisions in the legislation to protect intangible cultural heritage	WB ESS8 also covers intangible cultural heritage, which includes practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artefacts and cultural spaces, that communities associate as part of their cultural heritage.	Lack of provisions/ requirements for protection of intangible cultural heritage.	This ESMF details the need to develop Heritage Management Plans and annexes a Chance Find Procedure (Annex 4.1) in case of impacts on heritage, whether tangible or intangible.
11	Stakeholder Engagement	While there are provisions for stakeholder engagement in various legislation (including EIA and SOP	WB ESS 10 stresses the importance of stakeholder engagement at all stages of the project cycle. Stakeholders must be meaningfully consulted and engaged, have opportunities to provide inputs to projects and be informed how this their concerns were considered, have avenues to voice their grievances and seek resolution, and receive information disclosed in an appropriate manner, place and language.	Lack of requirements to ensure stakeholder engagement process is maintained throughout project cycle to ensure appropriate information disclosure, meaningful consultations and effective grievance redress mechanism.	A Stakeholder Engagement Plan (SEP) has been developed following the guidelines of ESS10.

Table 7: Additional Areas for Closing of Gaps specific to WB's ESF

Items for Strengthening	RGC Legislation	WB's ESF	Clarifications
Sexual Exploitation and Abuse (SEA, Sexual Harassment (SH), Violence against	There are regulations in Cambodia that protect the rights of women, violence against women and children, and the information dissemination on HIV/AIDS. However, this is not directly or explicitly required in road projects.	ESS2 for workers, ESS4 for the wider community and WB's Good Practice Note on Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works, protect the rights of all community members, but in particular women and children and the vulnerable, from violence and other forms of abuse,	This ESMF provides guidelines on how to address the identification and mitigation measures associated with these issues. Specific guidelines will be provided in terms of Labor Management Procedures and Code of Conduct (see Annexes 5.2 and 5.3).

Children (VAC) and HIV/AIDs		as well as the risks of sexually transmitted diseases. Due to an influx of labor, these issues are particularly relevant in road projects.	
Forced labor	Regulations Against forced labor exist in Cambodia. However, there are claims that this is not strictly enforced, and there are particular “hotspot” areas such as brick kilns.	WB ESS2 strictly prohibits any form of forced labor. ESS2 and ESS4 requirements are embedded in the Standard Bidding Document (SBD) of the Bank, requiring contractors to comply with.	The ESMF provides provisions to monitor compliance by contractors and of their primary suppliers in bidding documents and supervision contracts (see Appendix 5).
Livelihood restoration and assistance as a result of land acquisition	The RGC SOP details specific measures to restore livelihoods which are land-based, employment-based and business-based.	Provision of livelihood restoration and assistance to achieve WB ESS5 objectives.	Based on SOP and the RPF, an Income Restoration Program will be provided in order to re-establish sources of livelihoods for those APs who have permanently lost their sources of livelihood. If applicable in KH-SEADRM 2, DRPs will include provisions to ensure livelihood restoration programs are robust and can accurately meet the livelihood restoration objectives in line with WB ESS5.
Grievance Redress Mechanism	<p>There is no GRM described in the environment legislation or as a requirement in the labor legislation.</p> <p>On land acquisition, 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.</p> <p>No provisions for grievance redress are specified in terms of IPs or environmental impacts.</p>	ESS10 requires a Grievance Mechanism in place for all project as part of the SEP, including covering areas such as environmental impacts, worker’s grievances, grievances of IPs and grievances on land acquisition.	<p>A SEP has been developed which details a GRM for the project covering all project aspects, including concerns about environmental and social impacts. This is included in Section 6 of this ESMF. A specific GRM for land acquisition is detailed in the RF and a specific GRM for IPs is detailed in the IPPF. The LMP (Appendix 5) in this ESMF also describes a specific GRM for workers that contractors must have in place.</p> <p>All GRMS must be accessible to all APs, in particular vulnerable APs and women.</p>
Consultations and	There are some provisions for consultations on environmental impacts as part of the EIA regulations.	ESS1 requires that stakeholder engagement with affected and interested stakeholders will be throughout the project cycle in line with the project’s	This ESMF discusses the requirements of the SEP in terms of consultations and disclosure. A SEP

Stakeholder Engagement	On land acquisition, the SOP details steps to carry out consultations at various stages of the land acquisition process and compensation. SOP also discusses disclosure of project documents.	Stakeholder Engagement Plan (SEP), including ongoing consultations and document disclosure. This applies to all aspects of the project including environment, social impacts, land acquisition and indigenous peoples, among others.	consistent with ESS 10 has been prepared for the KH-SEADRM 2.
------------------------	---	--	---

3. ENVIRONMENTAL AND SOCIAL BASELINE

3.1 Environmental Baseline

Air quality and noise. Potential road and bridge subprojects would mainly traverse agricultural areas, villages, residential areas in rural settings with no industrial development. The main potential sources of air pollution during road and bridge reconstruction are primarily related to dust emission due to passage of vehicles along the unpaved project roads while noise are generated from business and living activities of local people, especially at market places, along the roads where there is a large number of motorcycles traveling.

Surface water. A number of road and bridge subprojects may cross a number of rivers, streams and irrigation canals where vegetation cover is absent at a number of specific location close to the existing roads and bridges, particularly at embankments, which may cause erosion due to surface runoff. These, in turn, cause turbidity at some areas in the watercourse. The demolition of the old bridges and construction of new bridges may cause adverse impact on sediment resuspension in river water body in the vicinity of the bridges which may cause adverse impact on the flora and fauna in the surrounding area, fisheries, and downstream users. In addition, at some areas, pollution of surface water is observed. This is due to discharge of domestic sewage onto open areas, particularly at road sections that go through densely populated villages. Runoff into adjacent farming fields are likely during reconstruction process.

Flooding. The subprojects being selected are likely located in flood prone areas. Agricultural development has changed the pattern of water movements. Thus, flood adaptation measures to be taken and incorporated into construction design that will be prepared for each of the select subproject. For instance, at critical locations, additional culvert may be installed, or location of culvert needs to be adjusted. In other cases, existing road surface may need to be elevated and roadbed has to be widened accordingly to adapt to recurring floods.

Vegetation. The vegetation covers along potential subprojects will largely consists of agricultural crops such as rice. In some sections, the roads may traverse areas of plantation crops such as rubber, mangoes, cashew, banana and cassava, and shrubs, grasses, sparse trees, and so forth.

3.2 Social Baseline

3.2.1 Overview of socioeconomic, demographic characteristics

3.2.1.1 Overview of country

According to the World Bank (2021), Cambodia has undergone a significant transition over the past two decades. The country reaches lower middle-income status in 2015 and aspires to attain upper middle-income status by 2030. Driven by garment exports and tourism, Cambodia's economy has sustained an average annual growth rate of 7.7 percent between 1998 and 2019, making the country one of the fastest-growing economies in the world. However, Cambodia has recently experienced COVID-19. This has slowed the development progress, especially of the service, construction, and real estate sectors. The growth projection for 2021 is now revised down to 2.2 percent, despite strong export performance supported by improved external demand conditions. Cambodia's outlook remains highly uncertain, and risks are tilted to the downside. Despite accelerated vaccination progress, risks of a protracted COVID-19 outbreak and further disruption remain high.

Employment and income had not recovered to their pre-COVID-19 levels. About 69 percent of households' main earners were employed in March 2021, 13 percentage points lower than before the pandemic. About 45 percent of households continued to experience income losses in March 2021. Disruptions to economic activities due to stringent measures to curb the outbreak have led to job losses or decreased

working hours. School closures have disrupted education since late March 2021, especially for poor students. Health and education, especially issues of quality and equitable access, remain important challenges and development priorities.

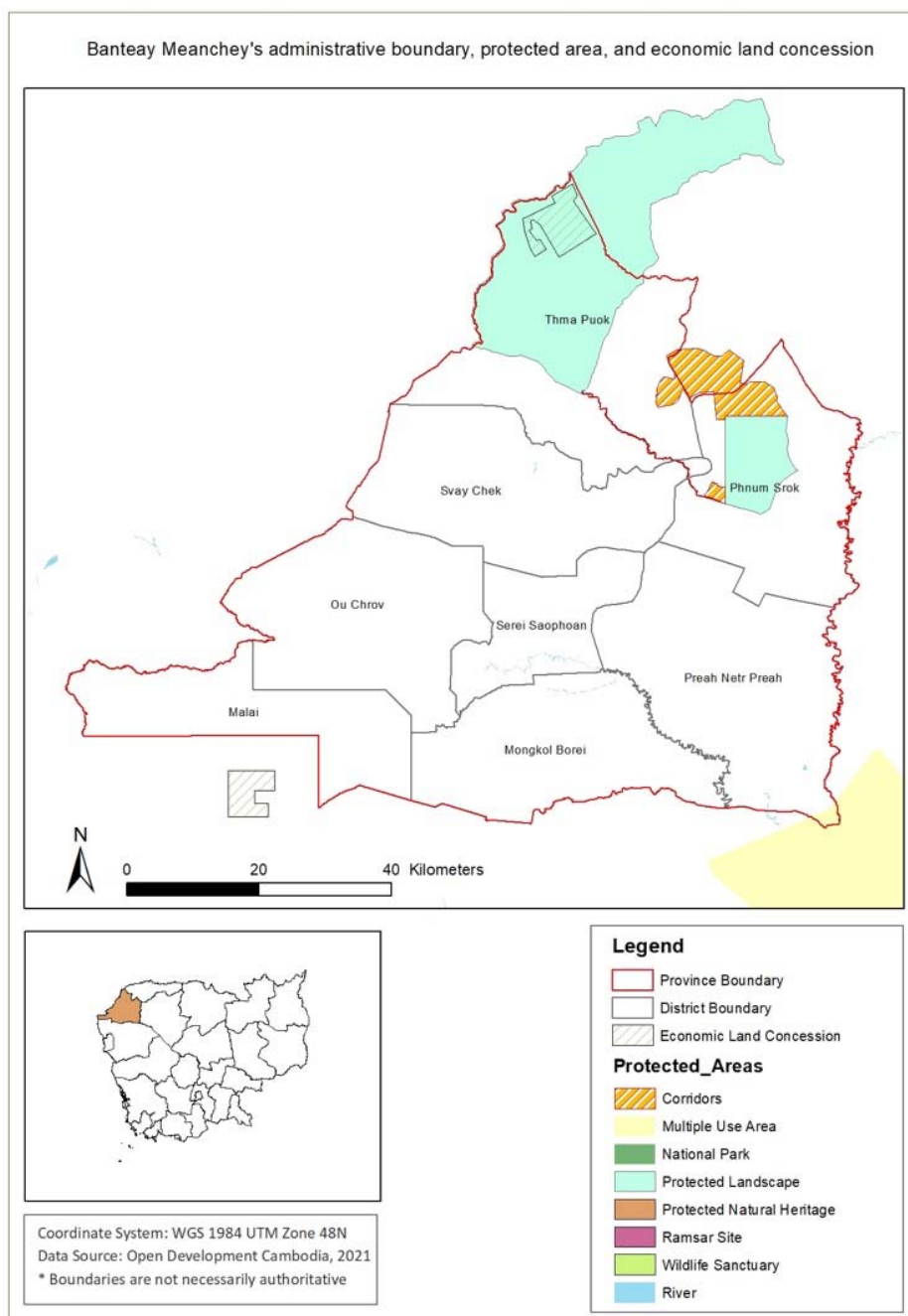
Cambodia has made considerable strides in improving maternal and child health, early childhood development, and primary education in rural areas. The maternal mortality ratio per 100,000 live births decreased from 472 in 2005 to 170 in 2014; the under-five mortality rate decreased from 83 per 1,000 live births in 2005 to 35 per 1,000 in 2014; and infant mortality rate decreased from 66 per 1,000 live births in 2005 to 28 per 1,000 in 2014. Despite the progress in health and education outcomes, human capital indicators lag behind lower middle-income countries. An estimated one in three children under the age of five suffer from stunting and only 36 percent of children between three and five years old are enrolled in early education. While net enrollment in primary education increased from 82 percent in 1997 to 97 percent in 2020, lower secondary completion rates are at 45 percent in 2019. As of 2020, 15 percent of Cambodia's population (2.5 million people) did not have access to improved water, and 23 percent (3.8 million people) did not have access to improved sanitation.

Key reforms are needed for Cambodia to sustain pro-poor growth, foster competitiveness, sustainably manage natural resource wealth, and improve access to and quality of public services. Cambodia continues to have a serious infrastructure gap and would benefit from greater connectivity and investments in rural and urban infrastructure. Further diversification of the economy will require fostering entrepreneurship, expanding the use of technology, and building new skills to address emerging labor market needs. Accountable and responsive public institutions will also be critical. The quality of human capital will be of utmost importance to achieve Cambodia's ambitious goal of reaching middle-income status by 2030.

3.2.1.1 Overview of seven project provinces

- **Banteay Meanchey province**

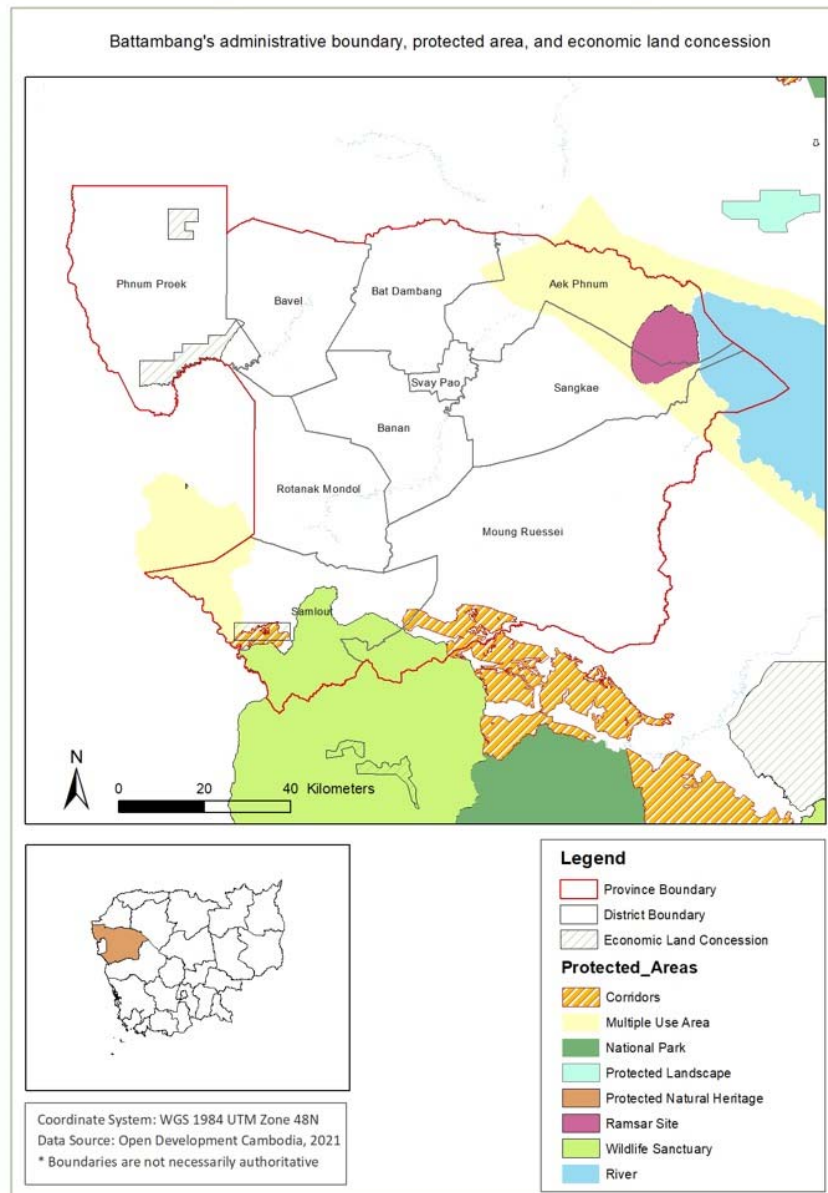
Banteay Meanchey Province is located in the northwest part of the Kingdom and borders with Battambang, Otdar Meanchey and Siem Reap Provinces. Banteay Meanchey is mostly covered by extensive lowlands, with a few uplands to the north and east which the province is one of the nine provinces that are part of the Tonle Sap lake. The capital city of Banteay Meanchey are Poipet and Serei Saophoan. Banteay Meanchey is the ninth of the largest province in Cambodia with a population of 861,883. Banteay Meanchey has one of Cambodia's busiest checkpoints, Poipet International Border Checkpoint with Thailand, for both people and goods. The checkpoint oversees approximately 2,000 tourists (50,000 tourists or 14% of nation's tourists annually in 2015) and 300 trucks carrying goods every day. The province is subdivided into 7 districts and 2 municipalities, which are further subdivided in 65 communes and 654 villages.



- **Battambang province**

Battambang is a province in the northwest of the country and is the fifth of the largest provinces in Cambodia. Bordering provinces are Banteay Meanchey to the north, Pursat to the east and south, Siem Reap to the northeast, and Pailin to the west. The northern and southern extremes of the province's western boundaries form part of the international border with Thailand. Its capital and largest city is Battambang. The total population is 987,400 in 2019. Battambang is one of the provinces included in the Tonle Sap Biosphere Reserve. The province's fertile rice fields have led to a mostly agricultural economy

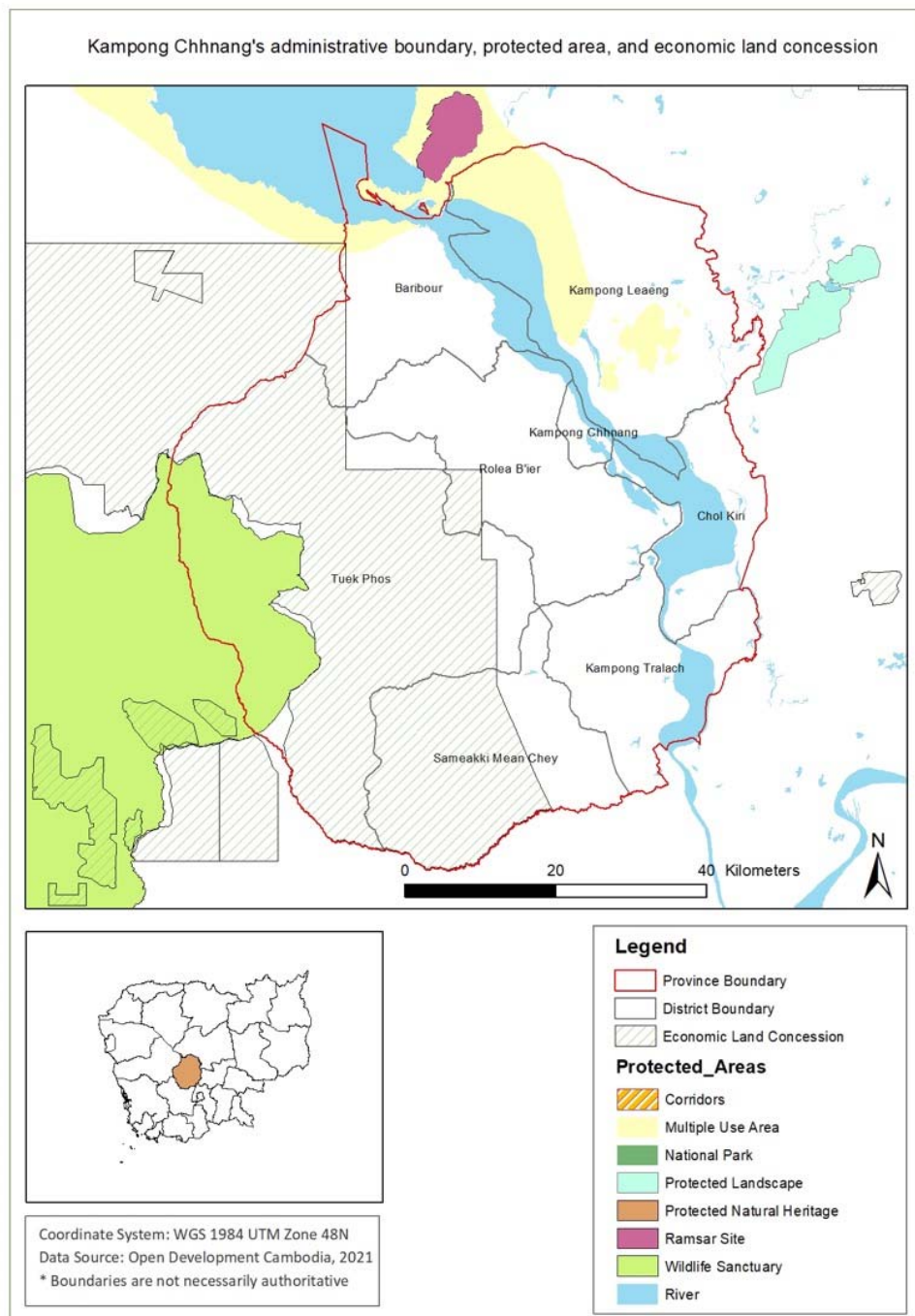
giving rise to the moniker "the rice bowl of Cambodia". The province features a range of cultures as well as natural resources. Seventy five percent of the area is jungles and mountains. Battambang is divided into 13 districts and one municipality which are further subdivided into 92 communes and 810 villages.



- **Kampong Chhnang province**

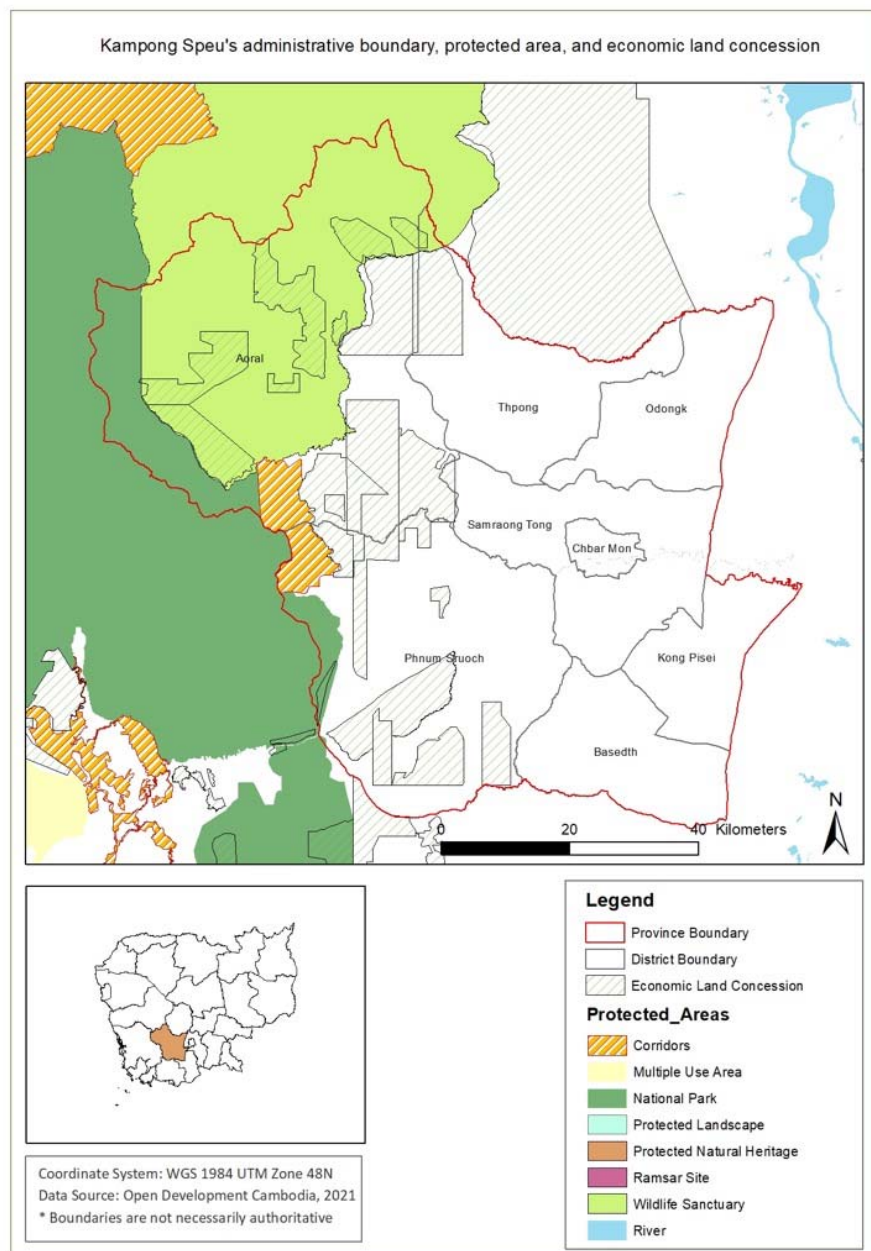
Kampong Chhnang is a small province in central Cambodia, with a total population of 527,027 in 2019. Neighboring provinces are Kampong Thom, Kampong Cham, Kampong Speu and Pursat. Attached to the great Tonle Sap Lake, the province has a natural drainage system through rivers, canals and streams that create favorable conditions for paddy rice plantation, agro-industry crops and livestock. As a result of its location next to the Tonle Sap Lake, the province is also rich in natural resources such as fresh water fish, sand for construction and underground minerals. It is in the alluvial plain of central Cambodia and is drained by the Tonle Sap lake, a tributary of the Mekong river. Kampong Chhnang's economy is centered

around fisheries, rice and fruit crops, and several garment factories. Rural households especially depend on agriculture and its related sub-sectors. The province is subdivided into 7 districts and 1 municipality. The districts are further subdivided into 65 communes and 478 villages. The capital city of Kampong Chhnang province is Kampong Chhang.



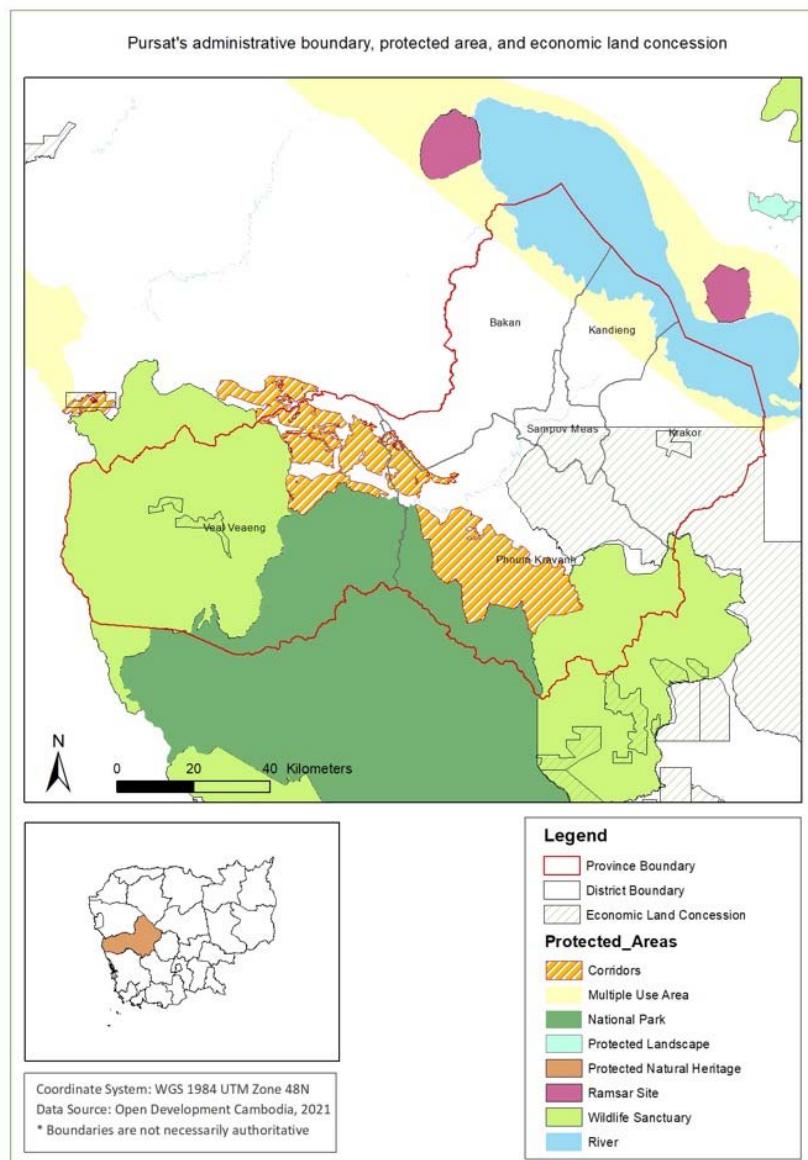
- **Kampong Speu province**

Kampong Speu province is located to the west of Phnom Penh. It borders the provinces of Pursat and Kampong Chhnang to the north, Kandal to the east, Takeo to the southeast, Kampot to the south and Koh kong to the west. It is the eighth of the largest provinces in Cambodia, with a total population of 877,523 in 2019. The topography is variable, from a large area of lowland paddy fields in the east to lowland/upland mosaics and upland forested areas in the West. Cambodia's highest mountain, the Phnom Aural with 1,813m altitude, is located in the very North of this province. The capacity city of Kampong Speu province is Chbar Mon town. There are several garment factories in kampong Speu, in particularly Samraong Tong district indicated the highest position for garment factories there. The province is subdivided into 7 districts and 1 municipality, further divided into 87 communes.



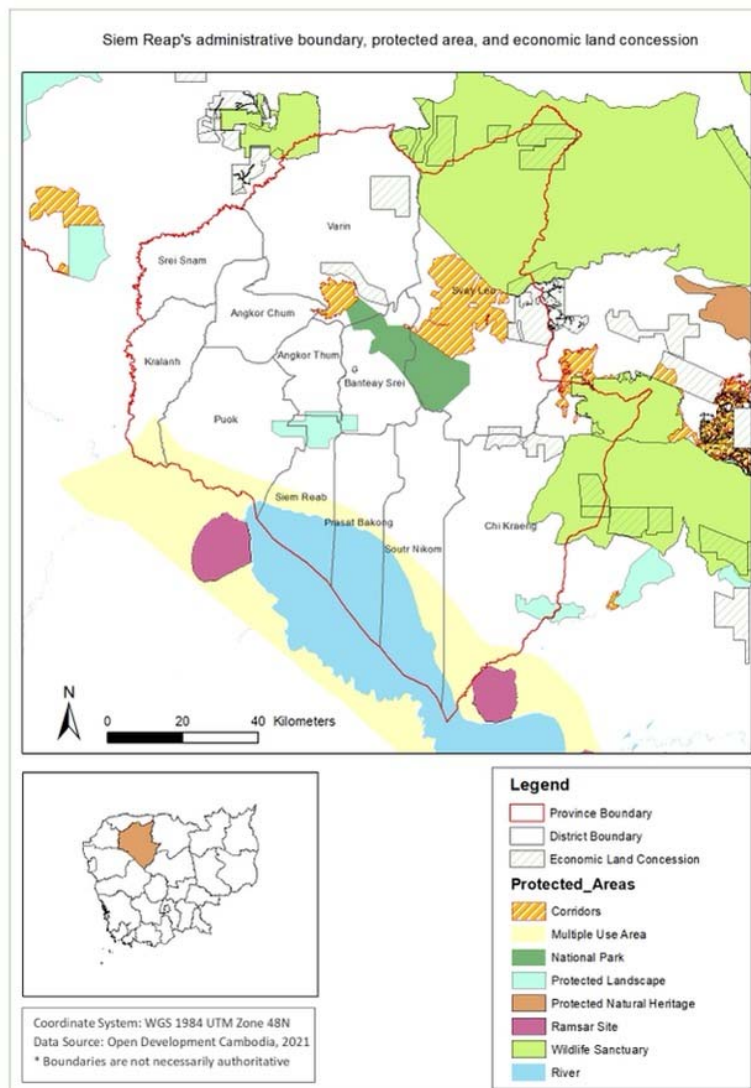
- **Pursat province**

Pursat is the fourth biggest province of Cambodia. The provincial capital is Pursat town. Pursat is located in the Southwest of the country. The province is 12,692 square kilometres and borders to the North with Battambang, to the East with Kampong Chhnang, to the South with Kampong Speu and Koh Kong and to the West with Thailand. The current population in this province is 442,973 people which makes up about 3.1% of the country's total population, with 214,651 male and 228,342 female. The population density is 35 people per square kilometre. The province consists of some typical plain wet areas near the Tonle Sap Basin, covering rice fields and other agricultural plantations. Pursat's economy consists basically of agricultural farming, fishery, rice and fruit cropping in the North of the province near the Tonle Sap Basin. Beside this the harvesting of sandalwood oil, which fetches huge prices in Asia (but sandalwood trees are disappearing fast in Cambodia) is another livelihood for the locals. Unfortunately the illegal logging of precious hardwoods and the poaching of endangered species give some people an additional income.



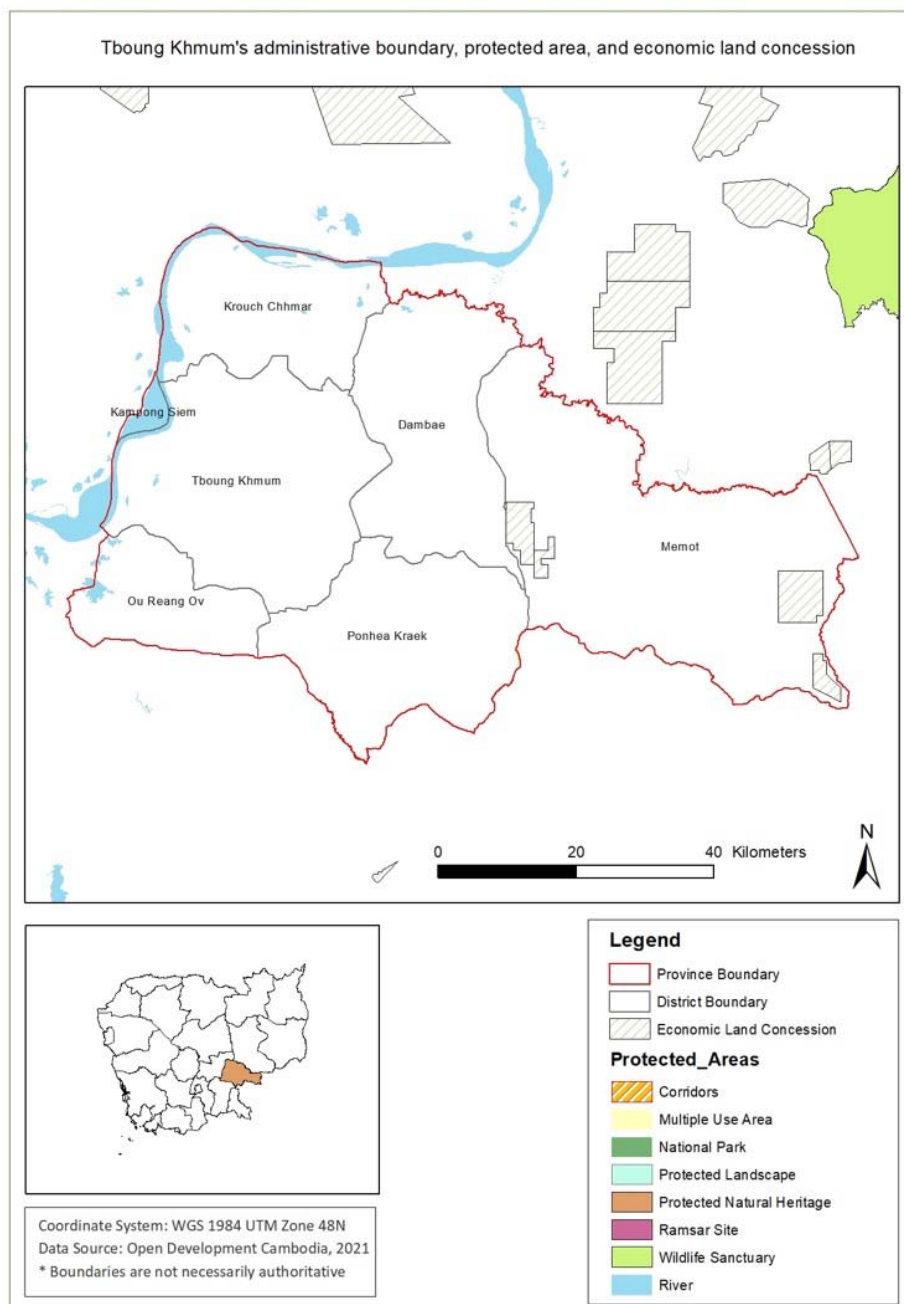
- **Siem Reap province**

Siem Reap province is situated on the north east section of the Tonle Sap. It is one of the nine provinces that are demarcated by the Tonle Sap Lake and has a population of just over one million making it the fourth most populated province of the country. Siem Reap province has a total area of 10,300 sqkm divided into 1 city, 13 communes and 11 districts, 87 communes and 876 villages. Siem Reap has a tropical wet and dry climate. About 82% of households are dependent on agriculture which is the main source of livelihood, and about 8% of households from the province are engaged in tourism services. The capital Siem Reap city is the second largest city in Cambodia. It is also home to the UNESCO World Heritage site Angkor Watt. As such Siem Reap receives tourists from around the world. By 2012 the number of tourists reached 2 million per annum. It has developed rapidly over the past 20 years to cater to the tourism needs. Due to COVID19, the tourism sector has taken a huge hit with a reduction in 99% of tourists visiting Siem Reap. The province in general, especially in the Southern part consists of the typical plain wet area for Cambodia, covering lots of rice fields and other agricultural plantations. The area around the Tonle Sap including the province of Siem Reap is part of the greater Tonle Sap Biosphere Reserve.



- **Tboung Khmum province**

Tboung Khmum is a new province that has been established since December 2013 from part of Kampong Cham province. The province is located on the central lowlands of the Mekong River. It borders the provinces of Kampong Cham to the west, Kratié to the north, Prey Veng to the south, and shares an international border with Vietnam to the east. Its capital and largest city is Suong. The province a total area of 5,250 km² and is home to about 776,841 people. Population density is about 150/km². Tboung Khmum is divided into six districts and one municipality which consists of 62 communes and two Sangkat; 873 villages totaling. The population is 857,900 people. Economic growth in 2018 totaled about \$ 970 million in trade, \$ 300 million in goods



3.2.2 Sexual Exploitation and Abuse, and Sexual Harassment

SEA/SH incidence in Cambodia

At national levels, according to the 2015 National Survey on Women's Health and Life Experiences in Cambodia (n= 3,574) conducted by the National Institute of Statistics of the Ministry of Planning and Ministry of Women's Affairs), 20% of Cambodian women reported experiencing physical or sexual violence from an intimate partner. The report showed that of 53% of women who assessed their health condition following the incidence, 90% of them reported injuries that required healthcare. According to a study report conducted by UNICEF in 2017, over 20% of children aged 0 to 4 years in Cambodia live with a mother who experienced physical, sexual or emotional violence committed by a husband or partner. Transgender women are particularly vulnerable to gender based violence. A report published by the Cambodia Center for Human Rights in 2016 revealed alarming rates of abuse perpetrated against transgender women in public space, with 43% of respondents reporting experiences of physical violence, 31% reporting experiences of sexual assault, and 25% reporting having been raped.

Agencies in charge of SEA/SH

National Level

- The Ministry of Women's Affairs (MoWA) is the government agency responsible for women's issues. Under the MoWA, there is a sub-working group on GBV under the Technical Working Group on Gender (TWG-G), which was established in order to work in partnerships with other government ministries, development partners and non-governmental organization. The Ministry of Interior (MOI) has the authority on the GBV mechanism via the Cambodian National Police, and the provincial, district and commune councils/governors, namely the provincial and district Women and Children's Consultative Committee and the Commune Committee for Women and Children.
- Cambodian National Council for Women (CNCW) is a national mechanism which was established in 2001, aimed at coordinating and providing advice to the RGC on matters related to the promotion of Cambodian women's status, roles and welfare of women to reduce and eliminate of all forms of discrimination Against women. The MoWA and GMAG are accountable to this mechanism with regard to mainstreaming gender and the elimination of GBV.
- Gender Mainstreaming Action Groups (GMAG) have been formed in all ministries since 2005 including MRD. This mechanism is led by a Secretary of State or Under Secretary of State level, Director General or Deputy Director General level, and includes members from all line departments.
- Technical Working Group on Gender (TWG-G) TWG-G was established in 2004 and it is chaired by the MoWA, and UNDP and JICA as co-facilitators. Members of the TWG-G are representatives from government agencies, 14 development partners and 15 civil society organizations.
- Sub-Group on GBV Response was initiated in 2012 by the Ministry of Women's Affairs in order to explore support and coordination in gender mainstreaming for the reduction of violence Against women.²⁰ This mechanism is led by the representative of MoWA and other relevant ministries, including the MOI, MOH, MoSVY and others. Members of these working group are Development Partners and Non-Governmental Organizations, which are leading and active on GBV work, such as UNWOMEN, UNDP, UNFPA, UNICEF, DFAT (Australia), GIZ, AECID, PYD, CARE, GADC, ADHOC, and HI.

Provincial/ District Levels

- Provincial and District WCCCs. In 2009, the Provincial/Capital and Municipal/Khan/District WCCCs were established by the MOI's Prakas in order to provide advice and recommendations to the

councils, boards of governors, governors, and other committees of the councils on issues related to gender equality, women, youth and children within the authority, functions and duties of the councils. These mechanisms are advisory bodies which are chaired by women councilors at the provincial and district councils. Of the duties outlined, WCCCs can make suggestions and recommendations to the councils or boards of governors, which are executive bodies, to take measure to prevent harm to women, youth, and children. Members of WCCCs also include those representatives of the boards of governors, police, provincial departments of women's affairs (PDoWA), health, and social affairs. GBV sub-group is a multi-stakeholder GBV working group which was established in seven provinces and eight districts 21. These working groups are chaired by the Head of PWCCC, the Deputy Provincial Governor, and permanently vice-chaired by the Directors of PDoWA. There are three main roles of these working groups. First, they strengthen sub sector services in responding to GBV effectively and on timely manner. Next, they support institutions to share and report on GBV issues. Finally, they monitor, manage GBV data and follow up progress on GBV issues.

- Commune/Sangkat Committee for Women and Children (CCWC) is the lowest level and closest mechanism for GBV response which stays close to the communities. The CCWCs are advice-giving committees for a range of women's and children's issues, such as maternal and child health, community pre-school, hygiene and sanitation, gender equality and child protection. This mechanism comprises of the Commune/Sangkat Chiefs (chairs), the Second Vice Chief (Vice-chairs) and the Commune Women and Children Focal Point (permanent members); the focal points are under the structure of the Municipal/Khan/District Office of Women's Affairs. Member of the CCWCs include Secretaries of the Commune/Sangkat, and representative of police post, schools, health centers/posts, and Village Chiefs. It is interesting to note that the CCWC structure is in line with the Village Commune Safety Policy. This policy provides that one of the five criteria of the safety commune/sangkat is "no women and children are trafficked or suffer from domestic violence." Therefore, the role of CCWCs are of great significant as they are working closely with citizens in terms of providing services and implementing the Village Commune Safety Policy so that they can respond to any GBV issues appropriately.
- NGOs working on GBV include three national networks on gender, namely the Cambodian NGO Committee on CEDAW (NGO-CEDAW), Gender and Development Network (GADNet), and the Committee to Promote Women in Politics (CPWP). Other active organizations include GIZ, UNWOMEN, UNFPA, ACCESS, The Asia Foundation, CARE, Hagar, LAC, TPO, and ACTED. These NGOs are active at national level but only some are currently operational in the project provinces.

List of key SEA/SH service providers that may be active in project provinces

Banteay Srei currently covers 20 communes in Siem Reap and 20 communes in Battambang provinces. Banteay Srei provides capacity building of community networks and stakeholders, community awareness on gender and GBV as well as referral, health and psychosocial care, access to legal advice and counselling, and shelter for survivors. On the prevention side they work with female commune councilors, village chiefs, and PDoWAs. Banteay Srei also works with other partners such as Gender Peace Network, Men Network, Happy Women Network and Young Women Network who provide counselling to women and men on gender-based violence and women's rights.

Cambodian Women's Crisis Center (CWCC) works on prevention and provides comprehensive protection services for GBV survivors, including shelter, trauma and psychosocial counseling, health referral, legal consultation and support in court, and reintegration into the community. CWCC currently operate three regional shelters based in Siem Reap, Banteay Meanchey and Phnom Penh. Each can accommodate up to 50 clients who can stay 1-3 months.

ADHOC focuses on GBV including rape, Intimate Partner Violence (IPV), human trafficking and migrant abuse. They conduct investigations and provide legal advice to survivors. They run a radio show to disseminate information to the public about their legal rights around migration, GBV and IPV. They support networks for survivors and encourage survivors to become human rights defenders in their community, who can advocate to local authorities and provide counseling to community members. They have produced materials and guidelines for women in the community to help them file complaints and seek support for legal aid.

GADC works at the grassroots level through community outreach to ensure that women are able to speak out about their concerns and network, and to change men's attitudes and behaviors about gender and GBV. They also work with youth, placing them as interns in commune councils, to help link the CIP process with the needs of the community. GARC have programs in Kampong Chhnang, Kampng Speu, and Pursat provinces.

Women Peace Makers works on gender and women's issues in peace and conflict transformation and address GBV through capacity building for commune dispute resolution committees and Commune Committees for Women and Children (CCWC) at Commune and District levels for more gender sensitive alternative dispute resolution and mediation, to ensure that service providers are more gender responsive when dealing with GBV.

3.2.3 Violence against Children

According to UNCEF (2018), findings from the Violence against Children Survey (CVAS) in Cambodia revealed that 53% of females and 54% of males aged 18–24 reported at least one incident of physical violence prior to age 18. Among 13–17 years old experiencing physical violence within the past 12 months, 15 % were girls and 13 per cent boys. Emotional violence in childhood is also widespread: Among those aged 18–24, 19% of females and 25% of males reported experiencing emotional violence before the age of 18. The percentage was smaller among 13–17 years-old: 10% of both boys and girls said they had experienced emotional violence in the past 12 months. Four per cent of females and 6 per cent of males aged 18–24 reported any type of sexual violence prior to age 18. Among those aged 13–17, 3 per cent of girls and less than 1 per cent of boys reported incidents of sexual violence in the previous 12 months. While the lifetime experience of violence is high, fewer children experienced violence in the last 12 months.

3.2.4 Child Labor

In Cambodia, the Labor Law (1997) allows children as young as 12 years old to work in light and non-hazardous employment that does not interfere with their education. The minimum legal age for general employment in the country is 15 years and 18 years for hazardous work (as defined in the law). Child labor takes many different forms. However, a priority is to eliminate without delay the worst forms of child labor as defined by Article 3 of ILO Convention No. 18: "labor that jeopardizes the physical, mental or moral well-being of a child, either because of its nature or because of the conditions in which it is carried out (also known as 'hazardous work')". Consulting firm Verisk Maplecroft has ranked Cambodia 28th in the world and the highest risk in Southeast Asia for the use of child labor in its 2020 index.

Percentage of the rural population who are 'very poor' or 'poor' by province: Battambang (27%), Pursat (23%), Siem Reap (18%), Banteay Meachey (18%) (Ministry of Planning, ID Poor Program, 2017). According to ILO (2012), in Cambodia, 51% of children⁹ (generally from 5-17 years of age) work in agriculture, forestry and fishing, 20% in manufacturing, 12% in wholesale, retail trade, repair, and 6% in

⁹ Based on International Labor Organisation's Cambodia –National Labour Force and Child Labour Survey 2012 (n= 9,600 households).

construction. Children from 15-15 years of age makes up 47%, followed by 12-14 (35%). 48% worked as employee, and 49% worked as unpaid family workers.

4. ENVIRONMENTAL & SOCIAL RISKS AND POTENTIAL IMPACTS

This chapter elaborates environmental and social risks and impacts that are associated with planned project activities, particularly with construction of the civil works. It starts with describing briefly about the scope and nature of activities under Project Components, then how roads and bridges are likely to be designed (before reconstruction) meanwhile minimizing the need for land acquisition. This is achieved primarily through adjustment of geometric design.

- **Scope and natures of project activities of Project Component 2**

The component will support the design and implementation of civil works on selected rural roads that are vulnerable to disasters, including reconstruction and rehabilitation to improved disaster and climate resilience, safety improvements and their integration with the existing maintenance program. The project adopts the principle of “build back better” following the lessons from the KH-SEADRM1 Subcomponent 1.1. Resilient Rural Roads Rehabilitation and Maintenance.

- **Scope and natures of project activities of Project Component 3.**

In terms of geometric design of roads, effort will be made to maintain vertical alignment¹⁰, wherever possible. Otherwise, access will be built at appropriate locations via access ramps. These shall be positioned so that the access to all properties in between such access points is maintained. In terms of horizontal alignment¹¹, if the existing horizontal road alignment already meet the requirements related to disaster risk management, including the potential impact of climate change, adjustment of road curve will not be done to avoid possible land acquisition from local people living near the roads.

During road and bridge rehabilitation/ reconstruction, safety improvements will be made. These include realignment of road sections, particularly at limited dangerous sections; improvement to traffic signage and traffic calming measures and equipment within village sections; installation of guardrails; construction of bus stops, lay-bys; construction of access ramps for road users with disability for safe road crossings, especially in the vicinity of schools, hospital, and other public facilities. Fences and visual signals will be installed to improve traffic safety. Drainage systems will be provided appropriate, critical locations.

- **Scope and Nature of Activities related to Capacity Development (Component 1,2, 3, and 4)**

Activities under Components 1 focuses on developing capacity for government agencies in the area of DRM. These activities focus on strengthening current capacity for improved emergency road maintenance, identification of risk reduction investment for the project provinces and improvement of resilient rural road standards. The KH-SEADRM 2 Component 1 will strengthen DRM mainstreaming effort at national level, improving both longer-term risk-informed investment planning and inter- and intra-agency coordination of emergency response and preparedness and post-disaster recovery investment. Activities under Components 2 will focus on support the design and implementation of civil works on selected rural roads that are vulnerable to disasters, including reconstruction and rehabilitation to

¹⁰ The vertical alignment of road is generally defined as the presence of heights and depths in vertical axis with respect to horizontal axis of alignment. These heights and depths in roads may be in the form of gradients (straight lines in a vertical plane) or vertical curves.

¹¹ Horizontal alignment in road design consists of straight sections of road, known as tangents, connected by circular horizontal curves.

improved disaster and climate resilience, safety improvements and their integration with the existing maintenance program. The project adopts the principle of “build back better” following the lessons from the KH-SEADRM1 Subcomponent 1.1. Resilient Rural Roads Rehabilitation and Maintenance.

Activities under Component 3 will focus on providing MRD in initial day-to-day coordination, management, and implementation of the KH-SEADRM2 project while building institutional capacity to sustain investments beyond the project completion. Proposed activities include: (i) the recruitment of consultants to support the implementation of all project activities; (ii) procurement management, contract supervision, and financial management, including financial and technical audits (which encompass agreed procedures for emergency situations); (iii) environmental and social risk management, including citizen engagement and grievance mechanisms; (iv) monitoring, review, and evaluation of the project; (v) coordination activities, knowledge sharing, and project outreach and dissemination activities; and (vi) operating costs, including sub-project offices equipped with videoconferencing and remote working facilities.

4.1 Social Risks and Potential Impacts

4.1.1 Positive Social Impacts

The project will deliver a wide range of socioeconomic benefits to local people who live in the area where the roads and bridges are reconstructed. Road and bridge infrastructure rehabilitation will be not only beneficial to local people who daily use the roads and bridges but also to those who travel between different communes, districts and provinces through the project roads and bridges. The direct benefits of road reconstruction are apparent in many ways. First, it restores and improves transport connectivity that are affected or disrupted by the floods. This allows local people to resume usual business activities thereby restore their livelihood. Second, it improves local people’s access to public services, such as schools and public health facilities, which is particularly useful to children and the elderlies. For farmers, it improves market accessibility, enabling them to sell farm products better, get better prices, and reduce post-harvest loss – thanks to improved transportation. Third, reconstruction of the roads and bridges would supposedly improve the value of land assets, particularly for those whose land are located near the reconstructed road. It is also noted that during construction, some local people (around project road and bridge locations) may have access to short-term job opportunities (unskilled workers). Last but not least, reconstructed roads provide local people better transport system that is resilient to natural disasters, such as floods, and potential impact of climate change. In particular, strengthened road transport system provides vital link that facilitate emergency services such as flood relief, evacuation which enhance save life and enhance safety for local people in the event of natural disasters.

4.1.2 Social Risks and Potential Adverse Impacts

4.1.2.1 Potential adverse impacts:

The project will make every effort to avoid land acquisition because reconstruction of roads and bridges under the project will mainly take place within the existing road alignment. Despite of that, small-scaled land acquisition are expected, particularly for civil works where roadbed is widened, road pavement is heightened, or road alignment is adjusted at certain locations to improve the connectivity of the existing transport system and/or to address the potential adverse impact of natural hazards such as flash floods, storms, inundation, etc. It is determined, as part of ESMF’s Exclusion/Ineligibility Criteria, that civil works that potentially adversely affect the integrity or productivity of collectively owned IPs’ land will be carefully screened and will be excluded from project investment. Civil works may be undertaken adjacent to collectively owned IP lands but should not impact the integrity or the productivity of the land. During project implementation, subprojects that require adjustment of road alignment and/or road minor widening may affect the land/houses/assets, business and other properties affixed to land of people living

close to the roads. Depending on location, IPs may be potentially affected. Impact on land may include temporary land acquisition for the purpose of construction and/or permanent land acquisition for the purpose road realignment/widening.

4.1.2.1 Risks:

Based on the nature and scope of potential civil works, and geographical characteristics of the potential construction sites, the following hazards and risks are anticipated, and are categorized into the following types: a) Occupational Health and Safety (OHS), b) Labor Influx, c) Sexual Exploitation and Abuse, Sexual Harassment, and Violence against Children, d) Child labor, e) Forced Labor, f) Discrimination and Exclusion of Disadvantaged/ Vulnerable groups, and g) Temporary Workers, as described below.

a) Labor influx

The project contractors are likely to bring their own staff, such as project managers, technicians and skilled workers, to support construction of the civil works. The contractors' staff may not share cultural characteristics with local people. As a result, some social risks are anticipated as a result of this labor influx, including:

- **Increased pressures to local inhabitant** due to increased demand for food, fuel, housing on the part of contractors' labor force, including non-local people who associate with contractor's workforce. These may include workers' families, sex workers, local businesses, job seekers and others;
- **Potential social conflicts** with local people;
- **Increased health risks**, such as contracting communicable disease such as COVID-19, HIV/AIDS, and non-communicable diseases;
- **Increased risk** of traffic accidents, particularly for those living in the vicinity of the civil works and those who travel near the construction area.

b) Sexual Exploitation and Abuse, Sexual Harassment, and Violence against Children

Because there are about 20 subprojects that involve reconstruction of roads and bridges, the potential social risks under this project may include risks related to sexual abuse and exploitation (SEA), sexual harassment (SH), and Violence against Children (VAC). These risks are identified based on potential concentration of a large number of workers at road and bridge subprojects, to support physical construction. For a civil-work subproject, around 50-180 workers may be engaged to carry out construction activities. To minimize the risk, various measures will be taken to target various potential project stakeholders: contractors, local people (including IP), local government, SEA/SH service providers, and so on. To further reduce the likelihood of happening, effort will be made by PMU to minimize the labor influx. This can be done by encouraging contractors to mobilize local people for their unskilled workforce, including skilled workers, whenever possible. Given the availability of these proposed measures and low awareness of local people, the risk of SEA/SH/ VAC is evaluated as "moderate" by the time of project preparation.

c) Child labor

The Labor Law stipulates that minimum working age is 15 years old. According to the World Bank's ESS2, the minimum working age required is 14 or higher as the national law specifies. Since the project construction activities will take place in rural area where child labor is common, there is a possibility that local labor under 18 years of age is engaged by construction contractors and subcontractors to perform unskilled works.

d) Forced labor

Forced labor or compulsory labor is forbidden under the Labor Law (Article 15, Section 5). Forced labor includes situations where persons are coerced to work through use of violence or intimidation, manipulation of debt, retention of identity papers, threats, or other forms of retaliation. Hiring of people to work in order to pay off their debt is considered forced labor. Since project construction activities will take place mainly in rural area and most people are likely unskilled for the construction works, effort will be made by PMU and contractors to avoid forced labor. Under this project, the risk of engaging forced labor is “low”.

e) Discrimination and exclusion of disadvantaged/ vulnerable groups

Vulnerable/disadvantaged people, such the poor, indigenous peoples, women, etc., may be excluded from accessing temporary employment opportunities, such as those offered by construction contractors. People with disabilities may be excluded from appropriate access to road facilities. For instance, the road is not designed for safe crossing at intersections by local people with limited eyesight, difficulties walking, and/or people with blindness. Or the design is in place but is not effectively functioned due to lack of maintenance. Ensuring universal access, particularly for people with disabilities, especially in the context of disaster risks management (e.g. evacuation, rescues...) is important. Unequal wage payment on the account of gender may happen, particularly with local people engaged as unskilled workers. The risk of discrimination and exclusion of disadvantaged/ vulnerable groups is “low”.

f) Temporary workers

Local people, recruited as unskilled workers by project contractors, may not be offered a written working contract. As a result, there is a possibility that they may be underpaid for the nature, scope, and quantity of work that they undertake. They may also be asked to work under conditions that are hazardous to them, such as working without personal protective equipment as required for such work. Underpayment may also take place on the basis of gender, temporary work status – at the discretion of contractors. This risk is assessed to be “low”.

g) Road safety

Road accidents can happen to any road users – during construction and operation phases. This risk is assessed to be “low” to “moderate” and will be revisited from time to time, particularly before and during construction phase based on contractors’ performance, site condition, and awareness of local people as road users.

The above social risks and potential impacts are associated with construction activities to be carried out under Project Component 2 (Resilient Rural Transport Infrastructure Reconstruction And Maintenance) and activities that may be done under Project Component 4 (Contingency Emergency Response Component (CERC)).

4.2 Environmental Risks and potential impacts

4.2.1 Potential Impacts

The main types of activities to be carried out during the construction of roads and bridges include:

- Site survey, site clearance, clearing and grubbing, ground leveling, etc.;
- Installation of workers camps and site office;
- Establishment of areas for parking of heavy-duty equipment, stockpiling of construction materials, etc;
- Removal of damaged area, demolition of damaged bridges/road sections/ structures;
- Excavation, filling, construction of roads, bridges, and ancillary works;
- Transportation of construction debris, construction waste to disposal site/landfill;

- Transportation of construction materials to construction site.
- Construction of Double Bituminous Surface Treatment (DBST), laterite and earthen roads;
- Installation of drainage channels, road furniture, and other physical structures for flood control;
- Reinstatement of areas that are disturbed by construction activities.

The above planned construction activities will cause common construction impacts, primarily at construction site, such as (i) dust and gas emission, noise and vibration; (ii) generation of wastewater; (iii) generation of construction solid waste, hazardous waste, and domestic solid waste; (iv) traffic disturbance and increased safety risks; (v) localized flooding; (vi) soil subsidence, landslide, erosion and run-off to the water bodies nearby (during earthworks operation) due to temporary blockage of drainage or change of surface water flow or sedimentation; (vii) damages to existing public and private infrastructures and possible temporary disruption of services such as electric power, telecommunication; (viii) loss of trees, vegetation cover; (ix) safety risks for local community, and (x) occupational health and safety risks for workers. In addition, there are also other specific impacts and risks related to sensitive receptors such as residential houses, schools, businesses, etc. located near the roads and bridges. During bridge reconstruction, dismantling of old bridge structure and reconstruction of new bridge foundation (e.g. piling) in the water body might affect the biota, fisheries due to sediments and turbidity to the water. These impacts are not anticipated to significantly adversely affect the fisheries as the resources are typically low during the dry season and may be temporarily displaced due to noise disturbance from active construction operations but are anticipated to return post-construction. To minimize these risks and potential impacts, construction will be conducted during dry seasons where water at bridge site would be lowest or even absent. Most of these environmental impacts are anticipated to be local, temporary, reversible and can be managed through use of good engineering designs and application of good bridge demolition and reconstruction practices, including for bridge detour, combined with a rigid supervision of construction operation and regular monitoring of on-site potential impacts and risks. Site-specific environmental and social management plans will have soil and sedimentation control measures in place. These will be adapted based on site conditions if construction activities span across dry and wet seasons. Cumulative environmental impacts are anticipated but are assessed to be small and negligible because of the nature and small scope of the civil work that take place in a short period of time. Screening for potential cumulative impact will be conducted during environmental and social screening exercise to be carried out for each identified road and bridge sub-project.

4.2.2 Risks

Occupational Health and Safety (OHS) Risks: OHS risks identified under the project include physical hazards, chemical hazards, and Personal Protective Equipment, as follows:

Physical Hazards. Physical hazards represent potential for accident or injury or illness due to repetitive exposure to mechanical action or physical activities. Physical hazards may result in a wide range of injuries, from minor and need medical aid only, to disabling, catastrophic, and/or fatal.

- **Accidents due to falls:** falling from ladders, scaffoldings, vehicles, and bridge beams, etc.
- **Drowning and water injury accidents:** at bridge construction sites, workers may have to walk on structure above the water, or beams across the river or stream.
- **Accident due to falling objects:** Tools, machinery, equipment and materials used during construction may fall from the height, causing injuries.
- **Fall into open holes:** holes, manhole, and areas of deep excavation may be commonly found at road and bridge works. Fall into these holes may cause injuries of various degrees.

- **Physical injury related to the operations of heavy equipment:** Injury may result during operations of heavy equipment, such as crane, excavator, etc.
- **Risk of cuts from sharp items:** during construction, workers are exposed to risks of being cut due to sharp blade and edge while using tools such as knives, scissors, and other utensils, or while equipment or vehicle are in operations.

Chemical hazards. Chemical hazards represent potential for illness or injury due to single acute exposure or chronic repetitive exposure to toxic, corrosive, sensitizing or oxidative substances. Common chemicals used in construction include Portland cement clinker (mineral binders), formaldehyde (wood-based materials), polyurethane, vinyl, cadmium or lead (paints and resins), and solvents. They also represent a risk of uncontrolled reactions, including the risk of fire and explosion, if incompatible chemicals are inadvertently mixed.

- **Fire and Explosions.** Fires and or explosions resulting from ignition of flammable materials or gases can lead to loss of property as well as possible injury or fatalities to project workers.
- **Corrosive, oxidizing, and reactive chemicals.** Corrosive, oxidizing, and reactive chemicals present similar hazards and require similar control measures as flammable materials.

Personal Protective Equipment. PPE provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems. Lack of appropriate PPE and the poor use of PPE may, in circumstance, result in injuries workers' eyes, heads, necks, ears, hands, arms, feet, legs, ears, lungs, and even the whole body.

During construction phase, there is increased risk of road accident at construction sites because of temporary traffic blockages, unsafe road condition due to construction operations, site and natural geographical conditions. There is risk of UXOs (on land and under water at bridge locations), fire and explosion incidents, leakage of oils and chemical which cause soil and/water pollution. There is some potential risk related to biodiversity. In some locations, such as in Phnom Samkos, Pursat and Phnom Aural, and Kampong Speu, the eastern part of cardamom mountain, which is wildlife sanctuary (national protected area), might be potentially affected in terms of biodiversity due to construction operation and increased traffic flow and human activities near and in the protected areas. The cardamom is a rain forest with different types of trees. The cardamon is well known for its biodiversity. Measures will be taken to avoid impact on natural habitats since the natural vegetation, grown fruit trees, rice field, farmlands and freshwater habitat, such as river, reservoir, creek, ponds, etc. in these protected areas are sensitive to the environmental impact caused by the construction operation of the roads which take place nearby.

Also, during project operation phase, there would be risk of road accident due to improved road condition which allows high speed. Other risks include adverse impacts (in the long run) on the natural habitats where the project roads run by or through. These are considered as potential induced impacts as a result of development activities associated with as increased traffic near or through protected areas and/or critical natural habitats which give rise to risks of land grabbing and illegal logging.

It is anticipated the above environmental risks and potential impacts are associated with the construction activities to be done under Project Component 2 (Resilient Rural Transport Infrastructure Reconstruction and Maintenance) and activities that may be done under Project Component 4 (Contingency Emergency Response Component (CERC) in case eligible emergency situation, as prescribed in Project Component 4, is activated.

5. MITIGATION MEASURES

While the project aims to reconstruct and/or upgrade existing damaged roads and bridges for effective restoring transport connectivity and local living activities, the project enhances the resilience of the reconstructed roads and bridge works – in response to potential impacts of recurring floods and long-term impact of climate change. These construction activities will cause environmental and social impacts that can be anticipated.

To mitigate such environmental and social risks and potential impacts, particularly at subproject level, the following mitigation hierarchy is adopted:

- Environmental and social risks and potential impacts are anticipated and avoided;
- Where avoidance is not possible, risks and potential impacts are minimized or reduced to acceptable levels;
- Once risks and potential impacts have been minimized or reduced, further mitigate; and
- Where significant residual impacts remain, compensate for or offset these impacts, where technically and financially feasible.

5.1 Mitigation Measures for Environmental and Social Impacts and Risks

Based on the risks and potential impacts discussed in Chapter 4, this chapter outline an overall approach to Environmental and Social Management. Table 8 (below) provides a summary of the mitigation measures that will be taken by the MRD to mitigate environmental risks and potential impacts during project implementation, including construction and operation phases of the roads and bridges. These proposed measures will be used to guide the preparation of site-specific ESMP at road and bridge subproject level.

5.1.1 Mitigation Measures Proposed for Design Phase

- Road alignment is adjusted, where needed, to avoid and/or minimize environmental or social sensitive impacts such as those potentially happening in populated areas and through or near existing forests;
- Landscaping along footpath with trees, native plants will be prioritized;
- Special attention will be paid to design of traverse and longitudinal drainage that reduce the potential of inundating, particularly at roadside areas;
- Conduct extensive consultation with local communities to select locations that are suitable for installation of culverts, and other drainage system to maximize the effect of safe water discharge;
- Ensure smooth connections between project roads and other roadside facilities, including other roads, if any;
- Ensure traffic control measures are effectively designed, particularly at T-junctions and intersections;
- Where necessary, ensure energy-saving lighting system are in place to ensure traffic safety, e.g. installation of solar powered traffic light;
- Roads and bridges will be designed to ensure universal access whereas ensuring safe and convenient access by people including wheelchairs, blind peoples using walking sticks, etc.
- During road and bridge design process, the need for land acquisition from local people is considered carefully. Where possible, minimize acquisition of residential land as well as impact on land-based livelihoods; and ensuring access to properties is restored;
- GRM is in place to ensure concerns/grievances that may arise during project design, pre-construction, during construction phases are received and resolved timely by project designated units – as part of approach to mitigation of risks and adverse impacts.

5.1.2 Mitigation Measures Proposed for Pre-Construction Phase

- In case where land acquisition cannot be avoided, consultation with potentially affected people will be carried out as per guidance in SEP, RPF and IPPF (as applicable). Where required, Resettlement Plan (RP), IPP(s) will be developed in accordance with RPF.
- The RPs will present mechanism of project information disclosure, public consultation as well as a grievance redress mechanism (GRM). Compensation and support for affected households are based on the following principles and requirements set forth in the project's RPF.
- Where IPs (as per criteria of WB's ESS7) are present in the project, as confirmed by the IP screening conducted by MRD SEO, a targeted Social Assessment will be carried out as per guidance project's IPPF and IPP will be prepared based on consultation and feedback from affected IPs.
- Effort will be made to ensure land acquisition from collectively owned IP's land are avoided. In line with this, as part of screening process for IP presence in subproject area, consultation with IP near project roads and bridges will be carried carefully to ensure civil works may be undertaken near collectively owned IP land but shall not impact the integrity or productivity of collectively owned IP's land. If there is clear potential impact, road design needs to be adjusted or the subproject is excluded if avoidance is not possible.

5.1.3 Mitigation Measures Proposed for Construction Phase

During construction phase, mitigation measures include appropriate application of Workers' and Managers' Codes of Conduct, COVID-19 Preparedness Plan, Labor Management Procedures, Environmental Codes of Practices, and specific mitigation measures including ensuring project GRM is accessible and easily used by local people and other stakeholders. In addition, MRD SEO and DISS consultant will consult with local people, as part of SS-ESMP preparation, to inform them of social and environmental risks and impacts associated with the road/bridge subprojects – as part of stakeholder engagement program set out in SEP (See Annexes). Relevant elements intended to avoid or minimize risks and potential impacts will be incorporated into respective Terms of References for Consulting Services and into Work Contract for construction Contractors. In addition, PMU and DDIS Consultant will coordinate the works between the contractors who may implement different civil work contracts simultaneously to share construction sites, access, and more importantly collaborate in a manner that aim to avoid or minimize the risks related to ESHS and potential impacts – as outlined in Chapter 4 (above).

The LMP (Appendix 5) which includes Workers' and Managers' Codes of Conduct, SEP, Contractors' General Guidelines on COVID-19 prevention (Annex 4.6), and will be applied to the entire project. Therefore, key relevant requirements, including identified risks, potential impacts and proposed mitigation measures, will be incorporated into consulting, bidding, and contractual documents.

Environmental risks, potential impacts, and proposed mitigation measures at subprojects during construction phase are summarized in Table 8 below.

Table 8. Mitigation Measures for Environmental Risks and Potential Impacts

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
Sediment and Erosion	During roadworks, there could be possible erosion and run-off to water bodies during earthworks. This would be particularly relevant near river banks and/or other water bodies and construction of bridges.	<ul style="list-style-type: none"> On hill slopes and other potentially erodible places along the roadside, appropriate native vegetation that retards erosion should be planted. As much as possible, construction activities in hilly areas should be undertaken during the dry season only. Road embankments and slopes should be monitored during construction for signs of erosion, vegetative cover should be provided on slopes by planting native grass and creepers on erosion prone sections. Long-term material stockpiles should be covered with native species of grass or other suitable materials to prevent wind erosion. Appropriate erosion control and stabilizing measures should be used such as benching, geotextiles, mats, fiber rolls, soil binders, etc. that are not toxic to the environment, or vegetation measures/temporary landscaping in disturbed areas and on graded slopes. 	ESS 1	Contractor / During Construction
Air Quality	<p>Impacts would likely be temporary due to dust during construction from earthworks, stockpiling, extraction, transport of materials and gaseous emissions from construction trucks and other vehicles.</p> <p>A positive benefit will be that, in the long run, road rehabilitation will improve air quality by upgrading the road and reducing the amount of dust that is generated by road users, which has been a key complaint of local communities.</p>	<ul style="list-style-type: none"> Construction equipment maintained to a good standard. Immediate repairs of any malfunctioning construction vehicles and equipment. Equipment and vehicles not in use should be switched off. Machinery and vehicles causing excessive pollution (e.g., visible smoke) will be banned from construction sites. All construction equipment and vehicles shall have valid certifications indicating compliance to vehicle emission standards. Siting of bitumen plants, concrete mixing plants, crushing plants, quarries and other facilities that cause high dust and/or gaseous emissions should be at least 500 m from settlements and other sensitive receptors (schools, hospitals, etc.). Necessary environmental clearance/approval shall be obtained prior to establishment and operation of asphalt mixing plants, crushing plants and other facilities. Contractors are encouraged to use existing areas and facilities for such purposes whenever possible. On rainless day undertake watering, at least twice per day (adjust according to conditions) on dusty and exposed areas at construction yards, materials stockpile, construction sites, access roads, quarry areas, borrow sites and other project areas where residential sites and other sensitive receptors are located nearby. Tightly cover trucks transporting construction materials (sand, soil, cement, gravel, etc.) to avoid spills and dust emission. Impose speed limits on construction vehicles to minimize dust emission along areas where sensitive receptors are located (houses, schools, hospitals, temples, etc.). 	ESS 1, 3 and 4	Contractor / During Construction and Maintenance

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
		<ul style="list-style-type: none"> Position any stationary emission sources (e.g., portable diesel generators, compressors, etc.) as far as is practical from sensitive receptors. Burning of wastes generated at the construction sites, work camps and other project- related activities shall be strictly prohibited. Provide temporary covers (e.g., tarpaulins, grass, etc.) on long term materials and spoils stockpiles. Clean road surfaces of debris/spills from construction equipment and vehicles. Install temporary fencing or barriers around particularly dusty activities in vicinity of sensitive receivers. Locations for stockpiling spoils, fill and other materials with high dust content shall be at least 500 m from the nearest residential areas and other sensitive receivers. 		
Noise and Vibration	Elevated noise and vibration levels are likely to be experienced during construction phase due to site works and operation of various equipment and vehicles.	<ul style="list-style-type: none"> No noisy construction-related activities will be carried out from 21:00 hours to 06:00 hours along residential areas, hospitals, schools and other sensitive receptors. Noisy construction activities will be avoided during religious or cultural events in close proximity to the roadside such as Friday prayers attended by Muslim Cham (if relevant), when ethnic Khmer are attending temple festivals or holding weddings, or similar applicable to IP if relevant, etc. All construction equipment and vehicles shall be well maintained, regularly inspected for noise emissions, and shall be fitted with effective muffler and other appropriate noise suppression equipment consistent with applicable national and local regulations. Use only vehicles and equipment that are registered and have necessary permits. Truck drivers and equipment operators shall avoid, as much as possible, the use of horns in densely populated areas and where there are other sensitive receptors found such as schools, temples, hospital, etc. Impose speed limits on construction vehicles to minimize noise emission along areas where sensitive receptors are located (houses, schools, temples, hospitals, etc. Provide temporary noise barriers (3–5-meter-high barrier can reduce 5–10 dB(A)), as necessary, if site works will generate high noise levels that could disturb nearby households, hospital, school and other sensitive receptors. Avoid noisy construction activities in vicinity of sensitive receivers during night time or other sensitive periods (e.g. during school hours in vicinity of schools). Restrict use of vibrating rollers and operation of heavy equipment near sensitive structures. 	ESS 1, 3 and 4	Contractor / During Construction and Maintenance
Waste Management	Various construction activities and operation of workers camps will	<ul style="list-style-type: none"> Segregate and regularly collect wastes at worker camps and offices. Construction/workers' camps shall be provided with garbage bins with covers. 	ESS 1, 3 and 4	Contractor / During Construction

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
	generate solid wastes. Poor waste management could cause odour and vermin problems, pollution and flow obstruction of nearby watercourses and could negatively impact the landscape.	<ul style="list-style-type: none"> Prohibit disposal of solid wastes into canals, rivers, other watercourses, agricultural fields and public areas. There will be no site-specific landfills established by the contractors. All solid waste will be regularly collected and removed from the work camps and disposed to areas approved by local authorities. Contractor to reuse materials whenever feasible to reduce waste. Prohibit burning of construction and domestic wastes. Recyclables shall be recovered and sold to recyclers. Residual and hazardous wastes shall be disposed of in disposal sites approved by local authorities. Ensure that wastes are not haphazardly dumped within the project site and adjacent areas. Workers camp location and facilities shall be located at least 500 m from settlements and agreed with local communities and local officials. Drainage shall be provided to facilitate the rapid removal of surface water from all areas and prevent flooding and accumulation of stagnant water. Wastewater effluents from contractors' workshops and equipment washing-yards will be passed through gravel/sand beds and all oil/grease contaminants will be removed before wastewater is discharged. Oil and grease residues shall be stored in tightly covered drums. Such wastes shall be disposed consistent with national and local regulations. Construction/workers camps shall be cleaned up after use to the satisfaction of MRD and local community. All waste materials shall be removed and disposed to disposal sites approved by local authorities. Land used for campsites shall be restored to the original condition as far as practicable and the area shall be planted with appropriate trees/shrubs as soon as practicable after it is vacated and cleaned. 		
Water Quality, river biota, fisheries	Contractor campsites, bridge works, stockpiling of construction materials and spoils, use of hazardous materials and earthworks if not properly managed are likely to cause deterioration of surface water quality, flooding	<ul style="list-style-type: none"> Camp wastewater shall be fully treated first before discharged to adjacent or nearby waterbodies. Firmly consolidate river banks using stones, concrete and other suitable retaining measures at each bridge construction site and ensure that water courses are kept free of excavation spoil and construction debris, floating and submerged. Spoils, construction wastes and construction materials stockpile area shall be located away from water bodies and under no circumstances will these materials be dumped into watercourses. Do not fill up canals and creeks at the construction site. In case filling of local drainage system is necessary, consultation with local authorities shall be undertaken and their permission obtained beforehand. An alternative drainage shall be established before the existing canal is filled-up. 	ESS 1, 3 and 4	Contractor/ During Construction

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
	and flow obstruction of watercourses.	<ul style="list-style-type: none"> Prohibit placement of construction materials, waste storage areas or equipment in or near drainage channels and water courses. Discharge of oily wastewater, fuel, hazardous substances and wastes, and untreated sewage to watercourses/canals and on the ground/soil shall be prohibited. Provide adequate drainage at the construction sites and other project areas to avoid flooding of surrounding areas and minimize flow obstruction of existing watercourses. Regularly inspect and maintain all drainage channels to keep these free of obstructions. Slope stabilization measures (e.g., planting of fast growing native species of grass and shrubs, etc.) shall be implemented on exposed surfaces along river embankments to reduce material wash-away. Construct retaining structures such as gabion baskets, rip-rap, etc. for riverbank protection. Obtain required permits indicating water sources and permissible volumes Through engagement with local communities, ensure that local water users are not adversely impacted. River biota and fisheries will be assessed as part of ESMP preparation for site-specific bridge works. Mitigation measures will be in place and will be implemented as part of Contractor's ESMP and is subject to PMU periodic monitoring and PMU's independent monitoring. River biota and fisheries assessment should also be based on seasons for bridge work where construction takes place across seasons. 		
Quarry and Borrow Sites	Sites may be needed to extract gravel and other road materials, which may cause erosion, pollution and issues with air and water quality.	<ul style="list-style-type: none"> Sourcing of quarry and borrow materials from existing licensed sites shall be preferred over establishment of new sites, as much as possible. Quarries and borrow pits shall not be established in national, provincial, district and village conservation forests and other ecologically sensitive and protected areas. Borrow/quarry sites shall not be located in productive land, avoid land acquisition and following the RPF. In case the Project will involve new quarry/borrow sites/spoil disposal sites, environmental assessment and approvals will be needed. Such sites shall be located over 500 m away from residential, school, hospital and other sensitive receptors. Prior to extraction, topsoil (about 15 cm) shall be stockpiled, preserved and then refilled after completion of quarry/borrow pit operation for rehabilitation purposes after excavation is over. Dust control during excavation and transport (i.e. water spraying on access roads and provision of truck cover) shall be undertaken in areas where there are sensitive receptors such as residential areas, school, hospital, etc. Long-term material stockpiles shall be covered to prevent wind erosion. 	ESS 1, 3, 4 and 5	Contractor / During Construction

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
		<ul style="list-style-type: none"> • During quarry and borrow site operation, provide adequate drainage to avoid accumulation of stagnant water. • The use of river bed sources shall be avoided, as much as possible. However, if this is unavoidable, the contractor shall minimize use and avoid small rivers and streams. Alluvial terraces or alluvial deposits which lie on the river beds but not covered by water in normal hydrological conditions shall be preferred. Extraction of these materials if necessary, shall have prior approval from MRD, MOE and provincial authorities. • Confine quarrying of river bed materials to less than 20% of river width in any location and keep away from river banks. Extraction of materials shall have prior approval from MRD, MOE and relevant provincial authorities. • Protect and reinstate river banks if unexpected erosion occurs. • Quarry and borrow sites must be selected amongst those offering the highest ratio between extractive capacity (both in terms of quality and quantity) and loss of natural state. • Quarry and borrow sites lying close to the alignment, with a high level of accessibility and with a low hill gradient, are preferred. • Upon completion of extraction activities, re-contour borrow/quarry pit wall or fill-up when there are available and suitable materials such as excavation spoils, replace topsoil, and re-vegetate with native species such as grasses and fast- growing shrubs and trees. • Upon completion of extraction activities, borrow pits shall be dewatered and fences shall be installed, as appropriate, to minimize health and safety risks. • In quarries located in mountainous or hilly areas, or wherever slopes are important, terraces shall be cut after extraction, and drainage system and vegetation cover shall be provided for rehabilitation to enhance slope stability. • Implement compensatory planting (at least one to one ratio) if trees will have to be removed at quarry and borrow sites. • Borrow pits will be left in a tidy state with stable side slopes and proper drainage in order to minimize soil erosion, siltation of nearby bodies of water and to avoid creation of water bodies favourable for mosquito breeding. • To avoid or prevent people from drowning when pits become water-filled, measures such as fencing, providing flotation devices such as a buoy tied to a rope, etc. shall be implemented. • It is possible that villagers may request borrow pits to be left excavated so that they may be used as water reservoirs or fishponds. If this were to be agreed between the contractors and the villagers, all the full safety measures detailed above must be observed. Such agreements would be formalized in writing between the contractors and the villagers after full discussion with all concerned parties. 		

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
Disposal of Hazardous Materials such as bitumen, oily wastes, used batteries, fuel drums and lubricant etc..	Pollution and safety risks due to use of hazardous materials and disposal of hazardous wastes (these materials will be generated during construction but are manageable in terms of pollution level, quantity, etc.	<ul style="list-style-type: none"> • Store fuel and hazardous substances and wastes on bunded paved area with roof and interceptor traps so that accidental spills do not contaminate the environment. If spills or leaks do occur, undertake immediate clean up. • Train relevant construction personnel in handling of fuels and other hazardous substances as well as spill control and clean-up procedures. • Ensure availability of spill clean-up materials (i.e. absorbent pads, etc.) specifically designed for petroleum products and other hazardous substances where such materials are being stored. • Segregate hazardous wastes (oily wastes, used batteries, fuel drums) and ensure that storage, transport and disposal shall not cause pollution and shall be undertaken consistent with national and local regulations. • Store waste oil, lubricant and other hazardous materials and wastes in tightly sealed containers to avoid contamination of soil and water resources. • Ensure all storage containers of hazardous substances and wastes are in good condition with proper labelling. • Regularly check containers for leakage and undertake necessary repair or replacement. • Store hazardous materials above flood level. • Storage areas for fuel, oil, lubricant, bitumen and other hazardous substance will be located at least 100 m away from any watercourses. • Storage, transport and disposal of hazardous wastes, including spill wastes, shall be consistent with national and local regulations. • Wherever possible, refuelling will be carried out at a fuel storage area. • Refuelling shall not be permitted within or adjacent to watercourses. • Where significant amount of oily wastewater or spill/leakage of oil and grease may occur (i.e. equipment maintenance areas), drainage leading to an oil- water separator shall be provided for treatment of wastewater. The oil-water separator shall be regularly skimmed of oil and maintained to ensure efficiency. • Vehicle maintenance and refuelling will be confined to designated areas in construction sites designed to contain spilled lubricants and fuel. • Bitumen shall not be allowed to enter either running or dry streambeds and nor will be disposed of in ditches or small waste disposal sites prepared by the contractor. • Bitumen storage and mixing areas as well as storage areas for other petroleum products used in the preparation of the bitumen mixture shall be protected Against spills and all contaminated soil must be properly handled according to national and local regulations. As a minimum, these areas must be provided with concrete flooring and surrounded by an embankment to readily contain and clean-up spills. 	ESS 1, 3 and 4	Contractor / During Construction

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
		<ul style="list-style-type: none"> Adequate precaution will be taken to prevent oil/lubricant/hydrocarbon contamination of channel beds. Spillage if any will be immediately cleared with utmost caution to leave no traces. All areas intended for storage of hazardous materials will be quarantined and provided with adequate facilities (i.e. firefighting equipment, sorbent pads, etc.) to combat emergency situations complying with all the applicable statutory stipulation. 		
Climate Change	Roads are particularly at risk of floods and unpredictable rain patterns and flooding levels may affect road surfaces, cause erosion, etc.	<ul style="list-style-type: none"> During Detailed Engineering Design, climate resilient measures must be taken into consideration to ensure roads can withstand potential climate change impacts, in particular flooding. Contractor to construct as per design. Periodic monitoring and maintenance of roads is of utmost importance, to ensure any problems are fixed promptly and not allowed to worsen with time. Existing roads and bridges may be adjusted at select specific locations or widening of certain road sections and/or widening of road carriage to make the road infrastructure more resilient to future natural disasters and long-term impacts of climate change. 	ESS 1	Detailed Design Consultants and MRD'S SEO (on monitoring and maintenance), Contractors (on construction) / During Design Stage, Construction and Maintenance
UXOs	Clearance of road sections, extraction sites and worker's camps could unearth Unexploded Ordinances (UXOs).	<ul style="list-style-type: none"> An UXO clearance plan will be developed as part of site-specific ESMP, and is implemented before commencing project activity. Conduct assessment of UXO risks before site clearance. UXO screening/assessment will be carried by certified UXO experts before any physical/construction activities, including mobilization of contractors to construction site, are allowed. In case UXOs are found by certified experts during on-site screening, removal of UXO will be carried out by certified experts. A UXO clearance certificate shall be obtained from related authority for each subproject prior to commencing any subproject activities As part of site-specific ESMP, conduct training and awareness activities for local community with regards to UXO risks and chance finds. 	ESS 1	Detailed Design Consultants and MRD'S SEO / Design Stage
Flora and Fauna	As the Project is not expected to involve road widening, only minimal vegetation clearing is expected. However, operation of construction equipment	<ul style="list-style-type: none"> The project will not finance road improvement that could provide access to critical habitats such as wildlife sanctuaries and protected areas or may cause deforestation. Spoils and all types of wastes shall not be dumped into forested areas, agricultural land, densely vegetated areas, and water courses. Workers shall be prohibited from cutting trees for firewood and/or for use in construction-related activities and from hunting wild animals. 	ESS 1 and 6	Contractor / During Construction

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
	and vehicles as well as improper disposal of spoils may cause damage to existing vegetation. Hunting of wildlife and cutting of trees for fuel may not be undertaken by workers and strict prohibitions should be imposed by the contractor.	<ul style="list-style-type: none"> When possible, ensure that construction works are carried out without unnecessary clearing of roadside vegetation. Cutting of trees should be avoided or kept to a minimum in all circumstances and replanting of trees should be undertaken when feasible. Construction vehicles to operate within the corridor of impact, i.e. approximately within ROW, to avoid damaging soil and vegetation. Avoid soil compaction around trees. Avoid driving heavy equipment or trucks anywhere into the 'drip-line' of a tree (defined as imaginary line around a tree where rainwater falls freely to ground unimpeded by the tree's foliage). The contractor will not use or permit the use of wood as a fuel for the execution of any part of the works, including but not limited to the heating of bitumen and bitumen mixtures, and to the extent practicable shall ensure that fuels other than wood are used for cooking, and water heating in all camps and living accommodations. Contractor shall not buy or use wood from the illegal sources (that come from the illegal logging) . Construction camps, asphalt mixing plants, material storage sites and other project facilities shall not be located in the wildlife sanctuary, forest areas and other densely vegetated sites. Contractor will take all precautions necessary to ensure that damage to vegetation is avoided due to fires resulting from execution of the works. The Contractor will immediately suppress the fire, if it occurs, and shall undertake replanting to replace damaged vegetation. Bridge works, if any, should try to be scheduled in dry season to minimize adverse impacts to fishery, river water quality and other aquatic resources. 		
Protected Areas (PAs), wetlands, biodiversity zones	Impacts from construction if roads are close to important biodiversity zones.	<ul style="list-style-type: none"> Screening would need to be undertaken to assess whether PAs or other zones are impacted. The project will not finance road improvement that could provide access to critical habitats such as wildlife sanctuaries and/or protected areas or those that may cause deforestation. If necessary, MRD will undertake the preparation of Biodiversity Management Plans to ensure any impacts and mitigation measures are properly identified and assessed. 	ESS 6	MRD'S SEO and DDIS / During Design Stage and possibly Construction
Damage to community facilities/ Disruption to access	Construction operations that accidentally damage public facilities such as irrigation channel, roads, cable, electricity lines, etc.	<ul style="list-style-type: none"> Every effort and care will be exercised by contractors and subcontractor not to damage existing public facilities such as irrigation channel, cable, electricity lines, roads, paths, etc. If damaged, contractors will repair damaged facilities at Contractor's costs and restore the functionality of the damaged facilities shortly – to the satisfaction of the community, so as not to affect community's living and production activities. Contractors and subcontractors will take necessary measures to avoid disruption of access by local people to their home, road, path leading to the field, or irrigation channels, etc, which affect their daily living and production activities. 		Contractor / During Construction

Type of Risks	Descriptions of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Project Stage
Potential impact of bridge construction to downstream users	Construction operation (such as demolition, temporary diversion of flow, impact on fishery resources)	<ul style="list-style-type: none"> • Before bridge construction, assessment of potential impacts of bridge construction activities on river/stream water use and fishing to the downstream of the bridge will be assessed and mitigation measures will be prepared to avoid such impacts, or minimize, if avoidance is not possible. • Concrete measures will be prepared, updated in Contractor's ESMP, implemented and is subject to period monitoring by PMU and independent ES monitoring consultant. 		Contractor / During Construction

5.1.4 Mitigation Measures Proposed for Operation Phase

As mentioned in Chapter 4 (Environmental and Social Risks and Impacts), during operation phase of the project roads and bridges, risks of traffic accidents are likely to be increased because of improved road allows higher speed and increased volume of traffic.

Risks	Mitigation Measures	Implemented by	Monitored by
Risks of extreme flooding	<ul style="list-style-type: none">Release water flow at areas susceptible to flooding before, during and after heavy rain/ typhoon.Regularly maintain road and bridge works, including drainage system, to ensure it is functioning as designed	Operation Unit as assigned by MRD	MRD
Traffic safety during the operation of roads and bridges	<ul style="list-style-type: none">Conduct public awareness raising activities (IEC) to ensure local people and road user are aware of road safety regulations and risks and take action accordingly while using road;Monitor and observe speed limit;Air pollution control plan will be exercised by MRD and relevant Ministries given increasing emission of dusts, exhaust gases, noise	Operation Unit as assigned by MRD	MRD
OHS and CHS	<ul style="list-style-type: none">During road operation phase, the road and bridges will need to be maintained routinely and periodically. During repair/maintenance operation, there would be risks related to occupational health and safety (OHS) to workers involved in road maintenance and risks related to road safety such as accident to workers and road users, particularly when road is still open traffic under certain conditions (e.g. one lane is closed, or excavation is underway...).Safety measures, similar to those applied during construction phase of the project will be applied by the Road Maintenance Unit to ensure safety for both road maintenance workers and road users during road maintenance during operation phase.	Operation Unit as assigned by MRD and Road Maintenance Unit to be assigned.	

5.1.5 Cumulative Impact Mitigation

During preparation phase of ESCPs for identified subprojects, screening for cumulative impact will be carried out to explore if the risks and impacts identified for the planned subprojects are potentially and incrementally increased as a result of risks and impacts that are added from other relevant past, present and reasonably foreseeable development projects around the subproject areas.

During construction phase, MRD will coordinate with relevant stakeholders and units at subprojects to carry out the following activities to minimize potential cumulative impacts:

- Raise awareness of local people about regulations and good practices in driving;
- Monitor road users' compliance with speed limit and other road regulations;
- Assign a local officer to assist contractors in regulating traffic flow at road sections that are under construction, particularly at areas where traffic congestion is likely or road condition is dangerous;
- Ensure that emissions from each individual subproject are minimal.

5.1.6 Measures to Address Potential Impact of Climate Change

According to an analysis of the ADB (2019), the lack of all-weather connectivity throughout national, rural, regional, and international road networks contributes to unsafe and unsustainable transport infrastructure, reducing national competitiveness because of increased logistics costs. To address the long-term potential impact of climate change, during design of road and bridge subprojects, the following elements will be considered carefully and will be in line with the national Cambodia Climate Change Strategic Plan (2014 – 2023). For instance, according to this strategic plan, it is required that road structure needs to be strengthened, especially rural roads, so that floods do not affect the movement of people and transportation of goods. Additionally, dykes and drainage systems should be constructed in vulnerable areas to control excessive overflow of water from swollen rivers and creeks.

During project design, the following aspects will be considered:

Adjustment of road alignment

Existing roads and bridges may be adjusted at select specific locations or widening of certain road sections and/or widening of road carriage to make the road infrastructure more resilient to future natural disasters and long-term impacts of climate change.

Road pavement

The main risks to the road surface associated with climate change are extreme heat and insolation, and higher occurrence of heavy rain. Very high temperatures are manifested by an increased risk of asphalt rutting, flushing and bleeding of bituminous surfaces and/or cracking. Therefore, possible solutions include the followings:

- Adjustment of bituminous mixture design;
- Adjustment of structural design of the pavement;
- Greater use of concrete due to its higher temperature resistance and other advantages (longer lifetime, possibility of increased load, lower need for maintenance);
- Changing the design of the concrete pavement mixture to reduce the amount of water required;
- Increase the reflectance of the road surface e.g. by means of using bright, colored elements on the road or reflective coatings of road surfaces.

Road drainage systems

- Drainage system capacity will be installed/adapted to higher intensity and frequency of extreme rainfall events and complemented with water retaining facilities (e.g. dams, reservoirs) and structural protection measures (e.g. embankments);
- Culverts will be designed to accommodate higher water volumes within a short period of time. Capacity design of the drainage system will be considered taking into account the influence of climate change with rainfall characteristics projected in future climate scenarios for Cambodia.

Bridges and similar infrastructure

- The main climate change concerns relevant to design, construction and management of existing bridge structures are higher occurrence of flooding, higher river discharge, erosion and slope instabilities and temperature fluctuation. The standards for bridge structure design will take into account resilience ability to these effects;

Vegetation along roads

- Vegetation along roads contributes to environment protection, in particular reducing noise and pollution, and can also have an adaptation function, for example protecting road from direct sunlight. Improper use of vegetation along road can be a risk factor of traffic disruption when extreme weather events occur and may also influence road safety. The recommendations towards building up climate resilient roads therefore include replacement of mature trees with hedges (using elastic woody plants suitable for and more adapted to a given climate zone) and planting the vegetation at a sufficient distance from the road.

Road maintenance

- Climate change will also affect road maintenance, especially when dealing with climate-resilient road infrastructure. Attention shall be given to all maintenance services, like cleaning and maintenance of drainage systems, removing of storm damage, cleaning of roads, pruning of brushes.

5.1.7 Residual Impacts

Based on the above assessment and applicable standards, it is expected that the project's residual impacts of (i) dust and other emissions related to air quality; (ii) wastewater on surface and ground water quality and (iii) excavations as well as hazardous waste on soil quality are anticipated to be small and negligible.

5.1.8 Environmental and Social Commitment Plan

At project level, MRD has prepared and will implement the Environmental and Social Commitment Plan (ESCP) which will set forth material measures and actions that MRD will undertake to ensure E&S performance for all subprojects is in full compliance with applied ESSs and relevant national laws and regulations. The ESCP has been agreed with the Bank and will form part of the legal agreement. The ESCP has been disclosed at project sites and on the WB's website.

The ESCP has taken into account preliminary findings of the field survey, the site-specific ESMP prepared for the three bridges, the Bank's environmental and social due diligence, and the feedbacks and suggestions obtained from MRD's consultation with representatives of project stakeholders, including national, provincial and commune levels. Key risks and proposed mitigation approach described in the ESCP is a summary of material measures and actions that MRD will implement to avoid, minimize, reduce or otherwise mitigate identified environmental and social risks and potential impacts of the project. The ESCP also sets out a process that allows for adaptive management of proposed project changes, including unforeseen circumstances that may take place during project implementation.

During project implementation, MRD will implement diligently the measures and actions described in the ESCP in accordance with the timeframes specified in the ESCP, and will review the status of the ESCP implementation as part of its regular monitoring, evaluation, and reporting.

MRD will timely notify the Bank of any changes to the scope, design, implementation or operation of the project that are likely to change the environmental or social risks and potential impacts that have been identified based on the nature and scope of the project during project preparation. When change is proposed, MRD will conduct, as appropriate, additional assessment and stakeholder engagement in accordance with the ESSs, and updated relevant E&S documents for Bank's review and approval. The updated ESCP will be disclosed through the same channels.

5.2 Mitigation Measures for Social Risks and potential impacts

Mitigation measures for social risks and potential impacts are summarized in Table 9 (below). These measures will be taken by the MRD to mitigate the potential social risk and adverse impacts during project implementation. These proposed measures will be incorporated in C-ESMP.

Table 9. Mitigation Measures for Social Risks and potential impacts

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
Labor influx and Worker's Camps	Safe and clean conditions must be provided at worker's camps if these are set up.	<ul style="list-style-type: none"> Promote local recruitment, particularly with unskilled workers, to minimize labor influx Provide adequate housing for all workers at the construction camps Establish clean canteen, with eating and cooking areas, and recreational areas (See Annex 4.5 – Guideline for Worker's Camps). Install portable lavatories (or at least pit latrines in remote areas), separate for male and female. Open defecation shall be prohibited. Clean lavatories daily to keep facilities clean at all times. Provide separate hygienic sanitation facilities (toilets are separate from bathing areas). Ensure water supply is sufficient for male and female workers. Ensure toilet facilities for female workers are conveniently and safely accessible from workplace. Ensure all workers and staff of contractors are trained and signed social Code of Conduct before they are mobilized to field. Training will also include how workers can build and maintain good relationship with the local communities (Annexes 5.2 & 5.3). Train all workers and staff on contractors on measures to prevent SEA/SH, VAC including disciplinary measures if breached (See Manager's Code of Conduct and Workers' Code of Conduct in (Annexes 5.2 and 5.3 respectively). See Labor Management Procedures (LMP) (Annex 5). 	ESS 1, 2 and 4	Contractor / During Construction
Labor rights, gender and Discrimination	Risks of not complying with labor code, paying workers inadequate rates, discrimination of women, those with disabilities or other vulnerable persons.	<ul style="list-style-type: none"> MRD has developed a LMP (Annex 5) which should be adhered by all contractors/ sub-contractors which includes protection of all workers engaged to work on and or supply the project related activities in compliance with the Labor Law and WB ESS2, including prohibition of child labor, SEA/SH and VAC, awareness and protection of all workers from HIV/AIDS and OHS protection as described in other sections of this Table. Ensure salaries and/or daily rates are in line with guidelines in Labor Law and that at least the minimum wage in Cambodia is paid for unskilled jobs, and that workers are paid consistent rates (i.e. the same type of work should be paid the same, whether done by a male or female worker). Encourage the hiring of local labor, in particular for unskilled jobs in construction, as well as for providing services to the worker's camps if applicable (i.e. food preparation or cleaning services). 	ESS 2	Contractor (to implement measures) and MRD'S SEO and DDIS (for developing LMP, encouraging women to apply to jobs, grievance redress monitoring and also all provisions apply to MRD-hired workers) / During Design Stage, Construction and potentially during

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
		<ul style="list-style-type: none"> Encourage the hiring of women and make at least 15% of unskilled jobs available to them, and ensure these are paid at the same rate as similar unskilled jobs that are available for men. When feasible, encourage people with a disability or other vulnerable people to apply to jobs that may be available and apply principles of universal access into design and construction of roads and bridges to convenient and safe access for people of all ages and abilities in different situations and circumstances. Provide rights to workers to form groups or unions, if applicable. Ensure access to grievance redress mechanism as described in project's LMP and Contractor's LMP. See Codes of Conduct (Annex 5.2 & 5.3) 		Operations and Maintenance
Child labor	Risk of hiring children under 15 years to perform hazardous jobs, in contradiction of RGC legislation and WB ESF. Potential for children to be taken out of school to engage in construction jobs. Risk of child labor in the supply chain (i.e. the primary providers of materials for road construction).	<ul style="list-style-type: none"> The minimum working age applied under the project is 18 years of age. Labor will be checked based on identification card /birth certificate when hiring. Conduct screening of primary suppliers for construction materials to be used in road and bridge construction, and workers engaged by prospective primary suppliers to ensure they do not engage in child labor. See LMP (Annex 5) and Codes of Conduct (Annexes 5.2 & 5.3). 	ESS 2	Contractor (and MRD for MRD-hired workers) / During Construction and potentially during Operations & Maintenance
Forced Labor	Risk of indentured labor, particularly in supply chain.	<ul style="list-style-type: none"> All persons hired by the contractor must be paid a fair and adequate salary as per provisions in ESS2 (see LMP Annex 5). Conduct screening of providers of materials for road construction to ensure they do not engage in indentured labor. Ensure access to a grievance redress mechanism. 	ESS 2	Contractor and MRD (for grievances and for MRD-hired workers) / During Construction and potentially during Maintenance

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
		<ul style="list-style-type: none"> Conduct screening of primary suppliers for construction materials to be used in road and bridge construction, and workers engaged by prospective primary suppliers to ensure they do not engage in forced and child labour. 		
SEA/SH and Violence against Children (VAC)	<p>Risks of sexual exploitation and abuse, and sexual harassment and violence to women in the workforce.</p> <p>Risks of violence to community women or children due to labor influx, in particular in remote areas.</p>	<ul style="list-style-type: none"> Strict Code of Conduct for workers with no tolerance for physical or verbal abuse of women or children (see Annexes 5.2 & 5.3). Training to workers on maintaining good community relations, with emphasis on proper conduct around women and children. Training on SEA/SH and VAC for community members, in particular women and girls (may be done separately for men and women). Ensuring workers sites are situated (at least 500m) from schools and/or other areas where children congregate. Children prohibited from construction site and worker's camp. Ensure access to grievance redress mechanisms. Support (in the form of training, awareness raising, etc.) to local law enforcement to act on community complaints regarding SEA/SH and VAC. Provision of information to local communities about the contractor's policies and responsibilities, including the Contractor's Code of Conduct and minimum working age (see Annexes 5.2 & 5.3). Provide counselling services for male and female workers, wives and other female partners of contractors workers. Build partnerships with local health providers and SEA/SH service providers to conduct community awareness activities, and referrals. Implement public awareness campaigns to address sexual harassment in transport services and hubs, and training of police on women's security needs when using transport. Additional guidelines on SEA/SH are provided in Section 5.2.1, Table 10. 	ESS 2 and 4	Contractor and MRD'S SEO and DDIS (for trainings, grievances and for MRD-hired workers) / During Construction and potentially during Operations & Maintenance
Community Health and Safety	<p>Main risks during the construction stage may arise from: failures to implement measures to avoid accidents and injuries involving workers and the public; trainings on</p>	<ul style="list-style-type: none"> Appoint an Environmental Health and Safety Officer (EHSO) who shall be responsible for training, monitoring and reporting on EHS concerns and implementing health and safety related-programs. Conduct orientation for construction workers regarding emergency response procedures and equipment in case of accidents (i.e. head injury from falling, burns from hot bitumen, spills of hazardous substances, etc.), fire, etc.; health and safety measures, such as on the use of hot bitumen products for paving of project roads, etc.; prevention of HIV/AIDS, malaria, diarrhea, and other related diseases, as well as Code of Conduct (including discussion of SEA/SH/VAC). 	ESS 2 and 4	Contractor and MRD'S SEO and DDIS (for trainings and grievances) / During Construction and potentially during Maintenance

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
	sexually transmitted or other diseases by non- local workers; outbreaks of diseases such as COVID-19 transmission, malaria, diarrhea, etc. in the labor force; SEA/SH, VAC, inadequate sanitation in worker's camp (discussed in section on Worker's Camp); pressures on existing health systems at the local level. Particular attention should be paid to women and other vulnerable persons.	<ul style="list-style-type: none"> Regularly train/remind drivers of strictly observing speed limits and exercise good driving practices when driving construction supported vehicles through residential areas as well as other sensitive areas such as schools, pagodas, hospitals, markets, and other populated areas, including parking. Educate drivers on safe driving practices to minimize accidents and to prevent spill of hazardous substances and other construction materials by providing covers over transporting dump trucks. Barriers (i.e., temporary fence) shall be installed at construction areas to deter pedestrian access to these areas except at designated crossing points. Sufficient lighting at night as well as warning signs shall be provided in the periphery of the construction site. The general public/ local residents, and in particular children, shall not be allowed in high-risk areas, i.e., excavation sites and areas where heavy equipment is in operation. Provide fencing on all areas of excavation greater than 2m deep. Ensure reversing signals are installed on all construction vehicles. Measures to prevent malaria if in areas where malaria is an issue, shall be implemented (i.e. provision of insecticide treated mosquito nets to workers, spraying of insecticides, installation of proper drainage to avoid formation of stagnant water, etc.). Discharge of untreated sewage shall be prohibited. Conduct road safety trainings for workers and roadside community. Provide trainings on HIV/AIDS and STDs to workers and the community (separately) – see additional guidance in Section 5.2.2, Table 10. Provide trainings on SEA/SH and VAC to workers and the community (separately) – see additional guidance in Section 5.2.1, Table 10. Ensure particular attention is provided to the needs of women and other vulnerable persons. For instance, specific trainings for them should be facilitated by appropriate trainers (i.e. women-only training on HIV/AIDS and/or SEA/SH should be led by a female trainer). Ensure access to grievance redress mechanism. Ongoing consultations and awareness raising of local communities. 		
Damage to Community Facilities	Transport of materials and spoils, operation of	<ul style="list-style-type: none"> Not allow overloading of trucks used for all project-related activities. Immediately repair any damage caused by the Project to community and/or private facilities such as water supply, power supply, irrigation canals, 	ESS 1 and 4	Contractor and MRD'S SEO (to disseminate GRM) / During

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
	construction equipment and various construction activities may damage community facilities.	<p>drainage, structures, trees, etc. The contractor to pay adequate compensation to affected parties, as necessary.</p> <ul style="list-style-type: none"> • Access roads damaged during transport of construction materials and other project- related activities shall be reinstated upon completion of construction works. • All affected communities will be made aware of the project grievance redress mechanism and will be provided information in advance on construction activities that may cause public nuisance and disturbance. 		Construction and potentially during Operations & Maintenance
Traffic Disruption	Road construction works are expected to cause traffic disruption and congestion and obstruction of access to roadside properties and establishments. Lack of proper traffic warning signs and other safety measures could cause accidents.	<ul style="list-style-type: none"> • In cooperation with the local traffic authorities, properly organize transport of materials for the project to avoid congestion. • Set up clear traffic signal boards and traffic advisory signs at the roads going in and out the road and bridge construction sites to minimize traffic build-up. • Regularly monitor traffic conditions along access and Project roads to ensure that project vehicles are not causing congestion. • Provide sufficient lighting at night within and in the vicinity of construction sites. • Implement suitable safety measures to minimize the frequency and magnitude of traffic congestion through provision of temporary signals or flag controls, adequate lighting, fencing, signage and road diversions. • Provide temporary accesses to properties and businesses affected by disruption to their permanent accesses. • Reinstate good quality permanent accesses following completion of construction. • Provide safe vehicle and pedestrian access around construction areas. • Provide adequate signage, barriers and flag persons for traffic control. • If necessary, traffic will be diverted for safe and smooth movement of vehicles to ensure smooth traffic flow and minimize accidents, traffic hold ups and congestion. • Temporary by-passes should be constructed and maintained (including dust control) during the construction period particularly at bridge crossings. Location of temporary bypasses shall be agreed with local authorities and such sites shall be reinstated upon completion of works. 	ESS 1 and 4	Contractor and MRD'S SEO (for trainings) / During Construction and potentially during Operations & Maintenance
Road Safety	During construction, but mostly once road	<ul style="list-style-type: none"> • Road design should make safety a priority, such as by widening and sealing shoulders, where land is available, through better marking and signage, introducing traffic calming measures at critical locations, measures for 	ESS 1 and 4	DDIS, MRD'S SEO and Contractor / During Design, Construction,

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
	works are completed, improved roads could cause vehicles to travel faster and lead to road accidents.	<p>universal access, and measures to safeguard pedestrians' safety, including for women and children from local communities who use roads to travel to and from schools, markets, and hospitals.</p> <ul style="list-style-type: none"> • Road safety programs should be developed and delivered to road side community and other frequent road users (such as schools). Special attention to women, in particular mothers, and young men (most likely victim of traffic accidents) as well as people living with disabilities should be delivered. • Safety crossings trainings for school children should be conducted, as well as riding/walking safely using road shoulders. • Managerial (MRD/WB) support of RGC's Road Safety Agenda, in particular at the local level. • Strengthening local enforcement mechanisms, such as additional support to local-level government to monitor road safety and implement road safety awareness activities. • Billboards and/or other awareness raising information (such as in radio-format). • Road Safety Plans. • Ongoing consultations and awareness raising of local communities. 		Operations and Maintenance
Disruption which may cause by the excavations/digging for installation of side drainage	Limit/block access to shops, schools, hospitals, restaurants, etc., and lose of incomes.	<ul style="list-style-type: none"> • Limit the activities to non-business hours (if possible) and complete the works soonest possible. A timeframe must be developed and consulted with affected parties before starting the works. • Provide appropriate temporary access (wood/steel platform) with handrails and appropriate measure for people living with disabilities. • Clear all construction material/equipment from the access path • At vulnerable receptors such as school, hospitals, install traffic signs, flagmen and other necessary safety measures to facilitate safe traffic flow. 	ESS1, ESS4	Contractor / During Construction
Social Conflicts	The presence of workers could cause conflicts with local communities, including increased crime (or the perception of), and "followers" who may seek jobs	<ul style="list-style-type: none"> • Regularly inform in advance the local officials and affected residents of the location and schedule of construction activities which may cause impacts on the environment and life of people. • Locate construction camps away from communities (at least 500 m away) in order to avoid social conflict in using resources and basic amenities such as water supply and to avoid close contact between workers and the community (in particular children). 	ESS 4	Contractor / During Construction

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
	and/or create additional pressures on the local community.	<ul style="list-style-type: none"> Maximize number of local people employed in construction and non-construction jobs and provide on the job skills training for local people employed. Maximize goods and services sourced from local commercial enterprises. Ongoing consultations and awareness raising of local communities and raising awareness in each community on GRM. 		
Land Acquisition	Impacts to people having assets close to the road shoulder who may have to cut them or move them back, voluntarily or involuntarily. Impacts may be more pronounced for women and other vulnerable persons.	<ul style="list-style-type: none"> MRD, and GDR, as needed, to implement provisions in the Resettlement Planning Framework and prepare Detailed Resettlement Plans if needed (includes procedures, consultations, grievance redress, etc.) Particular attention to be paid to women and other vulnerable persons. Include the RPF/RAP and or entitlement matrix relevant in bidding documents for the contractors and complete all compensation payments prior to the start of construction. 	ESS 5	MRD'S SEO, DDIS and GDR, and Contractor (for removal of assets and restoration at full replacement cost when applicable) / During Design Stage and Construction
Indigenous Peoples	While negative impacts are not expected for IP groups, there is a risk they could be excluded from project benefits, including job opportunities.	<ul style="list-style-type: none"> If IPs are living in the project area, MRD will need to ensure Indigenous Peoples are consulted in accordance with consultation guidelines in the IPPF. Targeted Social Assessments, meaningful consultations shall be conducted to ensure IPs are not negatively affected and can benefit from the project. Civil works may be undertaken near collectively owned IP land but shall not impact the integrity or productivity of collectively owned IP's land. If there is clear potential impact, road design needs to be adjusted or the subproject is excluded if avoidance is not possible. Drive slowly and carefully through site of cultural heritages, such as graveyard, temples, worship sacred trees. Show respecting behavior when travelling close or through these sites. Apply chance-find procedures. 	ESS 7	MRD'S SEO and DDIS / During Design Stage, Construction, and Operations & Maintenance
Cultural Heritage	If road sections are close to temples, grave sites or other tangible or intangible cultural	<ul style="list-style-type: none"> MRD would need to undertake screening to assess whether tangible or intangible cultural heritage is impacted. MRD could consider ruling out road sections or prepare Cultural Heritage Management Plans to ensure impacts and mitigation measures are properly identified and assessed include chance-find procedure. 	ESS 8	MRD'S SEO and DDIS / During Design Stage and possibly Construction

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
	heritage, these could be impacted by construction.			
Stakeholder Engagement and Grievances Redress Mechanism	If stakeholders are not properly consulted, information is not disclosed and people are not informed about their rights, options for grievance redress or project timelines, there could be project delays, misunderstandings, conflict or loss of confidence in the community regarding the project.	<ul style="list-style-type: none"> • MRD needs to ensure provisions in the SEP and LMP are adequately followed by project planners and the contractors. • Include the SEP in bidding documents for the contractors. • Ensure the SEP, this ESMF, RPF, IPPF are disclosed and consulted on. • Ensure that future ESMPs, RPs and IPPs, if applicable, are disclosed and consulted on. • Ensure the Grievance Redress Mechanism outlined in the SEP and this ESMF is shared and consulted with local communities once road sections have been identified. 	ESS2, ESS10	MRD'S SEO, DDIS and Contractors (refer to SEP) / During Design Stage, Construction, Operations & Maintenance
Gender	Women could face discrimination for construction jobs, may be physically or verbally abused by workers and/or co-workers, may disproportionately suffer negative impacts from the project, such as those who are affected by land acquisition, etc.	<ul style="list-style-type: none"> • Provisions for minimum hiring of 15% of women for unskilled jobs, and encouragement of women to apply to these jobs, as well as engaging women in non-construction work if possible (such as cleaning or cooking services). • Trainings for workers, and separately for women, on SEA/SH, including mechanisms to report incidents (see Annex 5, 5.2 & 5.3). • Special attention to impacts on women in terms of land acquisition. For land compensation and voluntary land donation, ensure signatures of both spouses are provided to any agreements, including receipt of compensation payment. • Ensuring women are included in the consultation process, including speaking to them separately if desirable. • Ensuring women are included and properly assessed as part of Social Assessment on IPs, if applicable. 	ESS 4, 5, 7 and 10	MRD'S SEO and DDIS, and Contractor / During Design Stage, Construction, Operations & Maintenance

Type of Potential Social Risks	Description of Potential Impacts	Mitigation Measures	WB ESS	Responsibility / Estimated Project Stage
		<ul style="list-style-type: none"> • Ensure community women are part of trainings, in particular on SEA/SH, HIV/AIDS and road safety, and some of these may be done in women-only groups and led by women facilitators. • Ensure women have access to the grievance redress mechanism. 		
Vulnerable/ Disadvantaged Groups	Vulnerable groups can be missed or excluded from the consultation process and may disproportionately suffer negative impacts from the project. They may also be targets for physical or verbal abuse from outsiders.	<ul style="list-style-type: none"> • Special attention to impacts to vulnerable persons in terms of land acquisition and temporary environmental impact during construction • Ensuring vulnerable persons are included in the consultation process, including speaking to them separately if desirable. • Ensuring vulnerable persons are included in targeted Social Assessment on IPs, if applicable. • Ensure trainings, in particular those on SEA/SH, HIV/AIDS and road safety, discussed the potential impact on vulnerable groups. • Ensure vulnerable persons have access to all project's grievance redress procedures include the concept of universal access into design and construction. 	ESS 4, 5, 7 and 10	MRD'S SEO and DDIS, and Contractor / During Design Stage, Construction, Operations & Maintenance

5.2.1 Sexual Exploitation and Abuse, and Sexual Harassment (SEA/SH)

The sections below summarize key aspects that each stakeholder is expected to implement to minimize the risks related to SEA/SH. The key stakeholder include a) MRD/PMU, b) contractors, c) local community and authorities, d) local health care services and SEA/SH service providers.

5.2.1.1 For MRD/PMU:

After the first training provided the WB (soon after project effectiveness) for MRD representatives on assessing and managing risks of SEA/SH and adverse impacts under the project), MRD will replicate such training knowledge to relevant project stakeholders, particularly those who directly work with the projects, such as civil servants of MRD, PDRD at provincial & district level, MEF/ Staff of GDR. Training can take the form of short meeting to raise public awareness related risks of SEA/SH and key measures that can be take to minimize such risks. Where possible, these events can reported through mass media such as TV/radio/popular news channel, as one of public awareness activities on SEA/SH. If these SEA/SH public awareness activities could be combined with national SEA/SH program or action plan to be taken by project provinces with regards to SEA/SH, this would enhance the IEC effect that create spill-over effect. Such activities should be repeated at least once a year as repeated public education activities to disseminate and strengthen the IEC communication message with regards to SEA/SH under transport infrastructure and disaster risks development projects.

PMU is expected to disseminate the first WB facilitated SEA/SH training to any new members that join PMU as either individual consultant or consulting firms to ensure consultants are aware of PMU's effort in prevention of SEA/SH. Refreshing training/orientation meetings conducted on a regularly such as quarterly and annually can help consolidate knowledge PMU members and raise awareness, attitude, and practices of those that receive SEA/SH trainings. To ensure requirement of SEA/SH prevention is mainstreamed consistently to all contractors engaged to support reconstruction of roads and bridge, In bidding documents and contracts, PMU will ensure the Contractor will be required to implement the Labor Management Procedures (Annex 5) and Codes of Conduct (Annexes 5.2 & 5.3). The Contractor, as part of the Work Contract, shall engage a recognized agency, company or NGO to provide trainings in SEA/SH/VAC for their workers and conduct IEC campaigns in subproject area to target local community on the identified risks and potential impacts. The cost of the training and IEC campaign shall be funded by the Contractor from the provisional sum provided in the bill-of-quantity. The contractor shall ensure that at least one refresher for workers is conducted each month to review materials provided. Where SEA/SH risk is assessed as "Substantial" or "High" at subproject level (as part of SS-ESMP preparation, local SEA/SH may be engaged by PMUs as service providers. When this is the case, PMU should allocate realistic costs associated with SEA/SH prevention measures for training or engaging service providers. A Summary on Action Plan to address SEA/SH is described in Table 10 (below).

5.2.1.2 For Contractors:

Contractors will observe and implement actions that are described in their Work Contract using the budget allocated in their bill-of-quantity. The contractors are responsible for ensuring their workers and managers, including contractors and subcontractors, are well trained and observe and implement required actions as indicated in Social Code of Conducts, Contractors' Labor Management Procedures. One way to remind contractor's workers of the social code of codes of conduct is to disclose it publicly in contractors' camp and office so that they are widely accessible to all workers. Some useful performance indicators include:

- Number of reports of SEA/SH received through Contractor's grievance mechanisms;
- Number of workers receiving refresher training (in Contractors' monthly performance report to PMU);
- Percentage of workers who have signed the Contractor's codes of conduct;
- Percentage of workers who have attended SEA/SH training organized by Contractors.

5.2.1.3 For local community and authorities:

Community members at subproject level are expected to participate in consultation sessions that PMU will carry out (through their DDIS consultants and/or other consultant) as part of site-specific ESMP or consultation conducted as part of targeted social assessment to develop IPP(s). Local authorities will join to become aware of project's effort in SEA/SH prevention and disseminate the message across their local governmental network for public awareness raising and for stakeholder engagement. Local government can help disclose the social code of conduct on commune and village's public billboard disclosed in local languages so that it is widely accessible to all individuals and groups of people in subproject areas.

5.2.1.3 For local health care services and SEA/SH service providers:

Local health care services (at subproject level) and SEA/SH service providers that may be active in subproject area will be informed by PMU of the subproject, including environmental and social risks and impacts, particularly risks related to SEA/SH as well as risks related to HIV/AIDS associated with the subproject for their preparedness and for them to provide feedback to PMU, local authorities, community members (in their regular health program) and SEA/SH service providers, as well as schools. Key activities, to be done by key stakeholders throughout project cycle in an effort to prevent SEA/SH are summarized in Table 10 (below).

Table 10. Action Plan to address SEA/SH

Project Stage	Actions to Address SEA/SH Risks	Timing for Action	Who is Responsible for Action	Ongoing Risk Management
Identification	Sensitize the IA (MRD) as to the importance of addressing SEA/SH under the project, and the mechanisms that will be implemented.	Identification. Preparation. Implementation.	MRD/MRD's PMU	WB Task team to monitor and provide additional guidance as necessary.
Preparation/ Implementation	At project level, the project's social assessment to include assessment of the underlying SEA/SH risks, using the SEA/SH risk assessment tool to provide guidance and keeping to safety and ethical considerations related to SEA/SH data collection.	Project Preparation. Project Implementation (before civil works commence).	<ul style="list-style-type: none"> • MRD¹² for project's social assessment and subproject SS-ESMPs. • Contractor for Contractor's ESMPs (C-ESMPs) • WB Task Team for SEA/SH Risk Assessment Tool • WB 	Ongoing review during implementation support missions.
	At subproject level, screening for SEA/SH risks will be conducted as part of preparation of SS-ESCP, IPP(s).	As soon as project becoming effective		Update project ESMF and C-ESMPs if risk situation changes.
	Provide training to PMU, SEOs and relevant PMU's consultants such as DISS, independent E&S consultant.	As soon as they consultants come onboard	<ul style="list-style-type: none"> • PMU 	Sharing SEA/SH PowerPoint trainings
	PMU to provide orientation training to all individual consultants and firms that may be engaged when project implementation starts.	Once a year (time to be determined by PMU)	<ul style="list-style-type: none"> • PMU 	
	Conduct refresher training (at least once a year for awareness raising			
	Map out SEA/SH prevention and response actors in project adjoining communities. This should incorporate an assessment of the capabilities of the service providers to provide quality survivor centered services including SEA/SH case management, acting as a victim advocate, providing referral services to link to other services not provided by the organization itself.	Project Preparation Project Implementation	MRD in Contractor's ESMP	Update mapping as appropriate

¹² In all instances, MRD may be supported by DDIS staff.

Project Stage	Actions to Address SEA/SH Risks	Timing for Action	Who is Responsible for Action	Ongoing Risk Management
	Have SEA/SH risks adequately reflected in all environment and social instruments (i.e., Project ESMF, C-ESMP). Include the SEA/SH mapping in these instruments.	Project Preparation Project Implementation (before civil works commence).	MRD for project's social assessment and C-ESMPs	Ongoing review during implementation support missions. Update project ESMF and C-ESMP if risk situation changes.
	Review the MRD/PMU's capacity to prevent and respond to SEA/SH under the project and throughout project cycle.	Project Preparation. Project Implementation.	PMU's consultant preparing ESF instruments	Ongoing review during implementation support missions. Update project ESMF if risk situation changes.
	As part of the project's stakeholder consultations, those affected by the project should be properly informed of SEA/SH risks and project activities to get their feedback on project design and safeguard issues. Consultations need to engage with a variety of stakeholders (political, cultural or religious, IP leaders, health teams, local councils, social workers, women's organizations and groups working with children) and should occur at the start and continuously throughout the implementation of the project.	Consultations need to be continuous throughout the project cycle, not just during preparation.	MRD	Monitoring of implementation of Stakeholder Engagement Plan. Ongoing consultations, particularly when C-ESMP is updated.
	The Stakeholder Engagement Plan of the project, which will be implemented over project life to keep the local communities and other stakeholders informed about the project's activities, contractors' activities, project's GRM to specifically address SEA/SH related issues.	Consultations need to be continuous throughout the project cycle, not just during preparation.	MRD	Monitoring of implementation of Stakeholder Engagement Plan. Ongoing consultations, particularly when C-ESMP is updated.

Project Stage	Actions to Address SEA/SH Risks	Timing for Action	Who is Responsible for Action	Ongoing Risk Management
	Make sure an effective grievance redress mechanism (GRM) with multiple channels (such as GRM focal points of MRD's PMU and Contractors' GRM focal point at subproject level) are in place and easily accessible and used by affected people to lodge a complaint. Contacts of local SEA/SH services providers, if available near subproject areas, will be informed to potentially affected people. It should have specific procedures for SEA/SH including confidential reporting with safe and ethical documenting of SEA/SH/VAC cases. Parallel GRM outside of the project GRM may be warranted for substantial to high-risk situations, particularly at identified subprojects.	Prior to contractor mobilizing.	MRD, but discussed and agreed upon with the WB Task Team	Ongoing monitoring and reporting on GRM to verify it is working as intended.
Procurement	Clearly define requirements related to SEA/SH/VAC and expectations in the bidding documents .	Procurement.	MRD	Review by MRD
	Based on the project's needs, the Bank's Standard Procurement Documents (SPDs), and the IA's policies and goals, define the requirements to be included in the bidding documents for a CoC which addresses SEA/SH (see Annexes 5.2 & 5.3)	Procurement.	MRD	Review by MRD
	For National Competitive Bidding (NCB) procurement , consider integrating the ICB SPD requirements for addressing SEA/SH risks.	Procurement.	MRD	Reviewed by MRD
	The procurement documents should set out clearly how adequate SEA/SH costs including the cost related to contract a qualified service provider will be paid for in the contract. This could be, for example, by including: (i) line items in bill of quantities for clearly defined SEA/SH activities (such as preparation of relevant plans) or (ii) specified provisional sums for activities that cannot be defined in advance (such as for implementation of relevant plan/s, engaging SEA/SH service providers, if necessary)	Procurement.	MRD	Review by MRD
	Clearly explain and define the requirements of the Codes of Conduct to bidders before submission of the bids.	Procurement.	MRD	Review by MRD

Project Stage	Actions to Address SEA/SH Risks	Timing for Action	Who is Responsible for Action	Ongoing Risk Management
	Evaluate the contractor's SEA/SH response proposal in the C-ESMP and confirm prior to finalizing the contract the contractor's ability to meet the project's SEA/SH requirements	Procurement.	MRD	Review by MRD.
Implementation	Review C-ESMP to verify that appropriate mitigation actions are included.	MRD	MRD	Review by MRD.
	Review that the GRM receives and processes complaints to ensure that the protocols are being followed in a timely manner, referring complaints to an established mechanism to review and address SEA/SH complaints.	Implementation.	MRD	Ongoing reporting. Monitoring of complaints and their resolution.
	Codes of Conduct signed and understood (Annexes 5.2 & 5.3) Ensure requirements in CoCs are clearly understood by those signing. Have CoCs signed by all those with a physical presence at the project site. Train project-related staff on the behavior obligations under the CoCs. Disseminate CoCs (including visual illustrations) and discuss with employees and surrounding communities, and the reporting on CoC signing by workers	Initiated prior to contractor mobilization and continued during implementation.	Contractor, Consultant, MRD	Review of SEA/SH risks during project supervision (e.g., Mid-term Review) to assess any changes in risk. Supervision consultant reporting that CoCs are signed and that workers have been trained and understand their obligations. ¹³ Monitoring of GRM for SEA/SH complaints. Discussion at public consultations.
	Have project workers and local community undergo training on SEA/SH, including grievance redress procedure.	Implementation.	MRD, Contractors, Consultants	Ongoing reporting.
	Undertake regular M&E of progress on SEA/SH activities, including reassessment of risks as appropriate.	Implementation.	MRD, Contractors, Consultants.	Monitoring of GRM. Ongoing reporting.

¹³ Civil works supervision consultant's monthly reports should confirm all persons with physical presence at the project site have signed a CoC and been trained.

Project Stage	Actions to Address SEA/SH Risks	Timing for Action	Who is Responsible for Action	Ongoing Risk Management
	<p>Implement appropriate project-level activities to reduce SEA/SH risks prior to civil works commencing such as:</p> <p>Have separate, safe and easily accessible facilities for women and men working on the site. Locker rooms and/or latrines should be located in separate areas, well-lit and include the ability to be locked from the inside.</p> <p>Visibly display signs around the project site (if applicable) that signal to workers and the community that the project site is an area where SEA/SH is prohibited.</p> <p>As appropriate, public spaces around the project grounds should be well-lit.</p>	Prior to works commencing.	Contractor/ Supervision Consultant WB Task Team.	Ongoing reporting. Reviews during implementation support missions.

5.2.2 HIV/AIDS

The Contractor shall engage a recognized service provider to help prepare HIV/AIDS training materials and to conduct an Information, Education and Communication (IEC) campaign to raise public awareness on HIV/AIDS. The cost of the material preparation and conducting the campaign shall be funded by the Contractor using the provisional sum provided in the bill-of-quantity.

The Contractor shall undertake such other measures as specified in the Contract, including the LMP, to reduce the risk related to HIV/AIDS among the Contractor's personnel and local community, to promote early diagnosis and to assist affected individuals. The Contractor shall not discriminate Against people found to have HIV/AIDS as part of the campaign.

Prior to contractor mobilization, the contractor (and service provider as relevant) shall submit to the MRD for approval an action plan that will indicate:

- The types and frequency of IEC activities to be done;
- The target groups (as a minimum) include all the Contractor's employees, all Sub-Contractors and Consultants' employees, and all truck drivers and crew making deliveries to the project site for construction activities, as well as immediate local communities);
- Whether condoms shall be provided;
- Whether Sexually Transmitted Infections (STI) and HIV/AIDS screening, testing, diagnosis, counselling and referral to a dedicated national STI and HIV/AIDS program, (unless otherwise agreed) of all Site staff and labour shall be provided;
- Budget.

The IEC campaign shall be conducted while the Contractor is mobilized in accordance with the approved approach. It shall be addressed to all target groups identified concerning the risks, dangers and impact, and appropriate avoidance behavior with respect to STI and HIV/AIDS in particular.

Below is a list of recognized HIV/AIDS service providers currently active in the project provinces:

AHF Cambodia. In 2005, AHF Cambodia launched its first program with the Ministry of Health and gradually expanded services with other healthcare agencies. Through the different supported programs, AHF Cambodia aims to 1) improve treatment and care for HIV/AIDS patients at the government hospitals, 2) promote community HIV testings and the use of condoms, 3) prevent HIV/AIDS especially among key in populations and other most at risk group.

Khmer HIV/AIDS NGO Alliance (KHANA). KHANA is the largest national non-governmental organization (NGO) providing integrated HIV/AIDS prevention, care and support services at the community level in Cambodia. Initially established in 1996 as a project of the International HIV/AIDS Alliance, KHANA became an independent NGO in 1997, and has been officially registered in Cambodia since 2000. KHANA is a linking organization of the International HIV/AIDS Alliance, and is one of the leading organizations focusing on HIV and AIDS in Cambodia today.

5.2.3 Exclusion/ Ineligibility Criteria

The MRD is in the process of identifying the project road sections and bridges by using exclusion criteria to avoid or minimize environment and social risks and potential impacts. The following road sections and bridges would be excluded from KH-SEADRM 2 financing:

- New roads;
- Road sections requiring significant widening;
- Road sections/bridges requiring full EIA according to national legislation;

- Road sections/bridges requiring physical relocation and/or demolition of residential structures of more than 50 households;
- Any works that would adversely impact the integrity or productivity of collectively owned Indigenous Peoples (IP) land would be carefully screened for and excluded. Works maybe undertaken adjacent to collectively owned IP land, but should not impact the integrity or it's productivity.
- Road sections/bridges that cause serious damage to or loss of cultural property, including sites having archaeological (prehistoric), paleontological, historical, religious, cultural and unique natural values;
- Road sections that go through Protected Areas or other biodiversity conservation areas, and/or that would have significant negative impacts on flora or fauna or the degradation of natural resources or habitats.

The prioritization process will consider economic impacts, climate change and flood vulnerability and broader road accessibility needs in rural areas, including access to markets, agricultural growth potential, number of population and villages served, and access to schools and hospitals. The prioritization process will go through the following four-step process:

1. Initial screening: This initial step includes (a) mapping all rural roads and bridges in the selected districts and (b) grouping roads and bridges into three categories: (i) recently improved (last two to three years), (ii) roads and bridges which have earmarked financing (to be improved by other investments), and (iii) remaining network for potential investment consideration. This step is completed.
2. Accessibility and climate resilience analysis: The analysis will help assess the rural accessibility and climate resilience impact of the proposed investment. It will prioritize the most needed bridge and long-list of roads with up to 1,000 km of critical network in the project area. The approach will use an innovative geospatial analysis tool to visualize rural accessibility and climate resilience impacts on access to markets, schools and hospitals and inform the evidence-based decision-making process.
3. Environmental and social screening: This step will further screen the list of identified roads and bridges to ensure that the proposed investment does not cause major negative environmental and social risks and potential impacts following the ineligible/ negative list criteria (for example, avoiding "High risk" roads - new construction, significant widening and/or any road requiring full EIA according to national legislation, excluding roads which provide access to protected areas, may cause deforestation and/or may require significant resettlement, among others) and maximize development gains for the beneficiaries, in line with the World Bank's Environmental and Social Framework (ESF). This process is described in this ESMF.
4. Priority list for investment: Based on the above three steps, a final short list of roads and bridges will be identified with a balanced representation on selected provinces, which are eligible for investment. MRD will contract DDIS consultants to prepare designs and tender documents for the prioritized roads, including preparation of site-specific ESMPs, RPs and IPPs where applicable.

6. PROCEDURES FOR ENVIRONMENTAL & SOCIAL MANAGEMENT

6.1 Screening and Scoping

Environmental and social screening is designed to identify and document risks and potential impacts arising from proposed sub-projects. The environmental and social screening informs decision-makers about the need to implement measures or actions which avoid, minimize, mitigate or compensate for adverse risks and potential impacts. Sub-projects are categorized according to the screening procedure based on the type, location, sensitivity and scale of the project and the nature and magnitude of its environmental and social risks and potential impacts. A project will be rated as of low, moderate, substantial or high risks by MRD in consultation with the World Bank.

As described in Section 5.2.3, MRD will conduct environment and social screening as they narrow down the list of roads and will follow the Exclusion/Ineligibility List (Annex 1.1) to rule out certain road sections. Thus, road sections that are found to have significant environment or social risks and potential impacts – such as going through a National Protected Area, new construction, significant widening and/or any road requiring ESIA or IESIA according to national legislation – will not be considered by the MRD for financing under the KH-SEADRM 2. The MRD will balance road selection between need, benefit and impact – i.e., selecting roads that need to be rehabilitated and will benefit the local population but cause minor environment and social risks and potential impacts. This screening will be done on the basis of secondary data (such as population census, location of protected areas, location of schools and markets, etc.), and site visits and discussions with provincial, district and local authorities. MRD will submit the final selected list of road sections, and expected impacts, to the World Bank for their No-Objection.

Once the initial lists of roads have been selected, the MRD will conduct more detailed environment and social scoping, following environmental and social screening form in Annex 1.2. Scoping confirms the key environmental and social issues, risks and potential impacts identified during the initial screening process. The scoping stage can highlight potential issues at an early phase of sub-project development so as to allow planners to design changes which will avoid, minimize or mitigate environmental and social risks and potential impacts. It could be possible that based on more detail scoping a selected road section is ruled out, or that a section that had been ruled out is reconsidered. Any changes in road selection would need to be cleared by the World Bank.

Once the World Bank has provided the Non-Objection to the selected road sections, the MRD and DDIS will adopt a mitigation hierarchy to the design of the selected roads which will:

- Anticipate and avoid risks and potential impacts;
- Where avoidance is not possible, minimize or reduce risks and potential impacts to acceptable levels;
- Once risks and potential impacts have been minimized or reduced, mitigate, and
- Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible.

Based on the environment and social scoping and mitigation hierarchy approach above, project planners will be able to understand in more detail the expected impacts of each selected road section, and the need to prepare, consult and disclose site-specific Environment and Social Management Plans (ESMPs), and potentially site-specific RPs and IPPs, following the guidelines in this ESMF and RPF, IPPF, as well as the SEP.

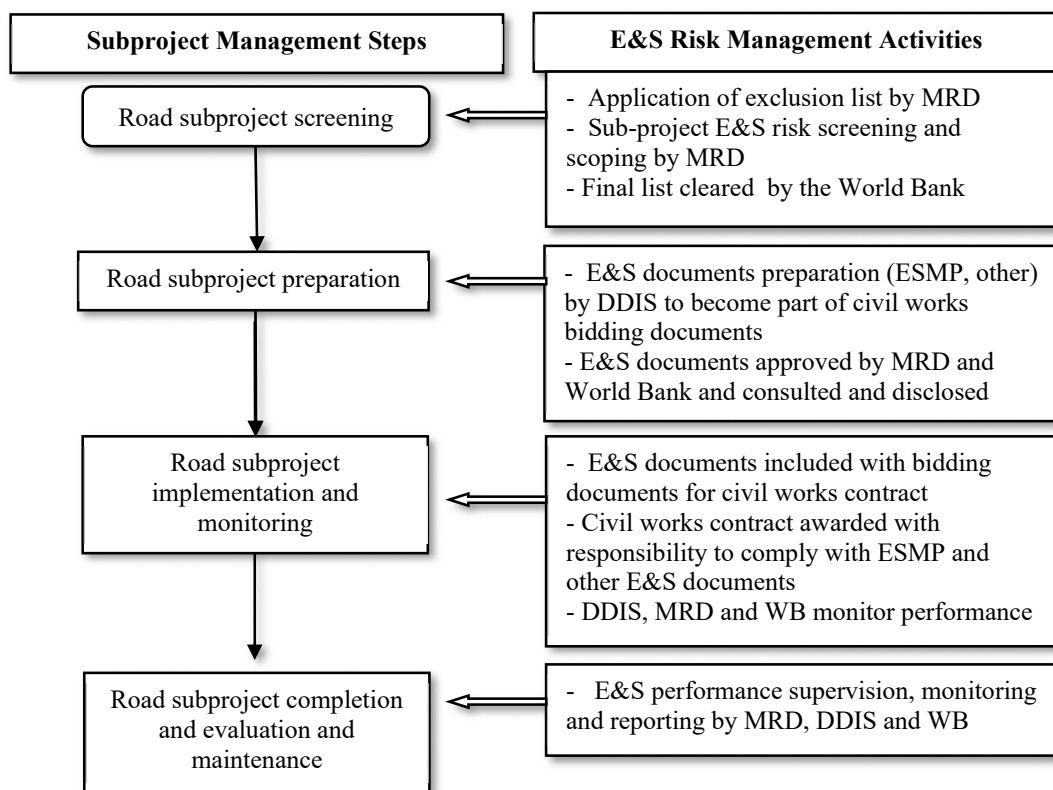


Figure 1 - ESMF Procedures on Approval, Scoping and E&S Plans

6.2 Preparation of Site-Specific Environment and Social Management Plans

Site-specific ESMPs will be required (by road section and/or by group of roads if adjacent or similar) once the project road sections have been identified. ESMPs shall become part of the civil works contract (see Annex 4.2 for sample outline for an ESMP). As part of the requirements in contractor's Work Contract, Contractor will prepare a C-ESMP based on the site-specific ESMP (See Section 7.1.5 – Contractors' responsibilities). The site-specific ESMP will establish the environmental and social standard and compliance mechanisms, and serve as the basis for supervision and enforcement of good environmental and social practice during construction of the civil works. Preparation of ESMPs will be guided by this ESMF, including the risks and potential impacts and mitigation measures highlighted in Table 8 and Table 9, which should be further detailed based on site conditions to mitigate risks and potential impacts within specific locations and specific civil work activities or amended as needed, including by breaking them down into impacts/mitigation during pre-construction, construction, operations and maintenance.

The environmental and social analysis, design and preparation of an ESMP for road sub-sections and bridges must be conducted in close coordination with the feasibility and engineering design of each individual road segment. The analysis should concentrate on environmental and social issues associated with direct impacts along the road alignment, bridge locations, and the management of road and bridge construction impacts. The ESMP should be conducted in close connection with other documents, if any, such as Resettlement Plans (RP) or Indigenous Peoples Plans (IPP). The RP and IPP are part of site specific ESMP. Stakeholder engagement should follow the parameters outlined in the project's Stakeholder Engagement Plan (SEP) and ensure the SEP is updated based on actual circumstance. The MRD will make sure that the ESMPs (and other ESF tools if required) for each road subproject are disclosed for

consultation before beginning of the construction works. The MRD will also ensure that a grievance mechanism is in place during the entire process to address any concern or suggestion for improvement coming from the stakeholders at local level.

6.2.1 Information Required in an ESMP

The ESMP will cover implementation aspects as detailed in RPs and IPPs, if any, and in SEP.

The ESMP shall include:

- A social and environmental baseline assessment with available information concerning the general population distribution, identification of vulnerable households, concentrations of indigenous peoples if applicable, concentrations of low-income communities if applicable, areas of significant ROW encroachment, sensitive and/or critical natural habitats, major rivers and waterways, recorded cultural heritage sites, and any other potentially sensitive areas, based on recent census, official data and information garnered from civil society organizations as well as detailed site visits, for the proposed road sections and bridge locations;
- Identification of all physical, environmental and social risks or impacts along the road and bridges;
- Identification of mitigation measures for all risks and potential impacts identified, by kilometres along the alignment, including on SEA/SH and road safety;
- The environment and/or social instrument in which the mitigation measures will be included (i.e., RP, IPP, construction specifications, bidding documents, SEP, etc.);
- Agency responsible for implementation, including capacity needs training necessary;
- Timing for implementation of the mitigation measure (before construction, during construction, during planning, etc.);
- A budget for implementing the mitigation measure.

The ESMP should also identify specific community participation mechanisms, guided by the project's Stakeholder Engagement Plan, to address environment and social issues, as well as a detailed Grievance Redress Mechanism to deal with stakeholder's complaints or concerns.

The objectives of the ESMP will be to:

- Establish specific environmental and social criteria for roadworks in KH-SEADRM 2;
- Identify environmental and social risks and potential impacts and define environmental and social criteria to avoid, minimize or mitigate such impacts, including working together with project planners to ensure road designs can address these risks and potential impacts;
- Ensure that road engineers, bridge engineers and technicians can find solutions for any problems arising during road and bridge construction or maintenance activities; and
- Ensure project affected and interested stakeholders have necessary project information, are consulted and engaged, and have a mechanism to submit grievances.

The requirements of the ESMP, and this ESMF, and the MRD's commitment to implement the mitigation measures are included in the Environment and Social Commitment Plan (ESCP).

Table 11: Example of Environment and Social Management Plan

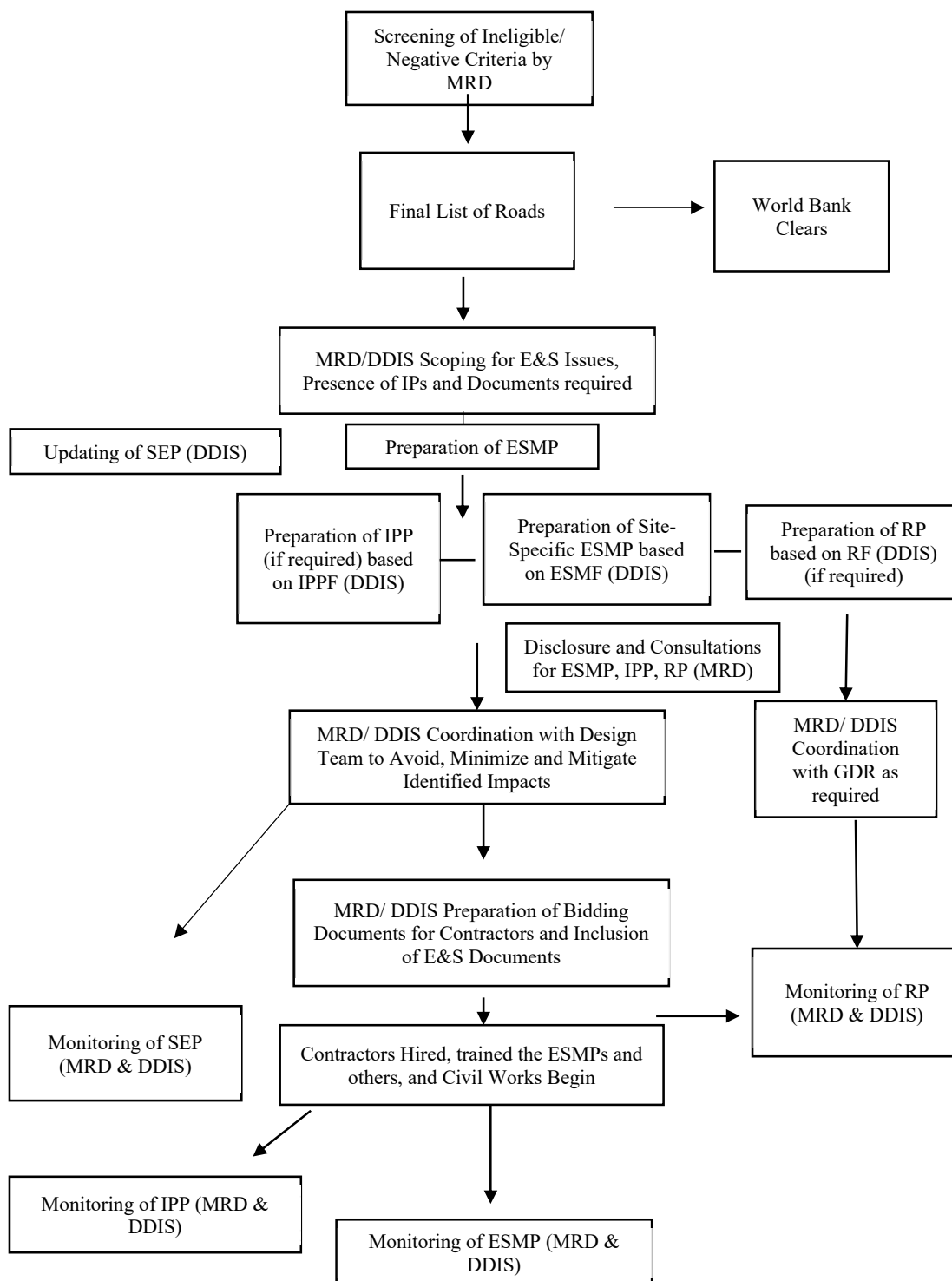
No.	Impacts and Risks			Mitigation Plan			
	Project Activity	Risks and Impact	Location	Mitigation	When	Who	Estimated Budget
(Ex.) Beginning Point: Kilometer 01+000	Bridge construction	Safety Management	Province/ District/ Village/ PK	Install sufficient safety sign and reflection at night Prepare detour road	During works	Contractor	

6.2.2 Responsibilities for Preparation and Bidding Documents

MRD will have overall responsibility for the preparation of site-specific ESMPs, and any other document required (RPs or IPPs for example). All documents will need to be disclosed and consulted on before clearance is provided by the World Bank. Documents disclosed and consulted shall be publicly disclosed in Khmer and in English and included as part of bidding documents for civil works contractors. Contractor would be in charge of implementation of the mitigation measures during construction while supervising engineer is in charge of monitoring of Contractor's implementation of mitigation plan.

These documents will be prepared by DDIS consultants. Therefore, this ESMF, and the RPF, IPPF, LMP as ESMF's Annexes and SEP should be part of bidding documents for the DDIS as they will be tasked with the preparation of site-specific plans, including updating the SEP as required.

Figure 2 - ESMF Process



6.3 Review and Approval for Site-Specific ESMP

- **Government's review and approval.**

If a subproject requires review and approval according to the government's declaration No.021 dated on 03 February, 2020 on the Classification of Environmental Impact Assessment for Development Project, the subproject owner will prepare and submit Environmental Management Contract (with Site-Specific ESMP as attachment) or Initial Environmental Impact Assessment or Full Environmental Impact Assessment reports as required for review and secure approval by the Department of Environmental Impact Assessment of the Ministry of Environment before subproject appraisal. The Department of Environmental Impact Assessment of the Ministry of Environment will review and approve in accordance with the procedures and process for reviewing and comment.

- **World Bank's review and clearance.**

All site-specific ESMPs will be subject to Bank's prior review before implementation.

6.4 Contractor's ESMP

Contractor is responsible for preparing and submit a contractor's Environmental and Social Management Plan (C-ESMP) for each contract package and will submit to the PMU and the WB for review and clearance. This aims to ensure the C-ESMP is consistent with the requirements set out in the ESMF and in line with the scope and nature of the contract package, including environmental and social risks and potential impacts (See Section 7.1.4 below for more details).

7. INSTITUTIONAL ARRANGEMENTS

The following institutional arrangements have been made between the Ministry of Rural Development (MRD) and the Ministry of Economy and Finance (MEF). More specific arrangement have been made in the Resettlement Planning Framework, Indigenous Peoples Planning Framework, Labor Management Procedures, and Stakeholder Engagement Plan. These institutional arrangements will be further defined based on specific works that may be additional identified in site-specific ESMPs, and Resettlement Plan (RP), and Indigenous Peoples Plan (IPP).

7.1 Ministry of Rural Development (MRD)

The MRD is the Implementing Agency (IA). MRD will implement project activities based on the existing institutional arrangement and departments within the MRD. The MRD will ensure implementation of provisions set out in this ESMF are observed fully by all relevant parties, such as local authorities at sub-project level, contractors, sub-contractors, including environmental and social monitoring, evaluation and reporting (See Chapter 10).

The Project Director (PD) at MRD will be responsible for overall guidance, policy advice, internal coordination, discussion and resolution of project related matters with MRD's counterparts who are working in other ministries, and/or other government agencies, etc. The project manager (PM) at MRD will provide day-to-day support to the PD and are responsible for ensuring the Project Operation Manual (POM) is followed, environment and social activities are implemented, and all consultants follow their terms of reference and delivery schedule. The PM will also ensure project activities are carried out in accordance with implementation schedule and within the allocated budget, including ensuring that financial management reports are prepared and submitted on time.

The MRD is responsible for:

- Ensuring the project has adequate staffing (PD, PM, SEO, and consultants);
- Provide agreed counterpart funds for project activities in a timely manner;
- Comply with the Environment and Social Commitment Plan (ESCP).

The PD and PM at MRD are responsible for:

- Effective communication between all stakeholders;
- Recruiting consultants;
- Finalizing needed surveys, detailed design, bidding documents, and contract awards;
- Monitoring and evaluating project activities and outputs, including periodic reports;
- Involving stakeholders in all stages of project design and implementation as per the SEP;
- Conducting consultations and disclosure of project documents as per the SEP;
- Assuring quality of works, and services of consultants and counterpart staff;
- Establishing a strong financial management system and submit timely withdrawal applications to WB, conduct timely financial audits as per agreed timeframe and take recommended actions;
- Establishing and monitoring project grievance redress mechanism in accordance with the SEP;
- Providing monitoring reports to the World Bank on a quarterly basis, and a project evaluation at the end of the project.

7.1.1 Social and Environmental Officers (SEO) of MRD

The MRD will appoint at least one Environmental Specialist, one Social Specialist, and one GRM Focal Point (hereinafter SEOs) for full time support for the project. The SEOs of MRD will be instrumental in ensuring the environmental and social performance of the project. The SEOs, who are supported by DDIS consultants and E&S consultant, will be responsible for ensuring effective environmental and social management for all project activities. The SEOs, DDIS consultants and E&S consultants will work together as a team in which SEOs plays the lead role in E&S monitoring for the whole project. In particular, SEO will review all related project and E&S documents which are prepared by E&S consultants. Where necessary, SEO will conduct site visits, interview contractor, construction supervisors, workers, provincial-level government staff of MRD, local authorities and local communities to collect necessary E&S information for the purpose of internal monitoring. The SEO will monitor Contractors' compliance with C-ESMP and visit each subproject location at least once a month during construction. Upon completion of each site visit, the MRD'S SEO should prepare a Monitoring Report reflecting main issues found, resolution arrangements and timing for the resolution.

The SEOs will be responsible for:

- Implementing and monitoring performance of environment and social mitigation measures, including road safety;
- Conducting screening and scoping on environment and social impacts (see Annex 1.2), including screening for land acquisition impacts based on the guidance in the RPF and presence of Indigenous Peoples based on the guidance in the IPPF;
- Conducting trainings on road safety, gender, SEA/SH, VAC, labor rights, HIV/AIDS and the grievance redress mechanism to project communities, and monitoring contractor's training for their workers on Workers' Code of Conduct which covers SEA/SH/VAC, and HIV/AIDS;
- Monitoring environmental and social activities of the project, in particular the implementation of the ESMPs for road and bridge subproject, and any other relevant project documents such as RP and IPP;

- Monitor, including ensuring effective functioning of project's Grievance Redress Mechanism and solve grievances submitted to PMU level;
- Leading all stakeholder engagement activities, including information disclosure, consultations, reporting back to stakeholders –as per provisions in the SEP;
- Working closely with Provincial Department of Rural Development, General Department of Resettlement, and other line ministries and/or relevant departments as necessary;
- Prepare monthly reports on E&S implementation and submit to the PM and PD.

7.1.2 Provincial Department of Rural Development (PDRD)

The PDRDs will work closely with MRD in planning and implementation of road and bridge subprojects located within their provinces. The PDRDs will also supervise project officers at the district-level Department of Rural Development, and are responsible for:

- Executing and monitoring road and bridge civil works in the respective provinces;
- Coordinating effectively with all project stakeholders, including MRD's SEO, consultants, contractors, local authorities, provincial departments and project communities;
- Supporting district-level project officers in monitoring and evaluating progress and performance of consultants and contractors;
- Supporting MRD'S SEO to conduct trainings on COVID-19, labor, gender, SEA,SH,VAC, HIV/AIDS, and road safety;
- Supporting MRD'S SEO to disseminate project information and conduct consultation activities, as well as ensuring effective grievance redress resolution within their province;
- Supporting MRD'S SEO to conduct screening and scoping of project roads, and identifying environment, social, land acquisition impacts and screening for presence of IPs in the subproject area;
- Liaising with village authorities in subproject area to encourage vulnerable group to apply for jobs that may be offered by project's contractors;
- Collaborating with relevant departments involved in land acquisition and/or other environment or social mitigation measures.

7.1.3 Detailed Design Implementation and Supervision (DDIS) Consultant

The DDIS consultant will be responsible for preparing detailed design, conducting construction supervision, monitoring project implementation, including monitoring and evaluation of the project. DDIS team will appoint Environment and Social officers on their team to be responsible for:

- Leading the drafting of required environment and social documents such as the site-specific ESMPs, RPs, IPPs and updating of the SEP as needed, and any other documents that may be required;
- Review and assess, on behalf of PMU, of whether the construction design meets the requirements of the mitigation and management measures of the C-ESMP;
- Review and clear contractor's C-ESMP;
- Working closely with SEO to review environmental compliance at new proposed borrow pits and quarries and advise PMU on whether these are eligible for use by the project;
- Supporting the MRD'S SEO to fulfil their roles, including by conducting capacity building training, helping with work plans, monitoring reports, conducting site visits, etc.;
- Working collaboratively with PDRD and other related departments such as GDR as needed;
- Approving contractors' work statement, construction method, and implementation of subproject ESMPs;

- Monitoring the impact of construction works on the environment and local communities and assisting SEO in preparing monthly E&S implementation progress reports;
- Incorporating into the project design E&S mitigation measures identified in subproject ESMP during subproject design;
- Assisting Project PM and SEO in ensuring that all environmental and social requirements and mitigation measures in subproject ESMP are incorporated in the civil works bidding documents and contracts;
- Assist SEO in establishing the Grievance Redress Mechanism (as described in RPF, IPPF and LMP and summarized in SEP);
- Undertake environmental and social capacity building activities for the SEO as required in Section 7.3;
- Undertake regular monitoring of the contractor's environmental and social performance as scheduled in subproject ESMP;
- Supervise Contractors' compliance with site-specific ESMPs and organize site visits to each subproject;
- Prepare Environmental and Social Monitoring Reports including Project Progress reports and details on the GRM for each ongoing sub-project;
- Review payment requests related to environmental mitigation costs if applicable;
- Support MRD in works related to implementation support missions conducted by the WB;

7.1.4 E&S Consultants

The E&S consultants are responsible for assisting the ESO in monitoring and reporting on the safeguard implementation performed by the contractors.

- Develop screening checklist to assess risks and potential environmental and social impacts for each subproject;
- Take lead in building capacity for the project (based on list of potential training topics at Section 7.3 (below), including periodic provision of on-the-job training to contractors, SEO and PIU on the implementation and management of E&S risks and impact at subproject level;
- Review C-ESMP and ensure C-ESMP is consistent and cover all risks and potential impacts identified in site-specific ESMP, particularly risks related to OHS, CHS, SEA/SH/VAC taking into account local knowledge and experience in prevention and management of these risks.
- Ensure C-ESMP have actionable plan to address identified risks and potential impacts, including allocation of resources to implement fully such actions.
- Make recommendation for improvement before PMU's and PMU's DISS Consultant's approval of C-ESMP;
- Conduct site visit to construction sites and worker camp and make above assessment as part of monitoring and reporting responsibility;
- Develop E&S monitoring checklist and reporting template;
- Participate and support SEO in monthly safeguard monitoring and reporting;

7.1.5 Contractors

The Civil Works contractor is responsible for implementing E&S mitigation measures set out in the C-ESMP prepared for the subproject, including relevant activities set out in respective RP and IPP (if any) as part of the SS-ESMP, and SEP. The contractor will:

- Prepare and submit a contractor's site-specific Environmental and Social Management Plan (C-ESMP) for each contract package and submit to the PMU and PMU's DDIS for review and

clearance, as well as to the Bank for review to ensure the C-ESMP is consistent with the requirements set out in the ESMF and in line with the scope and nature of the contract package, including environmental and social risks and potential impacts;

- C-ESMP will detail how the contractor will mitigate construction impacts and documents the contractor's response to inspecting, monitoring, verifying, internal auditing and rectifying or improving environmental and social performance. The C-ESMP must be site-specific and include details on risks and impact management measures that will be adopted by the contractor at the assigned construction site to avoid/minimize potential environmental and social risks and impacts arising from the works and activities to be carried by the contractors, including the subcontract of the main contractors, if any.
- If the proposed works and activities described in the C-ESMP are changed during the contract liability period, the C-ESMP shall be updated by the contractor to reflect such changes. The C-ESMP should include the followings:
 - i. A statement of policy, providing a definition of the contractor's environmental policy and an indication of commitment to the execution of its site-specific ESMP.
 - ii. A brief document description, including date of issue; revision status; distribution list; and preparation personnel details and signatures;
 - iii. Applicable laws and regulations associated with the requirements in the site-specific ESMP. Provision of contractor licenses, permits and approval associated with the C-ESMP.
 - iv. Details on how environmental and social risks and impacts identified in site-specific -ESIA will be managed, including: 1) site-specific measures to mitigate identified risks and impacts during construction; 2) Workers' Code of Conduct; 3) Contractor's LMP (based on project's LMP);
 - v. List of detailed environmental and social trainings that all contractor's personnel (including subcontractors) are required to undertake. As a minimum, all contractor's staff and workers mobilized to the subproject site should be: i) familiar and understand the requirements and mitigation measures proposed in the C-ESMP; ii) aware of the legal obligations of the contractors under the contracts, and their relevant responsibilities; and iii) provide the following training to all staff on site, including: occupational health and safety, risks related to SEA/SH/VAC, community health and safety (CHS), and emergency response;
 - vi. Capabilities, support mechanisms, and financial resources to be allocated to ensure full and satisfactory implementation of the proposed C-ESMP. Detailed environmental and social responsibilities of contractor's personnel including subcontractors working on site, specific trainings to be provided to contractors and subcontractor's staff, including local peoples to be engaged as contracted workers, and training schedule;
 - vii. The contractor shall be responsible for preparing monthly environmental reports (as required in Word Contract), including reporting accident and incident, if any, to MRD within 24 hours. The contents of these reports include the followings:
 - viii. Implementation of the Contractor's C-ESMP complying with the agreed program;
 - Activities that have been carried by the contractor during the reporting period to ensure their compliance with the C-ESMP;
 - Difficulties encountered during C-ESMP implementation, including proposed remedial actions for improvement;
 - Highlight the number and the type of non-compliances and proposed corrective actions;
 - Reports activities/actions that have been carried out by Subcontractors involved that contribute to achieving the objective of the C- ESMP, including minutes of meetings and discussions held by the main contractor;

- Minutes of meeting from discussions held with MRD regarding-ESMP implementation;
- Implementation of the Worker's and Manager's Code of Conduct, Occupational Health and Safety Management Plan, including Community Health and Safety;
- Prepare and submit a contractor's LMP to DDIS for review and to the MRD for approval;
- Ensure sufficient funding and human resources are timely in place for effective implementation of the C-ESMP including Contractor's LMP;
- Ensure appropriate and timely implementation of required pre-construction and construction mitigation measures as described in the C-ESMP;
- Implement additional environmental and social mitigation measures as necessary. This may include, for instance, clearing and grubbing for subproject COI after land acquisition have been completed and handed over to the Contractor;

7.1.6 Contractor's Safety, Social and Environment Officer

The contractor shall appoint competent staff(s) as the contractor's on-site safety, social and environment officer (SSEO). The SSEO must be appropriately trained in environmental management and must possess skills necessary to effectively and efficiently all contractor's and subcontractors' personnel engaged under the subproject. The SSEO will be responsible for monitoring and reporting on the contractor's compliance with the C-ESMP requirements. The SSEO's responsibility include, but not be limited to, the followings:

- Supervise subcontractors' construction works, including their implementation of the Contractor's LMP and C-ESMP;
- Submit Contractors' LMP and C-ESMP to PMU/DDIS for review and approval prior to commencing staff mobilization to the project site for the awarded assignments;
- Carry out environmental and social site inspections to assess and audit the contractors' site practices, equipment and work methods with respect to pollution control and adequacy of environmental mitigation measures being implemented;
- Monitor E&S compliance with approved C-ESMP and contractual requirements;
- Monitor implementation of environmental and social mitigation measures;
- Prepare audit reports for the site environmental and social conditions;
- Investigate complaints and recommend corrective measures;
- Advise the contractor on environmental and social management improvement;
- Recommend mitigation measures in the case of non-compliance;
- Carry out additional monitoring of noncompliance as instructed by PMU and DDIS;
- Inform the contractor, PMU and DDIS of any environmental and social issues/problems, submit contractor's ESMP Implementation Plan to PMU and DDIS, including relevant authorities, if required by PMU;
- Maintain detailed recording of all site activities related to environment and social issues;
- Appoint qualified staff to undertake necessary actions and measures to ensure labor related issues;
- Work closely with the appointed staff in charge of labor issues to prepare a Labor Management Procedures (Contractor's LMP) and a C-ESMP (Contractor's ESMP) including OHS regulations) which will apply to their contracted workers who work on the projects;
- Maintain recruitment and employment records for contracted workers (including subcontractors), including documentation that verifies minimum labor age as set forth in the Contractor's LMP as well as copies of signed Workers' CoC;
- Provide regular training to contracted workers on issues, but not limited to, such as occupational safety and health, and other social risks such as SEA/SH/VAC, code of conduct to maintain good relationship with local community, etc;

- Require primary supplier to identify and address risks of SEA/SH/VAC, child labor, forced labor, and occupational safety and health for primary supply workers;
- Develop and implement the contractor grievance mechanism based on the GRM set forth in the project's LMP for contracted workers, including ensuring that grievances received from contracted workers are resolved promptly, and reporting the status of grievances and resolutions to PMU/SEO. This grievance mechanism will be part of the Contractor's LMP.
- Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct prior to commencement of the works; maintain them as a record and report on it
- Implement all necessary measures to address the risks of sexual exploitation and abuse (SEA)/sexual harassment (SH) as specified in the contractor's LMP, C-ESMP and ensure full implementation of these measures;
- Develop plans and take actions for prevention and mitigation of COVID-19 outbreaks.

Incident reporting

The contractors are required to inform DDIS and MPU any incidents listed below within agreed timeframe:

- Any violations to national laws, regulations or international agreements;
- Any serious accidents or fatalities;
- Significant impacts that cause losses to personal property such as traffic accidents, damages to local houses/roads and other incidents;
- Serious surface/ground water pollution;
- Failures of embankments at disposal sites that cause serious pollutions to the surroundings;
- Fire related to worker's behaviors;
- Any claims related to SEA/SH/VAC, or any other incidents related to children;
- Receive a complaint about pollution or damages.

7.1.7 Independent Social and Environment Monitoring Consultant (ISEMC)

MRD's PMU will engage an IESMC to assist in periodic monitoring the social and environmental performance of construction contractors. Specifically, IESMC shall:

- Support to PMU in establishing a monitoring system and systematically monitor the social and environmental performance of construction contractors in all subprojects in six provinces;
- Conduct period field visit to collect information for project stakeholders, including adversely affected peoples, vulnerable groups such as indigenous peoples, etc. and make recommendation for corrective actions;
- For social performance, IESMC will monitoring E&S implementation of contractors and other consultants against requirements and indicative indicators set forth in project's ESMF (including RPF and IPPF), SEP, and ESCP;
- For environmental performance, IESMC evaluate environmental quality at the areas affected by the construction activities, including site observations, review of environmental quality data provided by DDIS, review of other available documents, and additional sampling, where needed;
- Review contractor's environmental performance to evaluate contractors' compliance with mitigation measures proposed in C-ESMP and C-LMP;
- IESMC will also provide technical advice and assistance to MRD's PMU, SEO, in the area of environmental and social matters.

7.1.8 Reporting Arrangements

MRD's PMU is responsible for conducting internal E&S monitoring. External monitoring will be carried through a qualified independent consulting firm, or think-tank (See Section 10.1.2 External monitoring) to undertake independent quarterly monitoring of the process and results achieved in E&S implementation that will be carried out by construction contractors and relevant stakeholders involved as per principles and requirement prescribed in project's ESMF (including RPF, IPPF, LMP), and SEP.

Both internal and external (independent) E&S monitoring will be carried at interval mentioned in Table below. An end-of-project review of E&S implementation process will be conducted by MRD's PMU to confirm whether the objectives set forth in the ESMP (including RPF and IPPF), LMP and SEP have been achieved.

E&S monitoring and reporting requirements are summarized in table below.

No.	Report Prepared by	Submitted to	Frequency of Reporting
1	Contractors to PMU	MRD's PMU	Once before construction commences and monthly thereafter
2	DDIS	MRD's PMU	Monthly, as soon as possible, as required
3	SEO	MRD's PMU	Monthly, as soon as possible, as required
4	IESMC	MRD's PMU	Every six months
5	MRD's PMU	WB	Monthly and quarterly reports for providing brief updates on implementation progress. Bi-annually for M&E report

7.2 Ministry of Economy and Finance

The Ministry of Economy and Finance (MEF), through its Inter-Ministerial Resettlement Committee (IRC), is responsible for land acquisition activities which are described in the project's RPF. The permanent Secretariat of the IRC is the General Department of Resettlement (GDR) which is the lead agency for preparation, implementation, and monitoring and reporting of land acquisition and resettlement activities. There is also an IRC-Working Group at the provincial level and Provincial Resettlement Sub-Committees (PRSC) and their working groups which are established when there are land acquisition activities. The MRD'S SEO, DDIS, and the contractor will work closely with these agencies in case land acquisition is required – as detailed in the RPF.

7.3 Capacity Assessment and Capacity Building

7.3.1 Capacity Assessment

MRD has significant experience in application of the World Bank's and Asian Development Bank's safeguards policies through a number of similar road rehabilitation projects over the past several years. Currently, MRD is implementing the World Bank financed South East Asia Disaster Risk Management Project (SEA-DRM) and Road Connectivity Improvement Project (RCIP), Cambodia Sustainable Landscape and Ecotourism Project (CSLEP), as well as the third ADB financed Road Rehabilitation Improvement Project (RRIP III). Through these projects, MRD has maintained a proven track record for safeguards compliance. MRD keeps improving their capacities – through continued capacity development of staff of

the Social and Environment Office (ESO). Some of the staff within the SEO have solid working experience in engineering, indigenous people, community development, environment, social and public administration, and most have been trained by the World Bank on various topics related to environment and social management in rural development projects. The SEO with MRD has a total 7 staff (4 are female) who are assigned to different projects. The SEO will need additional technical support during the KH-SEADRM2 project implementation from E&S specialized staffs. MRD will engage additional national consultants to work alongside staff of SEO to support PMU of MRD in day-to-day E&S implementation and management.

Review of MRD/PMU capacity in prevention of SEA/SH risks.

MRD/PMU has experience in identifying SEA/SH risks and prevention of SEA/SH based on lessons learned from several previous projects. Under this project, based on identified risks of SEA/SH (Section 4.1.2 above), an approach and framework for management of SEA/SH risks has been proposed (Section 5.2.1 above), and further addressed in the Labor Management Procedures (Annex 5). LMP will be applied for all project workers, with a focus on Contractors' workers that will be engaged for reconstruction of roads and bridges during. To ensure the SEA/SH risks are monitored and reported, PMU will appoint one social officer and one GRM officer (Section 7.1.1). In addition, MRD/PMU has assigned a gender focal point to provide on-the-job training to the Contractors. At early stage of project implementation, MRD/PMU will recruit E&S consultant, and engaged consultant specialized in SEA/SH to carry out SEA/SH trainings (Section 7.3.2) for PMU members and relevant members of MRD, SEOs. MRD also ensures that SEA/SH risks will be updated based on local experience and site conduction at respective road/bridge subprojects, based on that action to be taken to prevent SEA/SH is updated – as part of road/bridge ESMPs, which will be subsequently applied by construction Contractor as part of their responsibilities (as prescribed in Contractors' Work Contract). Budget will also be allodated (in Contractor's bill-of-quantity) to ensure Contractor has budget in place to recruit SEA/SH consultant to conduct public awareness raising on SEA/SH at road/bridge subprojects, and to undertake SEA/SH management measures (on the part of Contractors' workers and staff) to minimize the risks of SEA/SH. In case where SEA/SH is high or substantial, MRD will engage local SEA/SH service providers to provide support as part of MRD's SEA/SH prevention strategy.

7.3.2 Capacity Building

MRD is strongly committed to ensuring environment and social risks and potential impacts under the Project are identified and mitigated effectively. It will be important that E&S specialized staff – to be engaged by MRD, will provide additional training of staff within the SEO to ensure they the SEO staff can strengthen their skills and knowledge to be able to support effective implementation and management of environment and social management measures. The E&S specialized staffs may need to conduct a capacity assessment to identify knowledge gaps, particularly gaps in relation to the World Bank's new Environmental and Social Framework, and provide training support as needed through hands-on training and through working closely with SEO staff throughout project implementation.

At this stage, it is envisaged that the following topics are existing knowledge gaps SEO staff may need to strengthen, particularly in relation to the ESF requirements:

- Implementation of ESMP;
- Monitoring of E&S compliance, including report writing;
- SEA/SH/VAC, including how to conduct public awareness raising activities;
- HIV/AIDS awareness, including how to conduct public awareness raising activities;
- Occupational Health & Safety, including monitoring and enforcement;
- Labor Management Procedures, including monitoring and enforcement;

- Grievance Redress, including monitoring and implementing GRM;
- Road Safety, including how to conduct public awareness raising activities;
- Indigenous Peoples, including how to identify IPs as per WB's ESS7.

Land acquisition and voluntary donations training will be conducted by the E&S Consultant. It is expected this training could be started as soon as E&S specialized staff are engaged by MRD. Additional support from E&S staffs will be needed monthly or bimonthly during the construction phase, and quarterly or biannually during maintenance phase based on the need for support for the select road and bridge subprojects. These training will be carried out face-to-faced. In case of COVID-19 restriction, virtual training will be conducted. Zoom or Webex will be used for online training, The training will have knowledge session combined with discussion/exercises/role plays/quiz with Questions & Answers session at the end of the each day. The training will be deliver in different time format, depending on the topics, number of participants, time availability, and may typically range from one day to three days. MRD and PMU will engage qualified trainers for the above training topics. For new topics, MRD can ask support from the World Bank to support in terms of sharing training material, references, and assist in training facilitation, if possible, to provided MRD/PMU with practical, hands-on experience at the first stage of project implementation, particularly soon after project effectiveness (See list of key training topics about and budget allocation in Chapter 11 (Section 11.1)).

8. STAKEHOLDER ENGAGEMENT & INFORMATION DISCLOSURE

8.1 Stakeholder Engagement

To encourage the participation of project stakeholders, particularly those who are affected, during consultation to provide meaningful feedback to contribute to effective E&S management, key project stakeholders have been identified in the project's SEP. The SEP also describes institutional arrangements that have been made by MRD to ensure project stakeholders are engaged effectively during project preparation and project implementation, particularly under road and bridge subprojects. The project will pay special attention to disadvantaged/ vulnerable groups (as identified in SEP) such as women, indigenous peoples, elderlies, and people with disabilities. Since these groups may be affected disproportionately by the project, the SEP has set out plans to ensure these groups can participate in consultation meeting before subproject implementation and provide feedback for effective E&S implementation. The SEP also aims to ensure project stakeholders, especially those potentially negatively affected, can participate in monitoring environmental and social risks and impacts that affect them during construction process, as well as during road and bridge operation phase.

8.1.1 Consultations during Project Preparation

The main purpose of disclosing project information during project preparation, particularly prior to Bank's project appraisal, is to inform the project stakeholders of key project information, such as project purpose, project activities, risks and potential impacts, proposed mitigation measures, and redress mechanism. Based on the information disclosed, the project will consult with people who are potentially affected, including those who are interested, to collect their feedback on the disclosed draft environmental and social documents. Draft documents disclosed for consultation during this stage include Environmental and Social Management Framework (ESMF) (which include Resettlement Planning Framework (RPF), Indigenous Peoples Planning Framework (IPPF), Labor Management Procedures (LMP) as ESMF's Appendices, Stakeholder Engagement Plan (SEP) and Environmental and Social Commitment Plan (ESCP). Based on the feedback of the consulted people, the draft project documents have been updated and re-disclosed in its final version through the same channels to keep project stakeholder informed/ updated.

Consultations at national and project level were held by MRD from 16 November to 10 December 2021. A total of six virtual and face-to-face consultation sessions were conducted during this period. Due to local restriction on social gathering because of COVID-19 resurgence, face-to-face community meeting could not be organized. Where allowed, a limited number of local participants gathered for the planned consultation sessions. During face-to-face consultation, measures for COVID-19 prevention were taken as per local requirements. At six above consultation sessions, stakeholders at national level and at provincial and district levels have been informed of the project purpose, activities, nature and scope of potential road and bridge reconstruction subprojects. More importantly, participants were informed and explained about environmental and social risks and potential impacts to local communities as a result of road and bridge subprojects and mitigation measures that the project proposes, including project's grievance redress mechanism. All consultation sessions and consultation results are summarized in Annex 6 of this document, and Annex 4 of the SEP. Participants attending the above consultations were noted that during project implementation, once the list of road and bridge subprojects are finalized by MRD, consultation will be conducted with local people and interested stakeholder at each subproject location as part of project's ongoing stakeholder engagement strategy (See in Chapter 3 of SEP for project's consultation strategy that is prepared to ensure affected and interested stakeholders are continuously engaged during subproject cycles to avoid/minimize environmental and social risks and impacts).

8.1.2 Consultations during Project Implementation

During project implementation, when roads and bridge subprojects are identified, additional documents, including site-specific ESMPs, and RPs and IPPs if relevant, will be prepared. These documents will be disclosed for consultation as per guidance provided in project's SEP.

8.2 Information Disclosure

Information Disclosure refers to making information accessible, and in a manner that is appropriate and understandable to interested and affected parties. Information Disclosure will be an ongoing process in KH-SEADRM 2. During all stages, project information will be disclosed in a way that is appropriate to the different range of stakeholders and in both English and Khmer as appropriate. For IP groups and communities, information disclosure will also be in a language and manner accessible to them, as deemed necessary, based on the guidance in the IPPF.

The following guiding principles will be used:

- Project information, including project/subproject purpose, activities, environmental and social risks and potential impacts, proposed mitigation measures, complaint handling procedures, etc, will be disclosed at the earlier stage of project/ subproject preparation;
- Information will be disclosed to the target group well ahead of consultations to promote understanding about the project and allow meaningful feedback of stakeholders;
- Project information will be disclosed in local languages of the target audience;
- In case the target IPs do not have written language, national language (Khmer) will be used in Project Information Booklet to be distributed to them. However, consultation will be conducted in their native language using verbal translation to promote communication and feedback of the IP during consultation;
- Project information will be disclosed in the written form, and in various formats for convenient use of various project stakeholders, including Project Information Booklet, Executive Summary, and full documents;
- Project information will be disclosed through different channels for convenient access of various project stakeholders. Project's dedicated channels for information disclosure include webpage

and Facebook fan page of MRD. Public billboard located at commune office in project area, Department of Rural Development of project provinces;

- A dedicated hotline is available at MRD to provide guidance and project information to affected and interested stakeholders.

8.2.1 Before WB Project Appraisal

To prepare for consultation, the draft ESMF (including RPF, IPPF, and LMP as its Annexes), SEP and ESCP were disclosed on MRD's website (<https://www.mrd.gov.kh/2021/11/15/4632/>) on 15 November 2021, including full English version and Khmer executive summary. The final draft of ESF package were disclosed on MRD's website (<https://www.mrd.gov.kh/seadrm-ii/>) on 13 January 2022 in English, and on 15 February 2022 in Khmer. Executive Summaries of all documents, prepared in Khmer language, were also disclosed in hard copy in MRD library and at commune offices and Provincial Departments of Rural Development where the road and bridge subprojects are potentially located. The executive summary of the ESMP for TK2 bridge in Tboung Khmum province was disclosed in Khmer language on 9 December 2021 for consultation and full version on 21 December 2021. Final draft of the ESMP for TK2 bridge was disclosed on 13 January 2022 on MRD's website. The final ESF package (English version) will be disclosed on the Bank's website following Bank's clearance.

8.2.2 During Project Implementation

ESMP, including RP(s) and IPP(s) as may be required for subprojects, will be disclosed in local language and in English during subproject preparation and before subproject appraisal for consultation with local affected and interested people.

9. GRIEVANCE REDRESS MECHANISM

The objective of the project GRM is to provide complainants with redress procedures that are accessible, easily used, and free of charge to enable affected people to raise project related concerns and grievances. The project GRMs provide information on how the complaints are lodged, including forms, channels, particularly steps and time-limit for each step, such as time-limit for acknowledging receipt of complaint, notification of resolution decision, and prescriptive period, etc. During the grievance resolution progress, where necessary, dialogues will be hold between the project's designated GRM unit/personnel and the aggrieved people to promote mutual understanding and collaboration among relevant parties for effective resolution. The project also has an appeal process which complainant can use when they are not satisfied with the complaint resolution decision, or their complaints are not resolved within a specified timeframe.

9.1 Steps in Grievance Redress

The project has in place three complaint handling procedures for three types of risks and potential impacts: 1) land acquisition, 2) labor and working conditions, and 3) sexual exploitation and abuse and sexual harassment (SEA/SH). These procedures are established based on the above principles for project's GRM, and in accordance with the requirements set out in pertinent national legislation. The GRM for complaints related to land acquisition is summarized in the project's Resettlement and Policy Framework (RPF). It provides steps to guide complainants through complaint resolution process, including timeframe specified for each step (see RPF for details). The GRM for workers regarding employment, wages, payment, working conditions, health, safety, etc. follows different procedure and are described in project's Labor Management Procedures (see LMP for details). The GRM related to sexual exploitation and abuse/ sexual harassment (SEA/SH) is also established in accordance with the pertinent national laws

and the World Bank's guidance on SEA/SH, and is described in project's LMP (see LMP for details). It is noted the risks for SEA/SH rated "Moderate" at project level. During project implementation, SEA/SH risk will be evaluated at subproject level taking into account the local SEA/SH status, feedback from local people and other stakeholders (e.g. health services, NGOs...). In case of need, local SEA/SH service provider(s) will be engaged by PMU before Contractor is mobilized to subproject site. Below is a summary for these three GRM procedures that will be used for key issues identified under the project. In addition to these GRMs, different channels are available for receipt of complaints that may arise during construction, such as PMU's GRM focal point, Contractors' GRM focal points, village heads, local IP leaders, and other existing channels that local people use, such as commune government, etc.

9.1.1 Redress Procedure for complaints related to land acquisition

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

- ◇ **Step 1 – Commune level.** Aggrieved person (AP) can bring their complaint to the Village Chief or Commune Chief who may be able to resolve issues on the spot. In case the AP is Indigenous People (IP), the aggrieved person may bring their case to the local IP community leader at village/commune level
- ◇ **Step 2 – District level.** AP can skip Step 1 as they wish by lodging a written complaint to the Head of the District Office where the subproject is located. AP can bring a community elderly or representative to mediate the matter at the District level.
- ◇ **Step 3 – Project level (General Department of Resettlement).** The GDR will review the complaint and submit a finding report to the Director General of GDR for a decision. The final report will be completed within 30 working days from the date of complaint receipt and will be submitted to the Director General of GDR for final decision within 5 working days from the date of receipt of the final report.
- ◇ **Step 4 – Provincial level (Provincial Governor's Office).** AP can submit a written complaint to the Provincial Grievance Redress Committee (PGRC) through the Provincial Governor's Office. The decision of the PGRC will be sent to the IRC through the GDR for endorsement before taking remedial action.

If the AP is not satisfactory with a resolution decision made at any of the above steps, they can bring their case to Provincial/Municipal Court at their own cost as per the Law on Expropriation (See details of this GRM in the RPF (Appendix 2 of ESMF, Section 5.2).

9.1.2 Redress Procedure for complaints related to labor and working condition

- ◇ **Step 1 – Employer Level.** Aggrieved person (AP) can submit their grievance to their Employer verbally, in writing, in person or by phone, text message, mail or email (anonymous complaint is accepted) for resolution within two weeks.
- ◇ **Step 2 – PMU level.** If the AP is not satisfied with their Employer's resolution, the Employer will refer the AP to the SEO of the MRD and inform the AP of this referral. MRD'S SEO will resolve the complaint and inform the AP within two week and inform the AP of the PMU's resolution result in writing.
- ◇ **Step 3 – Project Steering Committee level.** If the AP is not satisfied with the resolution proposed by PMU (Step 2), PMU will refer the case to the Project Steering Committee of the KH-SEADRM 2 project for a resolution and inform the AP of this referral. Resolution decision

will be made no later than three weeks. AP will be informed of the resolution decision in writing. If AP does not agree with the resolution result, they can approach the Labor Inspector of his/her province or municipality.

- ◇ **Step 4 – Court of Law.** If the AP is not satisfied with the above resolution, the AP can initiate a lawsuit to the court of law at any step at their own cost. The decision of the Court will be final (See details of this GRM in the LMP (Appendix 5 of ESMF, Section 10.1 & 10.2).

9.1.3 Redress Procedure for complaints related to SEA/SH

For complaints concerning SEA/SH and are related to project workers, the following channels can be used to submit a grievance. In case a SEA/SH service provider is engaged for a particular subprojects (to be determined based on each subproject, the GRM procedure for SEA/SH will be updated and disclosed for consultation and for potential affected people's information and use at subproject level:

Channel 1 – AP can follow steps outlined in Section 9.1.2 (above) to lodge a SEA/SH complaint related to Contractors' workers.

Channel 2 – Alternatively, AP can lodge their complaint, verbally or in writing, to the GRM Focal Point within the SEO of MRD for advice and resolution. GRM Focal Point for SEA/SH will be trained on standardized procedure for handling SEA/SH grievance to ensure confidentiality.

Channel 3 – If AP wants to bring the case of the Court of Law, AP can follow steps below for prosecution. Prosecution related to SEA/SH is administered under the Criminal Code and the Code of Criminal Procedure, and is as follows:

- ◇ **Step 1 – Judicial Police.** SEA/SH victim or a representative can submit their grievance to a local Judicial Police (JP) Officer. JPs include a) Commune/ Sangkat Chief, b) Commune/ Sangkat/ District/ Provincial/ National Police, and c) District/ Provincial/ National Military Police.
- ◇ **Step 2 – Prosecutor.** Upon receipt of completed record from JP, the prosecutor can make a decision on if the prosecutor will hold a file without processing it further, or conduct proceedings Against the perpetrator. The prosecutor may bring the case to the Court of Law.
- ◇ **Step 4 – Investigation by Judge.** Investigating Judge will conduct interrogation of the charged person and perform other required investigation procedure.
- ◇ **Step 5 – Hearing.** After issuing an order of indictment, the investigating Judge will submit the case to the trial court president who shall arrange a date for the trial. The decision of the Court on SEA/SH resolution is final (See details of this GRM in the LMP (Appendix 5 of ESMF, Section 10.3).

9.1.4 Redress Procedure for General Complaints

In case individuals, households, or communities are affected by any other aspects, for instance, environmental impacts such as increased dust, noise, or lack of safety measures that increase risks of traffic accident to road users or to local IP, various channels will be established for convenient use by affected parties, including IPs. These include:

- **PMU GRM focal point's telephone;**
- **Local IP leaders** (in case affected individual/households are IP)
- **Contractor's hotline:** to report cases that they think contractors can solve timely (contact detail of Contractos will be posted at construction sites, and distributed to IPs (through Subproject

Information Booklet) during consultation, and post at public billboard of Commune/Sangkat offices, pagodas, etc.

- **Commune/Sangkat offices**

9.2 Recording Grievances in Logbook

The GRM Focal Point, Project Manager and Project Director within the MRD are responsible for establishment and effective functioning of a Project Grievance database. The MRD'S SEO will register all concerns/grievances that are submitted by project stakeholders into the PGL during project implementation. Data information received will be kept and maintained carefully to ensure privacy and confidentiality, particularly for grievances related to SEA/SH (See Sample PGL for Local and PMU levels). The sample for PMU level can be further elaborated on Excel spreadsheet to effectively manage and maintain the growing database.

In case there is serious complaint, such as road accidents, SEA/SH cases, the World Bank shall be notified within 24 hours of complaint receipt and/or report on the incidence (See also Annex 3 of the SEP).

Table 12. Project Grievance Logbook

(Sample for Local Levels)

No.	Name of Complainant (or anonymous)	Addresses	Sex (M/F)	Age	Contact information	Date Received	Details of nature of grievance (environmental impacts, social impacts, labor, health, etc.)	Which of the three GRM that was used? (as described in Chapter 9 (GRM))	Actions taken to resolve grievance, by whom	How many steps that have been used in the relevant GRM	Date grievance was finally resolved/closed?	Notes

(Sample for PMU Level – to be elaborated on Excel spreadsheet with filter function)

Date Received	Name of Complainant (or anonymous)	Sex (M/F)	Age	Contact information (phone number/email, other channel(s))	Location of Complainants (Province, District, commune, village...)	Form of grievance received (Writing or Verbal (face-to-face, telephone, online), SMS, MRD's comment box in designated Website/Facebook/WhatsApp, etc.	Channel of Receipt (Direct to PMU GRM Focal Point, or Relayed from other channels (provide details))	Key topics of Grievances a) Labor and Working Condition b) Resettlement (incl Voluntary Land Donation) c) SEA/SH d) Environmental impacts e) Community Health and Safety f) Accidents	Nature of complaints? a) Resolution required b) Clarification required c) Suggestion only (for project improvement) d) General Concerns	Step 1 of GRM Procedure			Step 2,3,4 (replicated in Excel spreadsheet)	Closing of Case (At which Steps, date of case closing)	Notes
										Date received	Date solved/transferred	Duration spent (in days)			

10. MONITORING AND REPORTING

10.1 Monitoring

The purpose of E&S monitoring is to determine if E&S implementation under the project is in full compliance with the principles and requirements set forth in respective project's E&S documents. The MRD is responsible for overall monitoring of E&S implementation under the project. Monitoring by MRD will cover all risks and potential impacts that were identified in ESMF (including RPF, IPPF, LMP), SEP, ESCP and those identified at subproject level as in site-specific ESMP, C-ESMP, RP(s), IPP(s), including how these risks and potential impacts are avoided or mitigated by relevant project stakeholders, particularly contractors that build bridges and roads, consultants engaged to carry out trainings or conducting studies to support effective project implementation, and relevant project stakeholders.

10.1.1 Internal monitoring

To ensure effective E&S monitoring, MRD will put in place a technical team within MRD's PMU to support PMU's internal E&S monitoring. This team, hereinafter referred to as Safeguard Team of PMU will consist existing staff of MRD'S SEO, and individual E&S and DDIS consultants which PMU will engage to support PMU in day-to-day E&S implementation and monitoring. The Safeguard Team of PMU is responsible for internal E&S monitoring at project level and will oversee the E&S performance of all relevant stakeholders, especially construction contractors and E&S consultant who will be engaged for different activities as required in the project's ESMF (including RPF, IPPF, LMP) SEP, ESCP and those identified at subproject level as in site-specific ESMP, RP(s), IPP(s), and C-ESMP.

Key performance indicators, suggested in respective ESMF, RPF, IPPF and SEP, will be used for internal monitoring. During roads and bridges sub-project implementation, the Safeguard Team of PMU will conduct monthly monitoring of implementation of the ESMPs, RPs, and IPPs (to be prepared for subprojects) to determine if mitigation measures are implemented satisfactorily, including assessment the level of compliance in accordance with respective E&S documents. The Safeguard Team of PMU (including staff of SEO, individual E&S and DDIS consultant) will also monitor to ensure effective functioning of project's grievance redress mechanism. This include grievances that may arise in relation to land acquisition, voluntary land donation, labor and working conditions, SEA/SH and VAC. The PMU Safeguard Team will collect information from various sources, such as Contractors, Consultants, and other stakeholders to prepare monthly, quarterly and bi-annual Internal Monitoring Reports which will be reviewed by project PM and PD and will be submitted to the World Bank.

10.1.2 External monitoring

Because of the high number of subprojects that are located in six provinces, and the complexity of social and environmental issues as identified in the ESMF, in addition internal monitoring that is conducted by MRD'S SEO, MRD will consider engaging an independent E&S monitoring consulting firm (IESMC) to assist PMU in conducting periodic, independent E&S monitoring for the entire project. This aims to ensure a consistent and systematic approach to E&S monitoring is adopted based on information collected from affected and interested parties which PMU Safeguard Team will need to consolidate to prepare periodic Internal Monitoring Report for PMU. In conducting external monitoring, the independent E&S monitoring consulting firm will adopt the same set of E&S performance monitoring indicators that MRD'S SEO use (See these indicative performance monitoring indicators in respective RPF (Annex 2.3), IPPF (Annex 3.3), and SEP (Annex 5).

10.2 Reporting to Stakeholders

PMU Safeguard Team will ensure feedback from affected and interested parties as well as grievances submitted by affected persons will be appropriately recorded in the Project Grievance Logbook (PGL) and are processed, resolved timely, and are reported back to affected parties. The method of reporting back to stakeholders will depend on the stakeholders. There are essentially two main methods:

- For national-, provincial-level stakeholders, emails and/or official letters will be sent to stakeholders following consultation workshops to inform stakeholders of how their comments, concerns, suggestions were considered and taken into account in project design and implementation;
- For stakeholders at commune/village level, follow-up meetings will be conducted to inform the consulted stakeholders about how their comments, concerns, suggestions were considered and taken into account for implementation.

For Indigenous Peoples consultations and reporting back to IP on their concerns and suggestions will be in line with the IPPF and SEP to ensure IPs' opinions are incorporated into subproject design and implementation, and that they are informed of these.

11. COSTS AND BUDGET

11.1 Costs

ESMF implementation cost will include the development, implementation monitoring of the specific site-specific environment and social instruments, maintenance of civil works during operation. This includes also capacity building (e.g. trainings, workshop), consultation meetings, recruitment of additional consultants to support PMU (as indicated in Chapter 7). The total indicative cost reviewed by the World Bank and MRD is estimated at 286,000 USD (Table 15) plus the costs of specific mitigation measures in the ESMP, RP and IPP (if applicable). This budget is indicative only and will be updated during project implementation. It is noted that costs related to compensation payment (RPs), implementation of (IPs), and UXO screening and clearance can not be determined at this stage (See Section 6 in Table below). These will be updated once subprojects are determined based on which relevant costs can be estimated.

Table 13. Estimated Costs for implementation of the ESMF

Items	Estimated Costs (in USD) per year
1. DEVELOPMENT OF SS-ESMPs, RP(s), IPP(s) (through DDIS Consultants)	
<ul style="list-style-type: none">• Prepare site-specific ESMPs, RP(s) and IPP(s) (where applicable), updating ESF instruments (if needed)• Monitoring of E&S documents, including assisting MRD'S SEO in preparing monthly monitoring reports (Additional budget for DDIS will be required to undertake the design and other aspects of their work)	150,000
2 E&S MONITORING (through Independent E&S Monitoring Consultant)	
<ul style="list-style-type: none">• Salaries• Travel• Accommodations• Communication• Others	12,000

3. MAINTENANCE OF CIVIL WORKS DURING OPERATION PHASE	
4. TRAINING (for PMU/SEO)	
<p>Training topics for the PMU/SEO include (may be expanded based on training need assessment):</p> <ul style="list-style-type: none"> • Implementing the ESMP; • Monitoring E&S compliance, including reporting; • SEA/SH, HIV/AIDS including how to conduct public awareness raising; • Occupational Health & Safety, including how to monitor and enforce this aspect; • Labor Management Procedures, including how to monitor and enforce this aspect; • Grievance Redress, including how to implement and monitor grievance resolution process; • Road Safety, including how to conduct public awareness raising; • Indigenous Peoples, including screening for IPs and how to conduct targeted social assessment. 	20,000
5. CONSULTATION/ MEETINGS/ MONITORING	
<p>Budget for PMU/SEO to conduct travel to provinces to conduct consultation, meetings, and monitoring, activities, etc.</p> <ul style="list-style-type: none"> • Number of field trips per year: 12 • Number of trainings/refresher trainings per year: 05 • Number of workshops per year: 05 • Number of reports/leaflet/booklets printed, etc.): 50 	20,000
Translation of E&S documents, printing and/or materials for consultations or trainings	10,000
National consultation in Phnom Penh and additional local consultations throughout the project	20,000
National Consultant (TBD)	30,000
Budget to implement Grievance Redress Mechanism, including associated trainings and mobilization of additional staff that may be required	10,000
6. COSTS TO BE ESTIMATED BASED ON IDENTIFICATION OF SUBPROJECTS DURING PROJECT IMPLEMENTATION	
Construction-phase mitigation measures of SS-ESMPS	To be calculated in SS-ESMPS (based on subproject to be identified)
Budget for UXO screening and clearance	To be calculated in SS-ESMPS
Budget for land acquisition (RP)	To be calculated in RP(s) (if applicable)
Budget for implementation of IPP(s)	To be calculated in IPP (s) (if applicable)
7. CONTINGENCY (10%)	26,000
TOTAL	286,000

	(Plus variable costs related to mitigation measures in SS-ESMPs, RPs and IPP(s) (to be estimated once identified during project implementation)
--	---

11.2 Budget

273. Funds for ESMP and IPP implementation will be sourced through IDA (from project component 3). Funding for RP implementation will be through counterpart funding.

APPENDICES

APPENDIX 1: INITIAL SCREENING PROCEDURES

Annex 1.1 Exclusion/Ineligibility List for Road Selection

To avoid adverse impacts on the environment and social, the following road sections and bridges would be excluded from KH-SEADRM 2 financing:

- New roads;
- Road sections requiring significant widening;
- Road/bridges requiring full EIA according to national legislation;
- Road sections/bridges requiring the physical relocation and/or demolition of residential structures of households that affect more than 50 households;
- Any works that would adversely impact the integrity or productivity of collectively owned IP land would be carefully screened for and excluded. Works may be undertaken adjacent to collectively owned IP land, but should not impact the integrity or its productivity.
- Road sections/bridges that cause serious damage or loss to cultural property, including sites having archaeological (prehistoric), paleontological, historical, religious, cultural and unique natural values;
- Road sections that go through Protected Areas or other biodiversity conservation areas, and/or that would have significant negative impacts on flora or fauna or the degradation of natural resources or habitats.

Annex 1.2 Environmental and Social Screening

This form is to be used by the MRD'S SEO and DDIS to screen environmental and social risks and potential impacts of a proposed road section and bridge rehabilitation, to determine the level of risk (high, substantial, moderate or low), which World Bank standards are relevant, and which E&S instrument(s) needs to be prepared.

Road Section/Bridges:

Province/ District/ Village/ PK

Date:

Question	Answer			Action Required	World Bank ESS (ex.)	E&S Document Required (example)	Level of Risk ¹⁴
Will the works require any households to move structures (include, houses, small shops, rice bins etc.) back from the road and/or to cut them?	Yes	No	TBD	<u>If yes</u> , need to complete Land Acquisition Screening Form (see RPF) and follow guidelines in the RPF	ESS5	RP	
Will the works require the removal of trees (fruit or other trees)?					ESS1 and 5	RP, ESMP	
Are there indigenous people living in the area?				<u>If yes</u> , need to complete IP Screening Form (see IPPF) and follow guidelines in the IPPF	ESS7	IPP	
Are the works, located in or near a cultural/heritage area?				Check Against Ineligible/	ESS8	ESMP	

¹⁴ High, Substantial, Moderate or Low

Or located near graves, temples or other sacred sites?				Negative criteria list			
Are the works, located near or in a protected area (or a buffer zone of a protected area)?				Check Against Ineligible/ Negative criteria list	ESS6	ESMP	
Are there endangered flora or fauna species in the area?				Check Against Ineligible/ Negative criteria list	ESS1 and 6	ESMP	
Will the works require new borrow pits or quarries to be opened up?					ESS1	ESMP	
Will the works be located near a river, stream or waterway?					ESS1	ESMP	
Will the works result in increases in, or changes to the type of, traffic using the road?					ESS1 and 4	ESMP	
Will any of the works require the use of toxic chemicals, herbicides, and/or explosives?					ESS1 and 3	ESMP	
Are there likely to be UXOs in the area?					ESS1	ESMP	
Will the works increase noise levels in the community (due to vehicles, works, etc.)?					ESS1	ESMP	
Would works required setting up a worker's camp? Otherwise, where are workers expected to live?					ESS4	ESMP	
Are works likely to cause significant negative impacts to air and/or water quality?					ESS3	ESMP	
Would any public facilities, such as schools, hospitals or pagodas be negatively affected by construction?					ESS 4	ESMP	

Is an influx of workers, from outside the community, expected? Would workers be Cambodian or foreigners? Would workers be expected to use health services of the community? Would they create pressures on existing community services (water, electricity, health, recreation, others?)					<i>ESS 2 and 4</i>	<i>ESMP</i>	
Is there a risk of SEA/SH in the project?					<i>ESS 2</i>	<i>ESMP</i>	
Is there a risk that traffic accidents and death may increase as a result of the project?					<i>ESS 4</i>	<i>ESMP, Road Safety Plan</i>	
Is there a risk that women and other vulnerable groups may not benefit and/or be more adversely impacted by the project?					<i>ESS 4, 5, 7</i>	<i>ESMP, SEP and RP and IPP if applicable</i>	
Is there a risk that women may be underpaid when compared to men when working on the project construction?					<i>ESS 2</i>	<i>ESMP</i>	
What is the likely number of construction workers needed?					<i>ESS 1, 2, 4</i>	<i>ESMP</i>	
Is there a possibility of employment in project works for the local community? Of these, how many jobs would be expected for women?					<i>ESS 2</i>	<i>ESMP</i>	
Will skilled workers be available in local areas and/or other areas in Cambodia? Will international workers be needed?					<i>ESS 2</i>	<i>ESMP</i>	
Other information that may be relevant about the road section:							

APPENDIX 2: RESETTLEMENT PLANNING FRAMEWORK

KINGDOM OF CAMBODIA

Nation Religion King

MINISTRY OF RURAL DEVELOPMENT



Cambodia Southeast Asia Disaster Risk Management Project II

RESETTLEMENT PLANNING FRAMEWORK

Abbreviations and Acronyms

AH	Affected Household
AP	Affected People
ARP	Abbreviated Resettlement Plan
COD	Cut-Off Date
COI	Corridor of Impact
CSADRMP II	Cambodia Southeast Asia Disaster Risk Management Project II
C/S	Commune/Sangkat
DED	Detailed Engineering Design
DDIS	Detailed Design Implementation and Supervision
DMS	Detailed Measurement Survey
DRP	Detailed Resettlement Plan
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESS	Environment and Social Standards
FPIC	Free, Prior and Informed Consent
GDR	General Department of Resettlement
GRM	Grievance Redress Mechanism
IOL	Inventory of Loss
IP	Indigenous Peoples
IPP	Indigenous Peoples Plan
IPPF	Indigenous Peoples Planning Framework
IRC	Inter-Ministerial Resettlement Committee (Project-Level)
IRC-WG	Inter-Ministerial Resettlement Committee Working Group
Km	Kilometer
LAR	Land Acquisition and Resettlement
MEF	Ministry of Economy and Finance
MRD	Ministry of Rural Development

PGRC	Provincial Grievance Redress Committee
PIB	Project Information Booklet
PMT	Project Management Team
PRSC	Provincial Resettlement Subcommittee
PRSC- WG	Provincial Resettlement Subcommittee Working Group
RP	Resettlement Plan
RCS	Replacement Cost Study
RPF	Resettlement Planning Framework
RGC	Royal Government Of Cambodia
ROW	Right of Way
SEP	Stakeholder Engagement Plan
SEO	Social and Environment Officer
SOP	Standard Operating Procedures
USD	United States Dollar
WB	World Bank

Definitions

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 RPF the term used will be “AH”.

Basic Resettlement Plan. Prepared when the World Bank’s Environmental and Social Framework (ESF) require a draft 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.

Compensation. Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.

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 and in local language of the concerned IPs 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) For this project, the Cut-Off Date is the last day of the first round of consultation that will be hold with local people following the disclosure of the project’s COI (at public places such as commune/Sangkat public boards, pagodas) to inform the general public of the project area and prevent influx of ineligible persons into project’s COI. The date by which any persons who encroach upon the project area (Corridor of Impact, COI) after the Cut-Off Date is announced will not be eligible for any compensation or assistance. 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 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 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 to access to legally designate parking and protected areas.

Eligibility. Eligibility includes 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 affected peoples, 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 RPF, the GRM is for grievances/complaints arising from involuntary land acquisition and resettlement. The GRM for handling grievances/complaints related to other environmental and social aspects arising out of other relevant ESSs for this Project (i.e. requirements labor and working conditions, etc.), are stipulated in the Stakeholder Engagement Plan as per WB ESS10.

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.

Indigenous Peoples. According to the World Bank's Environment and Social Framework, the term "Indigenous Peoples" is used in a generic sense to refer exclusively to a distinct social and cultural group possessing all the following characteristics in varying degrees:

Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and

Collective attachment¹⁵ to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture, and
A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Information Disclosure. The process of disseminating project information to stakeholders 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 corridor of Impact 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. Refers to project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. 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;

¹⁵ Collective attachment means that for generations there has been a physical presence in and economic ties to land and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites.

(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 RPF, 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 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 cost 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 Planning Framework. Prepared when project components are not known and therefore land acquisition needs cannot be identified. The RPF 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. These are distinct group of APs who are likely to be more adversely affected by land acquisition and involuntary resettlement than others who are likely to have limited ability

to re-establish their livelihoods or improve their status. Poor and Vulnerable Persons/Group comprise: (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

This is an Executive Summary of main points discussed in this Resettlement Planning Framework (RPF). The Executive Summary should not be relied for full information; the full RPF should be read for this purpose.

This RPF has been prepared by the Ministry of Rural Development (MRD) for the Cambodia Southeast Asia Disaster Risk Management Project II (SEADRM II) with assistance of international and national consultants, and under the guidance and direction of the General Department of Resettlement (GDR) of the Ministry of Economy and Finance (MEF). The RPF is part of the Environment and Social Management Framework (ESMF). This RPF will be applied to all investments to be financed under this project irrespective of financing source (e.g. the World Bank and Royal Government of Cambodia). The RPF has been prepared in line with the Royal Government of Cambodia's (RGC) Standard Operating Procedures on Land Acquisition and Resettlement, and the World Bank's (WB) Environment and Social Framework (ESF).

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 developed when and if necessary, in close consultation with affected stakeholders and the WB. Clearance of future DRPs by the WB will be necessary.

The project development objective is to support resilient reconstruction of vulnerable rural transport infrastructure affected by the 2020 floods and recurring flood events, mainstream Disaster Risk Management in government processes, and provide immediate and effective response in case of an Eligible Crisis or Emergency. Six targeted disaster vulnerable provinces were selected.

This objective will be achieved through the implementation of various activities that are organized into four project components: (i) Institutional strengthening for disaster resilience at the national level; (ii) Resilient rural transport infrastructure reconstruction and maintenance; (iii) Project Management; and (iv) Contingency Emergency Response Component (CERC).

The second project component will focus on civil works for the strengthening, climate resilient rehabilitation, safety, and maintenance of selected existing rural transport infrastructure that are vulnerable to disasters.

The second project component is not expected to incur any land acquisition as the proposed SEADRM II targeted roads will be rehabilitated within existing road alignment and the right-of-way (ROW). However, in case there are any unexpected circumstances where the proposed construction works necessitate the involuntary acquisition of land or assets, this RPF will apply.

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 MEF is responsible for providing guidance and clarification to users of the SOP. Given that the proposed SEADRM II is a project financed by the WB, the SOP is the guiding RGC sub-decree for land acquisition and should be read together with this document. This RPF also complies with the WB's Environment and Social Standard 5 (ESS5) on LAR. There are some minor, but no significant

gaps between the policies of the SOP and WB's ESS5. Two most relevant is that the SOP does not have a provision for voluntary donations (VDs) and negotiated settlement as the SOP addresses Involuntary Resettlement. This RPF describes a process for VDs consistent with the WB's ESS5 and the required steps and documentation.

The project's approach to manage resettlement follows the WB's mitigation hierarchy by:

Adjusting designs to avoid impact on land and assets;

When impacts cannot be avoided, minimize them;

Once risks and impacts have been minimized or reduced, mitigate through compensation payment for affected assets and income generation activities; and

Where land acquisition impacts remain, compensate people as per this RPF.

This RPF covers resettlement: (i) where land, or assets, are voluntarily donated; (ii) where land, or assets, are involuntarily acquired. Voluntary contributions, with proper information and documentation as explained in this RPF, 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. Besides the process for VD and involuntary land acquisition, the RPF also details the institutional arrangements and responsibilities, consultations, information disclosure, funding arrangements and monitoring.

The RPF 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 as described in this RPF, regardless of their legal status. The COD is the last day of the first round of consultation that will be held with local people following the disclosure of the project's COI (at public places such as commune/Sangkat public boards, pagodas) to inform the general public of the project area and prevent influx of ineligible persons into project's COI. The date by which any persons who encroach upon the project area (Corridor of Impact, COI) after the Cut-Off Date is announced will not be eligible for any compensation or assistance. Persons not covered can be eligible in case they can show proof that they have been inadvertently missed during the census. 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 out during the census.

The RPF outlines the Grievance Redress Mechanism (GRM) to be 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 SEADRM II. The RPF also describes the process for consultation and information disclosure in cases of VDs and for land acquisition. This RPF will be consulted with national-level stakeholders as in SEP and will be disclosed to the public prior to the WB's appraisal of the SEADRM II.

1. PROJECT DESCRIPTION

1.1 Overview

The purpose of the second Cambodia Southeast Asia Disaster Risk Management Project (SEADRM II) is to support the rehabilitation of the rural transport infrastructure that were affected by the flash floods in 2020 and the government's effort in mainstreaming disaster risk management dimensions into national disaster resilience strategy for transport infrastructure system. The Project constitutes a part of a regional program designed to help reduce the impacts of natural hazards in Southeast Asia. This program will continue the interventions initiated in the Cambodia Southeast Asia Disaster Risk Management Project (CSADRM) as a part of a Southeast Asia (SEA) regional Series of Projects on Disaster Risk Management (DRM), involving Cambodia, Lao PDR, and Myanmar. Seven project provinces, including Banteay Meanchey, Battambang, Kampong Chhnang, Kampong Speu, Pursat, Siem Reap, and Tboung Khmum, were selected to participate in the project considering various criteria such as rural population density, agricultural potential, vulnerable to floods, existing road conditions, and connectivity of provincial road networks to connect larger geographic area.

1.2 Project Development Objective and Project Components

The project development objective is to improve the disaster and climate of flood-damaged roads in target areas, improve the capacity of the government to prepare for and respond to emergencies, and provide immediate and effective response in case of an Eligible Crisis or Emergency. This objective will be achieved by through implementation of various activities that are organized into four project components:

- **Component 1: Institutional Strengthening for Disaster Resilience in the Rural Development Sector** (US\$3 million IDA credit and US\$0.45 million RETF). This component will focus on provision of technical assistance to strengthen MRD's capacity to prepare for, respond to, and recover from disasters and deal with climate change.
- **Component 2: Resilient Rehabilitation and Reconstruction of Rural Roads and Bridges** (US\$106 million IDA Credit). This component will focus on carrying out climate and disaster resilient rehabilitation and reconstruction, and maintenance of selected rural roads and bridges and related infrastructure damaged by the 2020 floods and other natural disasters in target areas. The Component also provide technical assistance for: (a) protection of Road Users Through Road User Awareness-Raising; (b) developing a roadmap to expand the functionality of MRD's Rural Roads Asset Management (RRAM) System for post-disaster damage assessment and recovery; and (c) on-the-job Capacity Building for Design and Implementation of Road Rehabilitation to Climate-Resilient Road Standards.
- **Component 3: Project Management** (US\$ 3 million IDA Credit, US\$1.5 million Counterpart Financing). This component will provide technical and operational assistance to strengthen the institutional, organizational, and technical capacity of MRD to support day-to-day Project implementation, including coordination, technical matters, procurement, financial management, social and environmental safeguards, monitoring and evaluation, and reporting.

Component 4: Contingency Emergency Response Component (CERC) (US\$ 0m). This component is designed to provide immediate and effective response to an eligible Crisis or Emergency, as needed.

1.3 Land Acquisition Impacts and Rationale for Resettlement Planning Framework (RPF)

The SEADRM II project will have a positive impact on target communities – through provision of improved, safe, climate-resilient transportation system, that results in better transport connectivity, savings in vehicle operating costs, and shorter travel time. While most of the rehabilitation are carried out on the existing road foundation, small-scaled land acquisition APs may be needed, particularly for civil works where roadbed is widened, road pavement is raised, or alignment is adjusted within the ROW to improve the connectivity of the existing transport system while addressing future natural hazards such as flash floods, storms, inundation, etc.

The project will make every effort to avoid land acquisition due to the rehabilitation of the SEADRM II project's targeted roads by following the existing road alignments. However, where avoidance is not possible, alternative design will be explored to acquire public land and/or minimize the need for land acquisition through design adjustment. Since the location and design of road and bridge subprojects to be rehabilitated cannot be determined during project preparation, this RPF is prepared in accordance with the requirements of the WB's Environmental and Social Framework (ESF), particularly its Environmental and Social Standard 5 (ESS5) on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement and in compliance with the Cambodian laws and regulations. The RPF sets forth objectives and principles, including eligibility criteria, entitlements, consultation with affected people, etc. which guides compensation payment, land acquisition, resettlement, livelihoods restoration support and grievance redress mechanism. The RPF also describes implementation arrangements, including how DRP implementation will be monitored to ensure DRPs prepared for subprojects are implemented in compliance with this RPF.

The RPF recognizes that vulnerable groups may be affected disproportionately from LAR activities. During project implementation, specific needs or concerns of the vulnerable groups will be assessed through consultation and will be addressed. Gender integration will also be considered during planning, preparation and implementation of the DRPs.

2. LEGAL FRAMEWORK

The Expropriation Law (2010) is the principal legal framework governing land acquisition and involuntary relocation in Kingdom of Cambodia. This law aims to define an expropriation in the Kingdom of Cambodia by defining the principles, mechanisms, procedures of land expropriation and fair and just compensation for any construction, rehabilitation, and public infrastructure expansion projects for the public and national interest, and for the development of Cambodia. It 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.

Key articles of the Expropriation Law (2010) are:

- **Article 2:** The law has the following purposes: (i) to ensure just and fair deprivation of legal rights to private property, (ii) to ensure prior fair and just compensation, (iii) to serve the national and public interest, and (iv) to develop public physical infrastructures;
- **Article 7:** Only the State may carry out an expropriation for use in the public and national interests;
- **Article 22:** The amount of compensation to be paid to the owner of and/or holder of real right to the immovable property shall be based on the market prices or replacement costs as of the date of the issuance of the declaration on the expropriation project. The market prices or the replacement costs shall be determined by an independent committee or agent appointed by the Expropriation Committee;
- **Article 29:** A tenant of the immovable property with proper contract shall be entitled to allowance for disturbances as a result of the expropriation including the dismantling of structures, materials, and transportation to the new relocation site. 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. For the expropriation of a location that is operating business activities, the owner of the immovable property shall be entitled to additional compensation at fair and just compensation against the value of the property actually affected by the expropriation as of the date of the issuance of the declaration on the expropriation project.

RGC's Sub-Decree No. 22 ANK/BK (2018) on The Promulgation of the Standard Operating Procedures for Land Acquisition and Involuntary Resettlement (SOP-LAR) for Externally Financed Projects in Cambodia. The GDR of the MEF is responsible for providing guidance and clarification to users regarding the SOP-LAR. Given that the proposed SEADRM II project will use the counterpart funding for compensation and support, the provisions of SOP-LAR will apply to the proposed SEADRM II project and therefore should be read in conjunction with this RPF.

2.1 Gap Analysis: WB ESF and RGC SOP-LAR

The WB's ESS5 recognizes that land acquisition through projects and land use restrictions can have negative effects on communities and individuals. The WB ESS5 and the RGC's SOP-LAR both have specified its objectives and principles of land acquisition and involuntary resettlement to ensure affected people are not worse off as a result of land acquisition. The principles of the WB's ESS5 and RGC's SOP-LAR are largely similar. However, in terms of procedures, the SOP-LAR does not have procedures for **negotiated settlement** and **voluntary donations**. Since the GDR has a lot of experience in acquiring land through negotiated settlement, particularly under Asian Development Bank and WB financed projects, negotiated settlement approach could be applied to this project. To assist the GDR in conducting acquisition of land through negotiated settlement, this RPF spells out the detailed procedures that the GDR will follow in case involuntary acquisition

of land through negotiated settlement and/or VD are required. The gaps in VD requirements between the WB's ESS5 and the RGC's SOP-LAR is presented in Table 1 (page 4), including measures proposed under this proposed SEADRM II project closing such gaps.

Table 1: Summary of Main Gaps Between RGC's SOP-LAR and WB's ESS5

Items with Difference	RGC's SOP-LAR	WB's ESS5	Measures to Address Differences
Voluntary Donations (VDs)	The SOP deals with land acquisition and <i>involuntary</i> resettlement and therefore does not provide guidance on VDs.	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.	This RPF provides guidance on when VDs would be appropriate and the process of carrying out the donations, including documentation which will need to be followed by MRD.

The gaps on the other issues, such as Livelihood Restoration and Assistance, Grievance Redress Mechanism, and Consultations and Stakeholder Engagement, are clarified in Table 2 (below).

Table 2: Summary of Clarifications Between RGC's SOP-LAR and WB's ESS5

Items for Clarification	RGC's SOP-LAR	WB's ESS5	Clarifications
Livelihood Restoration and Assistance	SOP-LAR details specific measures to restore livelihoods which are land-based, employment-based and business-based.	Provision of livelihood restoration and assistance to achieve WB's ESS5 objectives in cases of significant loss of livelihood to assist displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards.	Based on RGC's SOP-LAR, 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. If applicable in SEADRM II, DRPs will include provisions to ensure livelihood restoration programs are robust and can accurately meet the livelihood restoration objectives in line with WB ESS5.
Grievance Redress Mechanism	Appendix 8 of the SOP-LAR provides the structure and details on the operating guidelines and procedures of an effective functioning Grievance Redress	Annex 1 of ESS10 includes details of administrative and judicial process on Grievances Redress Mechanisms to handle grievances/complaints	<ul style="list-style-type: none"> The SOP states that there will be consultations with APs at various stages including during Basic Resettlement Plan and DRP preparation. Prior to the preparation of the DRP,

	<p>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-LAR.</p>	<p>under all ESS. Participation in resettlement planning and implementation, including in developing appropriate Grievances Redress Mechanisms that are useful and accessible to local people.</p>	<p>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 or/and IPs' language and provided and explained in detail to the APs during the public consultation process. There are clear mechanisms for grievance redress in the SOP.</p> <ul style="list-style-type: none"> • While the mechanisms are clearly set out, GDR will ensure it is accessible to all APs, in particular vulnerable APs and women.
<p>Consultations and Stakeholder Engagement</p>	<ul style="list-style-type: none"> • The SOP-LAR details out number of steps to carry out consultations at various stages of the land acquisition and resettlement process and compensation. • Para 126 mentions that the consultation is undertaken throughout the project cycle. • SOP-LAR provides for stakeholder engagement in respect of land acquisition and involuntary resettlement. The SOP-LAR provides for disclosure of the RPF 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 GDR. 	<p>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.</p>	<p>Meaningful consultations, inclusive of all groups and gender including vulnerable persons, 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.</p>

3. OBJECTIVES AND PRINCIPLES

The objectives of this RPF are in line with the ESS5 and the SOP-LAR to ensure that all people affected by the proposed SEADRM II project shall be provided with timely compensation for their loss of assets at replacement cost and shall be assisted in their efforts to improve or at least restore their livelihoods and living standards to the pre-displacement level, or to levels prevailing prior to project implementation, whichever is higher.

The SEADRM II project will take every measure to avoid land acquisition. However, where avoidance is not possible, the need for land acquisition APs will be minimized through alternative designs and use of public land. Impacts due to acquisition of land are mitigated through compensation payment for affected assets and income generation activities. The Livelihood Restoration Program will be designed to assist those significantly affected to re-establish and stabilize their livelihoods in a timely manner. Detailed Resettlement Plan (DRP) will be prepared in accordance with this RPF to guide the compensation and livelihoods restoration process, including monitoring of resettlement activities to ensure the objectives of this RPF are met.

In addition, a procedure for VD of assets affected by the project is available in case project's impacts on local assets are minor and the affected people wish to voluntarily donate their affected assets. When this is the case, a DRP will not be prepared. Instead, the donation procedure described in this RPF will have to be followed to ensure potential donated people are appropriately informed of the project's VD guideline and can exercise their free will (they can refuse to donate if they don't want to). MRD will ensure that potential donors meet pre-requisite for VD and are advised of choices available to them and are consulted fully. The donation process will be transparent and will be carefully documented by MRD and are subject to the WB's prior approval.

The proposed SEADRM II project's approach to resettlement impact management will follow the WB's mitigation hierarchy, and is as follows:

- Adjusting designs to avoid impacts on land and assets;
- When impacts cannot be avoided, minimize them;
- Once risks and impacts have been minimized or reduced, mitigate through compensation payment for affected assets and income generation activities; and
- Where land acquisition impacts remain, compensate people as per this RPF.

This RPF covers impacts related to lands and/or assets that are i) **voluntarily donated** and (ii) **involuntarily acquired**.

3.1 Principles of Voluntary Donation

Voluntary donation (VD) is proposed in this RPF as an option available to affected people when project's impacts on their lands and/or assets are minor and affected people wish to donate their affected assets without taking compensation as described in this RPF. Voluntary Land Donation (VLD) is applied in its scope to beneficiary communities without involuntary land acquisition conditions and based on a household's VD. VLD will be accepted when the land area does not exceed 5% of the total land area¹⁶ and assets where the affected owners of the assets and land have agreed to give their land and other assets as a voluntary contribution to the subproject. Additionally, the land portion to be voluntarily donated shall be free of houses, structures or

¹⁶ RGC, National Committee for the Management Decentralization & Deconcentration Reform (2009) Commune/Sangkat Fund Project Implementation Manual, page 31 (Khmer version).

other fixed assets. For this type of subproject, the Commune Chief should prepare a report showing that the land users have been fully informed about the subproject, and about their right to refuse to give their land and other assets without compensation. This report will be called the “Voluntary Land Donation Report,” as per the Commune/ Sangkat Fund Project Implementation Manual (CSF-PIM).

Regarding to the RGC, National Committee for the Management Decentralization & Deconcentration Reform (2009) Commune/Sangkat Fund Project Implementation Manual, stated in section D on Voluntary contribution of land and assets to the project in a Statement of Land User’s Rights as below:

The Commune/Sangkat (C/S) Council may ask land users to make voluntary contributions of small amounts of land and other assets to the project. The C/S Council must not ask any land user to contribute more than 5% of the land owned or used by that land user. The Commune Council must not ask any land user to contribute other assets with a value of more than 400,000 Riels.

The land user/owner has the right to refuse to make a voluntary contribution in terms of land and asset affixed to land. The C/S Council may not take any contribution of land and other assets unless the land user has signed or provided a thumb-print to show that s/he agrees to make such contribution.

Example: a road project, which will use a little land from the rice fields by the side of the road. For this type of project, the Commune/Sangkat Chief should prepare a report indicating that:

- a. the land users have been fully informed about the project, and about their right to refuse to give their land and other assets without compensation;
- b. land survey map showing the location and amount of land to be contributed;
- c. the amount of land to be contributed, in absolute terms and as a percentage of the persons land holdings, and the amount and value of other assets to be contributed; and
- d. a thumb print or signature confirming their voluntary contribution. This report is called “Voluntary Land Contribution Report”.

The MRD in collaboration with the C/S Council is responsible for the entire VD process. The MRD will:

- Ensure that detailed design select alignments that avoid or, otherwise minimize, impacts on land, structures and other fixed assets;
- Consult with potential donors (who meet the above prerequisite) on whether they wish to make voluntary contribution, based on the guidance in this RPF;

- Ensure that potential donors/affected people are appropriately informed¹⁷ that by voluntarily donating they are reneging on their right to compensation;
- Develop fair and transparent procedures for VDs in consultation with affected households (AHs) and the communities;
- Ensure that those voluntarily donating are those directly benefiting from the road rehabilitation under the project, and that donated land and/or non-land asset 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;
- Ensure that donated assets are owned and used by the owner, and that if others are using the asset they are also fully consulted on the potential donation by the asset owner¹⁸;
- Ensure that no fees are paid by the person donating, and that any fees or taxes incurred to land donation and any update of land ownership documents are covered by MRD;
- Obtain the consent of the community involved, including individuals who are using or occupying the land in cases of community or collective land is proposed for donation;
- Keep AHs fully and appropriately informed about the VD process and their related rights and avenues for grievance redress, in line with consultation/GRM procedures outlined in this RPF, and are summarized in project's Stakeholder Engagement Plan (SEP);
- Inform the potential donors that they have the right to decide the extent of their VD out of the total impact that the project may cause to them;
- Pay particular attention to gender, disadvantaged/ vulnerable groups, and Indigenous Peoples, if relevant, in line with the project's IPPF, due to such individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance for full participation;
- Resolve any grievances that may occur in relation to VLD process; and
- Ensure that the entire VLD process is clearly and fully documented by MRD and submitted to the WB.

For disadvantaged/vulnerable individuals/group

- The proposed SEADRM II project is designed to ensure local people, including disadvantaged/ vulnerable groups, will benefit from the project, particularly in their effort to restore and improve their livelihoods following the flash floods in 2020;

¹⁷ "Appropriately informed" means that the potential donor has all available information regarding the proposed project activity and its impacts, its land requirements, and its alternative activity sites, as well as the potential donors' rights to compensation as per this RPF. The potential donor has also been provided with sufficient time to consider his or her disposition of the affected assets and has knowingly rejected the right to renege on his or her decision.

¹⁸ 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.

- VLD shall not be proposed to people identified as disadvantaged/ vulnerable individuals/group as defined in the project's RPF and Indigenous Peoples Planning Framework (IPPF);
- In case VLD is proposed to disadvantaged/ vulnerable individuals/group, the project should consult with the WBk on a case-by-case basis before disadvantaged/ vulnerable individuals/group are approached to consult on potential VD.

For Indigenous Peoples

- In case land donation is planned to be proposed to IP individuals/households who are from disadvantaged/vulnerable group (as defined in the project's RPF and IPPF), the approach to VD for disadvantaged/ vulnerable individuals/group (as mentioned above) is applied.

For people who do not wish to donate

- Technical design will be considered for adjustment, if possible, to avoid the impact on the affected land/asset;
- If not possible, compensation payment will be made to the affected people in accordance with the Entitlement Matrix (see Annex 3) in this RPF.

3.2 Principles of Involuntary Land Acquisition

The following principles will be applied for land acquired involuntarily under this project:

- Avoid involuntary land acquisition and resettlement. When avoidance is not possible, minimize involuntary land acquisition and resettlement by exploring design alternatives;
- Avoid forced eviction¹⁹;
- 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 and (b) assisting affected 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 project implementation, whichever is higher;
- 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;
- Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant;
- Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected;

¹⁹ Force Eviction is defined as the permanent or temporary removal against the will of individuals, families, and/ or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles in WB ESS5.

- Keep the affected persons fully informed about the process of compensation and other mitigation activities, and their related rights and avenues for redress, in line with consultation procedures outlined in this RPF and the SEP, with particular attention to gender²⁰; and
- For acquisition of land belonging to IPs, ESS 7 of the WB's ESF will need to be followed.

3.3 Eligibility Criteria

This RPF applies to permanent or temporary physical and economic displacement directly caused by the proposed SEADRM II project as described in the SOP-LAR, and compliant with WB's ESS5. All affected people who have assets in a subproject site before the COD for that subproject will be eligible for compensation, regardless of their legal status.²¹ 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 sites for road rehabilitation have been identified, and through announcement in the consultations and posting on commune/Sangkat/public boards and/or pagodas in the community. Anyone who occupies any portion of the subproject area after the COD will not be eligible for any compensation or any other assistance.

3.3.1 Cut-Off-Date

Cut-Off-Date (COD) is the last day of the first round of consultation that will be hold with local people following the disclosure of the project's COI (at public places such as commune/Sangkat public boards, pagodas) to inform the general public of the project area and prevent influx of ineligible persons into project's COI. The date by which any persons who encroach upon the project area (Corridor of Impact, COI) after the Cut-Off Date is announced will not be eligible for any compensation or assistance. Persons not covered can be eligible in case they can show proof that they have been inadvertently missed during the census.

People whose assets located within the project's COI before the COD are eligible for compensation and support, regardless of their legal status of land. Those who encroach upon/or occupy the project's COI after the COD will not be eligible for any compensation or any other assistance.

3.3.2 Scope of Application

This RPF is applied to permanent or temporary physical and economic displacement that are directly caused by the project (within the project area defined in a subproject ESIA), and as described in the SOP-LAR, and compliant with WB's ESS5.

²⁰ For instance, any financial compensation for involuntary acquisition of land or other assets should be provided jointly to a husband and wife, rather than just to the husband, even if the husband is the legal owner.

²¹ 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.

The RPF is applied also to activities or facilities that, in the judgement of the WB and agreed with RGC, are associated activities and/or facilities²² as defined in the WB' ESS1 (Assessment and Management of Environmental and Social Risks and Impacts). When this is the case, the RPF will be applied to such associated activities and/or facilities – to the extent that MRD has influence over such activities and facilities.

The RPF is not applied to incomes and/or livelihoods that are not directly affected by project's land acquisition or land use restrictions. Such impacts would be addressed under the WB's ESS1 on Assessment and Management of Environmental and Social Risks and Impacts, and under the project's Environmental Code of Practice (ECOP) or, if required, Environmental and Social Management Plan (ESMP) for respective subprojects.

3.4 Resettlement Process: Step by Step

In line with the requirements in the ESS1 and ESS5 of the WB's ESF, the proposed SEADRM II project will adopt the following key steps in the resettlement process:

- a) Anticipate and avoid land acquisition impacts through adjusting designs;
- b) Where avoidance is not possible, minimize or reduce land acquisition impacts;
- c) Conduct meaningful consultation with affected people to inform them of their right to and compensation entitlements as described in the detailed Entitlement Matrix in Annex 6 of the SOP-LAR (attached as Annex 3 to this RPF); VD option is presented to people who meet prerequisite for VD (as in Section 3.1 above);
- d) Carry out negotiated settlement for the purpose of the land acquisition as described in this RPF;
- e) Where negotiated settlement is not accepted by the AHs, or fails, follow land acquisition process as defined in the SOP-LAR and prepare a DRP in accordance with this RPF;
- f) Provide compensation payment to the AHs before civil works begin, ensuring appropriate information is timely disclosed, and grievance redress mechanism (as described in this RPF) is available and understandable to affected peoples; and
- g) Monitor and report on resettlement process to ensure the resettlement process, including its outcomes, meet the objectives set out in section 3 (above).

3.4.1 Voluntary Donation

In accordance with customary practice, villagers who benefit directly from a project may choose to voluntarily contribute the part of land and/or assets that will be affected within the project's COI without taking compensation for it. MRD staff will assure that only people who meet VD prerequisite (Section 3.1 above) are approached and are appropriately informed of the project's

²² Associated facilities or activities that are not funded as part of the project and are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist. For facilities or activities to be Associated Facilities, they must meet all three criteria.

VD requirements and procedure. Qualified potential donors will be informed of project's compensation policies and the VD option that is available to. Criteria that the project uses to accept VD (Section 3.1) will be appropriately informed to potential donors to enable them to make informed choice. Potential donor will be informed of their right to refuse donating their affected assets and receive entitled compensation instead if they don't wish to make VD for their affected assets. They will also be fully informed of the project's grievance redress mechanisms that they can use when needed.

MRD in collaboration with the C/S Council is responsible for all undertakings related to VD process. All VD under this project is subject to WB's prior approval. Affected people – confirmed to be impacted through the COI and meeting VD criteria (See section 3.1) will be consulted by MRD on their preference for compensation as they are entitled to, or donating the affected assets as trees or small part of structures part of driveways, etc. Consultations will be conducted with the people who legally own the affected assets. MRD will follow the principles and procedure described for VD as detailed in Section 3.1 of this RPF. MRD shall carefully document all agreements that may be made with donating people, and announce the subproject COD to the general public so that people do not encroach upon project's road COI after the COD is publicized.

Step 1. Conduct Initial Screening for VD Eligibility

For each subproject, based on the final COI, MRD staff will:

- Collect necessary demographic information about affected individuals/households within the subproject COI;
- Collect information on the magnitude of land/asset impacts based on the Inventory of Loss;
- Conduct consultation with affected people on project compensation policy, introducing voluntary land donation as an option;
- Screen for individuals/households potentially qualified for VD from the affected group, using the criteria in Section 3.1;
- Summarize this step using the form in Annex 1.

Note: When potential donors are from disadvantaged/vulnerable group and/or IP group, follow guidance in Section 3.1 of this RPF.

Step 2. Consult with potential Donors

- Consult with potential donors qualified for VD, explaining details of VD procedures (Section 3.1);
- When consulting, emphasize affected peoples' right to either receiving compensation or donating their affected assets, including their right to decide on their preferred extent for asset donation, and MRD's right to accepting their donation;
- Continue consultation process to inform affected people of key steps and timelines for VD;
- Finalize the list of people who wish to donate affected assets.

Step 3. Start Donation Process

- Conduct the detailed survey of assets donated based on the list of donating households;
- Identify if there are anyone who are using the part of land intended for donation; if there is, consult with them to obtain their consent related to planned donation;
- Establish a formal statement of donation which will be signed by each owner and user involved, if any.
- Establish informed consent and confirm that no dispute exists over the ownership of the donated part of land/asset, and that there are no claims by renters, users, squatters, or encroachers (use Form in Annex 2);
- Proceed the formal procedures for donating the part of land/asset following the government's procedures;
- Hand over the donated land to project;
- MRD will maintain all records of asset donations and ensure supporting documents are available for review in case where grievance arises.
- MRD will document fully and carefully the entire VD process (see Section 3.6.1) and compile a report which includes the followings:
 - Subproject name, location, geographical area (including timing of the report and disclosure information);
 - Description of the road section, the Corridor of Impact (COI) and the extent of impacts on assets (attach Annex 1);
 - Description of consultation activities and procedures that have been undertaken to ensure donors are appropriately informed of the project's VD procedures and requirements, including their rights to choosing compensation payment or opting for VD;
 - A detailed list of assets voluntarily donated and corresponding donors, disaggregated by gender (attach Annex 2);
 - Minutes of consultation, including consultation process and consultation outcomes as to asset donation, and grievance redress mechanism;
- Ensure that VD process is regularly monitored as part of MRD's internal monitoring arrangement.

3.4.2 Negotiated Settlement

In case of negotiated settlement, the following process will be followed:

- a) The GDR will prepare an Inventory of Losses, based on which the detailed measurement survey (DMS) and the replacement cost study (RCS) will be conducted to design compensation package for each AH;
- b) The RCS will help calculate the replacement value at current market price including transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any of affected land and assets such as houses, structures, and trees, etc.;
- c) If there is loss of income, the RCS consultant will calculate the amount of losses based on the project's Entitlement Matrix (Annex 3 of this RPF);
- d) In case of loss of fruit trees, the RCS consultant will calculate the economic loss based on maturity and formula shown in the Entitlement Matrix;

- e) If there is physical displacement, transition allowances will be provided at the rated shown in the Entitlement Matrix;
- f) The total amount of compensation will be calculated and offered as a lump sum amount;
- g) A contract will be prepared, showing the total amount of compensation and the breakdown to facilitate negotiation with each AH. Once agreed, a Minutes will be prepared and signed by the AH, that both spouses or single heads of households will be required to sign and the Inter-Ministerial Resettlement Committee Working Group (IRC-WG) with the witness of the Commune/Sangkat or Village official;
- h) If all AHs agree with their lump sum compensation package, the lump sum amount will be paid upon contract signing;
- i) A report on the process and results of the negotiated settlement will be prepared after completion of compensation payment and will be submitted to the WB;
- j) In case an AH does not agree on the proposed negotiated settlement option, the offer of negotiated settlement for all the AHs will be withdrawn and the GDR will prepare a DRP for submission to the WB for review and approval.

3.4.3 Land Acquisition

For Land Acquisition, once the specific road sections are identified and screened (see Annex 1), if involuntary land acquisition is required, the MRD will inform the GDR who is in charge of implementing land acquisition as defined in SOP-LAR. The GDR will then conduct site visits to assess the scope of land acquisition and its impacts. The MRD will be responsible for sharing with the GDR the COI and Detailed Engineering Designs (DED).

Once the COI of a road section is defined, the GDR and the MRD will prepare Project Information Booklet (PIB) to inform AHs of the subproject's potential and will conduct the first round of consultations with AHs and local authorities to discuss about potential land acquisition. COD will be set during the first round of consultations. The COD is the date defined as the last day of the first round of consultations which will be announced to affected individual and households during the round of consultations. Based on the DED and final COI, a DMS will be undertaken as soon as possible upon completion of the first consultation.

The GDR will carry out the census survey and inventory of loss with the assistance of the MRD. Once census results are available, the GDR and MRD will conduct the consultation with the AH and affected community to present the findings of the census survey and inventory of loss and explain to affected people the availability of two options for compensation: 1) negotiated settlement or 2) involuntary acquisition of land. The GDR will present an updated PIB containing key principles and requirements for compensation and support, including the Entitlement Matrix (Annex 3) and GRM procedures that will be applied to all subprojects.

If only a few people (less than 20 AHs) are affected at one subproject, affected people will be offered compensation payment through the negotiated settlement route for their consideration. If all AHs agree with the negotiated settlement route, this agreement will be documented in the

Minutes and signed by all AHs and confirmed by the Commune/Sangkat or Village Chief. The AHs will be informed that the COD is the date of the consultation meeting, and this will be recorded in the Minutes.

In case there are more than 20 AHs, or the AHs do not all agree with the negotiated settlement route, AH will be informed that a DMS will be carried out by GDR and a DRP will be prepared to guide compensation payment. The COD will be the date of the Meeting, as recorded in the Minutes. The AHs attending the Meeting will be advised that only households identified during the census survey prior to the COD will be eligible to compensation payment.

Following the consultation meeting, GDR will make a plan for conducting the DMS and the RCS. The AHs and commune/sangkat/village authorities will be informed of this survey in advance by the Provincial Resettlement Subcommittee Working Group (PRSC-WG) and Commune/ Sangkat/ Village Offices.

3.5 Cut-off Dates

3.5.1 Voluntary Donation

For VD, the COD will be set by the MRD at the end of the first round of consultations at a selected road and announced to the public to ensure people do not encroach on the project's COI. Detailed documentation of VD process and results will be carried out by MRD as soon as possible after the COD is confirmed.

3.5.2 Land Acquisition

For Land Acquisition, the COD is the last day of the first round of consultation that will be hold with local people following the disclosure of the project's COI (at public places such as commune/Sangkat public boards, pagodas) to inform the general public of the project area and prevent influx of ineligible persons into project's COI. The date by which any persons who encroach upon the project area (Corridor of Impact, COI) after the Cut-Off Date is announced will not be eligible for any compensation or assistance. Persons not covered can be eligible in case they can show proof that they have been inadvertently missed during the census.

3.6 Detailed Measurement Survey

The measurement of the affected land, structures and other productive assets of each AH to be acquired will be carried out during the DMS exercise to identify the scope of impact at household level, and to prepare corresponding compensation package for each household. The DMS shall be carried out with the full participation of the AHs to ensure agreement from affected people and avoid potential dispute over incorrect measurements or calculations of compensation payment package. In particular, the DMS team will install pegs/markers to demarcate the affected land and identify assets affected within the COI in the presence of the AHs. This

demarcated area will be measured the for calculation of the land area and other assets that will be lost. The affected land will also be classified by type of land at this time based on actual land use.

The DMS will be implemented by IRC-WG in close cooperation with PRSC-WG and relevant local authorities. The RCS will be conducted in parallel with the DMS by an independent agency hired by IRC23. Based on the results of DMS and RCS, GDR with the assistance of project consultants will jointly update the subproject Basic Resettlement Plans into DRPs. The IRC will then approve the DRP and submit to WB for review and clearance. After the clearance of the DRP, GDR will calculate the compensation amount and subsequently request budget disbursement from RGC. However, before conducting the DMS and RCS, a public consultation meeting will be held by IRC-WG assisted by PRSC-WG and local authorities. Information provided in the updated PIB during the public disclosure meetings with AP and AH prior to the DMS will include:

- Information about the Project/subproject and its benefits;
- Potential risks and impacts of the Project/subproject on households living with the Project/subproject area(s);
- Scope of resettlement and land acquisition and COI;
- Policy for compensation and entitlement; Information on and contact focal points on GRM and GRM operationalized and fully functional; and
- Process of DRP preparation and implementation.

3.6.1 Voluntary Land Donation

For voluntary land donations, MRD in close collaboration with the C/S Council will carefully record all assets voluntarily donated by people who are living near the construction area with assets in the COI who may be affected. MRD and C/S Council should ensure people complete the Voluntary Land Donation Form (see Annex 2) at this stage to properly record donated assets.

It is possible that local communities and households decide to make a voluntary contribution of affected land without compensation. In this case, the sub-project must address the issue of voluntary land donation. Activities may be eligible for VLD as a result of the screening process and the land study specifically the Voluntary Land Contribution Report, subproject staff will inform the village head and villager or land owners through official notification on where the activities will be implemented in the COI where maybe effected. Record and document the reasons why donation of land is appropriate for the project. MRD and C/S Council will take into consideration the following details for such document:

- What the land will be used for;
- How much land the project will be require on both a permanent and temporary basis;

11 An independent local consulting firm qualified and experienced in asset valuation will be recruited by GDR to carry out the RCS. The resettlement budget will include the estimate costs of RCS consultancy services.

- How much of the land will be donated;
- What alternatives to donation exist (e.g., right of use, right of way)
- The terms of the donation;
- The identifies of the parties who intend to donate;
- The benefit of the donations; and
- Any details that support why donation may be appropriate.

The MRD will carefully document all voluntary land/assets donated by individual or household within the COI with respect to double-checking with Inventory of Loss (IOL) and DMS reports. MRD should ensure donating people will complete the Voluntary Land Donation Form (see Annex 2) at this stage to properly record donated land/assets.

3.6.2 Land Acquisition

For land acquisition, based on the final Detailed Engineering Design (DED) and demarcation of land, with support from MRD, GDR will conduct Census Survey for estimating number of APs in the COI, IOL, DMS, and SES to identify the list of potential AHs and the magnitude of impact at household level. All AHs will be informed of project's potential risks and impacts through Commune/Sangkat and/or Village authorities in advance prior to conducting census, DMS, households survey, and consultation with them on potential risks and impacts.

3.7 Replacement Cost Study and Asset Valuation

Replacement Cost Study (RCS) does not apply to VDs. However, it can be used as a basis to estimate the total value of affected assets that people may wish to know when considering donation of their affected assets. An RCS will be conducted by a local independent, qualified asset valuation consultant during the preparation of subproject DRPs. The RSC consultant will be hired by GDR. RCS results will be used as the basis for calculating compensation package. In case compensation payment to AHs is late, and the compensation unit rates are no longer valid, the RCS results will be updated to reflect the current market prices of the affected assets. The updating of RCS will be conducted by the RCS consultant.

For land acquisition, the RCS aims to conduct valuation of affected assets to establish compensation prices for affected assets at full replacement cost. A full replacement compensation means compensation made at a value sufficient to replace the affected assets (without depreciation), plus all necessary transaction costs that may incur. Transaction costs may include administrative charges related to new land title, construction permits, reasonable moving (relocation) expenses and any similar costs potentially borne by AHs. The compensation payment for the lost assets is based on replacement cost for affected assets such as lands, houses, structures prevailing at the time of the DMS. The replacement costs for project affected assets will be studied and proposed by a qualified independent asset valuation agent. Their proposed asset valuation methods and results will be subject to confirmation and approval of the GDR.

The RCS will be carried out in parallel with the DMS exercise to save time. Compensation payment package proposed for each AH will be calculated based on the results of the DMS and RCS. The agreement of AHs as to the proposed compensation package for them is confirmed in an official and binding contract between the IRC-WG and the AH. Any errors that are found will be corrected during the consultation process.

A binding legal instrument recording all affected assets of each AH which will be signed by the AH and IRC-WG, witnessed by local authority (normally by the Commune or Village Chief). The compensation and support to be provided to the AHs will be based on the entitlement matrix, final DMS and RCS results as outlined in the DRP and agreed with AHs. See Table 3 of key tasks of GDR on preparation of DRP as per the SOP-LAR and compliance with the WB's ESS5 (page 16).

Table 3: Key Tasks of GDR on Preparation of Detailed Resettlement Plan as per the SOP-LAR and Compliance with the WB's ESS5

Task	Requirements
Institutional Arrangements	<ul style="list-style-type: none"> Establish of the IRC and IRC-WG Establish the Provincial Resettlement Sub-Committee and the Provincial Resettlement Sub-Committee Working Group
Detailed Measurement Survey (DMS)	<ul style="list-style-type: none"> Conduct demarcation of land and DMS (100% household survey, 100% Inventory of Losses, and full Census through DMS Questionnaire)
Gender	<ul style="list-style-type: none"> Gather gender information Prepare plan for provision of social support, services, employment, and means of subsistence for income support for female headed households
Poor and Vulnerable Groups	<ul style="list-style-type: none"> Update the database based on DMS Determine different categories of poor and vulnerable groups, and the eligibility of each to receive additional assistance package Finalize the additional assistance package
Replacement Cost Study (RCS)	<ul style="list-style-type: none"> Hire external expert to carry out RCS to determine prevailing market rates to replace lost assets. Methods of valuing affected assets and calculating compensation for each eligible AP or household will be at full replacement cost in line with ESS5 of the WB ESF
Compensation Package	<ul style="list-style-type: none"> Update the RPF Entitlement Matrix to show the full and complete compensation package that will be made available to the AHs.
Livelihood Support Plan (if applicable)	<ul style="list-style-type: none"> Prepare plan for Livelihood Support Program for permanent loss of sources of livelihood, in consultation and active participation with the AHs/APs and include in the DRP.
Grievance Redress Mechanism (GRM)	<ul style="list-style-type: none"> Operationalize GRM at the Provincial level²⁴

²⁴ The MEF will facilitate the establishment of a Provincial Grievance Redress Committee (PGRC) which will be responsible for addressing grievances for all externally financed projects located in the respective province/city. The PGRC will be established by the Provincial Governor in consultation with the IRC.

	<ul style="list-style-type: none"> Outline procedures for handling complaints in line with SOP-LAR, provide details to AHs during the consultation process and ensure it is readily accessible and useful to the AHs
Consultation	<ul style="list-style-type: none"> Conduct meaningful consultation with AHs at the commune/sangkat level based on WB ESS 10, to inform them of overall entitlements and the method of computation of compensations, as well as the GRM procedures. Seek their feedback of the resettlement process Meaningful consultation with AHs eligible for relocation on the Resettlement Sites (if applicable) at commune/sangkat/village level as per guidelines above House to house consultations to confirm measurement surveys using the DMS Questionnaire Consultations with APs on compensation rates prior to signing of contracts
Monitoring and Reporting	<ul style="list-style-type: none"> Make arrangements, roles and responsibilities for monitoring and reporting of the implementation of the DRP, and the reporting requirements Determine scope of internal monitoring.
Formulation of Budget	<ul style="list-style-type: none"> Prepare estimates of land acquisition costs by GDR

Source: SOP-LAR, 2018

3.8 Compensation Assessment and Entitlement Matrix

3.8.1 Compensation and Other Resettlement Assistance

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 state-owned land, there would be no compensation for land but loss of income from loss of use of land, businesses affected by land, employment, and other income sources; transportation allowances; subsistence allowances during the transition period; and income/livelihood restoration programs. For the vulnerable group, in addition to the above, a special assistance package is provided whereby cash grant for subsistence allowances and livelihood restoration program are doubled.

Fruit trees, other economic trees and standing crops will be compensated according to the principles of replacement cost in the SOP-LAR and the WB's ESS5. Where possible, AHs will be allowed to harvest crops before acquisition or temporary use of the land.

Cash compensation based on the principles of replacement cost will be paid to AHs who lose structures or parts of structures, such as kiosks, roofs, concrete pavements, fences, shops, house-cum-shops and houses. Transport allowances will be provided where relevant.

For AH losing income during the transition period, allowances will be provided. If applicable, livelihood restoration programs will be provided for AHs who permanently lose their source of livelihoods.

AHs whose land is used temporarily during construction will be compensated for loss of income from crops or other assets during the period of construction.

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 (Article 29 of the Expropriation Law, 2010).

Regarding to the SOP-LAR, all APs who lose their business from fixed structures whose businesses are relocated to a new site will be compensated with the projected loss of net income for 2 months. For those whose business is relocated on-site (move back or within the same area), the compensation will be projected loss of net income for 1 month. The businesses may be registered or non-registered. The employees of those with loss of business will be provided with the transitional allowance as per the entitlement matrix.

The following types of displaced persons shall be eligible to compensation, but compensation would vary depending on their situation:

- (i) Legal owners and holders of title or rights to land, including customary rights;
- (ii) Tenants and leaseholders, including employees, workers and hawkers;
- (iii) Those who have no formal title or rights to the land (illegal occupiers) who are engaged in farming or businesses, and
- (iv) Poor and vulnerable groups.

However, if the business is engaged in illegal activities like gambling, prostitution, drugs or similar nature, no compensation will be paid.

3.8.2 Vulnerable Groups

Poor and Vulnerable Persons/Groups, those who are perceived to be more vulnerable than others such as (i) households living below the poverty line, identified by the Ministry of Planning²⁵; (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).

²⁵ RGC, Sub-decree on Identification of Poor Households, No: 291 ANKr. BK (2011), Article 17: Relevant government ministries/institutions, non-governmental organizations and local communities which intend to provide services or assistance to poor households or individuals, including any appropriate emergency interventions, must primarily use valid national poor household data.

In order 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, the poor or vulnerable persons who are classified as poor and vulnerable under the above criteria of the SOP will participate in any one of the three programs and the corresponding skills training program. In addition, these APs will be entitled to the following: (a) Double the financial support rate offered in the three different livelihood programs. (b) Priority access to employment opportunities under the Project.

In cases where Land Acquisition is required from vulnerable groups, the needs of the vulnerable groups need to be assessed and included in DRPs. Special attention should be paid to gender aspects. In cases where vulnerable groups are Indigenous Peoples, DRPs should be done concurrently and in coordination with the Indigenous Peoples Plans, which will be prepared by MRD.

3.8.3 Livelihood Restoration Program

In the unlikely event that there are APs who lose their source of livelihood permanently, there will be a livelihood restoration support program to assist APs in re-establishing their livelihood.

Under the proposed SEADRM II project, it is highly unlikely that AHs will lose their sources of livelihood permanently. However, in the event of a permanent loss of livelihood, a livelihood restoration support program will be prepared in consultation with the AHs and simultaneously implemented in parallel with the DRP to assist them in re-establishing their livelihoods. Depending upon their existing livelihood, the eligible APs would be entitled to participate in any one of three types of programs as outlined in SOP-LAR: (i) Land-based Livelihood Restoration; (ii) Employment-based Livelihood Restoration; and (iii) Business-based Livelihood Restoration.

- **Land-based Livelihood Restoration:**

APs who depend on and permanently lose land-based sources of livelihood such as agricultural land will be provided with:

- Alternative agricultural land, if available, will be provided. In addition, soft skill trainings will be provided such as introductory trainings on crops of higher value, or trainings that add values to existing crops, and other related agricultural job skills that APs may need.
- Financial support - as a lump sum grant of \$200, to assist APs in re-establishing their livelihood.

If no alternative agricultural land is available, or if the APs wish to undertake a new type of livelihood, they will be offered the option to participate in either an employment-based or business-based livelihood restoration program.

- **Employment-based Livelihood Restoration**

For APs who rely primarily on employment for their livelihood and have permanently lost that employment as a result of LAR, or for APs with land-based sources of livelihood who opt for new livelihood, an employment-based livelihood restoration support will be offered, which will provide them with:

- Employment skills training, based on employment opportunities in the community. 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 analyzed 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.
- Additional financial support as a form of cash grant equivalent to 3 months income based on the official poverty rate prescribed by the RGC to support the APs during the training period. The amount will be calculated by the monthly poverty rate x number of members in the AH x 3.
- Priority for construction jobs at the subproject site.

- **Business-based Livelihood Restoration**

For APs who rely on business for their livelihood and have permanently lost that business, or for APs who opt for this program, a business-based livelihood program will be offered, which will provide them with:

- Business skills training, focusing on small or home-based businesses, based on business opportunities that may be available in their community. As very few APs would require this training, a cash grant would be provided them to enable them to pursue the skills training of their choice.
- Additional financial support as a lump sum cash grant of \$200, to assist them and their families re-establishing their micro or home-based businesses.

For the AHs/APs who do not want to participate in the above three categories of livelihood restoration programs under the proposed subprojects, a cash grant for AHs will be provided instead of training. The amount will be determined by the RCS consultant.

3.8.4 Contracts with AHs and Compensation Payments

The agreement on the compensation package is confirmed under a formal and binding contract between IRC-Working Group (IRC-WG) and each of the AH. In case of negotiated settlement, a meeting is held at the commune/sangkat or village office or community hall where the contracts are offered and explained to the AHs on an individual basis before negotiation and signing. Upon signing, compensation will be paid to AH as a lump sum. If errors are identified during the meeting, they will be corrected on the spot.

In the case of the DRP, a meeting will be held with the AHs and the contracts are offered and explained to the AHs on one-to-one basis. The AH can sign the Contract at that time or within the next three (3) days. The compensation payments are not made at this stage and a separate

meeting is scheduled for making the compensation payments at a later date. The AHs will be informed in advance of the date of the meeting for the compensation payments through the Commune/Sangkat and/or Village Offices.

Payment of compensation and rehabilitation assistance to the displaced persons is central to the implementation of SOP-LAR. The GDR must ensure transparency and integrity of the budget disbursement and compensation payments process which will be governed by the following principles:

- Full payment of the compensation shall be offered and made to all APs prior to land acquisition;
- Payments for all allowances must be completed prior to relocation to the new sites or self-relocation. In case of APs who dispute or refuse to accept the offer or payment, the payment will deem to have been made at the same time as payments are made to the other APs;
- Payments will be made in the joint names of both spouses or the single head of the AH, where applicable or a designated adult member of the AH in case where both spouses are unable to receive the payments;
- Payments should preferably be made by cheque. However, where access to banking facilities is not available or difficult, cash payments can be made with the necessary safeguard protection for the APs to verify that payments have been actually received by APs;
- All payments should be made in a public place as far as possible and witnessed by a representative of the local authorities; and
- On completion of the payments, a proper and due notice shall be issued to AHs to vacate the land/occupation within one month from date of issuance of the notice.

4. INSTITUTIONAL ARRANGEMENTS

4.1 Ministry of Rural Development

The Ministry of Rural Development (MRD) is the implementing agency for the proposed SEADRM II and will implement project activities through the establishment of a Project Management Team (PMT) using their existing institutional setup and departments. The Project Director (PD) at MRD will be responsible for overall guidance and policy advice, internal coordination, discussion and resolution of 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 MRD 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, project activities are carried out on schedule and within budget, and financial management reports are submitted on time. MRD will collaborate with C/S Council which will be solely responsible for the implementation of VD activities.

4.1.1 MRD Social and Environment Officers

MRD's Social and Environment Officers (SEOs) will be responsible for screening of land acquisition impacts on the prioritized rural roads as per this RPF (Annex 1). The SEOs will report to the Project Manager (PM).

4.1.2 Institutional Arrangements for Land Acquisition and Resettlement

- Role of SEO-MRD in Cases of Voluntary Donations

In cases where there are minor impacts on assets in the COI and the criteria for VD outlined in this RPF applies, the SEOs, under the direction and guidance of the PM, will be responsible for carrying out the process of VDs as described in this RPF. The SEOs will be responsible for adequately informing AHs of their rights to compensation and their option to renege their right and voluntarily donate the assets. The SEOs will also be responsible for adequately documenting the process in line with this RPF, keeping people informed about the VD process, schedule and grievance redress as outlined in this RPF, and recording, record keeping and reporting. For road components where there are VDs, only the MRD and SEOs will be responsible, and GDR and other agencies described below will not be involved.

- Role of SEO-MRD in Cases of Land Acquisition

If road improvements will lead to Land Acquisition, the PM and SEOs will liaise with the GDR to ensure the timely preparation of DRPs. Specifically, the SEOs will support GDR and work with GDR as follows:

- a) Participate as a member of the Inter-Ministerial Resettlement Committee (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;
- b) Ensure that GDR participates and carries out all safeguard reviews during project review missions;
- c) Advise GDR in case of any resettlement bottleneck hampering or having the potential to delay the construction activities;
- d) Preparation of the RAP, including communication with the WB and GDR on the RAP, if any; and
- e) Responsible for recording, record keeping and reporting.

4.2 Ministry of Economy and Finance

4.2.1 Inter-Ministerial Resettlement Committee

The Inter-Ministerial Resettlement Committee (IRC) has the mandate to review and evaluate resettlement impacts and land acquisition for public physical infrastructure 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 of other line Ministries. The IRC carries out its responsibilities through a Working Group (IRC-WG) which is established by the MEF for each public investment project. The powers of the IRC are delegated to its permanent Chairman. The key responsibilities of IRC include:

- 1) Provide effective oversight and ensure LAR complies with the laws and implementing rules and regulations.
- 2) Ensure effective coordination between line ministries, provincial/local authorities and GDR in carrying out LAR.
- 3) Provide overall guidance on implementing rules and regulations for LAR and propose updates; as necessary;
- 4) Initiate the establishment of PGRC; and
- 5) Approve of RPFs, BRPs, DRPs and any updated DRPs

4.2.2 General Department of Resettlement

The General Department of Resettlement (GDR) is the permanent Secretariat of the IRC and is the lead agency for LAR activities for public investment projects. It is directly responsible for the preparation, implementation, and monitoring and reporting of detailed resettlement plans in accordance with the laws and implementing rules and regulations related to LAR and the mandatory requirements of the safeguard policies of the development partners. The GDR carries these activities through its Resettlement Departments (RD). For this project, the RD1 of GDR will be the first point of contact and interface with MRD for the entire project and resettlement cycle. Key responsibilities of GDR include:

- Coordinate and collaborate with line ministries, MOT and other agencies involved in LAR activities;
- Conduct public consultations and focus group discussions (FGD) with the affected peoples and vulnerable groups (if any);
- Prepare the DRP for the subprojects and submit to the World Bank for review and concurrence;
- Develop terms of reference and recruit the replacement cost appraiser;
- Prepare and secure the necessary budget for the implementation of the DRP;
- Calculate, prepare contracts, and make payments for compensation for each AH based on the entitlement matrix in the DRP;
- Implement all LAR activities in compliance with the DRP;
- Ensure proper functioning of the GRM, including training/refresher training for GRC members, adequate record keeping, etc.;
- Supervise, monitor, and report on implementation progress of the DRP;
- Prepare and submit to MRD and copy to WB a handover letter attached with a summary table indicating the location of the site, total number of AHs in DRP vs total actual number of AHs including vulnerable, total compensation amount in DRP vs actual total compensated amount and any difference in number and amount from the approved DRP will be explained for WB's no objection to commencement of civil works;
- Prepare and submit to WB semi-annual monitoring reports;

- Prepare, agree with WB and implement corrective action plan, if any, during implementation; and submit the corrective action plan implementation report to WB for concurrence and disclosure;
- Conduct awareness workshops for MRD, line ministries, local authorities, and construction contractor on the implementing rules and regulations as specified in the DRP; and
- Serve as the focal knowledge center for resettlement of the project.

The Department of Internal Monitoring and Data Management (DIMDM) of GDR is responsible for carrying out the internal monitoring of the implementation of the DRP and the verification and validation of the compliance of the entitlements and compensation payments with the provisions of the entitlement matrix in the DRP. Its role extends to internal verification of all LAR activities for compliance with the provisions under the agreed DRP and reports directly to the Director General of GDR. In addition, it records and reviews all complaints and grievances submitted by affected people; investigates them and makes recommendations on compliance to the Director General of GDR. After the payment of compensation and other entitlements is completed, GDR will prepare and submit to WB the DRP implementation report to obtain “no objection” for civil works.

4.2.3 Inter-Ministerial Resettlement Committee Working Group

The Inter-Ministerial Resettlement Committee Working Group (IRC-WG) is established by the Provincial Governor will carry out the day-to-day land acquisition activities under the project, led by the Deputy Director/Chief of the Resettlement Division 1 (RD1) of GDR. The IRC-WG comprises technical staff of MRD, 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 Division 2 (RD2) and overall guidance and direction of the Director General of the GDR.

4.2.4 Provincial Resettlement Sub-Committee

The Provincial Resettlement Sub-Committee (PRSC) is established by the Provincial Governor at the request of the IRC for each project 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/Sangkats of the locations affected by the project 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;
- Oversee and monitor the work of the PRSC-Work Group;

- Responsible and accountable for the disbursements of the compensation payments at the provincial level; and
- Assist the IRC-WG in developing measures to assist vulnerable households by the project.

4.2.5 Provincial Resettlement Sub-Committee Working Group

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 LAR 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

5. Grievance Redress Mechanism

The Grievance Redress Mechanism (GRM) seeks to resolve concerns promptly, using an understandable process that is culturally appropriate and readily accessible at no cost. Grievances can be submitted if someone believes the Project is having a detrimental impact on them as a result of land acquisition impacts.

5.1 Provincial Grievance Redress Committee

In provinces where the SEADRM II project requires acquisition of land or loss of other livelihood assets, a GRM will be set up or activated to handle complaints and concerns of local people on all aspects of the project s. A Provincial Grievance Redress Committee (PGRC) will be established by the Provincial Governors or activated in consultation with the IRC.

The PGRC will consist of representatives from relevant provincial authorities and the 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 PDEF
- Member: Director of Provincial Department of PDRD
- Member: Chief of Provincial Office of Law and Public Security
- Member: District Governor
- Member: One Representative of a Local-Based Civil Society Organization

5.2 Steps in the Grievance Redress Mechanism

5.2.1 Informal Process - Local Consultation with PRSC-WG

Prior to submitting a formal complaint, APs with a grievance will be encouraged first seek the assistance of commune/sangkat chief or community elder to discuss and find an amicable solution to the grievance with the leader of the PRSC-WG. The grievance can be submitted orally; the AP does not need to submit a formal written complaint at this stage. However, the complaint will be registered and resolution process (including its outcomes) will be documented in the grievance files and project monitoring reports. The PRSC-WG will consult with the IRC-WG to ensure the grievance is properly addressed. However, if the grievance is not resolved to the satisfaction of the AP or in case the AP prefers, s/he may seek the formal route, described below, to lodge the grievance.

5.2.2 Formal Process

Formal GRM requires that complaints (or comments/suggestions) should be made in writing. As such, the head of aggrieved affected households must lodge the complaint in writing to the Head of the District Office. In case the aggrieved person have difficulties writing, the Administration Officer at the District Office will assist the aggrieved person to fill in the Individual Complaint Form based on the verbal complaint of aggrieved person. While anonymous complaints are accepted, potential APs will be advised that anonymous complaints related to specific entitlements, for example, may take longer time to resolve if necessary details are not provided in anonymous grievance letter to allow appropriate investigation and resolution. As such, response to anonymous grievance cannot be provided. However, where sufficient information is provided (in anonymous grievance letter), anonymous complaints will be resolved. Anonymous complaints will be addressed directly by the GDR, and if the grievance cannot be resolved, it will be forwarded to the PGRC (the third step of the GRM) for resolution. The formal procedure for lodging the grievances as explained below:

- **First Step (District Office).** 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 elderly or representative to mediate 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 of 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 (second step) and lodge a written complaint to the GDR for resolution.

- **Second Step (GDR).** 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 of GDR for a decision. It may also conduct field visit to meet the aggrieved AH(s) 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 of 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 which may require that an additional 10 working days be extended from the original deadline for final decision.
- **Third Step (Provincial Governor's Office).** AH will submit a written complaint to the PGRC through the Provincial Governor's Office. The AH or a representative will be given an opportunity to present its case during a meeting and the PGRC may consider any compelling and special circumstances of the AH to make 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.

The handling of the complaint at the Third Step. There are no fees or charges levied on the AH for the lodgment 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. The AP will be made fully aware that 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.

6. Implementation Arrangements

6.1 Budget and Financing

This section is relevant to Land Acquisition only; the budget for land acquisition and resettlement is prepared after the DMS and RCS are completed and is included in the DRP. The budget is financed by the counterpart funds allocated from the national budget by the RGC. The field surveys, consultation meetings, GRM, etc. will be financed from GDR's and Provincial Administration's budget. There will be no financing of land acquisition from SEADRM II project funds.

The GDR will be responsible and accountable for all financial management functions relating to the use of the budgeted funds. The funds for land acquisition are provided to the GDR from the Counterpart Funds Account. Once the budget is approved by the MEF, the funds are released by

the General Department of Treasury and deposited into a project designated account established by the GDR for the Project in the National Bank of Cambodia. Following an internal process, 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.

6.2 Implementation Schedule

6.2.1 Voluntary Donations

The Project is expected to be implemented over a period of 5 years, from 2022 to 2027. It is expected that priority rural roads will be identified in Year 1 and screened for involuntary resettlement impacts as detailed in this RPF. In cases of VDs, the implementation process will consist of iterative consultation to ensure people are adequately informed of options available for their choices and of the donation process, COI, COD, and time when the civil works is scheduled to start. The donation of assets will be fully and carefully documented by MRD, as described in this RPF.

The MRD's SEO will work closely with the Detailed Engineering Design team to identify any potential land acquisition and will lead the consultation process on VDs, including COD, as detailed in this RPF. The process for documenting VDs shall be completed before the civil works contractor commences works on that road section. During civil works, the contractor will work with the SEO to remove donated assets at Contractors' costs. The removed assets will be provided to donating households if they wish. The contractors will restore the affected area and the area next to the affected area to a good condition, if needed, to the satisfaction of 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.

6.2.2 Land Acquisition

In the case of Land Acquisition, the procurement of civil works will commence after the Detailed Engineering Designs have been finalized, the demarcation of land is completed jointly by MRD and GDR, and the COD has been announced and relevant project information is disseminated as described in this RPF. It is expected that the census survey, inventory of loss and DMS are completed within 2 to 3 months after the detailed designs for a road component are 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). 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.

Civil works can commence only in sections where the payment of compensation and other entitlements have been paid in full to the AHs in that section and a comprehensive income restoration program, where applicable, is in place and supported by an adequate budget. In case AH refuses the compensation payment, or where complaints have been lodged for resolution under the GRM, the payment will deem to be have been made at the same time as payments are

made to the other APs²⁶. In the event if any assets are damaged during construction by the civil works contractor, the contractor will be required to restore/repair them to the original or better standard.

6.3. Estimated Costs for Resettlement

The total resettlement costs for this project will be estimated once the list of priority subproject roads identified and the DED for the civil works is finalized. The total resettlement costs will for the affected assets and will be based on current market prices determined by RCS and include (i) the total costs for compensation, allowance, and livelihood restoration program that are anticipated for all subprojects under the project (ii) costs for replacement cost study, and (iii) relevant administrative and contingency costs. The RGC will ensure that the necessary funds are provided timely and sufficiently to facilitate scheduled implementation of the DRPs.

7. Information Disclosure and Stakeholder Engagement

Keeping AP and the general public informed about the project, its benefits and potential risks and 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 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 are specified in the SOP-LAR and are consistent with that of WB ESS10 including requirements for meaningful consultation and two-way dialogue, and the requirements of the SEP.

7.1 Information Disclosure

For public consultation, the draft RPF (in English) and its Executive Summary (in Khmer) was disclosed on MRD's website on 15 November 2021 (<https://www.mrd.gov.kh/2021/11/15/4632/>). The Executive Summary (in Khmer) was also disclosed in hard copy at MRD's public library in Phnom Penh, and in the offices of Provincial Departments of Rural Development in all seven project provinces. Once finalized, the RPF will be re-disclosed again through the above channels – as per guidelines of the SEP prior to WB's project appraisal. The draft and final RPF will be disclosed in English on the WB's website.

Once the subproject roads are identified, the proposed subproject information will be explained in detail to the subproject stakeholders in Khmer language with translation into the language spoken by IPs for those locations where IPs are identified to be in the subproject area, and the

²⁶ SOP-LAR, C. Principles for Budget Disbursement and Payment, paragraph 238: Payments for all allowances must be completed prior to relocation to the new sites or self-relocation. In case of APs who dispute or refuse to accept the offer or payment, the payment will deem to be have been made at the same time as payments are made to the other APs

PIB will be distributed to them. The proposed project/subproject information in the PIB covers the following:

- a) The purpose, nature and the scale of the proposed project/subproject;
- b) The location of the proposed project/subproject, project/subproject components and activities;
- c) The duration of proposed project/subproject activities;
- d) The COIs, ROW, timing of census, IOL, DMS/SES, eligibility criteria, compensation policy, RCS, the timing of the establishment of the GRM, and contact details for the GRM focal persons;
- e) The options for voluntary land contribution and relevant procedures;
- f) Potential risks and impacts of the proposed project/subproject on local communities, and proposed mitigation measures, highlighting potential risks and impacts that might disproportionately affect vulnerable and disadvantaged groups and describes the differentiated measures taken to avoid or minimize them; and
- g) Names and contact details of key persons on LAR technical matters on the project/subproject.

7.1.1 Voluntary Donation

In addition to the PIB explained and distributed to the stakeholders, in cases of VDs, people with assets in the road corridor will be informed about the subproject and their options for them to receive compensation or to voluntarily donate their affected assets. The GRM will be explained in detail and donors will be appropriately informed and consulted about the subproject and choices available to them. The contact information of MRD SEOs will also be disclosed during the consultation process. As described, when people choose to voluntarily donate, the process of land VD will be adequately recorded and documented in English and Khmer. In the case IPs are identified to be present in the project area by MRD, documentation will be translated into the language used by IPs. Documentation will be publicly disclosed at the local level (such as commune/sangkat halls) and at national level (MRD's website). Personal details and sensitive information of donating people will be removed to protect their privacy.

7.1.2 Land Acquisition

In cases of Land Acquisition, the relevant information will be disclosed timely in Khmer language and translated in the language used by IPs in the case IPs are identified to be in the subproject area, and in places easily accessible to AHs and the communities. Information disclosed to AHs relevant to land acquisition will be done through PIB at the first consultation stage during BRP preparation, and through updated PIBs at a second consultation stage prior to DMS and at third consultation stage upon contract offer. The BRPs and DRPs, without sensitive personal information, will also be disclosed at MRD's and the WB's websites.

7.2 Stakeholder Engagement

7.2.1 Voluntary Donation

Once project implementation begins, in cases of VDs, potentially AHs will be invited to consultation sessions to understand project compensation policies as well as the availability of the VD option that affected people may consider. Special attention will be given to disadvantaged/vulnerable individuals/groups, Indigenous Peoples, if any, and women. Local authorities will also be invited to participate in these consultations.

As outlined in this RPF, consultations will begin early, as roads begin to be identified and prioritized, and will be facilitated by the SEO at MRD. The consultation will be an iterative process in which all APs will be informed of their right to compensation and the option for a VD of assets, including VD procedures, and the project's benefits.

7.2.2 Land Acquisition

In cases of Land Acquisition, key stakeholders participating in the consultation process will include:

- AHs, with special attention to women, Indigenous Peoples include their representative (if any), and disadvantaged/vulnerable people;
- MRD and its Provincial Departments;
- 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 (CSO), if relevant.

Consultations on land acquisition will be an iterative process and will consist of various rounds taking place in various subproject locations, as described in the SOP-LAR. Consultations will start when roads are identified. In addition to information disclosed (as in section 7 above), concerns, questions and comments raised by AHs will be recorded and considered for incorporation into subproject design and implementation.

The first consultation will aim to introduce the project/subproject, its goal, benefits, risks and impacts, including land acquisition and VD procedures. It targets both potential affected people and interested parties. The PIB prepared by GDR and MRD will be shared and made available at the commune/sangkat/village council offices located in the subproject area. The GRM procedures and processes will be introduced to AHs and their views sought. If the subproject spans across a number of provinces or multiple communes/sangkat, then multiple consultative meetings will be held to cover all the affected communes/sangkat.

The second round of consultations will focus on subproject impacts and will be undertaken jointly by IRC-WG and PRSC-WG. It targets APs only. The PIB will be updated by GDR to reflect the updated entitlements for APs, including GRM procedures and GRM focal persons and their

contact details at commune, district and provincial levels will be shared and explained in detailed. . The consultation will be conducted with participation of AHs and relevant authorities before DMS starts . This consultation aims for AHs to confirm the loss of assets and the measurements and to ensure APs fully understand the basis on which the compensation will be paid for their lost assets, and other relevant entitlements. The DMS Questionnaire which also includes the SES Questionnaire will also be shared and discussed so that affected households know what information and data will be gathered during house-to-house DMS .

The third public consultative meeting will be held prior to the signing of the agreement/contract for the compensation package and will be 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 explains the compensation package, compensation schedule, procedures, entitlements and GRM, among others. AHs will be provided with the option to sign the contract during this consultation stage, or given 3 working days to submit the signed contract to the IRC-WG through the commune/sangkat council office. For AHs who are unable to participate in the meeting, best efforts will be made to visit them at their home or seek the assistance of the village office to contact them. During the DMS the IRC-WG and PRSC-WG will obtain the mobile phone contact details from all AHs and they will be outreached through mobile, when required.

Additional formal consultative meetings will be conducted when the compensation payment is ready to be disbursed. Details on consultation entitlements, schedule and process will be provided as well as the GRM. 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/sangkat and village offices.

8. Monitoring and Reporting

While the MRD will be responsible for monitoring the overall overall implementation of the SEADRM II project, its process and outcomes of activities set forth in this RPF, the DIMDM of GDR will be directly responsible for the monitoring and reporting of the implementation of the DRP. MRD will engage the Detailed Design Implementation and Supervision (DDIS) consultants under SEADRM II to assist MRD in monitoring the above activities. GDR remains responsible for the monitoring and reporting of the implementation of the land acquisition activities, if any.

8.1 Internal Monitoring

The role of internal monitoring is to ensure that resettlement activities are implemented in accordance with subprojects' DRP.

8.1.1 Voluntary Donations

MRD will be responsible for keeping adequate records of VD process and outcomes – in accordance with the guidance outlined in this RPF. As part of internal monitoring, the Project Manager will be responsible for reviewing the reports submitted by the SEO on VDs and

grievances, if any. The files of record should be kept in the PMU office for at least five years after the project is completed.

It is expected that DDIS consultant will conduct due diligence of the voluntary land donations. The due diligence report provided by MRD will cover the followings:

- Verification that donating individuals/households are direct project beneficiaries;
- Verification that assets required for the project (within COI) were donated voluntarily and are free from any dispute on ownership or any other encumbrances;
- Verification that donated asset is minor and have not reduced the donor's remaining area below that required to maintain the donor's livelihood at current levels (see Section 3.1);
- Verification that no physical relocation of persons is involved;
- Verification that meaningful consultation has been conducted in good faith with all potential donors, and that donors were aware that they were entitled to compensation.
- Verification that donors were aware of the project's grievance redress mechanism and the GRM is functioning properly, including review of documentation of grievances and resolution process and outcomes, if relevant; and
- In cases of community donation, that there was consent of individuals using/occupying the donated land. If IPs are donors, VD procedures applied for donating IPs were in compliance with requirements of FPIC as described in project's IPPF).

The voluntary land donation due diligence information will be verified during subproject detailed design and updated as necessary.

Land Acquisition

In case of Land Acquisition, the objective of internal monitoring is to (i) keep MRD updated on progress made in the preparation and implementation of the DRP; (ii) identify timely problems and risks, if any, and take remedial actions; and (iii) assess if the compensation and rehabilitation assistance are in accordance with the provisions under the DRP.

As agreed, GDR's Department of Internal Monitoring and Data Management (DIMDM) will be responsible for carrying out the internal monitoring. DIMDM which will review quarterly DRP progress reports which will be prepared and provided by RD1 who visited the fields to verify the progress made as well as the validity of the data and information collected for internal monitoring purpose. In particular, the DIMDM will validate if the (i) compensation and support were provided to AHs in accordance with the DRP; and (ii) GRM is functioning as per the guidelines. The GDR will provide MRD with a quarterly progress report and submit semi-annual monitoring report to the WB. A single monitoring report will be prepared covering all subprojects under DRP planning and implementation in that province. An indicative list of internal monitoring indicators is provided in Annex 5.

The internal monitoring reports will include the followings:

- Set up of Institutional Arrangements for DRPs;
- Compensation Payments for Entitlements;
- Relocation, if any;
- Livelihood Support Program, where applicable;
- Functioning of the GRM;
- Public Consultations;
- Budget Expenditures;
- Overall DRP Implementation Progress against agreed Implementation Schedule in the DRP;
- Problems and issues; and
- Proposed remedial actions

Once subproject related A-RAPs or RAPs are fully implemented , RAP completion reports should be compiled explaining the implementation process, issues encountered, compensations paid and grievance resolved for the compliance purposes.

8.2 External Monitoring

The project primarily rehabilitates/upgrades existing roads and bridges. Since the scope of land acquisition is small at subproject level, no external monitoring will be required for implementation of negotiated settlements, land acquisitions and VDs.

8.3 Reporting

During subproject preparation, stakeholders' questions and concerns will be addressed and responded in consultations. For issues that cannot be responded in consultation, the issues will be forwarded to the project stakeholders in charge who will process any complaint will go to the Grievance Redress Committee (GRC) established for the subprojects. Response to such issues will be reported to stakeholder who raised the issues in subsequent consultations. During subproject implementation, the above arrangement will be followed. Responses to commonly raised issues will be summarized and disclosed on MRD's website.

9. COSTS AND BUDGET

The cost for compensation payment, support, and livelihood restoration will be covered by government's counterpart funds. The costs for conducting consultation meetings, DMS/SES, preparation of DRPs and GRM establishment and processes, will be covered from GDR's and Provincial Administration's budgets, respectively. Funds for implementation of the DRPs are from part of the project costs. The total Land Acquisition and Resettlement cost will be estimated based potential list of subprojects to be financed by the WB. Costs for subproject DRPs will be estimated based on the results of DMS and the RCS conducted during the subproject preparation.

9.1 Procedures for Flow of Funds

Each ARAP or RAP or DRP will include detailed cost of compensation and other rehabilitation entitlements as part of the process to compensate relocated AP and AH. Arrangements will be made for AP and AH property and assets segregated on the basis of agricultural land, residential land, business land, houses, business assets and other holdings. The detailed budget estimates will make adequate provision for contingencies and the ARAP or RAP or DRP will explicitly establish sources for all funds required.

The DRP will ensure that fund flows are compatible with the timetable for payment of compensation and provision of all other assistance. The budget will cover land acquisition, relocation, site development, compensation costs, allowances and administration costs, and contingency. Resettlement costs will be part of the Government's counterpart fund and no loan funds will be required from the IDA. The RGC will ensure timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order satisfy resettlement requirements and objective.

IRC will request the resettlement budget from MEF and compensation amount will be transferred to relevant PDEF for releasing compensation and allowance to AHs. Payment of compensation and other entitlements will be made in cash²⁷ and will be distributed in public place such as commune/sangkat hall, school, pagoda, etc. The AHs will be notified by the village chiefs of the compensation payment schedule. It will be paid to both spouses or one for a single-headed household.

²⁷ Payments should preferably be made by cheque. However, where access to banking facilities is not available or difficult, cash payments can be made with the necessary safeguard protection for the APs to verify that payments have been actually received by APs (paragraph 238, part D, SOP-LAR, 2018).

Annex 1: Screening Form for Land Acquisition and Resettlement

Initial Screening on Land Acquisition

[illegible]

Annex 2: Voluntary Asset/Land Donation Form

Province:		District:		Commune/ Sangkat:		Villages:	
Sub-project ID:		Name of contractor:					
Names of Persons Donating:	Name of Husband:				ID Number:		
	Name of Wife:				ID Number:		
Address:							
Beneficiary of the project: Y/N							
Living/Operating/with land, structure or tree on COI: Y/N							
How does the persons donating directly benefit from the project? Please detail:							
Is asset being donated used by anyone other than the owners? Please detail:							
Description of land that will be taken for the project:	Area affected:	Total landholding area:	Ratio of land affected to total land held (%):	Map code, if available:			
Description of annual crops growing on the land now and project impact:							
	Details (number, etc.)			What the donating person is left with?			
Trees that will be donated							
Fruit trees							
Mature forest trees							
Trees used for other economic or household purposes							
Describe any other assets that will be lost or must be moved to implement the project:							
Assets that will be donated (including parts of structures, wells, fences, etc.)							
Total value of donated assets:	Land*		Structures		Trees		
Other:							
If asset being donated is used by someone other than the owner, a description on the remaining assets of that person, and/or description of why their livelihoods are not made worse by the donation.							

** VLD will be accepted when the land area does not exceed 5% of the total land area*

By signing or providing thumbprint on this form the owner and/or user agrees to contribute assets for SEADRM II's subprojects. The contribution is voluntary, and the person affected understands they could refuse or had the option to seek compensation but they are choosing to donate. If the owner or user does not want to contribute his/ her assets to the project, he/she should refuse to sign or provide thumbprint, and ask for compensation instead.

Date:
District MRD representative's signature

Date:
Donating persons signature
(both husband and wife if applicable)

Witnessed by village/commune authority

Annex 2.1 Screening form for Land Acquisition and Resettlement

Initial Screening on Land Acquisition

Road Section (Kms)	Villages/ Communes/ Districts crossed	Describe what is within COI (i.e. possible asset impacted such as trees, parts of structure, concrete driveway, livelihoods etc.)		Number of AHs impacted	Would voluntary donations be appropriate? (small impacts, no major impact on livelihood, no relocation etc. see Section 3.1 of this RPF)
		Left Hand Side	Right Hand Side		

Annex 2.2 Outline for Abbreviated Resettlement Plan

The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The Abbreviated Detailed Resettlement Plan²⁸ 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

²⁸ Details under specific headings are in the Standard Operating Procedures of the Ministry of Economy and Finance

Annex 2.3 Indicative Performance Indicators for RP Implementation

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Verify list of compensation recipients Against eligibility criteria for compensation	Number of persons in list of compensation recipients who do not meet eligibility criteria (included in error)
	Identification of persons who may claim eligibility for compensation but are not included in list of compensation recipients. Separate verification should be performed for each claim.	Number of persons who meet eligibility criteria but not included in list of compensation recipients (excluded in error)
Verification of affected area and assets	Confirmation of area of affected assets, but with legal ownership and without, Against the DRP / A-DRP	Area of land subject to acquisition, for which compensation has been paid
		Area of other assets 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 type
	Identification and analysis of reasons for compensation not being paid in full and in time	Number of persons who did not receive compensation in time and in full, disaggregated by compensation type
		Amount of funding allocated for payment of compensations
	Identification of reasons for which funds for compensation have been under- or overspent	Rate of spending of funds actually allocated for compensation, as % of amount envisioned in the DRP/A-DRP
Verification of compensation timeline	Identification of reasons payment of compensation is delayed (i.e., inheritance issues, court case)	Number of persons who received delayed compensation, disaggregated by compensation type and reason for delay; and any changes in amount of compensation (if any)
Verification of consultation and participation	Determine level of involvement and reasons for inadequate participation	Number of compensation recipients participating in consultations and coordination meetings at each stage of land acquisition / resettlement process
	Examination of grievance cases; analysis of disputes and complaints content and the resolution of conflicts	Number of complaints received
		Number of complaints resolved

Annex 3: Entitlement Matrix

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
Loss of Land					
1a	Loss of Land	Agricultural, residential and commercial land	Legal owners and holders of real right of land, including those covered by customary rights	<ul style="list-style-type: none"> • Cash compensation for land at full replacement cost or land swap of equal productive value. • Provision of stamp duties, land registration fees and other similar taxes, if applicable, for acquiring legal rights in case of replacement land (land for land swap) • Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable. • For customary ownership, replacement land to sustain livelihood and way of life. Land registration, stamp duty and other fees to register land ownership or right to use will be reimbursed at cost 	<p>If land for land is offered, title will go to both husband and wife.</p> <p>Applies to only partial loss of land</p>
1b	Loss of Land		Tenants and Leaseholders	<ul style="list-style-type: none"> • No compensation for loss of land as not legal owners of land 	
1c	Loss of Land		Illegal occupiers/squatters without legal titles or rights to	<ul style="list-style-type: none"> • No compensation for land loss as not legal owners of land 	
Loss of Use of Land					

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
2a	Loss of Crops, Perennial trees and Fruit and Timber/Wood Trees	Agricultural land	All AHs who are engaged in farming	<ul style="list-style-type: none"> For rice/crop farming: Net annual income X 1year In addition, AHs can harvest and retain income from standing crop. For fruit trees, replacement cost of loss based on following formula: [Quantity Harvested per Year) X (Market Price) X (Number of years it will bear fruit)] + Cost of Seedling 	<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"> Sapling Trees under 1 year-not compensated as it can be replanted. Cost of seedling provided. Young Tree (1 to 3 years): Valued at 1/3 of its full cost as it can be replanted plus cost of seedlings Young Tree (More than 3 to 5 years) bearing some fruits: valued at 2/3 of its full cost plus cost of seedlings Mature Tree (more than 5 years) full bearing fruits valued at full cost plus cost of seedlings 	<p>Full Price is amount calculated from the formula shown in [] without cost of seedling</p>

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
2b	Loss of Business	Commercial use and business use	All AHs who are engaged in businesses	<ul style="list-style-type: none"> For businesses which need to be relocated to a new site, an amount equal to loss of projected net income for 2 months For businesses relocated on-site (move back or same area), an amount equal to loss of projected net income for one month. For operating of illegal nature of businesses like gambling, prostitution, drugs and similar types, no compensation is paid. 	<p>RCS will determine the amounts</p> <p>Both registered and unregistered businesses are compensated except when the nature of business is illegal</p>
Loss of Houses and Structures					
3a	Loss of Houses and Structures	Residential, commercial structures and other assets	Owners of houses, buildings and structures	<ul style="list-style-type: none"> 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. 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. 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 or leaseholder. Owners will not get compensation for such improvements or construction 	<p>RCS will determine the replacement cost</p> <p>When loss is 75 % or more of the floor space</p>

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
3b	Loss of Houses and Structures	Residential, commercial structures and other assets	Tenants and Leaseholders	<ul style="list-style-type: none"> Cash compensation at replacement cost for any improvements or construction by the tenants or leaseholders In case of no improvements or construction, no compensation is paid. Transfer/Disturbance Allowance equivalent to 1month of rental or lease amount 	RCS will determine replacement cost Documentary evidence is required
3c	Loss of Houses and Structures	Residential, commercial structures and other assets	Illegal occupiers/squatters	<ul style="list-style-type: none"> Cash compensation equivalent to replacement value of loss of structures constructed includes improvements by illegal occupier/squatters 	RCS will determine replacement value
3d	Loss of Houses and Structures (Transport Allowance)	Transport allowance for household and personal goods	AHs (legal owners, tenants and Illegal occupiers/squatters)	<ul style="list-style-type: none"> Fixed Lump Sum allowance per AH based on average cost of transportation to new relocation place. Up to 5 km More than 5 km 	RCS will determine the lump sum amount for the 2 rates
Loss of Income and Livelihood					
4a	Loss of Income during Transition Period- Subsistence Allowance	Loss of Income	AHs, including employees of businesses who lose income during the transition period.	<ul style="list-style-type: none"> Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by RGC. Monthly Poverty Rate X Number of Members in AH X 3 In case AH is classified as poor vulnerable group, the above lump sum amount is doubled. 	Monthly Poverty Rate as established by the RGC

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
				<ul style="list-style-type: none"> For affected households who come under vulnerable group (as defined in Section 3.9), cash grant for subsistence allowances and livelihood restoration program are doubled. 	
4b	Permanent Loss of Livelihood Source due to Physical Relocation	Income Restoration	AP who lose their source of livelihood permanently ²⁹	<ul style="list-style-type: none"> Entitled to participate in any one of the 3 Livelihood Restoration/Support Programs: Land Based Livelihood Restoration 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 USD 200 to re-start land based livelihood In case of unavailability of suitable land, the AHs can opt for either employment or business base livelihood program. OR Employment Based Livelihood Restoration for AHs who lose employment permanently. (i) provision of employment skills training; and (ii) lump sum cash grant equivalent to 3 months of income based on official poverty rate to supplement income support during the training period. OR Business Based Livelihood Restoration for AHs who lose businesses permanently or AHs who opt for this 	<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.</p> <p>APs will only be eligible for any one of the above three options³⁰</p>

²⁹ GDR key tasks in Detailed Resettlement Plan preparation, prepare plan for Livelihood Support Program for permanent loss of sources of livelihood, in consultation with the AHs/APs.

³⁰ GDR key tasks in Detailed Resettlement Plan preparation on Compensation Package, update the Entitlement Matrix to show the full and complete compensation package that will be made available to the APs.

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
				as an alternative livelihood source. (i) provision of business skills; and (iii) a lump sum cash grant of USD 200 to assist in starting micro or home-based business.	
				<ul style="list-style-type: none"> For Poor and Vulnerable AHs. In addition to skills training, (i) lump sum cash grant will be doubled; and (ii) priority in any employment opportunity under the Project 	Classification will be carried out during the DMS and in accordance with the established criteria prescribed in Section IV.D SOP
5	Impacts During Construction		.	<ul style="list-style-type: none"> Land outside of the alignment that is adversely impacted by construction activities will be compensated in cash or in-kind at replacement cost by the civil works contractor 	<ul style="list-style-type: none"> Impacts due to construction (for example, damages of structures, restricted access to business/income sources resulting from construction activities) and compensation measures will be included in the project environmental management plan. Principles adopted for this RPF apply for calculation of compensation

Annex 3: 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 Plan³¹ will include information on:

- Executive Summary
- 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
- Livelihood Restoration Measures
- Resettlement Budget and Financing Plan
- Institutional Arrangements
- Implementation Schedule
- Monitoring and Reporting

³¹ 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

Annex 4: Indicative Internal Monitoring Indicators for Land Acquisition

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Verify list of compensation recipients against eligibility criteria for compensation	Number of persons in list of compensation recipients who do not meet eligibility criteria (included in error)
	Identification of persons who may claim eligibility for compensation but are not included in list of compensation recipients. Separate verification should be performed for each claim.	Number of persons who meet eligibility criteria but not included in list of compensation recipients (excluded in error)
Verification of affected area and assets	Confirmation of area of affected assets, but with legal ownership and without, against the DRP / A-DRP	Area of land subject to acquisition, for which compensation has been paid
		Area of other assets 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 type
	Identification and analysis of reasons for compensation not being paid in full and in time	Number of persons who did not receive compensation in time and in full, disaggregated by compensation type
		Amount of funding allocated for payment of compensations
	Identification of reasons for which funds for compensation have been under- or overspent	Rate of spending of funds actually allocated for compensation, as % of amount envisioned in the DRP/A-DRP
Verification of compensation timeline	Identification of reasons payment of compensation is delayed (i.e., inheritance issues, court case)	Number of persons who received delayed compensation, disaggregated by compensation type and reason for delay; and any changes in amount of compensation (if any)
Verification of consultation and participation	Determine level of involvement and reasons for inadequate participation	Number of compensation recipients participating in consultations and coordination meetings at each stage of land acquisition / resettlement process, disaggregated by vulnerability status and IPs
		Number of IPs consulted in their own language through verbal translation
	Examination of grievance cases; analysis of disputes and complaints content and the resolution of conflicts	Number of complaints received disaggregated by grievance type and project activity
		Number of complaints resolved disaggregated by grievance type and project activity

Annex 5: Structure of Summary of Consultation Results (for Subproject Resettlement Plan)

Structure of Summary Consultation Results

- Section 1 Provides a background to the consultation
- Section 2 Describes how the consultation was conducted and how responses from those consulted were considered
- Section 3 Contains a summary of the consultation responses and analysis of each response
- Section 4 Contains a summary of the consultation period and the recommended option

The Summary of Consultation Result will include information on:

SUMMARY OF RESPONSES:

- Number of Responses
- Support for the proposed scheme (quote supportive comments)
- Comments about the proposed scheme (roads/bridges)

SUMMARY AND RECOMMENDATIONS

- Summary of conclusions of the consultation meeting,
- Next steps, actions, and recommendations

Initial Screening on Land Acquisition

[illegible]

Questionnaire for Land Acquisition and Resettlement

Name of Commune / Village _____

District _____

Province _____

Name of person completing form: _____

Position of person completing form: _____

Section 1:

Is the land to be used for the new school building and/or teachers' housing owned entirely by MRD or by another government agency?

Yes _____ No _____

If Yes, Skip Section 2. Go directly to Section 3. If No, Proceed to Section 2

Section 2:

Is any of the land owned by individuals or households? Yes _____ No _____

[note: the land does not need to have official ownership deeds, but can be recognized by the community as owned by individuals or households]

If Yes, about how many individuals or households? _____

What is the size of the land area (m²)? _____

Is any of the land considered community property? Yes _____ No _____

If Yes, what is the size of the land area (m²)? _____

If answered 'Yes' to any of the questions in Section 2, please discuss this with SEADRM II Project Manager and refer to Section 3.3 of this RPF.

Section 3:

Is anyone living on the land (even if it is not their property)? Yes _____ No _____

If Yes, how many individuals _____ or households _____?

Is anyone using the land for agriculture (even if it is not their property)? Yes _____ No _____

If Yes, how many individuals _____ or households _____?

Is anyone using the land for another non-agricultural type of livelihood? Yes _____ No _____

If Yes, what type of use? _____ how many individuals _____ or households _____?

Is anyone using the land for any other purpose? Yes _____ No _____

If Yes, what type of use? _____ how many individuals _____ or households _____?

If answered 'Yes' to any of the questions in Section 3, please discuss this with GEIP Project Manager and refer to Section 3.3 of this RPF.

Annex 7: VOLUNTARY ASSET/LAND DONATION FORM

Province:				
District:				
Commune/ Sangkat:				
Villages:				
Sub-project ID:		ID Number:		
Name of Person Donating:		Beneficiary of the project: Y/N		
Sex:		Living/Operating/with land, structure or tree on COI: Y/N		
Address:				
How does the person donating directly benefit from the project? Please detail.				
Is asset being donated used by anyone other than the owner? Please detail.				
Description of land that will be taken for the project	Area affected:	Total landholding area:	Ratio of land affected to total land held:	Map code, if available:
Description of annual crops growing on the land now and project impact				
	Details (number, etc.)		What the donating person is left with?	
Trees that will be destroyed				
Fruit trees				
Mature forest trees				
Trees used for other economic or household purposes				
Describe any other assets that will be lost or must be moved to implement the project:				
Assets that will be donated (including parts of structures, wells, fences, etc.)				
Value of donated assets				
Other				
If asset being donated is used by someone other than the owner, a description on the remaining assets of that person, and/or description of why their livelihoods are not made worse by the donation.				

By signing or providing thumbprint on this form the owner and/or user agrees to contribute assets for SEADRM II's subprojects. The contribution is voluntary, and the person affected understands they could refuse or had the option to seek compensation but they are choosing to donate. If the owner or user does not want to contribute his/ her assets to the project, he/she should refuse to sign or provide thumbprint, and ask for compensation instead.

Date:
District MRD representative's signature

Date:
Donating person signature
(both husband and wife if applicable)

Witnessed by village/commune authority

Annex 8: ENTITLEMENT MATRIX

Entitlement Matrix

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
Loss of Land					
1a	Loss of Land	Agricultural, residential and commercial land	Legal owners and holders of real right of land, including those covered by customary rights	<ul style="list-style-type: none"> • Cash compensation for land at full replacement cost or land swap of equal productive value. • Provision of stamp duties, land registration fees and other similar taxes, if applicable, for acquiring legal rights in case of replacement land (land for land swap) • Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable. • For customary ownership, replacement land to sustain livelihood and way of life. Land registration, stamp duty and other fees to register land ownership or right to use will be reimbursed at cost 	<p>If land for land is offered, title will go to both husband and wife.</p> <p>Applies to only partial loss of land</p>
1b	Loss of Land		Tenants and Leaseholders	<ul style="list-style-type: none"> • No compensation for loss of land as not legal owners of land 	
1c	Loss of Land		Illegal occupiers/squatters without legal titles or rights to land	<ul style="list-style-type: none"> • No compensation for land loss as not legal owners of land 	
Loss of Use of Land					

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
2a	Loss of Crops and Fruit Trees	Agricultural land	All AHs who are engaged in farming	<ul style="list-style-type: none"> For rice/crop farming: Net annual income X 1year In addition, AHs can harvest and retain income from standing crop. For fruit trees, replacement cost of loss based on following formula: [Quantity Harvested per Year) X (Market Price) X (Number of years it will bear fruit)] + Cost of Seedling 	<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"> Sapling Trees under 1 year-not compensated as it can be replanted. Cost of seedling provided. Young Tree (1 to 3 years): Valued at 1/3 of its full price as it can be replanted plus cost of seedlings Young Tree (More than 3 to 5 years) bearing some fruits: valued at 2/3 of its full price plus cost of seedlings Mature Tree (more than 5 years) full bearing fruits valued at full price plus cost of seedlings 	<p>Full Price is amount calculated from the formula shown in [] without cost of seedling</p>

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
2b	Loss of Business	Commercial land and businesses	All AHs who are engaged in businesses	<ul style="list-style-type: none"> For businesses which need to be relocated to a new site, an amount equal to loss of projected net income for 2 months For businesses relocated on-site (move back or same area), an amount equal to loss of projected net income for one month. For operating of illegal nature of businesses like gambling, prostitution, drugs and similar types, no compensation is paid. 	<p>RCS will determine the amounts</p> <p>Both registered and unregistered businesses are compensated except when the nature of business is illegal</p>
Loss of Houses and Structures					
3a	Loss of Houses and Structures	Residential, commercial structures and other assets	Owners of houses, buildings and structures	<ul style="list-style-type: none"> 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. 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. 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 or leaseholder. Owners will not get compensation for such improvements or construction 	<p>RCS will determine the replacement cost</p> <p>When loss is 75 % or more of the floor space</p>

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
3b	Loss of Houses and Structures	Residential, commercial structures and other assets	Tenants and Leaseholders	<ul style="list-style-type: none"> Cash compensation at replacement cost for any improvements or construction by the tenants or leaseholders In case of no improvements or construction, no compensation is paid. Transfer/Disturbance Allowance equivalent to 1month of rental or lease amount 	RCS will determine replacement cost Documentary evidence is required
3c	Loss of Houses and Structures	Residential, commercial structures and other assets	Illegal occupiers/squatters	<ul style="list-style-type: none"> Cash compensation equivalent to replacement value of loss of structures constructed by illegal occupier/squatters 	RCS will determine replacement value
3d	Loss of Houses and Structures (Transport Allowance)	Transport allowance for household and personal goods	AHs	<ul style="list-style-type: none"> Fixed Lump Sum allowance per AH based on average cost of transportation to new relocation place. Up to 5 km More than 5 km 	RCS will determine the lump sum amount for the 2 rates
Loss of Income and Livelihood					
4a	Loss of Income during Transition Period- Subsistence Allowance	Loss of Income	AHs who lose income during the transition period.	<ul style="list-style-type: none"> Lump sum amount equivalent to 3 months of income based on the official monthly poverty rate established by RGC. Monthly Poverty Rate X Number of Members in AH X 3 In case AH is classified as poor vulnerable group, the above lump sum amount is doubled. 	Monthly Poverty Rate as established by the RGC

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
4b	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"> Entitled to participate in any one of the 3 Livelihood Restoration/Support Programs: Land Based Livelihood Restoration 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 USD 200 to re-start land based livelihood In case of unavailability of suitable land, the AHs can opt for either employment or business base livelihood program. OR Employment Based Livelihood Restoration for AHs who lose employment permanently. (i) provision of employment skills training; and (ii) lump sum cash grant equivalent to 3 months of income based on official poverty rate to supplement income support during the training period. OR Business Based Livelihood Restoration 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 USD 200 to assist in starting micro or home-based business. 	<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.</p> <p>AHs will only be eligible for any one of the above three options</p>

Category	Type of Loss	Application	Category of AH	Entitlements	Clarification
				<ul style="list-style-type: none"> For Poor and Vulnerable AHs. In addition to skills training, (i) lump sum cash grant will be doubled; and (ii) priority in any employment opportunity under the Project 	Classification will be carried out during the DMS and in accordance with the established criteria prescribed in Section IV.D SOP
5	Impacts During Construction		.	<ul style="list-style-type: none"> Land outside of the alignment that is adversely impacted by construction activities will be compensated in cash or in-kind at replacement cost by the civil works contractor 	<ul style="list-style-type: none"> Impacts due to construction (for example, damages of structures, restricted access to business/income sources resulting from construction activities) and compensation measures will be included in the project environmental management plan. Principles adopted for this RPF apply for calculation of compensation

Annex 9: 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 Plan³² 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**

³² 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

Annex 10: INDICATIVE INTERNAL MONITORING INDICATORS FOR LAND ACQUISITION

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Verify list of compensation recipients against eligibility criteria for compensation	Number of persons in list of compensation recipients who do not meet eligibility criteria (included in error)
	Identification of persons who may claim eligibility for compensation but are not included in list of compensation recipients. Separate verification should be performed for each claim.	Number of persons who meet eligibility criteria but not included in list of compensation recipients (excluded in error)
Verification of affected area and assets	Confirmation of area of affected assets, but with legal ownership and without, against the DRP / A-DRP	Area of land subject to acquisition, for which compensation has been paid
		Area of other assets 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 type
	Identification and analysis of reasons for compensation not being paid in full and in time	Number of persons who did not receive compensation in time and in full, disaggregated by compensation type
		Amount of funding allocated for payment of compensations
	Identification of reasons for which funds for compensation have been under- or overspent	Rate of spending of funds actually allocated for compensation, as % of amount envisioned in the DRP/A-DRP
Verification of compensation timeline	Identification of reasons payment of compensation is delayed (i.e., inheritance issues, court case)	Number of persons who received delayed compensation, disaggregated by compensation type and reason for delay; and any changes in amount of compensation (if any)
Verification of consultation and participation	Determine level of involvement and reasons for inadequate participation	Number of compensation recipients participating in consultations and coordination meetings at each stage of land acquisition / resettlement process
		Number of complaints received
	Examination of grievance cases; analysis of disputes and complaints content and the resolution of conflicts	Number of complaints resolved

Annex 11: SUMMARY OF CONSULTATION RESULTS

Structure of Summary Consultation Results

- Section 1 Provides a background to the consultation
- Section 2 Describes how the consultation was conducted and how responses from those consulted were considered
- Section 3 Contains a summary of the consultation responses and analysis of each response
- Section 4 Contains a summary of the consultation period and the recommended option

The Summary of Consultation Result will include information on:

SUMMARY OF RESPONSES:

- Number of Responses
- Support for the proposed scheme (quote supportive comments)
- Comments about the proposed scheme

SUMMARY AND RECOMMENDATIONS

- Summary
- Recommendations

APPENDIX 3: INDIGENOUS PEOPLES PLANNING FRAMEWORK

KINGDOM OF CAMBODIA

Nation Religion King

MINISTRY OF RURAL DEVELOPMENT

Cambodia Southeast Asia Disaster Risk Management Project II (P177185)



INDIGENOUS PEOPLES PLANNING FRAMEWORK

Abbreviations

DDIS	Detailed Design Implementation and Supervision
EA/IA	Executing Agency/Implementing Agency
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FPIC	Free Prior and Informed Consent
IDA	International Development Association
IPs	Indigenous Peoples
IPP	Indigenous Peoples' Plan
IPPF	Indigenous Peoples Planning Framework
KH-SEADRM2	Cambodia Southeast Asia Disaster Risk Management project 2
MRD	Ministry of Rural Development
NCDD	National Committee for Sub-National Democratic Development
NGO	Non-Government Organization
PPC	Project Preparation Consultants
RGC	Royal Government of Cambodia
RP	Resettlement Plan
RPF	Resettlement Planning Framework
ROW	Right of Way
SA	Social Assessment
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
SIB	Subproject Information Booklet
VAC	Violence Against Children
WB	The World Bank

EXECUTIVE SUMMARY

This Executive Summary summarizes the main points in the project's Indigenous Peoples Planning Framework (IPPF) which was prepared by the Ministry of Rural Development (MRD). This IPPF will be applied to all activities that will be carried out under the second Cambodia Southeast Asia Disaster Risk Management Project (KH-SEADRM II). This IPPF is a living document which may be updated as required during project implementation. If updated, the updated IPPF version will be disclosed through the same channels.

PROJECT DESCRIPTION SUMMARY

Chapter 1 describes the purpose of the KH-SEADRM II which aims to support the reconstruction of the rural transport infrastructure that was affected by the flash floods in 2020. The project also support government's effort in mainstreaming disaster risk management dimensions into national disaster resilience strategy for transport infrastructure system. The KH-SEADRM II will finance reconstruction of approximately 400km of rural roads and bridges, focusing in seven select affected provinces including Banteay Meanchey, Battambang, Kampong Speu, Kampong Chhnang, Pursat, Siem Reap, and Tboung Khmum. The objectives of this IPPF are:

- Ensure the project planning and implementation process under the SEADRM II fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of IP communities.
- Avoid adverse impacts of the project on IP communities. When avoidance is not possible, minimize, mitigate and/or compensate for such impacts.
- Promote sustainable development benefits and opportunities for IP communities in a manner that is accessible, culturally appropriate and inclusive.
- Improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the IP communities affected by SEADRM II throughout project cycle.
- Recognize, respect and preserve the culture, knowledge, and practices of IP communities, and provide IPs with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them.

OVERVIEW OF INDIGENOUS PEOPLES

Chapter 2 provides some general information about Indigenous Peoples in Cambodia, including also an overview about Indigenous Peoples in seven project provinces. It also describe some socioeconomic and cultural characteristic of some major IP groups present in the project provinces.

LEGAL FRAMEWORK

Chapter 3 establishes the legal foundation on which the IPPF is prepared. The IPPF is prepared on the basis of the national laws and regulations related to Indigenous Peoples, and the World Bank's Environmental and Social Standard 7 on Indigenous Peoples. Since there are gaps between the two policies, a gap analysis was made. It was found that while there is some complementary

links between Cambodian laws and regulations, and the World Bank's ESS7, there is a lack of detailed regulations and operating procedures that facilitate effective implementation of an Indigenous Peoples Plan (IPP). This IPPF, therefore, proposes measures that aim to close this gap through consultation with IPs and ensure IPs in the subproject area receive socioeconomic benefits that are cultural appropriate to them.

RISKS, IMPACTS, AND MITIGATION MEASURES

Chapter 4 described environmental and social risks and impacts that are identified in relation to project's construction activities. Based on the nature and scope of project's road and bridge reconstruction, it is envisaged that project's construction activities would not result in any major adverse impacts on Indigenous Peoples. During construction process, some short-term adverse impact are anticipated, such as environmental impact including generation of noise, dust, vibration, etc. during construction operation, and risks associated with labor that gravitates to subproject area to support construction activities. The need for permanent land acquisition is anticipated but is anticipated to be very small and site-specific. This would depend on whether the road is rebuilt on existing road foundation or widened and heightened at certain places to address the risks of recurring future floods. The first is anticipated to be more likely than the later. Since most IPs (as defined by the World Bank's ESS7) live away from potential project's roads and bridges, the potential impact on them (due to land acquisition and environmental impact and social risks) would be minimal.

To mitigate the above risks and impacts, measures have been proposed in the IPPF to avoid adverse impacts. Where avoidance is not possible, effort will be made to minimize impacts through road design. Once road and bridge subprojects are identified, screening for the presence of IPs in subproject area will be carried. If IPs are present in subproject area, a targeted social assessment will be implemented to ensure IPs are meaningfully consulted and their feedback on subproject's risks and impacts are considered and incorporated into project design, and into implementation of subproject Environmental and Social Management Plan. Indigenous Peoples Plan will be prepared to ensure IPs receives socioeconomic benefits that are cultural appropriate to them irrespective of being adversely affected by the project or not.

As part of IP screening, any works that potentially adversely impact the integrity or productivity of collectively owned IP land would be carefully screened for and excluded. Civil works can be undertaken adjacent to collectively owned IP land but shall not impact the integrity or its productivity. Given this exclusion criteria, FPIC consent will not be applicable for the project.

PREPARATION OF INDIGENOUS PEOPLES PLAN

Chapter 5 described steps that be taken by MRD to prepare an IPP. This includes screening procedure for IP(s), conducting a targeted Social Assessment if IPs are found, and elements that are required for an IPP. This chapter also describes how project stakeholders, particularly IPs in subproject area, will be engaged during subproject preparation and implementation, and how project information, such as project description, environmental and social risks and impacts, mitigation measures, grievance mechanism, etc. will be disclosed for the purpose of consultation with affected IPs.

GRIEVANCE REDRESS MECHANISMS

Chapter outlines a GRM that the project prepares to ensure it is in place and functions properly to ensure affected IP can easily access and use it easily. The project also aims to ensure grievances submitted by affected IPs are solved timely and effectively – in a manner that is culturally appropriate to them. The GRM guides in details how a complaint can be lodged, including forms of submission, channels, and steps during the grievance resolution process. It also describes time-limits, where possible, for each step, for acknowledging receipt of complaint, and notifying aggrieved person of resolution process and proposed resolution.

IMPLEMENTATION ARRANGEMENTS, MONITORING AND REPORTING

Chapter 7 emphasizes the responsibilities of the Ministry of Rural Development (MRD) in implementing the IPPF. MRD will inform the WB of the IP screening results and steps MRD will take in case IPs are present in the subproject area. When IPs are found in the subproject, MRD will engage IP consultants to work closely with the MRD to conduct targeted Social Assessment and prepare related IPPs. Implementation of subproject IPPs will be monitored internally by the MRD. Adverse impact on IPs due to land acquisition (if any) will be monitored by the General Department of Resettlement at the Ministry of Economy and Finance and MRD – as guided by the project's Resettlement Planning Framework (RPF).

COSTS AND BUDGET

Chapter 8 provides indicative costs for IPPF implementation and includes budget source which will be allocated from counterpart funding.

1. INTRODUCTION

1.1 Project Background

From September to November 2020, Cambodia experienced heavy rainfall across the country. The heavy rains resulted in extensive flooding in 20 out of 25 provinces, leaving an estimated 800,000 people being directly affected, of which 388,000 people were severely affected because of pre-existing vulnerabilities. In addition to impacts on human, these floods also caused widespread damage to key transport infrastructure and loss of economic activities. According to the rapid damage and needs assessment conducted by the World Bank at the request of the Ministry of Economy and Finance (MEF), economic loss was estimated around US\$ 448-490 million. Three sectors that were most affected include transport, irrigation, and agriculture. The most affected areas concentrated in nine provinces. The total costs for rehabilitation were estimated at US\$508 million. It was noted that these heavy rains, which resulted in inundating, came amidst a drought which had already deprived people of the standing crops. The floods did not only affect their houses, assets, and animals but also threatened their food security due to the combined adverse effect of drought and flooding. This exacerbated the vulnerability of as many as 48.5 percent of households who were previously resource-scare.

The impacts of the above natural disasters are being exacerbated by the ongoing COVID-19 pandemic, which has affected many people in Cambodia as well as the national economy. According to the World Bank's forecast in 2020, the economy in Cambodia is likely to contract by 3.1 percent (sharpest decline in the recent history) which might lead to economy recession for the first time in the past three decades due to the COVID-19 that hit three key national industries: construction, tourism, and merchandise exporting, which altogether accounts for more than 70 percent of country's economic growth and 39 percent of total paid employment. The total costs for social assistance to mitigate the COVID-19 impacts makes up an unprecedented rate of 5% of the GDP, leaving government to confronting increasing financial burden.

The purpose of the second Cambodia Southeast Asia Disaster Risk Management Project (KH-SEADRM 2) is to, in the short-term, support the government in their effort to rehabilitate the transport infrastructure affected by the flash floods in 2020, meanwhile repairing/ upgrading transport infrastructure to resume the overall transport connectivity at local level, as well as between provinces and regions. In a longer term, the project aims to support government's effort in enhancing their disaster risk management capacity and transport infrastructure resilience, particularly to impacts of recurring disasters and those of climate changes. This will be achieved by improving and mainstreaming disaster risk management (DRM) dimensions into national long-term disaster risk management strategy, particularly in transport infrastructure. The project also assists in lessening the economic burden of the Royal Government of Cambodia in the context of both natural disasters and COVID-19.

The KH-SEADRM 2 Project is built on the on-going KH-SEADRM project (P160929) and will finance reconstruction of approximately 400km of rural roads and bridges, focusing in seven select affected provinces (out of total 20 affected provinces). The select provinces include Banteay Meanchey, Battambang, Kampong Chhnang, Kampong Speu, Pursat, Siem Reap and Tboung Khmum. In addition to support in infrastructure rehabilitation, the project will also strengthen

the institutional capacity of DRM planning in rural development sector, including policy making processes, respond to crisis and emergencies in case natural disasters happen during the project life.

1.2 Project Components and Activities

The project development objective is to improve the disaster and climate resilience of flood-damaged roads in target areas, improve the capacity of the government to prepare for and respond to emergencies, and provide immediate and effective response in case of an Eligible Crisis or Emergency.

This objective will be achieved by through implementation of various activities that are organized into four project components:

- **Component 1: Institutional Strengthening for Disaster Resilience in the Rural Development Sector (US\$3 million IDA credit and US\$0.45 million RETF).** This component will focus on provision of technical assistance to strengthen MRD's capacity to prepare for, respond to, and recover from disasters and deal with climate change.
- **Component 2: Resilient Rehabilitation and Reconstruction of Rural Roads and Bridges (US\$106 million IDA Credit).** This component will focus on carrying out climate and disaster resilient rehabilitation and reconstruction, and maintenance of selected rural roads and bridges and related infrastructure damaged by the 2020 floods and other natural disasters in target areas. The Component also provide technical assistance for: (a) protection of Road Users Through Road User Awareness-Raising; (b) developing a roadmap to expand the functionality of MRD's Rural Roads Asset Management (RRAM) System for post-disaster damage assessment and recovery; and (c) on-the-job Capacity Building for Design and Implementation of Road Rehabilitation to Climate-Resilient Road Standards.
- **Component 3: Project Management (US\$ 3 million IDA Credit, US\$1.5 million Counterpart Financing).** This component will provide technical and operational assistance to strengthen the institutional, organizational, and technical capacity of MRD to support day-to-day Project implementation, including coordination, technical matters, procurement, financial management, social and environmental safeguards, monitoring and evaluation, and reporting.
- **Component 4: Contingency Emergency Response Component (CERC) (US\$ 0m).** This component is designed to provide immediate and effective response to an eligible Crisis or Emergency, as needed.

The MRD is the key project implementing agency. The approach to selection of road segments and bridges for reconstruction (repair, upgrade, and maintenance) will be based on various factors, such as damage levels of the roads and bridges, urgency for road rehabilitation considering geographical locations of the affected infrastructure in relation to the overall transport network, traffic volume, potential users, etc. Equally importantly is the need for improving the resilience of existing roads and bridges in response to future floods. The selection of roads and bridges for reconstruction will also take into account the socioeconomic characteristics of the people who live in near the roads, local poverty, proneness to natural

disasters, and vitality of the reconstructed roads in supporting local people, including non-local road users, in resuming income generation activities, access to public service and prevent severely affected households from impoverishment.

Potential rehabilitation works may include a) upgrading existing earth and laterite roads into DBST or cement concrete pavement in flood prone areas, b) improving/building road drainage systems (e.g. longitudinal, transverse), c) widening shoulders, embankment reinforcement to improve road protection from floods, d) installation of road safety equipment, and e) other relevant works to minimize the risks of road failure while maintaining traffic safety, facilitating relief and emergency services when natural disasters such as flooding happen.

1.3 Purpose of the Indigenous Peoples Planning Framework (IPPF)

The purpose of this Indigenous Peoples Planning Framework (IPPF) is to set out the requirements of World Bank's Environmental and Social Standard 7 (ESS7) on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, and the RGC's policy on development of Indigenous Peoples. Based on the gaps between the WB and RGC's policies, measures are proposed to close the gaps through implementation arrangements, procedures, design criteria, etc. to be applied to all road and bridge subprojects and project components that were confirmed during project preparation (such as TK2 bridge) and those that are to be confirmed during project implementation.

The objectives of this IPPF are:

- Ensure the project planning and implementation process under the SEADRM II fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of IP communities.
- Avoid adverse impacts of the project on IP communities. When avoidance is not possible, minimize, mitigate and/or compensate for such impacts.
- Promote sustainable development benefits and opportunities for IP communities in a manner that is accessible, culturally appropriate and inclusive.
- Improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the IP communities affected by SEADRM II throughout project cycle.

Recognize, respect and preserve the culture, knowledge, and practices of IP communities, and provide IPs with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them.

In line with the above objectives, this IPPF outlines, in particular, procedures for screening, assessment and development of site-specific Indigenous Peoples Plan (IPP) for road/bridge subprojects and project components to be confirmed during project implementation. It is important to emphasize that in case IPP is required (based on IP screening results), any project activities, such as physical construction, and or project components will not be commenced until respective IPP is fully developed and finalized based on meaningful consultation with potentially

affected indigenous peoples present in the subproject area. It is also noted that based on careful IP screening exercise, the project will exclude any subprojects that potentially affect adversely the integrity and/or the productivity of collectively owned IP land. Civil works can be carried out adjacent to collectively owned IP land but should not impact the integrity or productivity of the collectively owned IP land. Any subproject that require Free, Prior and Informed Consent (FPIC) of IP(s) will be screened out.

The IPPF has a grievance redress mechanism (GRM) which enables affected IPs to submit complaints for project's resolution. This IPPF also sets forth arrangements that have been made by MRD and relevant stakeholders at national and local levels, such as provincial, district, and commune levels, to ensure standards, requirements, and relevant methods, etc. prescribed in this IPPF are applied appropriately. The IPPF provides a cost estimate for relevant activities that may arise during project implementation, including sources of funding that has been arranged to warrant fund availability for implementation of activities set forth in the IPPF.

This IPPF has incorporated the feedback of the IPs consulted during project preparation (See summary of consultation results in Annex 1). The IPPF also takes into account the good practices in consultation with the IPs, and in implementing development projects in which IPs are among key stakeholders.

2. OVERVIEW OF INDIGENOUS PEOPLES

2.1 General Information about Indigenous Peoples in Cambodia

"Indigenous Peoples" are referred to as "indigenous minority peoples" in Cambodia. This term is officially used by the Royal Government of Cambodia in various laws and policies. There are several ethnic groups living in Cambodia but only those who are distinct from others and have languages, culture, traditions, and customs that are different from the mainstream population (the Khmer) are considered "Indigenous Peoples", according to the National Policy for the Development of Indigenous Peoples (2009). In Cambodia, there are also other small ethnic groups such as the ethnic Lao living in northeastern Cambodia, the Chams and Vietnamese. These small ethnic groups are not considered "indigenous".

Ethnic minorities in Cambodia have typically developed highly specialized livelihood strategies and occupations which include hunting, fishing, trapping, shifting cultivation or gathering food and forest products, handicrafts such as weaving, basketry, woodcarving among others, and rural and community based industries. However, due to recent development process, some have become agricultural workers, or involved in other works that are no longer part of traditional means of livelihoods activities. Indigenous Peoples generally lead a simple life – compared to that of the majority Khmer. They speak their own languages, or dialects, and practice different religious beliefs. These groups can be found also in more remote areas³³.

The total population of Cambodia is 15.9 million (National Institute of Statistics 2020). The Khmer makes up 95.4% of the population, followed by Cham (2.4%, 376,560 people), Chinese (1.5%,

³³ Schliesinger, Joachim (2011) Ethnic Groups of Cambodia Vol 1: Introduction and Overview.

242,938 people), Thai (0.5%, 73,736 people), Vietnamese (0.2%, 27,449 people), Lao (0.0001%, 1,696 people), others (0.1%, 7,828 people), and group who do not state their ethnicity (4,991 people) (See Figure 1 for details).

Figure 3 - Population of Ethnic Groups by Area (in Percentage)

Ethnicity	Whole country	Capital	Urban area	Rural are
Khmer	95.4	95.3	98.0	94.4
Cham	2.4	2.9	1.2	2.7
Chinese	1.5	0.0	0.2	2.4
Vietnamese	0.2	0.4	0.1	0.1
Thai	0.5	1.4	0.5	0.3
Lao	0.0	0.0	0.0	0.0
Other	0.1	0.0	0.1	0.1
Not Stated	0.0	0.1	0.0	0.0
TOTAL	100	100	100	100

Source: NIS, December 2020

In Cambodia, Indigenous Peoples are also known as “Khmer Loeu”, or hill tribes. The Khmer Loeu has the distinctive cultures, customs and habits. Their way of living is significantly different from that of the “Khmer Kroam” who live in small groups³⁴ that are scattered across 15 provinces in in northeastern part of the country such as Ratanakkiri, Mondulkiri, Kratie, Stung Treng, Preah Vihear, Oddar Meanchey, Banteay Meanchey, Pursat, Battambang, Siem Reap, Kampong Thom, Kampong Cham, Kampong Spue, Koh Kong, and Preah Sihanouk. Of all IP groups living in Cambodia, twenty two ethnic groups are characterized with distinct languages, cultures, customs and habits³⁵ (See Figure 2). These groups are small in population, ranging from under 100 to 19,000 individuals, including Bunong (Pnong), Kouy, Stieng, Mel, Kroal, Thmorn, Khaonh, Tompuonn, Charay, Kroeung, Kravet, Saouch, Lun, Kachak, Proav, Chorn, Pear (Poar), Souy (Sa’ong), Rhadaer, Roong, Khae, Spong, La-Eun, Somray and so forth³⁶. According to National Census (2020), Khmer language is spoken by 95.8% of the population, Chinese (0.6 percent), Vietnamese (0.5%), and other indigenous minority languages (2.9%) (See Figure 3 for Map of Ethnolinguistic Groups).

Figure 4 - Population by Indigenous Minority Group

No.	Ethnic minority group	2008	2013	Change
1	Phnong	37,507	47,296	9,789
2	Tumpuon	31,013	51,947	20,934
3	Kuoy	28,612	13,530	-15,082
4	Charay	26,335	13,326	-13,009
5	Kroeung	19,988	22,385	2,397
6	Brao	9,025	13,902	4,877

³⁴ RGC (2019) Policy on Environmental and Social Safeguards for Sub-National Democratic Development.

³⁵ <https://www.mrd.gov.kh/2019/09/04/1821/>

³⁶ RGC (2009) National Policy of Development of Indigenous People.

7	Stieng	6,541	1,279	-5,262
8	Kravet	6,218	5,618	-600
9	Kraol	4,202	7,413	3,211
10	Ja'ong	1,831	266	-1,565
11	Prov	1,827	215	-1,612
12	Mel	1,697	1,905	208
13	L'moon	865	763	-102
14	Suoy (Sa'ong)	857	0	-857
15	Khaonh	743	270	-473
16	Kleung	702	208	-494
17	Saauch	445	837	392
18	Kajrouk	408	731	323
19	Lun	327	436	109
20	Radae	21	1,003	982
21	Mon/Thmor	19	174	155
22	Kachak	10	328	318

Source: Ministry of Planning 2018 (National Census of Indigenous Peoples in Cambodia, Final Report)

Figure 5 - Map of Ethnolinguistic Groups in Cambodia



Source: SIL International (2009)

2.2 Overview of Indigenous Peoples in Project Areas

As mentioned above, the project's road and bridge reconstruction activities will focus in seven provinces, including Banteay Meanchey, Battambang, Kampong Speu, Kampong Chhnang, Pursat, Siem Reap, and Tboung Khmum. There are several IP groups living in these provinces. Groups that have population larger than 100 people include Jarai, Stieng, Ja'ong, Souy and Poar. Groups whose population is less than 100 people include groups such as Kravet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk. The number of groups with population less than 100 is larger than groups with more than 100. (See Figure 4 below. For IP groups who live in non-project provinces, please see Annex 7).

Figure 6 - Distribution of Indigenous Minority Groups in Seven Project Provinces

No .	Province	Indigenous minority groups (≥ 100 people)	Group Number	Indigenous minority group (<100 people)	Group Number
1	Battambang	Jarai, Stieng, Ja'ong	3	Kravet, Kleung, Kuoy, Kroeung, Lun, Kroul, S'och, Kajrouk, Souy, Phnong	10
2	Siem Reap	Jarai, Stieng, Ja'ong	3	Kravet, Kleung, Kuoy, Kroeung, Bunong, Kroul, S'och, Kajrouk, Mon	9
3	Kampong Speu	Jarai, Souy	2	Kravet, Kleung, Kuoy, Kroeung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
4	Pursat	Jarai, Pear (Poar)	2	Kravet, Kleung, Kuoy, Kroeung, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
5	Banteay Meanchey	Jarai	1	Kravet, Kleung, Kuoy, Brao, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
6	Kampong Chhnang	Jarai	1	Kravet, Kleung, Kuoy, Kroeung, Lun, Tumpoun, Stieng, Ja'ong, Kroul, Radae, S'och, Kajrouk	12
7	Tboung Khmum			Stieng	1

Source: Ministry of Planning and Ministry of Rural Development (2021) Report on Demographic and Socio-economic Situation of Indigenous Peoples in Cambodia (Final Draft)

2.3 Some distinctive characteristics of major IP groups in project provinces

Cambodia is a multicultural society with a majority of ethnic Khmers. These include the Vietnamese, Cham, Chinese, and indigenous peoples. Among the various ethnic groups, the native populations, as the word implies, count for the ancient inhabitants of the country. This generic and vague term is used to designate a mosaic of groups that are both heterogeneous—given some aspects of their material and social life—and alike, in the sense that most of them belong to the same cultural substratum, which is usually called Proto Indo-Chinese civilization. Their religion and all their way of life for centuries were based on their relationship to this religious environment. They are engaged in a form of religion based on a spiritual cult³⁷.

Certain groups have a common origin and have become separated over time, some people for whom geographic and linguistic stocks are clearly distinct, like the Jarai (Malayo-Polynesian) and the Tumpuon (Môn-khmer) of Ratanakiri, tend to draw near each other and intermarry to such an extent, especially in Andong Meas district, that focusing on their differences becomes superfluous and arbitrary. Indeed, all through their history, the highlanders have maintained close relationships with one another as well as with the Khmer and other peoples in the plains.

Ja'ong (Chong) in Cambodia lives in the area of Thailand-Cambodia border – to the southeast of Chantaburi province, Thailand and west of Pursat province, Cambodia. Ja'ong speaks Lao and also speak Thai. Ja'ong group is also referred to as Chawng, Shong, Xong. They also speak Somray – a dialect in Cambodia. Their livelihood is based on agricultural production. Slash and-burn (swidden) cultivation is popular. Farming activities include wetland rice cultivation, raising chicken and pig, collecting food from forest, hunting, and fishing. Some of Ja'ong are involved in manufacturing, trading of goods and worked as hired labor.

Jarai are a minority group living in northeastern Cambodia, primarily in the districts of Bokeo, Andong Meas, O Yadou of Ratanakiri province which are located along the northeast border of Cambodia and Viet Nam's Central Highlands. The Jarai has inhabited in these areas for thousands of years. Unlike the other indigenous minorities in Cambodia, the Jarai language is not related to Khmer. Rather, it is distantly related to the languages spoken in the island nations of Malaysia, Indonesia, and the Philippines. Their language is classified as belong to Austronesian, Malayo-Polynesian, Malayic, Achinese-Chamic, Chamic, South, Plateau³⁸. Most Jarai people engage in subsistence agriculture, growing rice and vegetables. Their diet is further supplemented by hunting, fishing, and gathering food from the forest. The Jarai raise livestock, including oxen, buffalo, pigs and ducks. Jarai's respective religious beliefs, customs, practices and ways of life include animism in the natural world, such as trees, mountains, rivers, etc³⁹.

Kravet is a subgroup of the Brao people. Brao refers to several sub-sets of peoples in northeast Cambodia and southern Laos. The Kravet has alternate names such as Kowet, Khvek, Kavet. The Karvet is classified as belong to Austroasiatic, Mon-Khmer, Eastern Mon-Khmer, Bahnaric, West Bahnaric, Brao-Kravet group. The Kravet is known for their intricate handicrafts, chin tattoos, teeth filing and harvest festival. The Kravet practices slash-and-burn agriculture and is known as

³⁷ ADB (2002) Indigenous peoples/ethnic minorities and poverty reduction in Cambodia.

³⁸ Dr. Paul Michael Taylor (2006), Annex B Ethnic Minorities and Indigenous Peoples of Cambodia

³⁹ Schliesinger, Joachim. Ethnic Groups of Cambodia Vol 3: Profile of Austro-Thai and Sinitic-Speaking Peoples. 2011

a semi-nomadic group in mountainous region of Southeast Asia. Their religion involves many taboos, as well as appeasement for good and bad spirits. They are especially concerned about using the spirit world to protect their communities⁴⁰.

Kroeung (Krung) live in Ratanakiri province, and in Northeastern Cambodia and eastern Stung Treng. Alternate names include Krueng. Dialects spoken include Brao. The Kravet and Kroeung in Cambodia are inherently intelligible with each other. In term of ethnicity classification, the Kroeung belong to Austro-Asiatic, Mon-Khmer, Eastern Mon-Khmer, Bahnaric, West Bahnaric, Brao-Kravet.⁴¹ They are culturally distant from modern Khmer people. The Kroeung is matrilineal, tracing ancestry through maternal rather than paternal bloodlines. The Kroeung is very poor. They have limited access to schooling, healthcare, and electricity. The Kroeung relies heavily on forest to maintain their means of livelihood. They cultivate upland rice as their main crop and also grow cash crops such as cashew nuts and cassava for additional limited income. The Kroeung are involved in hunting, fishing, and raising animals. Rolling forested hills of red volcanic earth cover much of the Kroeung homeland and several major rivers traverse flat floodplains. The Kroeung practice their own traditional religion⁴².

Kuoy are the original inhabitants of Cambodia and Thailand⁴³. The Kuoy is one of the ethnic minority groups that have longest settled in the country. The Kuoy live in Northeastern Cambodia, mostly in districts of Preah Vihear, eastern Siem Reap, northern Kampong Thom, western Stung Treng, and several areas of Kratie Province. Their language is of the Katvic branch of Mon-Khmer, within the Austro-Asiatic languages. The Kuoy does have written language. Their knowledge and traditions are passed down orally. Their preference for hill rice has also changed to more common paddy rice, however they preserve traditional knowledge of plants and herbs and use these for medicinal and healing purposes. The Kuoy is mostly matrilineal. Mother has more authority than father and the woman in a family is money keeper. The Kuoy is animist and most Kuoy villages do not have a temple⁴⁴.

Pear (Poar) lives in Cardamoms, Koh Kong, Pursat and Southwestern Kompong Thom. The Pear is has ethnicity classification as Austro-Asiatic, Mon-Khmer, Pearic. The Pear's main livelihoods are agricultural production, including slashing, wetland rice cultivation, raising pigs and chickens, gathering non-timber forest products, hunting and fishing.

Phnong (Bunong) is one of the most largest ethnic minority groups in Cambodia. Their language is related to Stieng, part of the Bahnaric branch of the Mon-Khmer, within the Austro-Asiatic languages. They have no written script. Traditionally they grow rice and vegetables, including sugar cane, and keeping animals⁴⁵.

Stieng is patriarchal society and are generally monogamous, living in northeastern Cambodia Eastern, including Kratie province, Snuol district, and southern Mondolkiri. Ethnicity classification of Stieng is Austro-Asiatic, Mon-Khmer, Eastern Mon-Khmer, Bahnaric, South Bahnaric, Stieng-

⁴⁰ https://joshuaproject.net/people_groups/12836/CB

⁴¹ Paul Michael Taylor (2006), Annex B Ethnic Minorities and Indigenous Peoples of Cambodia

⁴² https://joshuaproject.net/people_groups/11254/CB

⁴³ Ibid.

⁴⁴ All Ibid.

⁴⁵ All Ibid.

Chrau. Today, the Stieng is integrated into local and national administrative system. They generally intermarry with other ethnic groups and Khmer. They are animist and have strong beliefs in spirits and their relations with humans. For instance they may believe that illnesses or natural disasters are caused by spirits as a result of poor human behavior⁴⁶. Livelihoods are based on agricultural production, which includes slashing, growing rice, raising pigs and chickens, gathering food from the forest, hunting and fishing.

Suoy (Sa'ong) lives in central, Northwest of Phnom Penh, primarily in Aoral, Kampong Speu province. The Suoy is classified in terms of ethnicity into Austro-Asiatic, Mon-Khmer, Eastern Mon-Khmer, Pearic, Western, Suoy. Their dialects include Sa'och, Samre and Pearic which are less and less spoken in Cambodia. Only elderlies speak these dialects. Stieng language is spoken in Kampong Speu Province, Pursat Province, in Krang Trachak area⁴⁷. The Stieng engages in subsistence agriculture, growing rice and vegetables.

3. LEGAL FRAMEWORK

3.1 National Laws and Regulations related to Indigenous Peoples

Constitution (1993) Article 31 stipulates that Khmer citizen shall be equal before the laws and shall enjoy the same rights, freedom and duties, regardless of their race, color, sex, language, beliefs, religions, political tendencies, birth of origin, social status, resources, and any position.

Article 44 guarantees all persons, individually or collectively, shall have the right to own property. Only natural persons or legal entities of Khmer nationality shall have the right to own land. Legal private ownership shall be protected by law. Expropriation of ownership from any person shall be exercised only in the public interest as provided for by law and shall require fair and just compensation in advance.

Organic Law (2008) recognizes the vulnerability nature of the indigenous peoples in Cambodia. Councils at provincial and district levels in rural area (capital, municipal and khan levels in urban areas) are requested to formulate development plans that identify development needs of the vulnerable groups, including those from the IP communities.

Protected Area Law (2008) defines the framework of management, conservation and development of protected areas. The law aims to ensure effective management and conservation of biodiversity, and sustainable use of natural resources in protected areas. The law recognizes the right of forest-dependent indigenous peoples to live within the protected areas and to use sustainably the natural resources. Under this law, protected area are divided into four zones, including core zone, conservation zone, sustainable use zone, and community zone. The law has provisions that define how land can be used and managed in each zone.

Law on Education (2007) was enacted by the National Assembly on 19 October 2007. The law aims to promote development of human resources of the nation by providing lifetime education to all people to enable their improvements in terms of knowledge, skills, capacities, dignity, good

⁴⁶ Schliesinger, Joachim. Ethnic Groups of Cambodia Vol 2: Profile of Austro-Asiatic-Speaking Peoples. 2011.

⁴⁷ https://dbpedia.org/page/Suoy_language

moral behaviors and characteristics. It also encourages people to learn to better understand, love and protect the national identity, cultures and language.

Forest Law (2002) (Article 11, 15, 16, 40) recognizes and protect the right of indigenous peoples in continued access to, and use of certain forest areas which the indigenous peoples traditionally use to maintain their way of living and enjoy the forest benefits.

Land Law (2001) recognizes the right of the indigenous communities in Cambodia to own immovable property - their land - with collective title.

Article 23 of Land Law (2001) defines an indigenous community as a group of people who:

- Manifest ethnic, social, cultural and economic unity;
- Practice a traditional lifestyle; and
- Cultivate the lands in their possession according to customary rules of collective use.

Article 25 defines the lands of indigenous communities as “those lands where the said communities have established their residencies and where they carry out their traditional agriculture”, and these lands “include not only lands actually cultivated but also includes reserves necessary for the shifting cultivation which is required by the agricultural methods they currently practice”.

Article 26 states that ownership of the immovable properties (mentioned in Article 25) is granted by the State to indigenous communities as collective property. This collective property includes all the rights and protections of ownership as are enjoyed by private owners.

Sub-Decree No. 83 ANK, BK (2009) on Procedures of Registration of Land of Indigenous Communities. The objective of this Sub-Decree is to provide indigenous communities with legal rights to land tenure, ensure land tenure security, and protect collective ownership by preserving the identity, culture, good custom and tradition of each indigenous community.

Policy on Environmental and Social Safeguards for Sub-National Democratic Development (RGC-NCDD, 2019) stated in the strategy No.7 that Indigenous Peoples also are known in Cambodia as ‘Khmer Leou’ who have their own cultures and customs, and make their own living in a way that is significantly different from those of ‘Khmer Kroam’ who live in small groups. The “Khmer Leou” is considered vulnerable IP groups and receive special care and attention by the government. It is required that development projects that are implemented at sub-national administration should not cause negative impacts (resettlement and land impacts) to their lives, and traditions and customs of the “Khmer Leou”. In terms of application, specifically in land acquisition and resettlement, this policy is mainstreamed to the RGC’s SOP-LAR (2018) – Land Acquisition and Involuntary Resettlement, which requires avoidance of land acquisition or minimized where avoidance is not possible.

Manual for Indigenous Communities Identification; Legal Entity Registration; and Communal Land Registration Process (OHCHR, MoI, MRD, MLMUPC (2018) *provide detailed guidance on steps and measures that need to be taken for identification of indigenous communities, registration of legal entities, and community land registration process.*

RGC (2018) Land Acquisition and Involuntary Resettlement, Standard Operating Procedures for Externally Financed Projects in Cambodia.

Section E: Impact on Indigenous Peoples: any land acquisition and resettlement involving indigenous people is avoided to the maximum extent possible. This is one of the key principles in determining site selection/alignment/land demarcation. However, when LAR cannot be avoided, the impacts on their identity, culture, and customary livelihood will be studied in depth. A separate study on the social impacts will be carried out on how the indigenous peoples use their land, how they conduct their economic activities, and how they organize their social activities.

A separate Indigenous Peoples Plan (IPP) is prepared to mitigate the social impacts, develop the compensation and resettlement package that will be offered, and set out implementation arrangements. The customary practices will need to be taken into consideration during the consultation process. In most cases, the consultation will be with the tribal/customary leaders as they make the decisions for the tribe or their people. The IPP is normally prepared by the Project Preparation Consultants (PPC) with the involvement of the Executing Agency/Implementing Agency (EA/IA) and relevant local commune authorities. This is separate from the preparation of the BRP and the DRP. However, the DRP will include the compensation package for this group of displaced persons.

National Policy on the Development of Indigenous Peoples (NPDIP). The NPDIP was approved by the Council of Ministers on 24 April 2009. NPDIP is the guiding document that shapes how other government policies related to Indigenous Peoples should be implemented in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism, industry and mines and energy. The NPDIP recognizes the need for specific policies for Indigenous People communities. It defines principles regarding formal registration of indigenous communities as legal entities with their own bylaws, and supports the indigenous communities in their participation in economic development that affects their lives and cultures.

“Indigenous peoples shall be fully entitled to express their comments and opinions and to make any decisions on the development of the economy, society and their cultures towards growth in the society.”

The NPDIP promotes use of local languages in multilingual primary education, media, and public consultation. It also lists ten brief sector strategies dedicated to culture, education and vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, industry and mines and energy. The NPDIP calls for conducting impact assessments for all infrastructure projects:

“Development projects in the living areas of indigenous peoples can function only if there has been an environmental and social impact assessment and publicity to relevant indigenous peoples' communities in advance in order for those people to have an opportunity to provide input about their need.”

The NPDIP recognizes the rights of indigenous peoples in traditional lands, culture and traditions. This is consistent with the national Land Law (2001).

Policy on Registration and Right to Use of Land of Indigenous Communities was approved by the Council of Ministers on April 24, 2009. A Sub-Decree on procedures of registration of Land of indigenous communities was signed on June 9, 2009 by the Prime Minister. This policy was developed on basis of the Land Law (2001) recognizing the right of the indigenous communities in possessing and using land under their collective ownership. The policy states that the registration of indigenous communities – as collective ownership, is different from the registration of individually owned land parcel. This is because land registration of the indigenous communities is the registration of all parcels of land that the communities own and use as a whole. The policy consists of both State Public Land and State Private Land in accordance with articles 25, 26, and 229 of the Land Law (2001) and related Sub-decrees. These land parcels are different in size and can be located within the same or different communes/ sangkat. Therefore, the registration of land parcels of indigenous communities requires a separate Sub-decree supplementing the existing procedures of sporadic and systematic land registration.

3.2 Relevant International Agreements

Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples⁴⁸, as well as the **Convention on Biological Diversity (1992)** which recognizes the role of the indigenous peoples in biodiversity protection. In 1992, the Royal Government of Cambodia ratified the **International Covenant on Economic, Social and Cultural Rights** which includes the rights of the indigenous peoples in practicing specific culture and their rights to means of livelihoods.

The **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)** was adopted by the United Nations General Assembly in September 2007. Cambodia is among many countries that voted in favor of this nonbinding declaration.

The **International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)**. Article 5(e) of the ICERD ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training. Article 13 of the **International Covenant on Economic, Social and Cultural Rights (ICESCR)** includes provisions on free primary education irrespective of gender, ethnicity or any other consideration.

UN Convention on the Rights of the Child (Article 28 - Right to Education) was ratified by the Royal Government of Cambodia in 1992, thereby every child has the right to education. Primary education must be free. Secondary education must be available to every child. Discipline in areas must respect children's dignity. Richer countries must help poorer countries achieve this.

The **UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions** (2005) recognizes the rights of Parties to take measures to protect and promote the diversity of cultural expressions with a particular focus on women, minorities and indigenous peoples.

3.3 World Bank's Environmental and Social Standard 7 on Indigenous Peoples

⁴⁸ This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the Universal Declaration of Human Rights.

The World Bank's ESS7 on Indigenous Peoples / Sub-Saharan African Historically Underserved Traditional Local Communities (hereinafter ESS7) recognizes that Indigenous Peoples (IPs) have identities and aspirations that are distinct from mainstream groups in national societies and often are disadvantaged by traditional models of development. The ESS7 also recognizes that IPs are inextricably linked to the land on which they live and the natural resources on which they depend and are therefore become vulnerable if their land and resources are transformed, encroached upon, or significantly degraded. Development projects may also undermine language use, cultural practices, institutional arrangements, and religious or spiritual beliefs of the Indigenous Peoples.

In the ESS, the term "Indigenous Peoples" is used in a generic sense to refer exclusively to a distinct social and cultural group possessing all the following characteristics in varying degrees:

- a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
- b) Collective attachment⁴⁹ to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
- c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture, and
- d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

The objectives of ESS7 are:

- To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Indigenous Peoples;
- To avoid adverse impacts of projects on Indigenous Peoples or, when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts;
- To promote sustainable development benefits and opportunities for Indigenous Peoples in a manner that is accessible, culturally appropriate and inclusive;
- To improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the Indigenous Peoples affected by a project throughout the project's life cycle;
- To obtain the Free, Prior, and Informed Consent (FPIC) of affected Indigenous Peoples as described in ESS7; and
- To recognize, respect and preserve the culture, knowledge, and practices of Indigenous Peoples, and to provide them with an opportunity to adapt to changing conditions in a

⁴⁹ In the World Bank's ESS7, "Collective attachment" means that for generations there has been a physical presence in and economic ties to land and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites.

manner and in a timeframe acceptable to them.

The World Bank's ESS7 requires Free, Prior and Informed Consent (FPIC) of the ethnic groups will be obtained in circumstances where the project:

- Have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
- Cause relocation of Indigenous Peoples from land and natural resources subject to traditional ownership or under customary use or occupation; or
- Have significant impacts on Indigenous Peoples' cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected Indigenous Peoples' lives.

Any works that would adversely impact the integrity or productivity of collectively owned IP land would be carefully screened for and excluded. Works maybe undertaken adjacent to collectively owned IP land, but should not impact the integrity or it's productivity. As such FPIC will not be applicable for the project.

The engagement of appropriate specialists to provide technical advice and assistance regarding application of ESS7 is important, for example, when there are circumstances or vulnerabilities of IP, or national legislation and general socioeconomic data provide only general information rather than specific data regarding the groups that may be present. The specialists should have proven familiarity with social science research methods, and extensive knowledge and working experience with the subject of IP in the country or region.

Cambodia has a policy that recognizes the rights of Indigenous Peoples in culture, education, justice, health, environment, land, agriculture, water resources and infrastructure among others. The Land Law (2001) also recognizes the right of indigenous communities to ownership of immovable property - their land - with collective title. Despite these facts, there are no decrees, sub-decrees or procedures for specific safeguards to protect the interest of indigenous peoples, other than those related to land or forestry. In practice, the procedure to register collective land title is time-consuming. Thus, only a few indigenous communities have received a collective land title since the Land Law was enacted in 2001.

However, there is an overall consistency between national legislation and international agencies' standards and requirements on indigenous peoples. For instance, the self-identification criteria for indigenous communities as defined in the national policy in Cambodia is broadly consistent with those of international institutions. The national laws do not exclude communities who have become more mainstream. Indigenous communities may apply for legal status regardless of whether or not they still use their own language or practice traditional agriculture.

While there is some complementary links between Cambodian laws and regulations related to indigenous people and the World Bank's ESS7, there is a lack of detailed regulations or operating procedures that facilitate full implementation of an Indigenous Peoples Plan (IPP). Therefore, the IPPF was prepared on the basis of the World Bank's ESS7 taking into account relevant Cambodian policies and regulations to facilitate the implementation of an IPP – in a manner that is consistent with the objective of ESS7, as mentioned above.

The IPPF provides procedures for screening for IP presence in subproject areas and how to conduct a targeted Social Assessment (SA). The IPPF also outlines a Grievance Redress Mechanism (GRM) that was developed based on the current practices as to how grievances are handled under development projects in Cambodia. Since there are various IP groups in the project area and each has its own distinctive customs and habits, the GRM specified under this IPPF will be further customized to ensure it is culturally appropriate for the IP group the project will consult with. Such customization will be made based on the consultation to be conducted with the involved IPs identified at road/bridge subproject level.

4. IMPACTS, RISKS, AND MITIGATION MEASURES

4.1 Social Impacts

4.1.1 Positive Impacts

The project is expected to have beneficial impacts on indigenous people, through (i) restoring and improving transport connectivity that is affected or disrupted by the floods. This allows IP and local people to resume usual business activities thereby restore their livelihood; (ii) it improves local people's access to public services, such as schools and public health facilities, which are particularly useful to children and the elderly. For farmers, it improves market accessibility, enabling them to sell farm and off-farm products better such as Non Timber Forest Products (NTFPs), get better prices, and reduce post-harvest loss – thanks to improved transportation; and (iii) reconstruction of the roads and bridges would supposedly improve the value of land assets, particularly for those whose land are located near the reconstructed road. Last but not least, reconstructed roads provide IP and local communities better transport system that is resilient to natural disasters, such as floods, and potential impact of climate change. In particular, strengthened road transport system provides vital links that facilitate emergency services such as flood relief, evacuation which enhance save life and enhance safety for IP and local communities in the event of natural disasters.

Although the project brings about overall positive impacts to IP in the subproject area, Some negative impacts are anticipated based on project's nature and scope, as well as experience of similar projects and consultation at national and local levels regarding IP issues during project preparation. Identified impacts and risks are discussed briefly in sections below, followed by key proposed mitigation measures (Section 4.5 below). These risks, impacts, including proposed mitigation measures, are not exhaustive because subproject roads and bridges have not yet identified (except for TK2 bridge in Tboung Khmum province). Therefore, during project implementation, these pre-identified impacts and risks will be validated and assessed based on a) site-specific scope of works, b) meaningful consultation with potentially affected Ips, c) local context (e.g. local experience and capacity in addressing identified risks and impacts, etc.), d) contractors' capacity, and e) other factors.

4.1.2 Negative impacts

Land acquisition

Whilst bringing about a wide range of socioeconomic benefits, as summarized above, some project activities may cause certain social risks and unintended adverse impacts. Potential

adverse impacts may include loss of lands, loss of assets affixed to land, and loss of means of livelihoods, etc., particularly for those whose land are affected/ acquired to allow road reconstruction, particularly for road upgrading which may involve heightening of existing road surface and/or widening of existing carriageway to improve road standards and travelling speed. However, land acquisition for upgrading purpose is limited to only a few selected roads. The majority of roads to be reconstructed would be on the existing road widen which would not require permanent acquisition of land. Given this, the magnitude of land acquisition for all selected roads and bridges is anticipated to be small and localized. If land acquisition is required, it is likely that land acquisition is needed only at certain small, specific sections of existing roads that are enlarged, or realigned to address the risks of being affected by future flooding, by facilitating water discharge and as such improving resilience of roads to natural disasters such as flooding and increased temperature as a result of climate change.

Because of the nature and small scope of road rehabilitation, possible land acquisition, if any, is anticipated to be small. When this is the case, front part of the house is likely to be affected. The impact on houses, therefore, would be minimal or none for the entire reconstructed road. Therefore, physical resettlement is avoided, or minimized through alternative designs. Potential impacts on land of IP and local communities would not significantly affect daily living activities. Any works that would adversely impact the integrity or productivity of collectively owned IP land would be carefully screened for and excluded. Works maybe undertaken adjacent to collectively owned IP land, but should not impact the integrity or it's productivity. As such FPIC will not be applicable for the project.

4.2 Social Risks

a) Labor Influx

During project implementation, particularly before construction take place, project contractors will mobilize their staff, such as project manager, technician and skilled workers, to subproject area to support construction/upgrading of select road/bridge works. The contractor's staff may not share cultural characteristics with local people, including IP communities. As a result, some social risks are anticipated as a result of the labor influx, including:

- **Increased health risks** due to contracting communicable diseases such as COVID-19, HIV/AIDS, and other non-communicable diseases from contractors' workers. These risks are likely increased if IP in subproject areas are not aware of these risks and take appropriate measures to avoid/reduce the risks.
- **Increased risk of road accidents**, particularly for those IP living in the vicinity of the civil works and those traveling near the construction areas – during construction phase when road condition is not good and safety measures are not effectively carried out by contractors. Similarly, during operation phase, IPs who are not yet familiar with new road condition may expose themselves to risks of road accident due to, for instance, increasing travelling speed, new road alignment, new road components (e.g. new stallation of longitudinal drainage), or unfamiliar with new road warnings to ensure safety for road users. Risk of road accident may be due to IP allowing young children to walk to school unsupervised along higher speed road (with increased traffic volume), or carrying heavy

things such as forest products that put themselves and other road users to increased risks of accidents, and so on.

- **Potential social conflicts** between construction workers with local people, particularly when non-local workers are not familiar with local cultural practices, taboos as to women, and to cultural and spiritual things of local Ips such as spiritual trees, stones, rivers, temples, graveyards, etc, near the road;
- **Increased pressures to local inhabitants** due to increased demand for food, fuel, housing, etc. on the part of construction workers.
- Concentration of labor force at project's construction sites may give rise to gathering of sex workers, increased number of local small businesses, job seekers and others, which may be opposite to the cultural belief and practices of local Ips, increasing tension between Ips and contractors' workers.

b) Sexual Exploitation and Abuse, Sexual Harassment, and Violence against Children due to labor influx

Because there are about 20 subprojects that involve reconstruction of roads and bridges, social risks under this project may include risks related to Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VAC). These risks are identified based on potential concentration of a large number of workers at road and bridge subprojects, to support physical construction. For a civil-work subproject, around 50-180 workers may be engaged to carry out construction activities. Given the low awareness of IP and local communities, the risk of SEA/SH/ VAC is evaluated as "moderate" by the time of project preparation.

c) Child Labor

According to the World Bank's ESS2, the minimum working age required is 14 or higher as the national law specified. According to Labor Law 1997 (article 177, section B), children from twelve to fifteen years of age can be hired to do light work provided that: a) the work is not hazardous to their health or mental and physical development; b) the work will not affect their regular school attendance, their participation in guidance programs or vocational training approved by a competent authority. Since the project construction activities will take place in rural areas where child labor is common, there is a possibility that local labor under 18 years of age is engaged by construction contractors and subcontractors to perform unskilled works. To ensure children are prevented from being engaged in typically heavy works at construction sites, all contractors under the project are required to engage laborers of 18 years of age or above. The contractors are required to verify the workers' age using valid supporting documents (i.e. identification card or other certification by local authorities) before a contract is signed. The requirement for minimum working age (18 years of age) will be included in bidding documents, and in work contract that PMU signs with each of the awarded contractors. Risks of engaging of child labor associated with primary supply workers will be screened and assessed once primary suppliers are identified by Contractors. To keep this risk to the minimum, measures and remedial process have been proposed in Labor Management Procedure (See LMP in Appendix 5 of ESMF [Section 12]) that will be applied by all project's construction Contractors. With these measures in place, the risk of engaging child labor to support project construction is rated "low".

d) Forced Labor

Forced labor or compulsory labor is forbidden under the Labor Law (Article 15, Section 5). Forced labor includes situations where persons are coerced to work through use of violence or intimidation, manipulation of debt, retention of identity papers, threats, or other forms of retaliation. Hiring of people to work in order to pay off their debt is considered forced labor. Since project construction activities will take place mainly in rural area and most people are likely unskilled for the construction works, effort will be made by PMU and contractors to avoid forced labor. This will be done through requirement of avoiding forced labor in contractors' work contract, and requirement for contractors to verify if a local worker to be hired provides their genuine consent work. PMU will notify the Bank of any violation within 24 hours and take appropriate remedial action. Risks of engaging of forced labor associated with primary supply workers will be screened and assessed once primary suppliers are identified by Contractors. To keep this risk to the minimum, measures have been proposed in Labor Management Procedure (See LMP in Appendix 5 of ESMF [Section 12]) that will be applied by all project's construction Contractors. Under this project, the risk of engaging forced labor to support project construction is very "low".

e) Discrimination and Exclusion of Disadvantaged/ Vulnerable Groups

Vulnerable/disadvantaged people, such the poor, indigenous peoples, women, etc., may be excluded from accessing temporary employment opportunities, such as those offered by construction contractors. Unequal wage payment on the account of gender may happen, particularly with local people engaged as unskilled workers. Every effort will be made to ensure local disadvantaged/ vulnerable groups are informed by contractors about job opportunities and contractors are also required, through their work contract, avoid impartial pay based on gender and employment status. Contractors may ask commune office and/or local mass organizations for their support in making job opportunities timely accessible to vulnerable people. The risk of discrimination and exclusion of disadvantaged/ vulnerable groups is "low".

f) Temporary Workers

Local people, recruited as unskilled workers by project contractors, may not be offered a written working contract. As a result, there is a possibility that they may be underpaid for the nature, scope, and quantity of work that they undertake. They may also be asked to work under conditions that are hazardous to them, such as working without personal protective equipment as required for such work. Underpayment may also take place on the basis of gender, temporary work status – at the discretion of contractors. To address this risk, contractors will be required to sign a contract with temporary workers. The contract will clearly specify the nature and scope of the work, including the number of work hours the workers are expected to work per day, including the workload expected based on physical suitability of the temporary workers. This requirement will be incorporated into bidding documents and work contract between PMU and awarded contractors to minimize the risk. This risk is assessed to be "low".

g) Road Safety

Road accidents can happen to any road users – during construction and operation phases. To reduce this risk, local people and government will be informed of road safety risk – through

consultation with local people before construction and through sign posts, warnings erected on site during construction. Road safety risks will be highlighted in Project Information Booklets that will be distributed to participant during consultation, and posted on the website and Facebook page of PMU. Where commune authorities has loudspeakers, these utilities will be used to communicate the risks to wider audience within the community. Contractors will also be required to take necessary measures, such as traffic control, use of signages, guide posts, warnings, lights, flagman, etc. as recommended in ESMF, to reduce the risks related to road accident to both road users and contractors' workers. This risk is assessed to be "low" to "moderate" and will be revisited from time to time, particularly before and during construction phase based on contractors' performance, site condition, and awareness of local people as road users.

4.3 Environmental Impacts

The reconstruction and upgrading of roads and bridges under Project Component 2 is anticipated to cause local environmental adverse impacts, primarily at construction site, due to dust, noise, vibration, etc. that are generated from construction operations. Such impacts would potentially cause disturbance to people who live or have income generation activities going on nearby the construction sites, including non-local road users who may pass by. In addition, during construction activities, other potential negative environmental impacts may include: (i) possible erosion and run-off to the water bodies nearby, particularly during earthworks operation; (ii) water pollution from sourcing aggregates/construction materials such as soil, gravels, (iii) pollution caused by noise, wastewater, solid waste, used engine oil that are released from workers' camps. Most of these environmental impacts are likely temporary and thus reversible and manageable by applying good construction practices and environmental and social management plans. Cumulative environmental impacts are anticipated but are assessed to be small and negligible because of the nature and small scope of the civil work that take place in a short period of time. Screening for potential cumulative impact will be conducted during environmental and social screening exercise to be carried out for each identified road and bridge sub-project.

Some potential induced impacts are envisaged. These impacts are due to development activities that are associated with increased traffic flow that take place near or through protected areas and/or critical natural habitats which may give rise to possibilities of land grabbing and illegal logging.

4.4 Environmental Risks

During construction process, environmental risks are related primarily to the labor force, including risks related Occupational Health and Safety of contractors' workers, physical hazards, chemical hazards, and risks related to lack of, or improper use of Personal Protective Equipment. These risks are elaborated below.

Occupational Health and Safety (OHS) Risks: OHS risks identified under the project include physical hazards, chemical hazards, and Personal Protective Equipment, as follows:

Physical Hazards. Physical hazards represent potential for accident or injury or illness due to repetitive exposure to mechanical action or physical activities. Physical hazards may

result in a wide range of injuries, from minor and need medical aid only, to disabling, catastrophic, and/or fatal.

- **Accidents due to falls:** falling from ladders, scaffoldings, vehicles, and bridge beams, etc.
- **Drowning and water injury accidents:** at bridge construction sites, workers may have to walk on structure above the water, or beams across the river or stream.
- **Accident due to falling objects:** Tools, machinery, equipment and materials used during construction may fall from the height, causing injuries.
- **Fall into open holes:** holes, manhole, and areas of deep excavation may be commonly found at road and bridge works. Fall into these holes may cause injuries of various degrees.
- **Physical injury related to the operations of heavy equipment:** Injury may result during operations of heavy equipment, such as crane, excavator, etc.
- **Risk of cuts from sharp items:** during construction, workers are exposed to risks of being cut due to sharp blade and edge while using tools such as knives, scissors, and other utensils, or while equipment or vehicle are in operations.

Chemical hazards. Chemical hazards represent potential for illness or injury due to single acute exposure or chronic repetitive exposure to toxic, corrosive, sensitizing or oxidative substances. Common chemicals used in construction include Portland cement clinker (mineral binders), formaldehyde (wood-based materials), polyurethane, vinyl, cadmium or lead (paints and resins), and solvents. They also represent a risk of uncontrolled reactions, including the risk of fire and explosion, if incompatible chemicals are inadvertently mixed.

- **Fire and Explosions.** Fires and or explosions resulting from ignition of flammable materials or gases can lead to loss of property as well as possible injury or fatalities to project workers.
- **Corrosive, oxidizing, and reactive chemicals.** Corrosive, oxidizing, and reactive chemicals present similar hazards and require similar control measures as flammable materials.

Personal Protective Equipment. PPE provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems. Lack of appropriate PPE and the poor use of PPE may, in circumstance, result in injuries workers' eyes, heads, necks, ears, hands, arms, feet, legs, ears, lungs, and even the whole body. Inappropriate use of PPE by workers can also increase the risk of accidents.

UXOs. There is risk of UXOs (on land and under water at bridge locations), fire and explosion incidents, leakage of oils and chemical which cause soil and/water pollution.

Traffic accidents. During construction phase, there is increased risk of road accident at construction sites because of temporary traffic blockages, unsafe road condition due to construction operations, site and natural geographical conditions. Also, during operation phase, there would be risk of road accidents due to improved road condition which allows high speed. Other risks include adverse impacts (in the long run) on the natural habitats where the project roads run by or through.

Biodiversity. There is some potential risk related to biodiversity. In some locations, such as in Phnom Samkos, Pursat and Phnom Aural, and Kampong Speu, the eastern part of cardamom mountain, which is

wildlife sanctuary (national protected area), there might be risks related to biodiversity due to construction operation and increased traffic flow and human activities near and in the protected areas. The cardamom is a rain forest with different types of trees. The cardamom is well known for its biodiversity. Measures will be taken to minimize the risk of impact on natural habitats since the natural vegetation, grown fruit trees, rice field, farmlands and freshwater habitat, such as river, reservoir, creek, ponds, etc. in these protected areas are sensitive to the environmental impact from project's construction.

It is anticipated the above environmental risks and impacts are associated with the construction activities to be done under Project Component 2 (Resilient Rural Transport Infrastructure Reconstruction and Maintenance) and activities that may be done under Project Component 4 (Contingency Emergency Response Component (CERC) in case eligible emergency situation, as prescribed in Project Component 4, is activated.

1. Mitigation Measures

Although above risks and impacts will be validated, and assessed at further length when road/bridge locations become known, IP(s) in a subproject's area may be affected disproportionately compared to the mainstream group. The distinctive cultural and socioeconomic characteristics of the IPs, including their existing livelihoods, etc. may expose IPs to further risks and impacts, increase their vulnerability and compromise their ability to respond to such risks and impacts – if a holistic approach is not in place. Effective communication, such as IEC, and active participation of involved IPs, are among important factors that contribute to effective engagement of IPs for meaningful consultation during subproject preparation and participatory monitoring during subproject implementation. The coordination of project stakeholders, including PMU, Contractors, local authorities, local agencies, local service providers, and most notably the active and full participation of IPs, collectively contribute to minimizing identified risks and potential impacts at identified subprojects.

Detailed mitigation measures for the above risks and potential impacts are proposed in the project's ESMF (Chapter 6). These mitigation measures are specific for design stage, pre-construction stage, construction stage, and operation stage,

During subproject design and pre-construction stage:

To avoid, minimize potential impacts related to land acquisition:

- Effort will be made by PMU to ensure road/bridge design avoid acquisition of land from IPs;
- In case where avoidance is not feasible (because of technical requirements), minimize the need for land acquisition through alternative designs;
- Compensate affected IP in accordance with RPF, if avoidance is not possible.
- Provide additional financial and developmental support, as needed, based on meaningful consultation, to support affected IPs to fully and timely restore their livelihoods and income to the pre-project level, as a minimum.

During pre-construction stage:

To address identified risks for affected IPs at subproject level, PMU will implement the following:

- Prepare site-specific ESMP
- Screen for presence of IP(s) in subproject area, based on detailed design
- Conduct targeted Social Assessment (based on site-specific ESMP)
- Develop IPPs, incorporating results from targeted SA, including mitigation measures, etc. based on meaningful consultations
- Implement IPP (as part of site-specific ESMP)
- As part of IPP, conduct Behavior Change Communication using [audio-visual](#) and local IP language to provide knowledge, raise awareness, change attitude, and promote behavior change among IP and local stakeholders to respond effectively to identified risks, particularly risks related to SEA/SH/VAC, communicable disease, traffic safety, culture related conflicts, etc.
- Where necessary, engage service provider (e.g. SEA/SH service providers) (for subproject being risk “high” or “substantial” on SEA/SH risk (risk is assessed as part of preparation of site specific ESMP).
- Establishment and functioning of the GRM at commune /subproject level.

During construction stage:

- Implement the following as an integrated approach:
 - i. PMU to implement site-specific ESMP
 - ii. PMU to continue implementing IPP – as part of site specific ESMP (in close collaboration with IPs and local partners)
 - iii. Contractor to implement C-ESMP (including IEC campaign)
 - iv. PMU to allow budget fully and timely (based on budget plan in IPP, Contractors’ bill-of-quantity)
 - v. PMU will enhance monitoring process to ensure risks are minimized. This can be achieved through coordinated works of SEO-PMU, DDIS consultant, E&S consultant, and independent E&S monitoring consultant, and participatory consultation of local IPs.
- Establishment and functioning of the GRM at commune /subproject level.

During operation stage:

- Ensure safety measures are in place (e.g. sign post, warnings, safe crossing, etc.)
- Continue IEC campaign, where need, to raise awareness of IPs on safe driving before new road/bridge is open to full traffic
- PMU to maintain GRM’s focal point (particularly during liability stage of contractors following construction completion)

- Ensure routine maintenance is carried out to ensure the road functions as designed

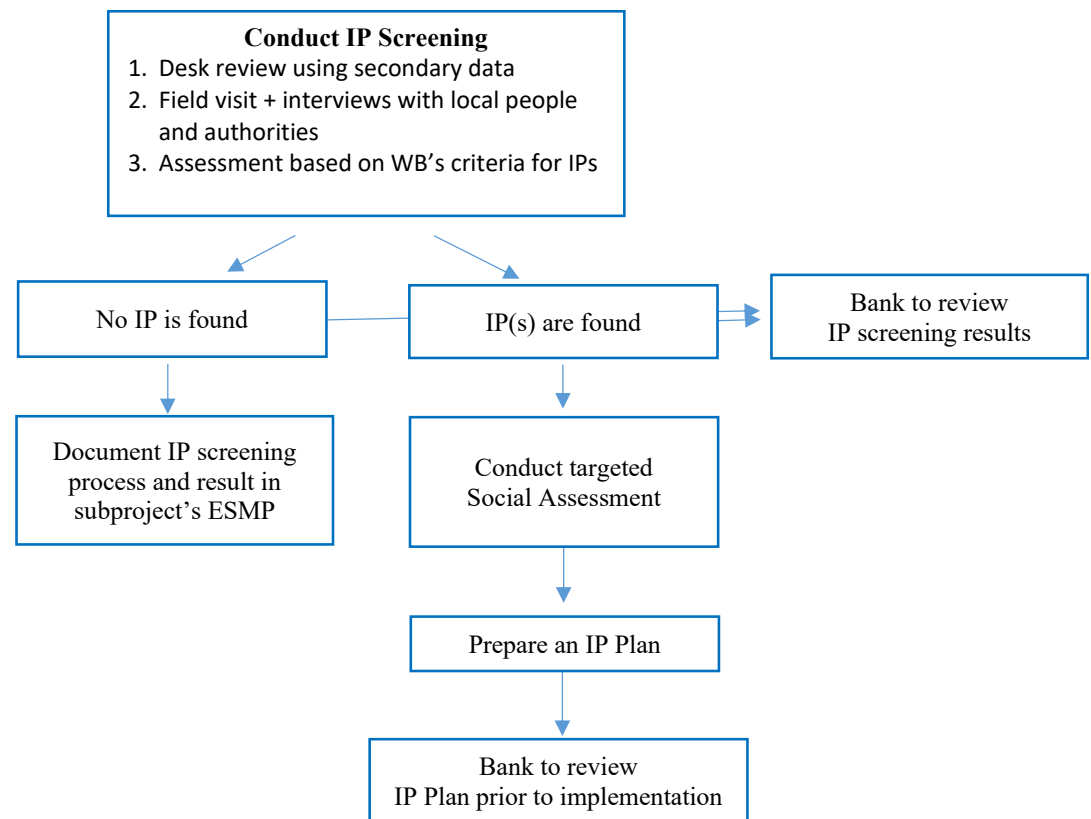
5. PREPARATION OF INDIGENOUS PEOPLES PLAN

5.1 Steps for Preparing an IPP

MRD will conduct an IP screening exercise for every subproject that will be identified during project preparation and implementation. The following steps will be as follows:

- 1) MRD will conduct IP screening to confirm if IPs (as per WB's ESS7) are present in the area of a subproject. If no IP is found, MRD will document the IP screening process, including methods applied and results of the IP screening, in the ESMP of the relevant road / bridge subproject. No further step is required.
- 2) If the IP screening concludes that IP(s) –as per World Bank's ESS7, is present in the subproject area, MRD shall conduct a targeted Social Assessment following the guidance in this IPPF.
- 3) Based on the targeted Social Assessment conducted for the affected IPs, MRD will prepare an Indigenous Peoples Plan (IPP) with assistance of MRD's consultants specialized in IP issues, as necessary.
- 4) MRD will disclose the draft Indigenous Peoples Plan, making sure that potentially affected IP(s) can access and understand the draft IPP, and provide feedback on the draft IPP.
- 5) If the scope and nature of the risks and impacts are changed as a result of design modification, additional consultation with the affected IP should be carried out and the draft IPP will be updated to reflect additional/updated feedback from the affected IP (See Figure 5 for steps presented in a flowchart).

Figure 7 – Steps in IP Screening and conducting targeted Social Assessment



5.1.1 Screening for IP(s)

Once a subproject is identified and confirmed, MRD will do the followings:

- 1) **Conduct desk review.** This involves reviewing of data that are available in the Commune Database or IP databases of MRD. Key information to be collected for a desk review include socioeconomic, demographic information of ethnic groups living in the road or bridge subproject. MRD may ask local authorities in the subproject area or nearby to provide additional information to allow a thorough desk review.
- 2) **Make field visit.** MRD SEO will visit the subproject area. In addition to field observation, SEO will need to meet with local authorities and interview local people, particularly those who are knowledgeable about IP in the area, such as local leaders at village, commune levels, women's union, farmers' association, etc., to explore if there are IP living in or adjacent to the road / bridge subproject.
- 3) **Conduct assessment of IP(s).** This would involve examination of all information collected above to confirm if the IP (as per WB's ESS7) are present in the subproject (IP Screening Form in Annex 2 shall be used). The IP(s) under examination should meet all four criteria below to be considered IP as per WB's ESS7 (see Guidance in Annex 3):
 - a) Self-identification as members of a distinct indigenous social and cultural group and

recognition of this identity by others; and

- b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;
- c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
- d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

It is important to note that an IPP will be prepared regardless of

- a) whether the IP in the subproject area are positively or negatively affected by the subproject;
- b) significance of any such impacts, and
- c) presence or absence of discernible economic, political or social vulnerabilities of the IP.

During IP screening process, when in doubt, the MRD should consult with the World Bank's team for advice.

5.1.2 Conducting a targeted Social Assessment

If IPs are present in the subproject area, MRD will conduct a targeted Social Assessment (SA) with the technical assistance from an IP specialized qualified consultant. The breadth, depth, and type of analysis in the targeted SA will be proportional to the nature and scale of the subprojects' potential effects on the IP community. The consultation results, mitigation measures, proposed actions, etc. from targeted SA report will be integrated into site-specific Environmental and Social Management Plan (ESMP) to inform mitigation measures for affected IP (See Chapter 6 – Procedures for Environmental & Social Management of ESMF) for preparation of site-specific ESMP.

The targeted Sa will include the following elements, as needed:

- a) Baseline data collection on the demographic, economic, social, cultural and political characteristics of the affected IP groups, habitats, ancestral territories, or areas of seasonal use and occupation that they have traditionally owned or customarily used or occupied, as well as the land in the project area and the natural resources in these areas on which they depend;
- b) Assessment, based on meaningful consultation tailored to the IPs, of the potential adverse and positive effects of the subproject. Special attention is given to analysis of the relative vulnerability of, and risks to, the affected IPs given their distinct circumstances (such as small population which may increase their vulnerability due to limited social network), and their level of dependence on land and natural resources, as well as their potential lack of access to opportunities relative to other social groups in the communities and regions in which they live. The assessment should consider differentiated gender

impacts of subproject activities and impacts on potentially disadvantaged or vulnerable groups within the IP community;

- c) The identification and evaluation of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that IPs receive project benefits;
- d) A description and assessment of the legal and institutional framework applicable to IP communities, as detailed in this IPPF. Besides describing the legal status of IPs in the country's constitution, legislation (laws, regulations, administrative orders) and customary law, this section should also include an assessment of the ability of the communities to obtain access to and effectively use the country's legal system to defend their rights;
- e) A summary of the Stakeholder Engagement Plan, which would include stakeholder analysis and engagement planning, disclosure of information, and meaningful consultation, in a culturally appropriate and gender and inter-generationally inclusive manner. The project's existing SEP would be expected to guide this⁵⁰.
- f) A summary of the framework for meaning consultation and, if applicable, Free, Prior and Informed Consent (FPIC)⁵¹ with the affected IPs during project preparation and implementation. The consultations should: (i) involve representative bodies and organizations and, where appropriate, other community members; (ii) provide sufficient time for IPs' decision-making processes; and (iii) allow for the effective participation by IPs in the design of project activities or mitigation measures that could potentially affect them either positively or negatively. Feedback on the project would be gathered through separate group meetings with IPs, vulnerable groups, including their traditional leaders, NGOs, community-based organizations, CSOs and other affected persons. The consultations would also help inform the Social Assessment with regard to demographic data, such as the social and economic situation and impacts. Finally, a summary would need to be prepared of the FPIC process and how its requirements have been met (See Annex 4 for suggestive questions that can be used for a targeted Social Assessment).

5.1.3 Prepare an Indigenous Peoples Plan

Based on the results of the targeted SA, an Indigenous Peoples Plan (IPP) will be prepared. The IPP will have the following elements, as needed:

- a) A summary of the targeted Social Assessment report, including the applicable legal and institutional framework and baseline data;
- b) A summary of sub-project description and its impacts on IPs
- c) A summary of results of meaningful consultation tailored to IPs. If the subproject involves the three circumstances specified in Section 5.3 (below), the outcome and process

⁵⁰ MRD should consult IPs as to the cultural appropriateness of the Project's components and documents such as the SEP and identify and address any social or economic constraints that may limit opportunities to benefit from, or participate in, the Project.

⁵¹ See FPIC section.

associated with FPIC consultation will be described in the IPP;

- d) A framework for meaningful consultation tailored to IPs during subproject implementation;
- e) A detailed description of measures to ensure that any potential adverse impacts on the consulted IPs are avoid/minimized and mitigated and that the IPs receive socioeconomic benefits during project implementation that are culturally appropriate to them. Measures will be gender sensitive and include steps for implementation.
- f) Arrangements for IPP implementation with a clear description of roles and responsibilities of relevant stakeholders. This should include measures to strengthen the capacity of local authorities, as needed, as well as the involvement of NGOs or CSOs as necessary;
- g) A Grievance Redress Mechanism (established for the project) which is adapted to ensure it is culturally appropriate and accessible to the affected IPs, taking into account the availability of judicial recourse and customary dispute settlement mechanisms among the IPs. This should be done in consultation with the IP groups present in the subproject area;
- h) The cost estimates and financing plan for the IPP implementation;
- i) Mechanisms and benchmarks appropriate for monitoring, evaluation, and reporting on the implementation of the IPP. Monitoring arrangements should include the following: (i) administrative monitoring to ensure that implementation is on schedule and problems are solved timely; (ii) monitoring of IPP implementation utilizing the socioeconomic baseline established in the targeted SA report, including ways to consider inputs from the affected IPs in such mechanisms.

MRD will submit IPPs to the World Bank for prior review before implementation.

5.2 Stakeholder Engagement & Information Disclosure

5.2.1 Stakeholder Engagement

The WB's ESS7 defines stakeholder engagement is a process of identifying relevant stakeholders, conducting stakeholder analysis, and organizing a series of consultation to meet with project stakeholders for collecting stakeholders' feedback and concerns on project's risks and impacts, as well as stakeholders' development needs in relation to project purpose and activities. This aims to ensure the project's adverse impact on IPs can be avoided, or minimized and mitigated if avoidance is not possible. For this project, it is important that IPs need to be consulted also on their development needs (in relation to project purpose) to ensure they can receive socioeconomic benefits that are appropriate to them culturally.

5.2.2 Consultation with IPs during Project Preparation

Consultations on IP issues were conducted during 29 November to 3 December 2021. At national level, consultation meetings were conducted with Department of Indigenous People Development (MRD), related NGOs and relevant agencies to solicit opinions and suggestions for project design, and for minimizing risks, impacts on IPs at subproject levels, mitigation measures and potential developmental needs of IPs based on proposed project activities. In the project area, meaningful consultations were carried out with selected IPs in Pursat province, including

office of Indigenous People Development (within PDRD) and related NGOs in a number of select project provinces (See Annex 1 for the summary of consultation sessions and results). The feedback and suggestion provided by the consulted IPs and other consulted agencies and NGOs have been considered and incorporated into project design and into consultation approach to be applied for the IPs who may be present at subprojects (to be identified during project implementation). Screening for presence of IP(s) in the subproject of the TK2 Bridge (at Tuol Kleang village, Preah Theat commune, Koh Sotin district, Tboung Khmum province) was carried out on 16 and 17 November 2021. Based on the screening results and consultations with various stakeholders at village, commune, district, and provincial level, and based on review of secondary data, no IP are present in the TK2 Bridge subproject area.

5.2.3 Consultation with IPs during Project Implementation

During project implementation, consultation with IPs will be carried out for subprojects where IP screening confirm IPs, as per WB ESS7, are present in the subproject area. The consultation with identified IPs will be carried out on an iterative basis – throughout project cycle, to facilitate the process of adaptive management of risks and impacts identified for the subproject. To ensure relevant IP stakeholders are engaged in project consultation, MRD will identify IP group(s) present in road/bridge subproject, then conduct consultation with them – as per Section 5.1. Consultation with IPs will be conducted in a manner that is culturally appropriate for each of identified IP group, gender-sensitive and intergenerational. The consultation will seek also feedbacks of IPs on subproject's risks and impacts, suggestions to avoid or mitigate such risks and impacts, and developmental needs of the IP in relation to the project goal and subproject activities.

To promote effective project design and build project support and ownership of local IPs, meanwhile reducing risk of potential delays during subproject implementation, MRD will apply the engagement strategy? Described in the project's Stakeholder Engagement Plan. The engagement process will include analysis of IPs as project stakeholders, engagement planning, disclosure of information, and conducting meaningful consultation with the affected IP(s). The consultation will be based on the existing customary institutions and decision-making processes of the consulted IPs to promote IP's participation and support for the subprojects. In particular, the consultation to be conducted by MRD at subproject level will:

- a) Involve the participation of IPs' representative bodies and organizations, such as councils of elders or village councils, or chieftains. Where appropriate, consultation shall be carried out with other members of the IP communities;
- b) Allow for IPs to participate effectively in the design of project activities or mitigation measures that could potentially affect them – either positively or negatively;
- c) Provide IPs sufficient time to make informed decisions.

5.2.4 Information Disclosure

During project preparation, before consultation, MRD will notify the concerned IPs of the consultation plan. MRD will provide affected IP with initial subproject information in the form of booklet in both Khmer and local language (if any). This initial information should be provided to IP at least two weeks prior to consultation. If the concerned IP do not have a written language,

the IP will be provided the information in Khmer and are explained verbally in the local language of the concerned IP to ensure the IP are fully informed of the consultation purpose and initial subproject information.

For public consultation, the draft IPPF (in English) and its Executive Summary (in Khmer) was disclosed on MRD's website on 15 November 2021 (<https://www.mrd.gov.kh/2021/11/15/4632/>). The Executive Summary (in Khmer) was also disclosed in hard copy at MRD's public library in Phnom Penh, and in the offices of Provincial Departments of Rural Development in all seven project provinces. IPPF was updated based on consultation and was disclosed as final version on MRD's website on 13 January in English and 15 February 2022 in Khmer. The final IPPF will be disclosed in English on the WB's website.

During project implementation, all draft IPPs, once completed by MRD and submitted to Bank for review, shall be disclosed to affected IP communities in Khmer language. The summary of the IPP will be translated into IP's language if the consulted IPs have their own written language. Public meetings will be held with the affected IP to explain the contents of the relevant IPP in their language so that the affected IPs understand what and how the activities under the IPP will be carried out, including risks and impacts of project activities at subproject level, and how the IPs will be engaged by MRD in consultation meetings during subproject preparation, and in monitoring during subproject implementation. IPPs will be disclosed on the MRD's websites, including both English and local languages. The English version of the IPPs will be disclosed on the World Bank's website.

6. GRIEVANCE REDRESS MECHANISM

6.1 Objective of Project's GRM

The objective of the GRM in this IPPF is to provide aggrieved IP with grievance redress procedures that are accessible, easily used, and free of charge to ensure the grievances submitted by the affected IPs are solved timely. The GRM in this IPPF guides how a complaint of affected IP can be lodged, including forms of grievance lodging, channels, and steps that can be taken. The GRM also describes the time-limits, where possible, for each step, such as time-limit for acknowledging receipt of complaint, notification of resolution decision. During the grievance resolution progress, where necessary, dialogues will be held between the aggrieved IP and project's GRM focal point that are designated for each step. Dialogues with affected IP during complaint resolution process aims to promote mutual understanding and collaboration among concerned parties. The project also has an appeal process which a complainant can resort when they are not satisfied with the complaint resolution results/decision, or their complaints are not resolved within a specified timeframe. During subproject implementation, IPs in the subproject area will be reminded of the availability of this GRM and will be explained during consultation about how this GRM could be used.

6.2 Grievance Redress Mechanism

In the section below, various complaint handling procedures are designed to assist aggrieved IPs to make complaints that are related to the project. These procedures cover key types of impacts that are identified as potential, as well as risks during project preparation. They include a) land acquisition (for instance, if individually owned IP land is acquired permanently and/or temporarily during construction), b) labor (if IP are engaged in project construction as contracted workers), c) Sexual Exploitation and Abuse, or Sexual Harassment (if IP are victim/survivors/witness, etc, as a result of SEA/SH actions that are related to project, etc.), and d) any general complaints, concerns related to, for example, project design, adverse impacts on IPs in any aspects such as dust, noise, vibration, etc. due to construction operations, or any other aspects that they think attributable to project activities.

6.2.1 Complaints related to Land Acquisition

The project has prepared a standardized GRM for stakeholders who are affected by land acquisition, including IPs. However, since there are various IP groups who are living in project provinces, the IP groups present in each subproject area will be consulted for the feedback on the project's standardized GRM (as presented below). The purpose of consultation on the GRM in this IPPF is to ensure the standardized steps and process below are culturally appropriate to the affected IP group. Where required by the consulted IPs, the GRM below will be updated to ensure the GRM procedure for the IP reflects the customary complaint handling procedures that may be currently practiced by the consulted IP and/or may be preferred by the affected IPs, based on the targeted Social Assessment of IPs once site-specific subproject are identified/confirm during project implementation.

Below is the project's standardized GRM for complaints related to land acquisition.

- ◇ **Step 1 – Commune level.** Traditionally, the affected IP can bring their complaint to the Village and/or IP community leader who may be able to resolve issues on the spot. The Village/ IP community leader will record the grievance and how it was resolved and communicate it to MRD's Social and Environment Officers (SEO). If the aggrieved IP is not satisfied with the resolution, s/he can proceed to Step 2 (District level) or Step 4 (Provincial level) as they wish.
- ◇ **Step 2 – District level.** The affected IP can skip Step 1 as they wish by lodging a written complaint to the Head of the District Office where the subproject is located. The aggrieved IP can bring in a community elderly or representative to mediation at District level. The Inter-Ministerial Resettlement Committee Working Group (IRC-WG) will approach the Head of the District Office about the matter. The conciliation meeting shall be held and decision be taken within 15 working days from the date of complaint registration at the District Office. If the complaint is not resolved at the District Level to the satisfaction of the affected IP, 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 of GDR for appropriate remedial action. The affected IP will be informed in writing by the GDR of the decision and the remedial action within 15 working days from the receipt of the letter from the District Office. If the complaint is rejected at this step, the District

Office will inform the aggrieved IP in writing. If the affected IP is not satisfied with the result, s/he can proceed to the step 3.

- ◇ **Step 3 – Project level (General Department of Resettlement).** The GDR will review the complaint and submit a finding report to the Director General of GDR for a decision. The final report will be completed within 30 working days from the date of complaint receipt and will be submitted to the Director General of the GDR for final decision within 5 working days from the date of receipt of the final report. In case the subject matter requires intervention at policy level, the case will be transferred to the Inter-Ministerial Resettlement Committee (Project-Level) for review and decision. When this is the case, additional 10 working days will be added to the normal time limit to enable the IRC to make final decision.
- ◇ **Step 4 – Provincial level (Provincial Governor's Office).** The aggrieved IP can submit a written complaint to the Provincial Grievance Redress Committee (PGRC) through the Provincial Governor's Office. The aggrieved IP, or his/her representative, will have opportunity to present their case in a face-to-face meeting. The PGRC may consider any compelling and special circumstances of the affected IP to make 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 consensus basis and will be final and binding except for case where the complaint is related to Government's policy. Decisions on government's policy related to land acquisition and resettlement are made by the IRC. The PGRC will have 40 working days from the date of receipt of the complaint to make a final decision. The decision of the PGRC will be sent to the IRC through the GDR for endorsement before remedial action is taken.

If the aggrieved IP is not satisfactory with a resolution decision made at any of the above steps, they can bring their case to the Provincial/Municipal Court at their own cost as per the Law on Expropriation. If the aggrieved person win the case, their tribunal fee will be reimbursed by the project.

6.2.2 Complaints related to Labor & Community Safety and Health

If the IP are involved in the Project as a contracted worker (engaged by project' contractors) and they wish to submit their complaint related labor and working conditions, they can lodge a grievance using the Redress Procedure for Complaints related to Labor and Working Condition described in section 10.2 of the Labor Management Procedures (Annex 5 of ESMF), which was summarized in Section 5.4.2 of Stakeholder Engagement Plan.

Similarly, if IP community/members face specific issues related to their community safety and health, particularly in relation to migrant labor force who work in the vicinity of their home/land, etc, they can follow the above complaint handling procedure to enable the project to address timely their concerns.

6.2.3 Complaints related to Sexual Exploitation and Abuse, or Sexual Harassment

In case the IP wishes to submit a grievance related to sexual exploitation and abuse, or sexual harassment, or violence against children, they can lodge their grievance using the Redress Procedure for Complaints related to SEA/SH described in section 5.4.3: Redress Procedure for Complaints related to SEA/SH of the project' Stakeholder Engagement Plan.

6.2.4 Complaints related to any other aspects that are not covered in the above GRM

In case Ips are affected by environmental impacts, such as increased dust level that affect their living or business activities, or increased noise during evening time, or leaving unfished road not inappropriately covered/surrounded with fences, or lack of safety measures that pose risks of accident to road users in generally and to local IP who travelling to bring farmers product to markets, there are various channels will be established for Ips' convinient use. These include:

- **PMU GRM focal point's telephone;**
- **Local IP leaders**
- **Contractor's hotline:** to report cases that they think contractors can solve timely (contact detail of Contractos will be posted at construction sites, and distributed to Ips (through Subproject Information Booklet) during consultation, and post at public billboard of Commune/Sangkat offices, pagodas, etc.
- **Commune/Sangkat offices**

7. IMPLEMENTATION ARRANGEMENTS, MONITORING AND REPORTING

7.1 Implementation Arrangements

The Ministry of Rural Development (MRD) will be responsible for implementing this IPPF.

The Project Director (PD) at MRD will be responsible for providing overall guidance and policy advice, internal coordination, discussion and resolution of project matters with counterparts and other government agencies, including public disclosure, consultation, and involvement of civil society if needed. The Project Manager (PM) at MRD will provide day-to-day support to the PD and will be responsible for ensuring that the IPPF will be followed. Within MRD, the SEOs will be responsible for carrying out day-to-day activities set forth in this IPPF. The SEOs will work closely with relevant stakeholders, such as local authorities, IPs in subproject areas, construction contractors, and IP consultants, etc. to ensure activities carried out related to IP are in full compliance with requirements and guidance described in this IPPF. The PM will oversee the work of the SEOs and ensure proper screening of IP groups will be carried out for each subproject, and steps for IP screening and targeted social assessment described in this IPPF is followed.

MRD needs to inform the WB of the IP screening results and steps that MRD will take in case IPs are present in the subproject area. When IPs are found in the subproject, MRD will engage IP consultants to work closely with the SEOs and PDRD to conduct targeted Social Assessment and prepare related IPPs. IP consultants and SEOs will visit the subproject sites and work closely with provincial DRD, local authorities, relevant agencies, NGOs, particularly local IP leaders and IP members, including vulnerable groups of affected IP communities, to conduct targeted Social Assessment.

7.2 Monitoring

The implementation of this IPPF and subproject IPPs will be monitored internally by the MRD. Adverse impact on IPs (if any) due to land acquisition will be monitored by GDR and MRD as part of implementation arrangement set forth in Section 8.1.2 of project's Resettlement Planning Framework (RPF).

Within MRD, the SEOs or the Detailed Design Implementation and Supervision (DDIS) will be responsible for conducting quarterly monitoring activities of the activities set for under all subproject IPPs. Monitoring of IPPF/IPP implementation will focus on assessing the compliance of IPP implementation against the followings:

- IP screening process and results;
- Quality of targeted Social Assessment and adequacy of IPPs prepared on the basis of targeted Sas;
- Information disclosure;
- Functioning of project's GRM (as customized to the respective IP groups present in each subproject area to ensure the GRM is culturally appropriate to the local IPs);
- Development activities carried under IPPs (based on development needs of IPs);
- Results and impacts of IPPs (in ensure the affected IP receive socioeconomic benefits of the project that is culturally appropriate, gender and intergenerational inclusive, and contributing to achieving the objective of the WB's ESS7).

In addition to internal monitoring, the project will encourage IPs in subproject areas to participate in monitoring and evaluation of IPP implementation process and implementation outcome which affect them. During targeted SA exercise, feedback and suggestions from IPs will be solicited as to how they wish to participate in monitoring and evaluation of IPP activities.

MRD will provide a quarterly IPP implementation report to the World Bank. These results will be incorporated to MRD's consolidated Environmental and Social Compliance Report (ESCR) (See Annex 5 for Indicative Indicators for Internal Monitoring of IPP implementation).

7.3 Reporting

MRD's SEOs will ensure feedback from affected and interested IP, as well as grievances submitted by affected IPs, are resolved timely and effectively, and that resolution results are reported timely back to the aggrieved IPs. The method of reporting back depends on the stakeholders, and as follows:

- For stakeholders at national level, email and/or official letter will be used to report back to stakeholders following consultations and/or workshops. The content of the report will summarize what comments, suggestions, concerns that have been received, by whom and when, and how such comments, suggestions, concerns were considered and taken into account;

- For stakeholders at local level, follow-up meetings/consultations will be conducted to informed stakeholders know on how comments, suggestions, concerned were considered and taken into account;
- For Indigenous Peoples, project's responses to their comments, suggestions, concerns are reported back to them in subsequent face-to-face consultations – in line with the project's SEP and the IPPF, including how the project had considered and addressed their concerns through concrete actions to be carried out during subproject implementation process and through IPP implementation.

Grievances of all project IP will be reported back to them through project's GRM channels within the timeframes specified for each step of the above GRM procedure.

8. COSTS AND BUDGET

8.1 Costs

Indicative costs for IPPF implementation are estimated during project preparation (See Figure 6 below) for the purpose of budget planning. The actual costs of IPPF implementation depend on the number of IPPs, including scope and activities to be carried out under each IPP, during project implementation. The estimated cost below may be updated once the list of subprojects is finalized. Costs incurred as compensation payment for land acquisition and associated impacts are covered by counterpart funds and are estimated in the project' Resettlement Planning Framework (RPF).

8.2 Budget

The budget for implementing IPPF/IPP's will be allocated from counterpart funding (See Figure 6 below). During project implementation, based on road/bridge subprojects that will be identified/confirmed during project implementation, this budget plan will be updated to ensure funding is sufficiently planned annually to ensure timely and effective activities in Figure 6.

Figure 8 – Key activities and costs for supporting IPPF implementation (in US Dollars)

No.	Key activities	Stakeholders involved	Estimated costs (per province x 7)	Sub-Total (Counterpart Budget)	Sub-Total (WB finance)	Total
1	Recruitments of IP consultants to conduct targeted SA	<ul style="list-style-type: none"> • MRD (oversight) • SEO (implement) 	3,000x7	21,000	-	21,000
2	Recruitment of bilingual facilitators to support consultations as part of SA	<ul style="list-style-type: none"> • MRD • SEO (implement) 	1,000x7	7,000	-	7,000
3	Conduct targeted Social Assessment and Prepare subproject IPPs	<ul style="list-style-type: none"> • MRD (oversight) • SEO (lead) • IP Consultant (implement) 	3,000x7	21,000	-	21,000
4	Conduct mitigation measures, development activities, and relevant activities, as part of IPP (based on the needs of consulted IPs (e.g. training for IP on traffic safety, DRM preparedness plan (evacuation, safety measures during disasters...))	<ul style="list-style-type: none"> • MRD (lead) • Consultant (implement) 	3,000x7	21,000	-	21,000
5	Monitoring and Evaluation, Reporting	<ul style="list-style-type: none"> • MRD (oversight) • SEO (implement) 	1,000x7	7,000	-	7,000
6	Staff allowance	<ul style="list-style-type: none"> • MRD (oversight) • SEO (implement) 	\$35 x 7 staffs x 10 days x 7 provinces	17,150	-	17,150
7	Transport		500 x 7	3,500	-	3,500
8	Data collection		1,000x7	7,000	-	7,000
9	Others		500x7	3,500	-	3,500

10	Contingency (10% of above 9 items)			8,715		8,715
Grand-Total						95,865.00

Annex 1: Summary of Consultation during Project Preparation

Please see Annex 6 of ESMF for a summary of consultation result obtained from consultation with project stakeholders during project preparation.

Annex 2: IP Screening Form

When to do screening: When road section to be rehabilitated is known.

Secondary Data: Check the Commune Database and/or MRD IP database for presence of IP groups in identified villages passing through the identified road sections.

Primary Data/Field Work: Check directly with key informants (such as commune and village chiefs as well as local people) whether there are IPs along, or in connection with, each road section. If no IPs are found, document this in the ESMP and no further steps are needed.

Checking Against WB Criteria: If IPs are found based on primary and/or secondary data, assess whether they meet all four WB criteria (also see Annex 3).

(a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and

(b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and

© Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and

(d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Who will do the screening: DDIS Consultants or SEO.

Table 1: IP Screening Information

Province/ District/ Commune/ Village	Name of IP Group	Number of Households	Fulfil WB Criteria 1 (Y/N) and <u>explain</u> – see Annex 3	Fulfil WB Criteria 2 (Y/N) and <u>explain</u> – see Annex 3	Fulfil WB Criteria 3 (Y/N) and <u>explain</u> – see Annex 3	Fulfil WB Criteria 4 (Y/N) and <u>explain</u> – see Annex 3

Assessment Summary:

- If no IP groups are found, or if IP groups are found but do not meet WB criteria, carefully document the process in the ESMP.
- If IP groups are found, provide a summary as to potential impacts and risks. Proceed to hire a (national) consultant, or DDIS, to assist with preparation of Social Assessment and IPP.

Annex 3: Guidance on WB Criteria to Determine IP

This Annex helps to explain the four criteria used by the WB to determine whether a given group should be considered an Indigenous Group/Indigenous Peoples.

The World Bank's ESS7 notes that the term "IP" is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:

2. As members of a distinct indigenous social and cultural group and recognition of this identity by others
<p>Questions and Factors to Consider (in addition to those outlined in the legal framework or commune database)</p> <ul style="list-style-type: none"> • Do IPs identify themselves as an Indigenous community or a traditional community or around a distinct cultural identity? • You can ask: What does it mean to you to be an IP? How would someone outside of your community describe who you are, especially distinguishing features as a community? Do others recognize them as belonging to those groups? • <i>Note:</i> When asking if others would recognize them, it is not about being described as "indigenous" but whether or not others would recognize their distinctness as per the characteristics under ESS7.
3. Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;
<p>Questions and Factors to Consider</p> <ul style="list-style-type: none"> • <i>Note: for the purposes of this question, it is not relevant whether IP groups have collective title to the land or not, given that the number of IP groups with collective land title is still very low in Cambodia.</i> • How long has the community lived on that land? Do members of the community have historical knowledge of these ancestral lands? Is there anthropological, ethnographic or legal data that can validate? Do they consider that land to be their ancestral or traditional land? Have they moved from their traditional lands? • Is the community using the land and resources in accordance with their customary laws, values and traditions?
4. Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture
<p>Questions and factors to consider:</p> <ul style="list-style-type: none"> • Are there traditional leaders or a traditional leadership structure? If so, how do they work with other levels of government? Does the community have an internal decision-making process? • What are the main modes of economic activity? Has this changed over time? How have these changes, if at all, impacted their identity, other cultural practices, traditional knowledge, language, etc.? • Does the community have traditional education/learning systems, cultural systems or health systems that are distinct from those of Khmer society?
5. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Questions and factors to consider:

- What is the language or dialect of the community?
- Does the community speak and understand Khmer?
- Does the community have traditional education systems, using their own languages, teaching and learning methods?

Annex 3.1 Initial Screening for Indigenous Peoples

INITIAL SCREENING FOR INDIGENOUS PEOPLES

When to do the screening?	At the time of the first consultation with a commune/village
What information to be collected?	Demographic data of Indigenous People who live along the project road sections and/or bridges and from other vulnerable households
How to collect the information?	It can be obtained from ethnic leaders, village leaders and commune chief
Who will do the screening?	MRD'S SEO or other PIU staff or consultants

Province: _____ District: _____ Commune: _____ Sub-project roads/bridges: _____

Person conducting screening	Position of person conducting screening		
Person providing information	Position of person providing information		
Name of village along the project road sections and/or bridges	Date:		
Name of indigenous group along the project road sections and/or bridges	Number of households of the Indigenous group	Number of IP population Total Female	
1.			
2.			
3.			
4.			
5.			

Presence of affected people from Other Vulnerable Groups	Number of households of vulnerable group	Number of vulnerable households	
		Total	Female
1. Poor households			

2. Households with child
with disability

3. Households with single
parent (male)

4. Households with single
parent (female)

5. Households with
grandparents tending
children

Annex 3.2 Guidance on Criteria in ESS 7 to Determine IPs

This Annex 3.2 helps to explain the four criteria used by the WB to determine whether a given group should be considered an Indigenous Group/Indigenous Peoples.

The World Bank's ESS7 notes that the term "IP" is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following four characteristics in varying degrees.

- a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
- b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
- c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture, and
- d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside."

It is important to note that as per ESS7, there is no hierarchy to the four characteristics, and all of them need to be present. However, they may be present in varying degrees. "Varying degrees" reflects the fact that some characteristics may be less evident for some groups or communities through integration into the broader society or economy, sometimes as a result of government policy.

Moreover, given the varying contexts and characteristics of IP today, a group may possess defining characteristics and thereby be covered by the policy in one region, but may be more fully integrated and lack the defining characteristics in another region of the same country, or in a neighboring country. Furthermore, the collective attachment of groups to their traditional territories may have been forcibly severed due to government resettlement programs and other disruptions. Some groups may no longer speak their own language, or it may be spoken by only a few or even none. The role of traditional institutions may also be eroding or have been replaced by official administrative structures. These factors alone do not disqualify groups from being covered under ESS7, but are assessed in the final determination made by the World Bank.

6. Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others

Questions and Factors to Consider (in addition to those in the legal framework or commune database)

- Do the IPs identify themselves as a social and cultural group distinct from the predominant national Khmer society and culture?
- What do the IPs view as some of the characteristics that distinguish them from others?
- Do others see members of this IP community as part of a distinct social and cultural group? What are some of the distinguishing characteristics? [this can include physical characteristics, religion and customs, housing, dress, livelihoods, etc.]
- *Note: it is important they are seen as a distinct group, socially and culturally, and not just as IP as defined by the government*

7. Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;

Questions and Factors to Consider

- *Note: it is not relevant whether IP groups have collective title to the land or not, given that the number of IP groups with collective land title is still very low in Cambodia.*
- How long has the community lived on or used the land and/or resources? Do they consider that land and/or resources to be their ancestral or traditional land and/or resources? [describe the resources, if not associated with the land where they live, such as forest products, fisheries, wildlife, etc.]
- Do they use any lands or resources elsewhere, including seasonal use of those lands or resources according to their custom and traditions? Are these lands or resources shared with any other communities? [Note where the lands are located, what resources. If seasonal uses, during what times of the year? If shared, with what communities?]
- Are there any members of the community who remember being moved from or prevented from using ancestral or traditional lands or resources? When were they moved or prevented from this traditional use? Where were those ancestral or traditional lands or resources?
- If necessary, the project should try to find anthropological, ethnographic or legal data that can validate these uses, or seek an expert who can validate these uses.

8. Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture

Questions and Factors to Consider:

- Does the community have traditional leaders or a traditional leadership structure? If so, how do they interact with other levels of government, such as the commune leadership? Does the community have an internal decision-making process distinct from the official administrative structure or process?
- What are the main economic activities of the community?
- Have the economic activities changed over time? If so, have these changes impacted their identity, other cultural practices, traditional knowledge, language, etc.?
- Does the community have traditional education/learning systems or medicine/health systems distinct from those of the broader society? How are they distinct?
- Do people from the community make use of government health facilities? Is there any preference between the government health facilities and traditional medicine/health care?
- Does the community practice a traditional religion distinct from any of the major religions in the broader society?
- Does the community have any rituals, ceremonies that are distinct to their group?

9. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Questions and factors to consider:

- Does the community have a distinct language or dialect [now or in the recent past]?
- Do many members of the community still speak their distinct language or dialect?
- Do many members of the community speak and understand Khmer? Do they use Khmer in their day-to-day lives, or only when dealing with outsiders and the broader community?

Annex 3.3 Indicative Indicators for IPP Implementation

1. Monitoring indicators should assist the project to assess progress of the Indigenous Peoples Plan (IPP) and whether mitigation measures are effective, resulting in desired outcomes. This enables the project to respond to any issues and manage change accordingly.
2. Indicators that show implementation progress are called process indicators and give some certainty that the project is proceeding according to plan.
3. Indicators that measure whether the IPP mitigation measures are successful are called outcome indicators and reflect the results of the process.
4. It is important that an appropriate number of indicators be included in the monitoring plan. Too few may leave gaps in critical areas. Too many may overburden the collection process, and diminish quality. Use the minimum but necessary number of monitoring indicators to ensure adequate IPP implementation and expected outcomes.
5. Some examples of process and outcome indicators are shown below. They are not an exhaustive list, and should be selected as required.

Example of Process Indicators	
Demographic baseline	<ul style="list-style-type: none"> • The numbers of affected Indigenous Peoples (IP) by category of impact, gender, age, habitat (village etc.), income, status and position • Number of households with handicapped, elderly or invalid members • Number of female headed households • Number of vulnerable households (poor, elderly) • Number of households by ethnic group • Number of births and deaths
Consultation and participation	<ul style="list-style-type: none"> • Number of consultation and participation activities that occur—meetings, information dissemination, brochures; flyers, training • Percentage of IP women as participants; number of meetings exclusively with IP women • Percentage of vulnerable IP groups represented / attending meetings; number of meetings exclusively with vulnerable IP groups. • Languages used at meetings

	<ul style="list-style-type: none"> • Good faith negotiations—recording of process, participants, locations, correspondence • Broad community support—record of processes, participants, locations and agreement obtained • Consultation and participation progress against plan and budget
Mitigation measures	<ul style="list-style-type: none"> • Progress of implementation of mitigation / beneficial measures against plan • Number of activities that occur/completed—such as construction, livelihood restoration, disbursements, training • Percentage progress against timelines and budget
Grievance redress	<ul style="list-style-type: none"> • Total number of people/groups using the grievance redress procedure. • Number of distinct people/groups. Any IP group with significantly more grievances? • How many times has a household submitted the same grievance? • Number of grievances resolved? • Length of time taken to be resolved? • Types of grievance categories and prevalence
Implementation problems	<ul style="list-style-type: none"> • Identified delays—(days, cost) due to personnel, capacity, insufficient funds, etc. • Number of times implementation schedule revised

Example of Outcome Indicators	
Consultation and participation program	<ul style="list-style-type: none"> • Awareness of IP issues among implementing stakeholders in each sector • Awareness of IPP mitigation and beneficial measures amongst recipients • Awareness of project details amongst stakeholders • IP perception of effectiveness, cultural appropriateness and inclusiveness of consultation measures

	<ul style="list-style-type: none"> • Attendance at consultation and participation activities Level of involvement by IP and representatives in the design and implementation of consultation and participation
Enhanced dignity of IP groups, integrity of traditional kinship networks and livelihood patterns	<ul style="list-style-type: none"> • Changes in religious/cultural practices • Changes in cultural governance • Participation in cultural governance (by gender, status) • Number of people (age and sex) who can speak national language and/or local dialect • Changes in condition of schools, community buildings, temples structures • Numbers of religious/cultural events and persons (monks shamans, priests etc.) • Participation in cultural/religious events (by gender, time/resources allocated)
Livelihoods and living standards	<ul style="list-style-type: none"> • Major asset inventory—e.g. vehicle, phone, tools, kitchen equipment • Changes in patterns of IP occupation, production, and resource use • Changes in income and expenditure patterns among IP households • Savings • Change in food used by IP—amount, nutrition source • Cost of living changes—market prices etc. • Changes in key social parameters—gender roles of production • Vulnerable groups—status, relative income, livelihood • Education—literacy and numeracy level in national/ethnic language

	<ul style="list-style-type: none">• School attendance of IP children (by sex and age)• Key health indicators of IP (by gender, age)
--	--

Annex 4: Guidance Questions for targeted Social Assessment

If IP groups are identified, these guiding questions may be helpful when conducting Social Assessment.

PROFILE OF THE LAND USED BY IP GROUPS	
1.	Describe the land used by IP groups that is near, or in some way connected to, the road being rehabilitated. What is the land type (public, state, communal, private, etc.)? Are there pressures on this land?
2.	Who else, legally or illegally, uses the land used by IPs for their livelihoods or any other use?
3.	Are there, or have there been, any conflicts relating to this land? If so, conflict between whom?
4.	How long has the IP community lived on that land? Do members of the IP community have historical knowledge of these ancestral lands – have these boundaries changed? Why? Is there anthropological, ethnographic or legal data that can validate?

5.	How are livelihoods attached to these lands? Do IPs rely on land and natural resources for housing, water, traditional subsistence, economic development, dress, traditional medicines, etc.?
6.	Is there a likelihood that road rehabilitation will attract outsiders to lands that IPs have collective attachment to and/or are used by IPs, or that it may exacerbate pressures on these lands?
DESCRIPTION OF THE IP GROUPS	
7.	How many people are there in the IP group? Please describe the IP group, including their name, heritage and how many people/households.
8.	Would you please give us some information about your IP group? What kind of activities go on in your village on a normal day? How does your group (e.g. women, elderly, farmers) experience life?
9.	Which languages are spoken by the IP group? Do they speak Khmer language?

10.	Are there any cultural or religious items/artifacts/areas connected with the road being rehabilitated? Where? What is the belief/practices?
11.	Has there been migration into this commune or the surrounding area? If so, where from, and why?
12.	What is the main source of livelihoods for the IP group? What about for people in the commune?
<u>13.</u>	Are there traditional leaders or a traditional leadership structure within the IP group? If so, how do they work with local and other levels of government?

<u>14.</u>	Does the IP community have an internal decision-making process? How are representatives chosen? How do women, youth, elders, persons with disabilities participate?
<u>15.</u>	What are the main jobs/livelihoods for the IP community?
<u>16.</u>	Does the community rely in whole or in part, traditional medicines and health practices? Has this changed over time? What are the factors for this change?
<u>17.</u>	Does the community have traditional conservation practices which they rely on? If so, how do they (both past and present) deal with climate change, disasters, habitat or wildlife loss?

<u>18.</u>	Has there been any conflict or tension over the following issues during the past years with the IP community and other local communities? With outsiders?			
POTENTIAL IMPACTS TO IP GROUPS				
<u>19.</u>	Is the road being rehabilitated near or within any of the following areas?			
		Yes/No	NA	'on't know
	Land IP group has collective attachment to (for example for cultural, spiritual or livelihood reasons)			
	Medicinal plants used by IP groups			
	Non-timber forest products area used by IP groups			
	Important trees or natural landmarks			

	of importance to IP group			
	Other (Specify)			
<u>20.</u>	Are there any people in your IP group who are very poor/dependent/supported by others and/or considered vulnerable in any way?			
<u>21.</u>	What types of social support networks exist within your IP community? Could you explain us when a person needs support, what types of contributions are provided to those in need?			
<u>22.</u>	What do you think would be the positive effects of road rehabilitation for your IP group?			
<u>23.</u>	What do you think would be the negative effects of road rehabilitation for your IP group?			
<u>24.</u>	In your opinion, what is the main problem related to temporary roads and bypasses during rainy and dry seasons that your IP group faces? According to you, how can this problem be resolved?			

<u>25.</u>	What do you see as the main problem with the traffic safety risks along work sites facing your IP group? How do you think can this problem be solved?
<u>26.</u>	In your opinion, what is the main problem related to temporary worker camp sites that your IP group faces? According to you, how can this problem be resolved?
<u>27.</u>	If there were opportunities for jobs in civil works, would men and women in your group be interested?
<u>28.</u>	What is the best way to provide information to your group? What is the best way for you to share information with project planners? Does the proj'ct's proposed SEP fulfil the needs of your group?
<u>29.</u>	Is the proj'ct's proposed GRM adaptable to the needs of your IP group? How would this GRM need to be adapted?
<u>30.</u>	Is there anything else you would like to talk about, or want me to know?

--	--

Annex 5: Indicative Indicators for Monitoring

1. Monitoring indicators should assist the project to assess progress of the Indigenous Peoples Plan (IPP) and whether mitigation measures are effective, resulting in desired outcomes. This enables the project to respond to any issues and manage change accordingly.
2. Indicators that show implementation progress are called process indicators and give some certainty that the project is proceeding according to plan.
3. Indicators that measure whether the IPP mitigation measures are successful are called outcome indicators and reflect the results of the process.
4. It is important that an appropriate number of indicators be included in the monitoring plan. Too few may leave gaps in critical areas. Too many may overburden the collection process, and diminish quality. Use the minimum but necessary number of monitoring indicators to ensure adequate IPP implementation and expected outcomes.
5. Some examples of process and outcome indicators are shown below. They are not an exhaustive list, and should be selected as required.

Example of Process Indictors	
Demographic baseline	<ul style="list-style-type: none"> • The numbers of affected Indigenous Peoples (IP) by category of impact, gender, age, habitat (village etc.), income, status and position • Number of households with handicapped, elderly or invalid members • Number of female headed households • Number of vulnerable households (poor, elderly)

	<ul style="list-style-type: none"> • Number of households by ethnic group • Number of births and deaths
Consultation and participation	<ul style="list-style-type: none"> • Number of consultation and participation activities that occur—meetings, information dissemination, brochures; flyers, training • Percentage of IP women as participants; number of meetings exclusively with IP women • Percentage of vulnerable IP groups represented / attending meetings; number of meetings exclusively with vulnerable IP groups. • Languages used at meetings • Good faith negotiations—recording of process, participants, locations, correspondence • Broad community support—record of processes, participants, locations and agreement obtained • Consultation and participation progress against plan and budget
Mitigation measures	<ul style="list-style-type: none"> • Progress of implementation of mitigation / beneficial measures against plan • Number of activities that occur/completed—such as construction, livelihood restoration, disbursements, training • Percentage progress against timelines and budget
Grievance redress	<ul style="list-style-type: none"> • Total number of people/groups using the grievance redress procedure.

	<ul style="list-style-type: none"> • Number of distinct people/groups. Any IP group with significantly more grievances? • How many times has a household submitted the same grievance? • Number of grievances resolved? • Length of time taken to be resolved? • Types of grievance categories and prevalence
Implementation problems	<ul style="list-style-type: none"> • Identified delays—(days, cost) due to personnel, capacity, insufficient funds, etc. • Number of times implementation schedule revised

Example of Outcome Indicators	
Consultation and participation program	<ul style="list-style-type: none"> • Awareness of IP issues among implementing stakeholders in each sector • Awareness of IPP mitigation and beneficial measures amongst recipients • Awareness of project details amongst stakeholders • IP perception of effectiveness, cultural appropriateness and inclusiveness of consultation measures • Attendance at consultation and participation activities Level of involvement

	by IP and representatives in the design and implementation of consultation and participation
Enhanced dignity of IP groups, integrity of traditional kinship networks and livelihood patterns	<ul style="list-style-type: none"> • Changes in religious/cultural practices • Changes in cultural governance • Participation in cultural governance (by gender, status) • Number of people (age and sex) who can speak national language and/or local dialect • Changes in condition of schools, community buildings, temples structures • Numbers of religious/cultural events and persons (monks shamans, priests etc.) • Participation in cultural/religious events (by gender, time/resources allocated)
Livelihoods and living standards	<ul style="list-style-type: none"> • Major asset inventory—e.g. vehicle, phone, tools, kitchen equipment • Changes in patterns of IP occupation, production, and resource use • Changes in income and expenditure patterns among IP households • Savings • Change in food used by IP—amount, nutrition source

	<ul style="list-style-type: none"> • Cost of living changes—market prices etc. • Changes in key social parameters—gender roles of production • Vulnerable groups—status, relative income, livelihood • Education—literacy and numeracy level in national/ethnic language • School attendance of IP children (by sex and age) • Key health indicators of IP (by gender, age)
--	---

SUBPROJECT INFORMATION BOOKLET

1. PROJECT BACKGROUND

- Project description
- Project outcome:
- Project beneficiaries:

2. PROJECT ACTIVITIES

3. ENVIRONMENTAL AND SOCIAL RISKS AT SUBPROJECT

- Social risks and impacts
- Environmental, Health and Safety risks and impacts:

4. MITIGATION MEASURES

5. COMPENSATION PRINCIPLES FOR AFFECTED LAND AND NON-LAND ASSETS

6. GRIEVANCE REDRESS MECHANISM

7. PREPARATION OF ENVIRONMENTAL AND SOCIAL DOCUMENTS

8. STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE

For more information, please contact

Name:

Telephone:

Email:

Facebook/Website:

Annex 7: Ethnic Groups in 24 provinces in Cambodia

No .	Province	Ethnic minority groups (≥ 100 people)	Group Number	Ethnic minority group (<100 people)	Group Number
1	Battambang	Jarai, Stieng, Ja'ong	3	Kavet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
2	Siem Reap	Jarai, Stieng, Ja'ong	3	Kavet, Kleung, Kuoy, Kreung, Bunong, Kroul, S'och, Kajrouk, Mon	9
3	Kampong Speu	Jarai, Souy	2	Kavet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
4	Pursat	Jarai, Poar	2	Kavet, Kleung, Kuoy, Kreung, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
5	Banteay Meanchey	Jarai	1	Kavet, Kleung, Kuoy, Brao, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
6	Kampong Chhnang	Jarai	1	Kavet, Kleung, Kuoy, Kreung, Lun, Tumpoun, Stieng, Ja'ong, Kroul, Radae, S'och, Kajrouk	12
7	Phnom Penh	Jarai, Kavet, Kleung, Stieng, Ja'ong	5	Kuoy, Kreung, Lun, Bunong, Brao, Tumpoun, Kroul, Radae, L'moon, Mel, Souy, S'och, Kajrouk, Mon, Kachok	15

8	Stung Treng	Kreung, Lun, Bunong, Brao	4	Jarai, Kleung, Tumpuan, Stieng, Ja'ong, S'och	6
9	Kampong Cham	Jarai, Kavet, Stieng, Ja'ong	4	Kleung, Kuoy, Bunong, Brao, Kroul, Radae, Mel, S'och, Kajrouk, Mon	10
10	Kandal	KJarai, Kleung, Stieng, Ja'ong	4	Kavet, Kuoy, Lun, Bunon, Brao, Tumpoun, Kroul, Radae, L'moon, Souy, S'och, Kajrouk, Mon	13
11	Kratie	Jarai, L'moon, Khonh	3	Kavet, Kleung, Lun, Brao, Ja'ong, Poar, Souy, S'och, Kajrouk (Mel)	9
12	Mondulkiri	Stieng, Kroul, L'moon	3	Jarai, Kavet, Kuoy, Kreung, Brao, Tumpoun, Ja'ong, Mel, S'och, Kajrouk	10
13	Prey Veng	Jarai, Stieng, Ja'ong	3	Kavet, Kleung, Kuoy, Kroul, Radae, S'och, Kajrouk (Mel)	7
14	Kampot	Jarai, Ja'ong	2	Kavet, Kleung, Kuoy, Lun, Bunong, Stieng, Khonh, S'och, Kajrouk	9
15	Takeo	Jarai, Ja'ong	2	Kavet, Kleung, Kuoy, Bunong, Stieng, L'moon, S'och, Kajrouk (Mel)	8
16	Ratanakiri	Bunong	1	Kleung, Kuoy, Lun, Stieng, Ja'ong, Kroul, L'moon, Souy	8
17	Preah Vihear	Jarai	1	Kavet, Kleung, Bunong, Brao, Tumpoun, Stieng, Ja'ong, Kroul, L'moon, S'och, Kajrouk	11

18	Kampong Thom	Jarai	1	Kavet, Kleung, Bunong, Stieng, Ja'ong, S'och, Kajrouk	7
19	Preah Sihanouk	Jarai	1	Kavet, Kleung, Kuoy, Kreung, Brao, Tumpoun, Stieng, Ja'ong, Kroul, Mel, S'och, Kajrouk	12
20	Svay Rieng	Jarai	1	Kavet, Kleung, Kuoy, Stieng, Ja'ong, S'och, Kajrouk, Kachok	8
21	Koh Kong	-	0	Jarai, Kavet, Stieng, Ja'ong, S'och, Kajrouk	6
22	Oddar Meanchey	-	0	Jarai, Kavet, Kleung, Kuoy, Bunong, Stieng, Ja'ong, S'och, Kajrouk	9
23	Kep	-	0	Jarai, Kavet, Stieng, S'och	4
24	Pailin	-	0	Jarai, Kleung, Kuoy, Stieng, Ja'ong	5
25	Tboung Khmum	-	-	Stieng	1

Annex 1: Summary of Consultation with Representative IPs

See Appendix 6

Annex 2: IP Screening Form

When to do screening: When road section to be rehabilitated is known.

Secondary Data: Check the Commune Database and/or MRD IP database for presence of IP groups in identified villages passing through the identified road sections.

Primary Data/Field Work: Check directly with key informants (such as commune and village chiefs as well as local people) whether there are IPs along, or in connection with, each road section. If no IPs are found, document this in the ESMP and no further steps are needed.

Checking Against WB Criteria: If IPs are found based on primary and/or secondary data, assess whether they meet all four WB criteria (also see Annex 3).

- (a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
- (b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
- (c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
- (d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Who will do the screening: DDIS Consultants or SEO.

Table 1: IP Screening Information

Province/ District/ Commune/ Village	Name of IP Group	Number of Households	Fulfil WB Criteria 1 (Y/N) and <u>explain</u> – see Annex 3	Fulfil WB Criteria 2 (Y/N) and <u>explain</u> – see Annex 3	Fulfil WB Criteria 3 (Y/N) and <u>explain</u> – see Annex 3	Fulfil WB Criteria 4 (Y/N) and <u>explain</u> – see Annex 3

Assessment Summary:

- If no IP groups are found, or if IP groups are found but do not meet WB criteria, carefully document the process in the ESMP.
- If IP groups are found, provide a summary as to potential impacts and risks. Proceed to hire a (national) consultant, or DDIS, to assist with preparation of Social Assessment and IPP.

Annex 3: Guidance on WB Criteria To Determine IP

This Annex helps to explain the four criteria used by the WB to determine whether a given group should be considered an Indigenous Group/Indigenous Peoples.

The World Bank's ESS7 notes that the term "IP" is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:

1. As members of a distinct indigenous social and cultural group and recognition of this identity by others

Questions and Factors to Consider (in addition to those outlined in the legal framework or commune database)

- Do IPs identify themselves as an Indigenous community or a traditional community or around a distinct cultural identity?
- You can ask: What does it mean to you to be an IP? How would someone outside of your community describe who you are, especially distinguishing features as a community? Do others recognize them as belonging to those groups?
- *Note:* When asking if others would recognize them, it is not about being described as "indigenous" but whether or not others would recognize their distinctness as per the characteristics under ESS7.

2. Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;

Questions and Factors to Consider

- *Note: for the purposes of this question, it is not relevant whether IP groups have collective title to the land or not, given that the number of IP groups with collective land title is still very low in Cambodia.*
- How long has the community lived on that land? Do members of the community have historical knowledge of these ancestral lands? Is there anthropological, ethnographic or legal data that can validate? Do they consider that land to be their ancestral or traditional land? Have they moved from their traditional lands?
- Is the community using the land and resources in accordance with their customary laws, values and traditions?

3. Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture

Questions and factors to consider:

- Are there traditional leaders or a traditional leadership structure? If so, how do they work with other levels of government? Does the community have an internal decision-making process?
- What are the main modes of economic activity? Has this changed over time? How have these changes, if at all, impacted their identity, other cultural practices, traditional knowledge, language, etc.?
- Does the community have traditional education/learning systems, cultural systems or health systems that are distinct from those of Khmer society?

4. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Questions and factors to consider:

- What is the language or dialect of the community?
- Does the community speak and understand Khmer?
- Does the community have traditional education systems, using their own languages, teaching and learning methods?

Annex 4: Guidance Questions for targeted Social Assessment

If IP groups are identified, these guiding questions may be helpful when conducting Social Assessment.

PROFILE OF THE LAND USED BY IP GROUPS	
13.	Describe the land used by IP groups that is near, or in some way connected to, the road being rehabilitated. What is the land type (public, state, communal, private, etc.)? Are there pressures on this land?
14.	Who else, legally or illegally, uses the land used by IPs for their livelihoods or any other use?
15.	Are there, or have there been, any conflicts relating to this land? If so, conflict between whom?
16.	How long has the IP community lived on that land? Do members of the IP community have historical knowledge of these ancestral lands – have these boundaries changed? Why? Is there anthropological, ethnographic or legal data that can validate?
17.	How are livelihoods attached to these lands? Do IPs rely on land and natural resources for housing, water, traditional subsistence, economic development, dress, traditional medicines, etc.?
18.	Is there a likelihood that road rehabilitation will attract outsiders to lands that IPs have collective attachment to and/or are used by IPs, or that it may exacerbate pressures on these lands?
DESCRIPTION OF THE IP GROUPS	

19.	How many people are there in the IP group? Please describe the IP group, including their name, heritage and how many people/households.
20.	Would you please give us some information about your IP group? What kind of activities go on in your village on a normal day? How does your group (e.g. women, elderly, farmers) experience life?
21.	Which languages are spoken by the IP group? Do they speak Khmer language?
22.	Are there any cultural or religious items/artifacts/areas connected with the road being rehabilitated? Where? What is the belief/practices?
23.	Has there been migration into this commune or the surrounding area? If so, where from, and why?
24.	What is the main source of livelihoods for the IP group? What about for people in the commune?

<u>13.</u>	Are there traditional leaders or a traditional leadership structure within the IP group? If so, how do they work with local and other levels of government?
<u>14.</u>	Does the IP community have an internal decision-making process? How are representatives chosen? How do women, youth, elders, persons with disabilities participate?
<u>15.</u>	What are the main jobs/livelihoods for the IP community?
<u>16.</u>	Does the community rely in whole or in part, traditional medicines and health practices? Has this changed over time? What are the factors for this change?
<u>17.</u>	Does the community have traditional conservation practices which they rely on? If so, how do they (both past and present) deal with climate change, disasters, habitat or wildlife loss?
<u>18.</u>	Has there been any conflict or tension over the following issues during the past years with the IP community and other local communities? With outsiders?

POTENTIAL IMPACTS TO IP GROUPS				
<u>19.</u>	Is the road being rehabilitated near or within any of the following areas?			
		Yes/No	NA	Don't know
	Land IP group has collective attachment to (for example for cultural, spiritual or livelihood reasons)			
	Medicinal plants used by IP groups			
	Non-timber forest products are used by IP groups			
	Important trees or natural landmarks of importance to IP group			
	Other (Spe®y)			
<u>20.</u>	Are there any people in your IP group who are very poor/dependent/supported by others and/or considered vulnerable in any way?			
<u>21.</u>	What types of social support networks exist within your IP community? Could you explain us when a person needs support, what types of contributions are provided to those in need?			
<u>22.</u>	What do you think would be the positive effects of road rehabilitation for your IP group?			

<u>23.</u>	What do you think would be the negative effects of road rehabilitation for your IP group?
<u>24.</u>	What do you think is the main problem faced by your IP group? How do you think can this problem be solved?
<u>25.</u>	If there were opportunities for jobs in civil works, would men and women in your group be interested?
<u>26.</u>	What is the best way to provide information to your group? What is the best way for you to share information with project planners? Does the project's proposed SEP fulfil the needs of your group?
<u>27.</u>	Is the project's proposed GRM adaptable to the needs of your IP group? How would this GRM need to be adapted?
<u>28.</u>	Is there anything else you would like to talk about, or want me to know?

Annex 5: Indicative Indicators for Monitoring

1. Monitoring indicators should assist the project to assess progress of the Indigenous Peoples Plan (IPP) and whether mitigation measures are effective, resulting in desired outcomes. This enables the project to respond to any issues and manage change accordingly.
2. Indicators that show implementation progress are called process indicators and give some certainty that the project is proceeding according to plan.
3. Indicators that measure whether the IPP mitigation measures are successful are called outcome indicators and reflect the results of the process.
4. It is important that an appropriate number of indicators be included in the monitoring plan. Too few may leave gaps in critical areas. Too many may overburden the collection process, and diminish quality. Use the minimum but necessary number of monitoring indicators to ensure adequate IPP implementation and expected outcomes.
5. Some examples of process and outcome indicators are shown below. They are not an exhaustive list, and should be selected as required.

Example of Process Indicators	
Demographic baseline	<ul style="list-style-type: none">• The numbers of affected Indigenous Peoples (IP) by category of impact, gender, age, habitat (village etc.), income, status and position• Number of households with handicapped, elderly or invalid members• Number of female headed households• Number of vulnerable households (poor, elderly)• Number of households by ethnic group• Number of births and deaths
Consultation and participation	<ul style="list-style-type: none">• Number of consultation and participation activities that occur—meetings, information dissemination, brochures; flyers, training• Percentage of IP women as participants; number of meetings exclusively with IP women• Percentage of vulnerable IP groups represented / attending meetings; number of meetings exclusively with vulnerable IP groups.• Languages used at meetings• Good faith negotiations—recording of process, participants, locations, correspondence• Broad community support—record of processes, participants, locations and agreement obtained• Consultation and participation progress against plan and budget
Mitigation measures	<ul style="list-style-type: none">• Progress of implementation of mitigation / beneficial measures against plan

	<ul style="list-style-type: none"> • Number of activities that occur/completed—such as construction, livelihood restoration, disbursements, training • Percentage progress against timelines and budget
Grievance redress	<ul style="list-style-type: none"> • Total number of people/groups using the grievance redress procedure. • Number of distinct people/groups. Any IP group with significantly more grievances? • How many times has a household submitted the same grievance? • Number of grievances resolved? • Length of time taken to be resolved? • Types of grievance categories and prevalence
Implementation problems	<ul style="list-style-type: none"> • Identified delays—(days, cost) due to personnel, capacity, insufficient funds, etc. • Number of times implementation schedule revised

Example of Outcome Indicators	
Consultation and participation program	<ul style="list-style-type: none"> • Awareness of IP issues among implementing stakeholders in each sector • Awareness of IPP mitigation and beneficial measures amongst recipients • Awareness of project details amongst stakeholders • IP perception of effectiveness, cultural appropriateness and inclusiveness of consultation measures • Attendance at consultation and participation activities Level of involvement by IP and representatives in the design and implementation of consultation and participation
Enhanced dignity of IP groups, integrity of traditional kinship networks and livelihood patterns	<ul style="list-style-type: none"> • Changes in religious/cultural practices • Changes in cultural governance • Participation in cultural governance (by gender, status) • Number of people (age and sex) who can speak national language and/or local dialect • Changes in condition of schools, community buildings, temples structures • Numbers of religious/cultural events and persons (monks shamans, priests etc.)

	<ul style="list-style-type: none"> • Participation in cultural/religious events (by gender, time/resources allocated)
Livelihoods and living standards	<ul style="list-style-type: none"> • Major asset inventory—e.g. vehicle, phone, tools, kitchen equipment • Changes in patterns of IP occupation, production, and resource use • Changes in income and expenditure patterns among IP households • Savings • Change in food used by IP—amount, nutrition source • Cost of living changes—market prices etc. • Changes in key social parameters—gender roles of production • Vulnerable groups—status, relative income, livelihood • Education—literacy and numeracy level in national/ethnic language • School attendance of IP children (by sex and age) • Key health indicators of IP (by gender, age)

PUBLIC INFORMATION BOOKLET

PROJECT BACKGROUND

- Project description
- Project outcome
- Project beneficiaries

PROJECT ACTIVITIES

ENVIRONMENTAL AND SOCIAL RISKS AT SUBPROJECT

- Social risks and impacts
- Environmental, Health and Safety risks and impacts

MITIGATION MEASURES

COMPENSATION PRINCIPLES FOR AFFECTED LAND AND NON-LAND ASSETS

GRIEVANCE REDRESS MECHANISM

PREPARATION OF ENVIRONMENTAL AND SOCIAL DOCUMENTS

STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE

For more information, please contact

Name:

Telephone:

Email:

Facebook:

Website:

Annex 7: Ethnic Groups in 24 provinces in Cambodia

No .	Province	Ethnic minority groups (>= 100 people)	Group Number	Ethnic minority group (<100 people)	Group Number
1	Battambang	Jarai, Stieng, Ja'ong	3	Kavet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
2	Siem Reap	Jarai, Stieng, Ja'ong	3	Kavet, Kleung, Kuoy, Kreung, Bunong, Kroul, S'och, Kajrouk, Mon	9
3	Kampong Speu	Jarai, Souy	2	Kavet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
4	Pursat	Jarai, Poar	2	Kavet, Kleung, Kuoy, Kreung, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
5	Banteay Meanchey	Jarai	1	Kavet, Kleung, Kuoy, Brao, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
6	Kampong Chhnang	Jarai	1	Kavet, Kleung, Kuoy, Kreung, Lun, Tumpoun, Stieng, Ja'ong, Kroul, Radae, S'och, Kajrouk	12
7	Phnom Penh	Jarai, Kavet, Kleung, Stieng, Ja'ong	5	Kuoy, Kreung, Lun, Bunong, Brao, Tumpoun, Kroul, Radae, L'moon, Mel, Souy, S'och, Kajrouk, Mon, Kachok	15
8	Stung Treng	Kreung, Lun, Bunong, Brao	4	Jarai, Kleung, Tumpuan, Stieng, Ja'ong, S'och	6
9	Kampong Cham	Jarai, Kavet, Stieng, Ja'ong	4	Kleung, Kuoy, Bunong, Brao, Kroul, Radae, Mel, S'och, Kajrouk, Mon	10
10	kandal	KJarai, Kleung, Stieng, Ja'ong	4	Kavet, Kuoy, Lun, Bunon, Brao, Tumpoun, Kroul, Radae, L'moon, Souy, S'och, Kajrouk, Mon	13
11	Kratie	Jarai, L'moon, Khonh	3	Kavet, Kleung, Lun, Brao, Ja'ong, Poar, Souy, S'och, Kajrouk (Mel)	9

12	Mondulkiri	Stieng, Kroul, L'moon	3	Jarai, Kavet, Kuoy, Kreung, Brao, Tumpoun, Ja'ong, Mel, S'och, Kajrouk	10
13	Prey Veng	Jarai, Stieng, Ja'ong	3	Kavet, Kleung, Kuoy, Kroul, Radae, S'och, Kajrouk (Mel)	7
14	Kampot	Jarai, Ja'ong	2	Kavet, Kleung, Kuoy, Lun, Bunong, Stieng, Khonh, S'och, Kajrouk	9
15	Takeo	Jarai, Ja'ong	2	Kavet, Kleung, Kuoy, Bunong, Stieng, L'moon, S'och, Kajrouk (Mel)	8
16	Ratanakiri	Bunong	1	Kleung, Kuoy, Lun, Stieng, Ja'ong, Kroul, L'moon, Souy	8
17	Preah Vihear	Jarai	1	Kavet, Kleung, Bunong, Brao, Tumpoun, Stieng, Ja'ong, Kroul, L'moon, S'och, Kajrouk	11
18	Kampong Thom	Jarai	1	Kavet, Kleung, Bunong, Stieng, Ja'ong, S'och, Kajrouk	7
19	Preah Sihanouk	Jarai	1	Kavet, Kleung, Kuoy, Kreung, Brao, Tumpoun, Stieng, Ja'ong, Kroul, Mel, S'och, Kajrouk	12
20	Svay Rieng	Jarai	1	Kavet, Kleung, Kuoy, Stieng, Ja'ong, S'och, Kajrouk, Kachok	8
21	Koh Kong	-	0	Jarai, Kavet, Stieng, Ja'ong, S'och, Kajrouk	6
22	Oddar Meanchey	-	0	Jarai, Kavet, Kleung, Kuoy, Bunong, Stieng, Ja'ong, S'och, Kajrouk	9
23	Kep	-	0	Jarai, Kavet, Stieng, S'och	4
24	Pailin	-	0	Jarai, Kleung, Kuoy, Stieng, Ja'ong	5

APPENDIX 4: DOCUMENTATION FOR CONSTRUCTION ACTIVITIES

Annex 1 Chance Find Procedures

Since KH-SEADRM 2 is focusing on the improvement and rehabilitation of the existing roads and bridges, it is not expected to yield archaeological, paleontological or cultural findings of any significance because infrastructure works will occur in the existing road alignment and ROW. However, there remains a possibility for (as yet undiscovered) sites of local cultural significance (i.e. sacred sites, cemeteries) and archaeological sites to exist with sub-project areas.

MRD and the DDIS will ensure that the bidding and contract documentation for civil works contractors will include a clause on chance find procedures and includes the following measures:

- a) Stop construction activities in the area of the chance find;
- b) Delineate the discovered site or area;
- c) Secure the site to prevent any damage or loss of removable objects;
- d) Notify the supervisory Engineer who, in turn, will notify the responsible local authorities;
- e) Responsible local authorities would conduct a preliminary evaluation of the findings to be performed by archaeologists who will assess the significance and importance of the findings according to various criteria, including aesthetic, historic, scientific or research, social and economic values;
- f) Decisions on how to handle the finding shall be taken by the responsible authorities which could result in changes in layout, conservation, preservation, restoration and salvage;
- g) Implementation for the management of the finding communicated in writing; and
- h) Construction work could resume only after permission is given from the responsible local authority concerning safeguard of the heritage.

Annex 2 Outline for Environmental and Social Management Plan

An Environmental and Social Management Plan (ESMP) consists of a set of mitigation, monitoring, and institutional measures to be taken during implementation and operation of a project to eliminate adverse environmental and social risks and potential impacts, offset them, or reduce them to acceptable levels. The ESMP also includes the measures and actions needed to implement these measures.

Site-specific ESMPs will be needed for all roads and bridges subprojects financed under the KH-SEADRM 2. Some of the roads sections and bridges locations may be covered by the same ESMP, for instance if the road sections and bridges location are adjacent and similar. The ESMPs will be prepared by MRD with the assistance of E&S Supervision Consultants.

The ESMP will consist of:

- a) Brief Project description
- b) Overview of the Project location, including socioeconomic and environmental baseline
- c) information
- d) Legislative Framework (RGC laws and regulations, WB ESF and Gap Analysis)
- e) Identifying all anticipated adverse environmental and social impacts, including those involving indigenous people or involuntary resettlement (and making relevant links to RPs and IPPs), and any relevant direct, indirect or cumulative impact;
- f) Describing in detail each mitigation measure, including the type of impact to which it relates to, including Labor Management Procedures, Occupational Health and Safety Procedures, Community Health and Safety Plan, Child Labor Prevention Plan, Labor Influx Plan, SEA/SH and other plans that may be necessary (cultural heritage, biodiversity management, etc.)
- g) Monitoring objectives and the type of monitoring, with linkages to the impacts assessed, including a description of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements and monitoring and reporting procedures;
- h) Stakeholder Engagement, aligned with the project's SEP, and summary of consultations conducted on the ESMP;
- i) Description of the Grievance Redress Mechanism, including a specific Labor-GRM for workers;
- j) Description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (i.e. for operation, supervision, enforcement, monitoring, staff training, etc.), capacity assessment of the Borrower (MRD) and a training plan for the MRD'S SEO;
- k) Implementation Schedule and Cost Estimates, showing coordination with overall project
- l) implementation plans, costs and sources of funds.

SAMPLE TABLE FOR ESMP MONITORING?

POTENTIAL NEGATIVE IMPACT	ENVIRONMENTAL AND SOCIAL MITIGATION MEASURES	LOCATION	ESTIMATED MITIGATION COSTS	EXECUTING AGENCY	SUPERVISING / MONITORING AGENCY
DETAILED DESIGN/ PRE-CONSTRUCTION MOBILISATION STAGE					
CONSTRUCTION STAGE					
OPERATION AND MAINTENANCE STAGE					

Annex 3 Sample Monitoring Checklist

PROJECT ROAD:

DATE:

PREPARED BY:

LOCATION:

CONTRACTOR:

SUPERVISION
:CONSULTANT

Inspection Participants: (insert names and positions)

ESMP Items	Applies		Compliance			Issue [®] ta tus (R)/ (O)	Action Required/Taken		Target/ Actual Date	
	Yes	No	<div></div>	<div></div>	<div></div>					
Mitigation & Management Measures: Construction Phase										
Mitigation measure from ESMP										
Mitigation & Management Measures: Operation and Maintenance Phase										

Compliant, Minor Non-Compliance, Significant Non-Compliance

Status: (R) Resolved Issues, (O) Ongoing Issues

Annex 4 Environmental and Social Codes of Practices for Construction

Generic contract clauses are provided to assist with environmental and social management works. These clauses are general and should be modified as needed. These clauses are intended to be included as requirements in the works contract and shall remain in force throughout the contract period.

Clause on ESMP

The Contractor is required to implement this ESMP. The Contractor is responsible for the implementation of construction and rehabilitation activities for the sites and for implementing the impact mitigation measures in the construction phase. The Contractor's approach shall be detailed in the Contractor's Management Plan.

The Contractor shall include a suitably qualified and experienced Environmental, Occupational Health and Safety Officer (and other staff or consultants as necessary) to be specifically responsible for preparation and regular update and supervision of the ESMP. The Environmental, Occupational Health and Safety Officer is responsible for the daily supervision and monitoring of the Contractor's implementation of the Plan and compliance with the Project ESMP for the duration of the contract. The Contractor's approach to comply with the ESMP shall be approved by MRD and DDIS prior to the Contractor's mobilization to the site.

The Contractor will be required to report on the implementation status of the ESMP to MRD. The damages due to the violation of the stipulations by the Contractor shall be compensated and/or restored by the Contractor at his or her own expense. Performance will be monitored by MRD and will be enforced by withholding of payments (refer to relevant clause in the bid documents).

Other Standard Clauses

Permits and Approvals

The contractor shall be responsible for ensuring that he or she has all relevant legal approvals and permits required to commence works.

Site Security

The contractor shall be responsible for maintaining security over the construction site including the protection of stored materials and equipment. In the event of severe weather, the contractor shall secure the construction site and associated equipment in such a manner as to protect the site and adjacent areas from consequential damages. This includes the management of onsite, construction materials, construction and sanitary wastes, additional strengthening of erosion control and soil stabilization systems and other conditions resulting from contractor activities which may increase the potential for damages.

Discovery of Antiquities and Cultural Heritage

If, during the execution of the activities contained in this contract, any material is discovered onsite which may be considered of historical or cultural interest, such as evidence of prior settlements, native or historical activities, evidence of any existence on a site which may be of cultural significance, all work shall stop and the supervising contracting officer shall be notified immediately and the Chance Find Procedures followed (Annex 4.1). The area in which the material was discovered shall be secured, cordoned off, marked, and the evidence preserved for examination by the local archaeological or cultural authority. No item believed to be an artefact must be removed or disturbed by any of the workers. Work may resume, without penalty of prejudice to the contractor upon permission from the contracting officer with any restrictions offered to protect the site.

Worker Occupational Health and Safety

The contractor shall ensure that all workers operate within a safe environment. Sanitation facilities shall be provided for all site workers. All sanitary wastes generated as a result of project activities shall be managed in a manner approved by the contracting officer and the local authority responsible for public health. The contractor shall ensure that there are basic medical facilities on site and that there are staff trained in basic first aid. Workers must be provided with the necessary protective gear as per their specific tasks such as hard hats, overalls, gloves, goggles, boots, etc. The contractor shall provide the contracting officer with an occupational health and safety plan for approval prior to the commencement of site activities.

The contractor must ensure that all workers operate within a safe environment. All relevant Labor and Occupational Health and Safety regulations must be adhered to ensure worker safety. Sanitary facilities must be provided for all workers on site. Appropriate posting of information within the site must be done to inform workers of key rules and regulations to follow.

Noise Control

The contractor shall control noise emissions generated as a result of contracting activities to the extent possible. In the case of site locations where noise disturbance will be a concern, the contractor shall ensure that the equipment is in good working order with manufacturer supplied noise suppression (mufflers etc.) systems functioning and in good repair.

Where noise management is a concern, the contractor shall make reasonable efforts to schedule activities during normal working hours (between 7 am and 5 pm). Where noise is likely to pose a risk to the surrounding community either by normal works or working outside of normal working hours or on weekends, the contractor shall inform the contracting officer and shall develop a public notification and noise management plan for approval by the contracting officer.

Use and Management of Hazardous Materials, fuels, solvents and petroleum products

The use of any hazardous materials including pesticides, oils, fuels and petroleum products shall conform to the proper use recommendations of the product. Waste hazardous materials and their containers shall be disposed of in a manner approved by the contracting officer in accordance with State and/or national laws and the Project ESMP. A site management plan will be developed by the contractor if the operation involves the use of these materials to include estimated quantities to be consumed in the process, storage plans, spill control plans, and waste disposal practices to be followed. Any plans required shall be approved by the contracting officer.

Elements of the hazardous materials management shall include:

- Contractor must provide temporary storage on site of all hazardous or toxic substances in safe containers labeled with details of composition, properties and handling information;
- Hazardous substances shall be placed in a leak-proof container to prevent spillage and leaching; and
- Wastes shall be transported and disposed of in a manner outlined in the ESMP, and cleared by the CIU Safeguards Team compliant with national laws and policies and the ESMP.

Use and Management of Pesticides

Any use of pesticides shall be approved by the contracting officer and shall conform to the manufacturers' recommendations for use and application. Any person using pesticides shall demonstrate that they have read and understood these requirements and are capable of complying with the usage recommendations

to the satisfaction of the contracting officer. All pesticides to be used shall conform to the list of acceptable pesticides that are not banned by the relevant local authority.

If termite treatment is to be utilized, ensure appropriate chemical management measures are implemented to prevent contamination of surrounding areas, and use only licensed and registered pest control professionals with training and knowledge of proper application methods and techniques.

Use of Explosives

No explosives shall be used on the Project.

Site Stabilization and Erosion Control

The Contractor shall implement measures at the site of operations to manage soil erosion through minimization of excavated area and time of exposure of excavated areas, preservation of existing ground cover to the extent possible, provision of approved ground cover and the use of traps and filtration systems. Where excavations are made, contractor shall implement appropriate stabilizing techniques to prevent cave-in or landslide. Measures shall be approved by the contracting officer.

The contractor must ensure that appropriate erosion control measures such as silt fences are installed. Proper site drainage must be implemented. Any drain clogged by construction material or sediment must be unclogged as soon as possible to prevent overflow and flooding. The use of retaining structures and planting with deep rooted grasses to retain soil during and after works must be considered. The use of bio-engineering methods must be considered as a measure to reduce erosion and land slippage. All slopes and excavated areas must be monitored for movement.

The contractor will establish appropriate erosion and sediment control measures such as hay bales, sedimentation basins, and / or silt fences and traps to prevent sediment from moving off site and causing excessive turbidity in nearby streams, rivers and wetlands. Construction vehicles and machinery will be washed only in designated areas where runoff will not pollute natural surface water bodies.

Air Quality

The Contractor shall comply with the Project ESMP requirements for dust management.

Traffic Management

In the event that construction activities should result in the disruption of area transportation services, including temporary loss of roadways, blockages due to deliveries and site related activities, the contractor shall provide the contracting officer with a traffic management plan including a description of the anticipated service disruptions, community information plan, and traffic control strategy to be implemented so as to minimize the impact to the surrounding community. This plan shall consider time of day for planned disruptions, and shall include consideration for alternative access routes, access to essential services such as medical, disaster evacuation, and other critical services. The plan shall be approved by the contracting officer.

Elements of the traffic management plan to be developed and implemented by contractor shall include:

- Alternative routes will be identified in the instance of extended road works or road blockages;
- Public notification of all disturbance to their normal routes;
- Signage, barriers and traffic diversions must be clearly visible, and the public warned of all potential hazards;
- Provision for safe passages and crossings for all pedestrians where construction traffic interferes with their normal route;

- Active traffic management by trained and visible staff at the site or along roadways as required to ensure safe and convenient passage for the vehicular and pedestrian public; and
- Adjustment of working hours to local traffic patterns, e.g. avoiding major transport activities during rush hours or times of livestock movement.

Water Quality

The Contractor shall comply with the Project ESMP requirements for water quality. Under no circumstances shall the contractor permit the collection of standing water as a consequence of contractor activities to ensure that it does not create breeding grounds for any pests such as mosquitoes.

Management of Solid Wastes and Construction Debris

The contractor shall provide a solid waste management plan that conforms to the national solid waste management policies and regulations and the Project ESMP for approval by MRD (see Annex 4.2). The site waste management plan shall include a description of waste handling procedures including collection, storage and disposal through the national waste management system. There will be no open burning of waste material and the contractor shall endeavor to recycle wastes as appropriate. Under no circumstances shall the contractor allow construction wastes to accumulate so as to cause a nuisance or health risk due to the propagation of pests and disease vectors.

Management of Workers

The Contractor will prepare a specific Code of Conduct (see Annex 5.2 and 5.3) to describe the expected behaviors of their project worker in relation to the local communities and their social sensitivities. This is to avoid creating demand for illegal sex work, avoid SEA/SH and Violence against Children, manage alcohol consumption and avoid the use of illegal substances, and abide by cultural and social norms of the host community. The Contractor is to ensure no children (persons under the age of 18) are hired to work in the project.

The Contractor is to ensure that all overseas project staff undergo a training on the Staff Code of Conduct. Gender based violence and HIV/AIDS and communicable disease awareness raising and resources shall also be provided to all workers. MRD shall provide to the Contractor a list of approved service providers, which shall include recognized NGOs and others for conducting this training.

The Contractor is to stipulate the conditions under which visitors may attend the workers' accommodation, including curfews. The Contractor shall ensure that basic social/collective rest and recreation spaces and activities within the workers accommodation to help minimize the impact that the workers would have on the leisure and recreational facilities of the nearby communities. The Contractor must comply with the Labor Management Procedures (Annex 5).

As per guidelines in the ESMP, the Contractor must ensure that Worker's Camps are located at least 500m from nearby communities and schools (see Annex 4.5).

Annex 5 Guidelines for Worker's Camps

To ensure the compliance to the OHS and ESF requirement, these guidelines will help the contractor when setting up worker's camps.

GENERAL

The Workers Camp Management Plan will be compliant with the specific prescriptions of the ESMP.

WORKER RECRUITMENT

The Contractor is required to minimise the number of skilled workers that are recruited from overseas. No unskilled labour will be sourced from overseas. Local communities should be prioritized for unskilled labor, including a target of 15% female unskilled workers. The Contractor will maximise the number of skilled and unskilled workers that are recruited from the communities along the project site.

The Contractor will be required to provide justification for any skilled workers recruited from overseas and explain why this position cannot be filled locally/ in Cambodia.

WORKERS CAMP FACILITIES

All facilities in the Workers Camp must be complaint with the stipulations of the ESMP. The camp shall be provided with the following minimum facilities:

- Eating space and dormitories as required shall be constructed of suitable materials to provide a safe healthy environment for the workforce and which facilitate regular cleaning and the provision of ventilation and illumination.
- At least one water closet toilet, one urinal and one shower per 10 personnel engaged either permanently or temporarily on the project. Separate toilet and wash facilities shall be provided for male and female employees, including ensuring that toilets are available close to working sites/road sections where women are working.
- A sick bay and first aid station.
- Sewage collection facilities to allow for the treatment of black and grey wastewater discharge from toilets, washrooms, showers, kitchens, laundry and the like. The management of all camp wastewater water shall be as prescribed in the ESMP.
- All camp facilities shall be maintained in a safe clean and or appropriate condition throughout the construction period.
- Throughout the period of the contract the employer, the engineer, or their representatives shall have uninterrupted access to and from the camp for the purpose of carrying out routine inspections of all buildings, facilities or installations of whatever nature to ensure compliance with this specification.

WORKERS CAMP OPERATIONS

- The Contractor will be required to provide adequate provisions for the workers for the duration of the project so as not to be a burden on the food or water security of the surrounding communities. The Contractor will strive to hire local labor to provide cleaning and food services.
- All wastewater, solid waste, freshwater usage, noise levels, handling and storage of hazardous materials shall be as prescribed in the ESMP.

MANAGEMENT OF OFF DUTY WORKERS

- The Contractor will prepare ensure all staff sign and adhere to the Workers' Code of Conduct to describe the expected behaviours of their project worker in relation to the local communities and their social sensitivities.
- The Contractor is to ensure that all overseas project staff, not already living in Cambodia, undergo a cultural familiarisation session as part of their induction training. The purpose of this induction will be to introduce the project staff to the cultural sensitivities of the local communities and the expected behaviours of the staff in their interactions with these communities.
- The Contractor is to stipulate the conditions under which visitors may attend the workers camp. Strict visiting hours should be enforced, and all visitors will be required to sign in and out of the worker's camp. No overnight visitors will be allowed.
- The Contractor shall ensure that basic social/collective rest spaces are provided equipped with seating within the Workers Camp to help minimise the impact that the workers would have on the leisure and recreational facilities of the nearby communities. Provisions should also be made to provide the workers with an active recreation space within the camp.

WORKERS CAMP MANAGEMENT PLAN

A Worker Camp Management Plan shall be submitted by the Contractor to MRD. The Workers' Camp Management Plan shall describe how this document and the ESMP shall be implemented in the following:

- Recruitment strategy
- Accommodation
- Canteen and dining areas
- Ablutions
- Water supply
- Wastewater management system
- Proposed power supply
- Code of Conduct for Workers
- Recreational/leisure facilities for workers
- Visitors to the Workers Camp
- Interactions with the local communities

Annex 6 Contractors' General Guideline on COVID-19 Considerations in Construction Works

The objective of the Contractors' General Guideline on COVID-19 Considerations in Construction Works is to provide guidance on Prevention Measures and Response to possible Cases of COVID-19 following to the Communicable Disease Control Department of the Ministry of Health of [Cambodia](http://www.cdcmoh.gov) (www.cdcmoh.gov).

Prevention Measures:

- Dissemination of COVID-19 prevention measures to staff and workers through orientation or distributing leaflet/poster at information/safety board at each construction and camp site
- Daily checking temperature of staff and workers prior to start working
- Staff and workers are wearing masks all the time
- Do not share personal items or supplies such as phones, pens, notebooks, tools, etc
- Avoid common physical greetings, such as handshakes
- Maintain a minimum physical distance of one metre from others if possible
- Wash hands often with soap and water for at least 20 seconds after using the washroom, before handling food, after blowing nose, coughing, or sneezing, and before smoking. If hands are not visibly soiled, and soap and water are unavailable, alcohol-based hand sanitizer can be used
- All offices and jobsites implement additional cleaning measures of common areas. All door handles, railings, ladders, switches, controls, eating surfaces, shared tools and equipment, taps, toilets, and personal workstation areas are wiped down at least twice a day with a disinfectant, such as disinfectant wipes. Individuals are responsible for cleaning and disinfecting their workstations
- Commonly touched surfaces on vehicles and equipment are thoroughly cleaned and disinfected at the end of shifts and between users
- Coughing or sneezing into a tissue or the bend of your arm, not your hand; dispose of used tissues you have as soon as possible in a lined waste basket and wash your hands afterwards
- Complying with any instructions announced by the Ministry of Health

Response to Possible Cases of COVID-19

- Individuals who have been potentially exposed to the virus, or who are exhibiting flu-like symptoms such as fever, tiredness, coughing, or congestion are instructed to:
 - Not come to work;
 - Contact their supervisor and/or human resources department;
 - Stay at home and self-isolate; and
 - Contact local health authorities for further direction.
- Such individuals are required to follow the directions of the local health authority and may not return to work until given approval by the proper health authorities;
- Individuals who begin to display flu-like symptoms on site are instructed to avoid touching anything, take extra care to contain coughs and sneezes, and return home immediately to undergo self-isolation as directed by the local health authority;
- All areas on site potentially infected by a confirmed or probable case are barricaded to keep individuals two meters away until the area is properly cleaned and disinfected.

APPENDIX 5: LABOR MANAGEMENT PROCEDURES

KINGDOM OF CAMBODIA

Nation Religion King

MINISTRY OF RURAL DEVELOPMENT

Cambodia Southeast Asia Disaster Risk Management project 2 (P177185)



LABOR MANAGEMENT PROCEDURES

Abbreviations

COVID-19	Corona Virus Infection Disease 19
KH-SEADRM 2	Second Cambodia Southeast Asia Disaster Risk Management Project
DDIS	Detail Design Implementation and Supervision
ESF	Environmental and Social Framework
ESS	Environmental and Social Standard
GDR	General Department of Resettlement
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
LMP	Labor Management Procedures
MEF	Ministry of Economy and Finance
MRD	Ministry of Rural Development
NGO	Non-Governmental Organization
OHS	Occupational Health and Safety
PDRD	Provincial Department of Rural Development
SEA	Sexual Exploitation and Abuse
SEO	Social and Environmental Office
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
STD	Sexually Transmitted Disease
VAC	Violence Against Children
WB	World Bank

Executive Summary

1. THE PURPOSE OF LABOR MANAGEMENT PROCEDURES

The purpose of the LMP is to identify the types of labor that are potentially involved in project implementation, such as directed workers, contracted workers, primary supply workers. Based on the identified types of labor, and scope and nature of these labors are to undertake, risks and potential impacts associated with the project labor are identified and assessed, and mitigation measures are proposed. As part of mitigation measure, LMP will describe a grievance redress procedure that were designed based on the project context to enable aggrieved persons to conveniently raise their complaints and have those complaints or concerns resolved by those who are designated by the project to solve such grievance. The LMP is a living document and may be updated where needed during project implementation. The LMP is applicable to all project workers, irrespective of type of contracts such as full-time, part-time, temporary casual.

2. OVERVIEW ON LABOR USE UNDER THE PROJECT

The World Bank's ESS2 (Labor and Working Condition) classifies project workers into four categories, including direct workers, contracted workers, community workers and workers of primary suppliers. In this project, direct workers, contracted workers, and primary supply workers are applied. It is estimated that approximately 2,694 workers are likely to be engaged for project implementation, of which about 80% are contracted workers including construction contractors, construction supervision consultant, detailed design consultant, etc. Table 1 (Section 2) summarizes estimated number of workers (per category) expected to be involved in this project, as well as their characteristics, likely duration of labor requirements, workers per unit/subobject.

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

Project activities

The project has four Project Components, of which two Components are related to physical construction: Component 2 (Resilient Rural Transport Infrastructure Reconstruction and Maintenance) which involves reconstruction of damaged roads and bridges, and Component 4 which provides emergency response (including reconstruction activities as needed) in an event of an Eligible Crisis or Emergency happen during project implementation.

Project Components 1 and 3 are not related to physical construction and focus on capacity building activities, day-to-day coordination, management and implementation of the project. The consultants engaged under Component 1 and 3 will be subject to all OHS requirements set forth in this LMP.

Key Labor Risks

The anticipated hazards and risks for this project are categorized into the following types: a) Occupational Health and Safety (OHS), b) Labor Influx, c) Sexual Exploitation and Abuse, Sexual Harassment, and Violence Against Children, d) Child labor, e) Forced Labor, f) Discrimination and Exclusion of Disadvantaged/ Vulnerable groups, and g) Temporary Workers. Section 3.2 describes the nature of each type of hazards. Table 2 elaborates further on the Occupational Health and Safety Hazards aRisks.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

The Labor Law (1997) is the regulatory framework with regards to labor and working condition in Cambodia. The Labor Law provides regulation against discrimination, promote fair treatment and equal opportunity in employment and wages, and provides protection and assistance to vulnerable workers. The Labor Law is dedicated to promoting health and safety in the workplace and applicable to anyone who are engaged through working contract.

This Section also summarizes key issues of the 1997 Labor Law, covering basic wage, payment arrangement and deductions, hours of work, overtime work, rest per week, and leaves (such as annual leave, sick leave, maternity, and other personal/famileave),

5. BRIEF OVERVIEW OF OCCUPATION HEALTH & SAFETY LEGISLATION

Section 5 outlines the provisions related to Occupational Health & Safety specified in the Labor Law (1997). These provisions are consistent mostly with the WB's ESS2. The OHS provisions in the Labor Law aim to ensure that employees work in safe and healthy environment by setting and enforcing standards and regulations, as well as specifying the rights and responsibilities of employers, employees and other relevant parties as to exercising OHS principles and taking measures to prevent occupational accidents, diseases and ensure work safety.

6. RESPONSIBLE STAFF

Responsibilities of MRD and MRD PMU

As project owner, MRD is responsible for overall implementation of the LMP. The Project Management Unit (PMU) established under MRD will carry out day-to-day project implementation and management to ensure all project workers are recruited and managed in accordance with requirements set forth in the LMP, Labor Law (1997), and pertinent laws and regulations.

Responsibilities of the PMU's contractors

The responsibilities of PMU's Contractors, which includes the responsibilities of the contractor's safety officer, includes identifying potential hazards to project workers, particularly those that may be life-threatening. These are described in detail in section 6.2. Contractors will be responsible and liable for the safety of the workers and community members in relation to construction activities of the contractors at subproject site.

7. POLICIES AND PROCEDURES

MRD will incorporate all environmental and social requirements, including those related to Labor Management, in the tender document and contract documents to ensure potential bidders are aware of environmental and social performance requirements.

The contractor is required to ensure all documentation related to their environmental and social performance, including activities related to the LMP, are available for inspection at any time by the MRD. All workers will be trained and will be required to sign Individual Code of Conduct, including Manager, as applicable (See Annex 5.2 ESMF).

8. OCCUPATIONAL HEALTH AND SAFETY

Occupational Health and Safety (OHS) plan will be developed by contractors as contract's Environmental and Social Management Plan, taking into account risks related to OHS identified under this LMP, ESMF and site condition. OHS plan will include specific measures to ensure the safety

of workers who travel to remote sites. Section 8 details the specific measures to be adopted in the plan, such as project cars to be driven by professional drivers only with use of seatbelts, and compulsory helmet use for drivers and passengers when using project motorcycles. Project workers in remote areas will receive health and safety training including prevention of infections. Site-specific risks will be assessed as part of the ESMP which will include plans for identification of emergency health facilities and emergency evacuation. Measure will be taken to ensure workplace are safe from COVID-19 and are in compliance with the Law on Measures to Prevent the Spread of COVID-19 and other Deadly and Dangerous Diseases. UXO risks will be assessed for all sites with the assistance of Cambodia Mines Action Centre/ Cambodia Mines Action Authority and appropriate risk mitigation measures adopted. Additional guidelines on OHS are provided in Annex 5.1 of the ESMP.

9. TERMS AND CONDITIONS

All terms and conditions that have been outlined in the World Bank's ESS2, including COVID-19 prevention and treatment requirements for workers will be adopted and applied to contracted workers. The additional conditions that are applicable to this LMP are provided in this 9, including conditions related to maximum working hours (limited to 8 hours per day, 6 days per week) in line with national law, typical content required for a work contract for workers, including social Code of Conduct, and so on. There is also a requirement for a work contract to be provided to workers.

10. GRIEVANCE REDRESS MECHANISM (GRM)

To address potential grievances of direct and contracted workers, the GRMs for project workers and SEA/SH survivors are described in section 10. Project contractors and subcontractors are responsible for informing their project workers of these grievance redress procedures – through their employment contract and induction training before the workers start work on sites. While a timeframe is specified for each step, any grievance that concerns urgent health and safety issues shall be resolved immediately. Section 10 describes the full suite of options for lodging a complaint and addressing them. Complaints will be documented and acknowledged in writing upon receipt. MRD's PMU is an alternative channel through which complaint can be lodged. Grievance redress procedures for Project workers, and for Sexual Exploitation and Abuse/ Sexual Harassment can be found in section 10.2 of the LMP.

11. CONTRACTOR MANAGEMENT

For Contractor Selection, contractors are required to provide information including past Environmental, Health, and Safety (EHS) performance, status of ESMS, number and qualifications of Environmental, Social, Health and Safety (ESHS) personnel, occupational health and safety procedures and controls. MRD PMU may include items such as documents showing compliance with in-country ESHS legal requirements and other items in the Requests for Proposal (RFP) or other solicitations to prospective contractors (see section 11.1).

Project Performance

During construction, contractors are required to implement activities including monitoring, keeping records and reporting on terms and conditions related labor management, grievance redress, and others, as detailed in section 11.2. MRD and their consultant for Detailed Design And Implementation Support (DDIS) are responsible for management and supervision of contractors'

performance as well as overseeing the implementation of labor related provisions, as described in Contractor's work contract, project's LMP and Contract LMP.

12. PRIMARY SUPPLY WORKERS

Given the nature and scope of project' civil works (rehabilitation and construction of roads and bridges), the construction activities will require supply of construction material such as aggregates, bituminous materials, binders like lime, cement. Before purchasing the material from a primary supplier, Contractors need to conduct due diligence of the potential Primary Suppliers (those providing key materials for road construction, in particular raw materials) to ensure there is no forced labor, child labor and serious safety issues involved with activities that produce materials for the project. The LMP has a Remedial Process in case child labor, forced labor and/or serious safety incidents are identified in relation to primary supply workers under the project.

1. INTRODUCTION

1.1 Project Overview

From September to November 2020, Cambodia had experienced heavy rainfall across the country. The heavy rains caused widespread flooding in 20 out of 25 provinces, leaving an estimated 800,000 people directly affected, of which 49% had pre-existing vulnerabilities. The floods also damaged key transport infrastructure, causing disruption to transport connectivity, income generation activities, and loss of properties and access to public services. It was noted that the floods came amid a drought, exacerbating vulnerability of numerous families who are previously disadvantaged. According to the rapid damage assessment by the World Bank, economic loss due to flooding was estimated to be US\$ 448-490 million. Transport, irrigation, and agriculture are sectors that were most affected. The total costs for reconstruction of the damaged transport infrastructure were nearly US\$ 508 million.

The purpose of the second Cambodia Southeast Asia Disaster Risk Management Project (KH-SADRM2) is to support the Royal Government of Cambodia (RGC) to reconstruct approximately 400km of rural roads and bridges in select provinces (out of 20 affected provinces). These provinces include Banteay Meanchey, Battambang, Kampong Chhnang, Kampong Speu, Pursat, Siem Reap and Tboung Khmum. The rehabilitation of the rural transport infrastructure is expected to not only assist timely and effective recovery of transport connectivity, thereby enabling full restoration of local livelihood, but also enhance resilience of key transport infrastructure in response to recurring floods and long-term impacts of climate change. In addition to physical construction, the project will also strengthen institutional capacity in DRM for national rural development sector, particularly in planning and policy making.

KH-SEADRM2 project is built on the ongoing Cambodia SEADRM Project (KH-SEADRM1, P160929). It is planned that the achievements under KH-SEADRM1 (such as development of the Disaster Risk Financing Strategy) and the activities being implemented under other development projects (such as WB financed Cambodia Road Connectivity Improvement Project and the new climate-resilient road guidelines under the Asian Development Bank's Rural Road Improvement Project III) will inform the core activities of the KH-SEADRM2 project.

1.2 Project Development Objective and Project Components

Project Development Objective.

The Project Development Objective is to improve the disaster and climate resilience of flood-damaged roads in target areas, improve the capacity of the government to prepare for and respond to emergencies, and provide immediate and effective response in case of an Eligible Crisis or Emergency.

This objective will be achieved by through implementation of various activities that are organized into four project components:

Project Components.

- **Component 1: Institutional Strengthening for Disaster Resilience in the Rural Development Sector (US\$3 million IDA credit and US\$0.45 million RETF).** This component will focus on provision of technical assistance to strengthen MRD's capacity to prepare for, respond to, and recover from disasters and deal with climate change.

- **Component 2: Resilient Rehabilitation and Reconstruction of Rural Roads and Bridges (US\$106 million IDA Credit).** This component will focus on carrying out climate and disaster resilient rehabilitation and reconstruction, and maintenance of selected rural roads and bridges and related infrastructure damaged by the 2020 floods and other natural disasters in target areas. The Component also provide technical assistance for: (a) protection of Road Users Through Road User Awareness-Raising; (b) developing a roadmap to expand the functionality of MRD's Rural Roads Asset Management (RRAM) System for post-disaster damage assessment and recovery; and (c) on-the-job Capacity Building for Design and Implementation of Road Rehabilitation to Climate-Resilient Road Standards.
- **Component 3: Project Management (US\$3 million IDA Credit, US\$1.5 million Counterpart Financing).** This component will provide technical and operational assistance to strengthen the institutional, organizational, and technical capacity of MRD to support day-to-day Project implementation, including coordination, technical matters, procurement, financial management, social and environmental safeguards, monitoring and evaluation, and reporting.
- **Component 4: Contingency Emergency Response Component (CERC) (US\$ 0m).** This component is designed to provide immediate and effective response to an eligible Crisis or Emergency, as needed.

1.3 Purpose of Labor Management Procedures

This Labor Management Procedures (LMP) was prepared in accordance with the WB's Environmental and Social Framework (ESF), particularly the ESS2 (Labor and Working Condition) and ESS4 (Community Health and Safety). The LMP was also in line with laws and regulations of the RGC. The main purpose of the LMP is to identify risks and potential impacts associated project labor. Based on that, mitigation measures, including grievance redress mechanism, and implementation arrangements are proposed. The LMP is a living document which may be updated where needed during project implementation. The LMP is applicable to all project workers, irrespective of type of contracts such as full-time, part-time, temporary or casual.

The LMP are organized into 12 sections:

1. Introduction
2. Overview on Labor Use under the Project
3. Assessment of Key Potential Labor Risks
4. Brief Overview of Labor Legislation: Terms and Conditions
5. Brief Overview of Occupational Health and Safety Legislation
6. Responsible Staff
7. Policies and Procedures
8. Age of Employment
9. Terms and Conditions
10. Grievance Redress Mechanism
11. Contractor Management
12. Primary Supply Workers

2. OVERVIEW ON LABOR USE UNDER THE PROJECT

2.1 Type of workers

The World Bank's ESS2 (Labor and Working Condition) classifies project workers into four categories: direct workers, contracted workers, community workers and workers of primary suppliers. In this project, the following types of workers are involved:

- **Direct workers** – people employed or engaged directly by the PMU (including the project proponent and the project implementing agencies) to work specifically in relation to the project.
- **Contracted workers** – people employed or engaged through construction contractors/ subcontractors to perform activities related to construction of the civil works, including consultancy works. The contracted workers could be either international or national workers. If international workers, it is likely that these international workers have been already living in the country.
- **Primary supply workers** – people engaged by PMU's contractors as primary suppliers. Primary supply workers include those who are hired by main suppliers of construction materials and goods for core activities of the project.
- **Community workers** – local people who are engaged to provide labor as a contribution to the project, such as on a voluntary basis.

2.2 Direct workers

Under this project, direct workers are individuals who are directly employed or engaged by the MRD's PMU individual consultants.

2.3 Contracted workers

During project implementation, PMU will engage various construction contractors to support project construction and consulting individuals and Detail Design Implementation and Supervision firms (DDIS) to support PMU in project implementation. For contractors, It is estimated that 140 people will be engaged in each of the subproject, on average. The number of people to be engaged in each subproject depends on the scope of work, needs for technical skills, experience, as well as type of equipment, etc. to be used in each subproject. It is anticipated that about 20 roads/ bridge subprojects would be implemented throughout the project. For consulting, various individual consultants will be engaged by PMU to support in project implementation. These include Design Engineers, Construction Supervision Engineer, Environmental, Social Specialists, Procurement Specialist, etc. It is estimated that about 31 people are likely to be engaged as PMU's individual consultants.

For civil works, contracted workers refer to people that a contractor or subcontractor engage to carry out physical construction activities, such as engineers, workers, truck drivers, welders, finance, administrative staff, etc. Staff engaged by contractor and sub-contractor to support may include both skilled workers and unskilled workers. Under the project, contractors will be encouraged to hire skilled workers who live in Cambodia and unskilled workers who are local people, such as those who live in the vicinity of the civil works/ subproject. The use of local unskilled workers will not only provide local people with temporary job opportunities but also contribute to reducing the labor

influx into subproject area. Contractors will be encouraged to offer job opportunities to indigenous people (IP) where IP are present in the subproject area. It is estimated that each civil work/subproject may require, on average, 30 people who serve as skilled workers and 80 people as unskilled workers.

During project implementation, the project may engage civil society organizations (CSO), non-governmental organizations (NGO), or think-tanks to provide analytical works for PMU and/or providing training to PMU staff or community members on particular topics such as risks of HIV/AIDS, Sexual Abuse and Exploitation (SEA), Sexual Harassment (SH), Violence Against Child (VAC), COVID-19, traffic safety, etc. About 5 people will be mobilized from these organization to support the above works.

It is estimated that a total of 2,219 people are likely to be engaged as contracted workers to support the implementation of about 20 subprojects located in seven project provinces).

2.4 Primary supply workers

Primary supply workers under the KH-SEADRM 2 refers to workers who work in companies, factories, enterprises that supply, on an ongoing basis, provide directly goods and construction materials that are essential to the core functions of the project. These companies, factories, enterprises should be licensed by the Ministry of Mine and Energy and the Ministry of Environment and should engage no child labor or forced labor. As part of ESMP preparation, risks of child labor, forced labor and serious safety issues will be identified. The number and types of primary suppliers will be confirmed/determined during project implementation stage. For the purpose of risk assessment, it is estimated that 400 people may be involved as primary supply workers in relation to 20 subprojects to be implemented throughout project life (See Chapter 12 for details on primary supply workers).

2.5 Community workers

Community workers are local residents who live in the vicinity of the subprojects and are engaged by the project to provide labor as contribution to the project. Under KH-SEADRM 2, no community workers will be engaged to support the project works. However, it is likely that community members in subproject locations may be engaged by project contractors as unskilled workers to support construction activities related to reconstruction of roads and bridges. When this is the case, these local people are considered “contracted workers” because they are engaged through contracting relationship with the project’s contractors.

2.6 Other stakeholders working in connection with the project

Other stakeholders working in connection with the project will include civil servant who are employed directly by the government. Under the KH-SEADRM 2, these include civil servants who are currently staff of MRD and staff of the Departments of Rural Development (DRD) at provincial and district levels in project provinces. Staff from the General Department of Resettlement (GDR) of the Ministry of Economy and Finance (MEF) and staff from other line ministries are also considered stakeholders working in connection with the project. It is estimated that 44 people may be involved as other stakeholders working in connection with the project.

2.7 Estimated number of workers

Based on the average number of workers potentially engaged for each construction subproject, the total number of subprojects (20), the number of direct and contracted workers engaged by PMU, the total number of potential primary supply workers and other stakeholders working in connection

with the project, it is estimated that about 2,679 people would be potentially engaged throughout the project life for project implementation. It is also anticipated that if activities under Project Component 4 (Eligible Crisis or Emergency) are carried out, the total number of contracted workers may be increased.

Table 14 - Estimated Number of Project Workers to be Engaged for the Entire Project

Type of project workers	Characteristics of project workers	Duration of Labor Requirements	Workers per unit/subproject	Total workers (entire project)
<i>DIRECT WORKERS (Sub-Total: 10 persons)</i>				
PMU's member	Individual consultants (e.g. E&S Specialists, Design Engineers, Construction Supervision Engineers, etc.	From project preparation till project completion	10	10
<i>CONTRACTED WORKERS (Sub-Total: 2,225 persons)</i>				
Detailed Design consultant	National specialists	From project preparation until project completion	12	12
Construction Supervision consultant	National specialists		2	2
Independent E&S Monitoring Consultant	National specialists	6		6
Skilled workers	Mostly national permanent staff	Durations vary, depending on construction stages & needs.	30	600
Unskilled workers	local workers (around subproject location)		80	1,600
Civil society, NGOs, etc.			5	5
<i>PRIMARY SUPPLY WORKERS (Sub-Total for entire project: 400 persons)</i>				
Workers producing materials for core project activities	Mostly local workers	Construction stage	20	400
<i>OTHER STAKEHOLDERS WORKING IN CONNECTION WITH THE PROJECT (Sub-Total for entire project: 44 persons)</i>				
Civil servants of MRD, DRD at provincial & district level	SEO safeguard team	The construction stage of the project.	36	36
Civil servants of MEF	Staff of GDR	From project preparation until project completion	4	4
Civil servants of relevant Ministries	Staff	The construction stage of the project.	4	4
			Grand-Total	2,679

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

3.1 Project activities

The project has four Project Components, of which two Components are related to physical construction: Component 2 (Resilient Rural Transport Infrastructure Reconstruction and Maintenance) which involves reconstruction of damaged roads and bridges, and Component 4 which provides emergency response (including reconstruction activities as needed) in an event of an Eligible Crisis or Emergency happen during project implementation.

Project Component 1 and 3 are not related to physical construction. They focus on capacity building activities, day-to-day coordination, management and implementation of the project. Although activities under Project Component 1 and 3 does not require physical construction, it involves engagement of consultants who provide technical and implementation support to several project activities. These individual consultants may work in office and/or visit the fields. These activities would expose them to risks related to occupation health and safety (OHS), road safety, communicable disease, and non-communicable diseases, etc. while serving the project. Therefore, consultants engaged under Component 1 and 3 will be subject to all OHS requirements set forth in this LMP.

3.2 Key Labor Risks

Based on the nature and scope of potential civil works, and geographical characteristics of the potential construction sites, the following hazards and risks are anticipated, and are categorized into the following types: a) Occupational Health and Safety (OHS), b) Labor Influx, c) Sexual Exploitation and Abuse, Sexual Harassment, and Violence Against Children, d) Child labor, e) Forced Labor, f) Discrimination and Exclusion of Disadvantaged/ Vulnerable groups, and g) Temporary Workers, as described below.

a) Occupational Health and Safety (OHS) Risks:

Physical Hazards. Physical hazards represent potential for accident or injury or illness due to repetitive exposure to mechanical action or physical activities. Physical hazards may result in a wide range of injuries, from minor and need medical aid only, to disabling, catastrophic, and/or fatal.

- **Accidents due to falls:** falling from ladders, scaffoldings, vehicles, and bridge beams, etc.
- **Drowning and water injury accidents:** at bridge construction sites, workers may have to walk on structure above the water, or beams across the river or stream.
- **Accident due to falling objects:** Tools, machinery, equipment and materials used during construction may fall from the height, causing injuries.
- **Fall into open holes:** holes, manhole, and areas of deep excavation may be commonly found at road and bridge works. Fall into these holes may cause injuries of various degrees.
- **Physical injury related to the operations of heavy equipment:** Injury may result during operations of heavy equipment, such as crane, excavator, cuts and bruises on sharp objects etc.

Chemical hazards. Chemical hazards represent potential for illness or injury due to single acute exposure or chronic repetitive exposure to toxic, corrosive, sensitizing or oxidative substances. Common chemicals used in construction include Portland cement clinker (mineral binders), formaldehyde (wood-based materials), polyurethane, vinyl, cadmium or lead (paints and resins), and

solvents. They also represent a risk of uncontrolled reactions, including the risk of fire and explosion, if incompatible chemicals are inadvertently mixed.

- **Fire and Explosions.** Fires and or explosions resulting from ignition of flammable materials or gases can lead to loss of property as well as possible injury or fatalities to project workers.
- **Corrosive, oxidizing, and reactive chemicals.** Corrosive, oxidizing, and reactive chemicals present similar hazards and require similar control measures as flammable materials.

Personal Protective Equipment. PPE provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems. Lack of appropriate PPE may, in circumstance, result in injuries workers' eyes, heads, necks, ears, hands, arms, feet, legs, ears, lungs, and even the whole body.

b) Labor influx

The project contractor is likely to bring their own staff, such as project manager, technician and skilled workers, to support construction of the civil works. The contractors' staff may not share cultural characteristics with local people. As a result, some social risks are anticipated as a result of this labor influx, including:

- **Increased pressures to local inhabitant** due to increased demand for food, fuel, housing on the part of contractors' labor force, including non-local people who associate with contractor's workforce. These may include workers' families, sex workers, local businesses, job seekers and others;
- **Potential social conflicts** with local people;
- **Increased health risks**, such as contracting communicable disease such as COVID-19, HIV/AIDS, and non-communicable diseases (dengue fever, flu, etc.);
- **Increased risk** of traffic accidents, particularly for those living in the vicinity of the civil works and those who travel near the construction area.

c) Sexual Exploitation and Abuse, Sexual Harassment, and Violence Against Children

Because there are about 20 subprojects that involve reconstruction of roads and bridges, the potential social risks under this project may include risks related to sexual abuse and exploitation (SEA), sexual harassment (SH), and violence against children (VAC). These risks are identified based on potential concentration of a large number of workers at road and bridge subprojects, to support physical construction. For a civil-work subproject, around 50-180 workers may be engaged to carry out construction activities. To minimize the risk, various measures will be taken to target various potential project stakeholders: contractors, local people (including IP), local government, SEA/SH service providers, and so on. To further reduce the likelihood of happening, effort will be made by PMU to minimize the labor influx. This can be done by encouraging contractors to mobilize local people for their unskilled workforce, including skilled workers, whenever possible. For contractors, contractors will be required to train their workers (both skilled and unskilled works) on Individual Code of Conduct related to SEA/SH/VAC to avoid/minimize these. The observation of the Individual Code of Conduct on the part of workers will be closely monitored by Contractors, PMU, with the participatory monitoring by local people and local government. As part of mitigation measures, contractors will repeat their training for their own workers, and monitor their workers' application of the Individual Code of Conduct, plus prohibition and exercising strict disciplinary actions. As for

community, PMU will carry out SEA/SH/VAC awareness raising activities as part Information, Education, Communication (IEC) program. Awareness raising on SEA/SH/VAC will be integrated in consultations, meetings, training that PMU hold with local people, local government, PMU's direct workers, project proponent and project implementation agencies. Distribution of project information booklet, project's SEA/SH/VAC complaint handling procedure, is another way to reach out wider audience rather than those who directly attend meetings. Given the availability of these proposed measures and low awareness of local people, the risk of SEA/SH/ VAC is evaluated as "Moderate" by the time of project preparation.

d) Child labor

The Labor Law stipulates that minimum working age is 15 years old. According to the World Bank's ESS2, the minimum working age required is 14 or higher as the national law specifies. Since the project construction activities will take place in rural area where child labor is common, there is a possibility that local labor under 18 years of age is engaged by construction contractors and subcontractors to perform unskilled works. To ensure children are prevented from being engaged in typically heavy works at construction sites, all contractors under the project are required to engage labor of 18 years of age or above. The contractors are required to verify the workers age using valid supporting document before contract is signed. The requirement for minimum working age of 18 years of age will be included in bidding documents, and in work contract that PMU signs with each of the awarded contractors. With these measures in place, the risk of engaging child labor is rated "low".

e) Forced labor

Forced labor or compulsory labor is forbidden under the Labor Law (Article 15, Section 5). Forced labor includes situations where persons are coerced to work through use of violence or intimidation, manipulation of debt, retention of identity papers, threats, or other forms of retaliation. Hiring of people to work in order to pay off their debt is considered forced labor. Since project construction activities will take place mainly in rural area and most people are likely unskilled for the construction works, effort will be made by PMU and contractors to avoid forced labor. This will be done through requirement of avoiding forced labor in contractors' work contract, and requirement for contractors to verify if a local worker to be hired is likely to be forced labor. PMU will notify the Bank of any violation within 24 hours and take appropriate remedial action. Under this project, the risk of engaging forced labor is "low".

f) Discrimination and exclusion of disadvantaged/ vulnerable groups

Vulnerable/disadvantaged people, such the poor, indigenous peoples, women, etc., may be excluded from accessing temporary employment opportunities, such as those offered by construction contractors. Unequal wage payment on the account of gender may happen, particularly with local people engaged as unskilled workers. Every effort will be made to ensure local disadvantaged/ vulnerable groups are informed by contractors about job opportunities and contractors are also required, though their work contract, avoid impartial pay based on gender and employment status. Contractors may ask commune office and/or local mass organizations for their support in making job opportunities timely accessible to vulnerable people. The risk of discrimination and exclusion of disadvantaged/ vulnerable groups is "low".

g) Temporary workers

Local people, recruited as unskilled workers by project contractors, may not be offered a written working contract. As a result, there is a possibility that they may be underpaid for the nature, scope, and quantity of work that they undertake. They may also be asked to work under conditions that are hazardous to them, such as working without personal protective equipment as required for such work. Underpayment may also take place on the basis of gender, temporary work status – at the discretion of contractors. To address this risk, contractors will be required to sign a contract with temporary workers. The contract will clearly specify the nature and scope of the work, including the number of work hours the workers are expected to work per day, including the workload expected based on physical suitability of the temporary workers. This requirement will be incorporated into bidding documents and work contract between PMU and awarded contractors to minimize the risk. This risk is assessed to be “low”.

h) Road safety

Road accidents can happen to any project workers during construction. For instance, if contractor’s drivers are not careful while driving through a populated area, accident may happen which may affect not only truck driver but also local people. To reduce the risks of road accident related to project workers, a holistic approach will be adopted. Potential measures include regular vehicle inspections, drivers’ requirements, checking on use of drugs and implementation of other road safety aspects that contractor will conduct and workers need to follow. In addition, local people and local government will be informed of road safety risk so that they can take action as a preventative measure that contributes to reducing risks of road accident while using roads through which contractors’ vehicles usually operate. To enhance road safety, PMU will engage consultant specialized in road safety IEC, and consultant experienced in road safety measures. Identified road safety risks will be communicated to potential target groups in media campaign, including in Project Information Booklet which will be distributed to people participating project consultations. Safety IEC materials will also be posted on the website and Facebook page of PMU. Where local government has loudspeakers, these utilities will be used to communicate the risks to wider audience, particularly indigenous people groups who may live far away from project roads but occasionally use the road. Contractors will also be required to take necessary measures, such as traffic control, use of signages, guide posts, warnings, lights, flagman, etc. as recommended in ESMF, to reduce the risks related to road accident to both contractors’ workers and local road users. This risk is assessed to be “low” to “moderate” and will be revisited from time to time, particularly before and during construction phase based on contractors’ performance, site condition, and awareness of local road users.

Table 15 - Summary of Occupational Health and Safety Hazards and Risks

Project stage	Project activities	Project Component	Potential stakeholders	Identified Hazards	Preliminary Risk Assessment ⁵²
PROJECT PREPARATION	<i>Project administration and implementation support</i>	Comp 1&3	→ PMU staff (civil servant & individual consultants)	SEA/SH	Low
	<i>Technical design & Field survey</i>	Comp 1&3	→ PMU staff (civil servant & individual consultants)	→ Traffic and Road Safety Risks, SEA/SH	Low - Moderate
PROJECT IMPLEMENTATION	<i>Construction operations</i>	Comp 2 & 4	→ Contractors and Subcontractors → Primary Supply workers → PMU staff (civil servant & individual consultants) → Road users (community members, non-local road users)	Occupational Health and Safety (OHS), including: → Physical hazards (PH) → Chemical hazards (CH) → Personal Protective Equipment (PPE) → Special Hazard Environments (SHE)	<i>By type of risk:</i> → PH: Low-Substantial → CH: Low- Moderate → PPE: Low → SHE: Low → TRS: Low- Moderate <i>By group:</i> → Manager and skilled workers: Low → Unskilled workers: Low-Moderate → PMU: Low → Road users: Low-Moderate
	<i>Construction supervision</i>	Comp 1	→ PMU's Construction Supervision consulting firm → PMU staff (civil servant & individual consultants)	→ Traffic and Road Safety (TRSR) during on-site supervision, SEA/SH → Accidents at asphalt plant mix, workers' camp	
	<i>Environmental and Social Monitoring</i>	Comp 1	→ PMU's staff	→ Lack of appropriate traffic sign/road sign for traffic safety at night. → Accident due to fatigue (overtime, night shifts)	
	<i>Capacity building for project stakeholders</i>	Comp 1	→ PMU's consulting firms (e.g. NGOs, CSOs, think tanks) → Stakeholders working in connection with the project at national/ provincial/ district/ commune levels	→ Physical hazards (PH) Traffic and Road Safety (TRS), SEA/SH	
	<i>Additional studies</i>	Comp 1	→ PMU's consulting firms → PMU's staff → SEA/SH		
	<i>Participatory monitoring</i>		→ Community member	SEA/SH	Low

⁵² Preliminary risk assessment was carried during early stage of project preparation. This assessment needs to be updated based on actual condition such as contractors' capacity and performance, etc. during project implementation.

OPERATIONS	<i>Operations & Maintenance</i>	Comp 2&4	→ PMU's → O&M contractors → Community member (at subproject level)	Occupational Health and Safety: → Physical hazards → Chemical hazards → Personal Protective Equipment → Special hazard environments → Traffic and Road Safety → SEA/SH	<i>By type of risk:</i> → PH: Low-Substantial → CH: Low- Moderate → PPE: Low → SHE: Low → TRS: Low- Moderate
-------------------	-------------------------------------	----------	--	--	---

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

The Labor Law (1997) is the regulatory framework with regards to labor and working condition in Cambodia. The Labor Law provides regulation against discrimination, promote fair treatment and equal opportunity in employment and wages, and provides protection and assistance to vulnerable workers. The Labor Law is dedicated to promoting health and safety in the workplace and applicable to anyone who are engaged through working contract.

The following laws and legal documents are related to terms and work conditions, and are applicable to direct, contracted and primary supplier's workers:

- Law on the Prevention of Domestic Violence and the Protection of Victims
- Law on the Protection and Promotion of the Rights of Persons with Disabilities
- Prakas on the Prohibition of Hazardous Child Labor
- Prakas on Light Work

The table below summarizes key issues of the 1997 Labor Law, covering basic wage, payment arrangement and deductions, hours of work, overtime work, rest per week, and leaves (such as annual leave, sick leave, maternity, and other personal/family leave), etc.

Key issues	Relevant Articles in Labor Law 1997	Categories of workers
Basic wage	Article 104: The wage must be at least equal to the guaranteed minimum wage. It must ensure every worker has a decent standard of living compatible with human dignity. Article 105: Any written or verbal agreement that would remunerate the worker at a rate less than the guaranteed minimum wage shall be null and void.	Direct workers, Contracted workers, Primary supply workers
Payment arrangement & deductions	Article 113: The wage must be paid directly to the worker concerned, unless the worker agrees to get paid through other methods. Article 116: Workers' wages shall be paid at least two times per month, at a maximum of sixteen-day interval. Employees' wages must be paid at least once per month. In the event of termination of a labor contract, wage and indemnity of any kind must be paid within forty-eight hours following the date of termination of work. Article 127: None of the balance can be made, in favour of the employer, between the worker's wage and the employer's claim for diverse supplies of whatever kind, with the exception of: <ol style="list-style-type: none">1. Tools and equipment required for the work and that are not returned by the worker upon his departure;2. Items and materials under the control and usage of the worker;3. Amount advanced to acquire the said items;4. Amounts owed to the company store. The total amount deducted from the wage, in any case, cannot surpass the portion deemed necessary to provide the basic living for the worker and his family.	Direct workers , Contracted workers, Primary supply workers

Key issues	Relevant Articles in Labor Law 1997	Categories of workers
Hours of work	Article 137: In all establishments of any nature, whether they provide vocational training, or they are of a charitable nature or liberal profession, the number of hours worked by workers cannot exceed eight hours per day, or 48 hours per week.	Direct workers , Contracted workers,
Overtime work	Article 139: If workers are required to work overtime for exceptional and urgent jobs, the overtime hours shall be paid additional 50% of rate for normal hours. If the overtime hours are worked at night or during weekly time off, the rate of increase shall be 100%.	Primary supply workers
Rest per week	Article 146. It is prohibited from using the same worker for more than six days per week. Article 147: Weekly time off shall last for a minimum of twenty-four consecutive hours. All workers shall be given, in principle, one day off on Sunday.	Direct workers, Contracted workers,
Leaves	Article 166: Unless there are more favourable provisions in collective agreements or individual labor contracts, all workers are entitled to paid annual leave at the rate of one and a half a workday as paid leave per month of continuous service. Any worker who has not worked for two continuous months is entitled, at the termination of his labor contract, to compensation for paid leave calculated in proportion to the amount of time he worked in the enterprise. For jobs that are not performed regularly throughout the year, a worker is considered to have met the condition of continuous service if he works on average 21 days per month. Article 170: In principle, annual leave is provided for the Khmer New Year unless there is a different agreement between the employer and the worker. In this case, the employer must inform the Labor Inspector of this arrangement. In case where paid annual leave exceeds fifteen days, employers have the right to grant the remaining days off at another time in the year, except for the leave for children and apprentices who are less than eighteen years of age.	Primary supply workers

5. BRIEF OVERVIEW OF OCCUPATION HEALTH & SAFETY LEGISLATION

Provisions related to Occupational Health & Safety are specified in the Labor Law (1997). These provisions are consistent mostly with the WB's ESS2. The OHS provisions in the Labor Law aim to ensure that employees work in safe and healthy environment by setting and enforcing standards and regulations, as well as specifying the rights and responsibilities of employers, employees and other relevant parties as to exercising OHS principles and taking measures to prevent occupational accidents, diseases and ensure work safety.

In accordance with the Labor Law (1997), the Ministry of Labor and Vocational Training has issued the following OHS regulations:

- Prakas No 052 dated 01 February 2000 concerning Sanitary Toilet;

- Prakas No 054 dated 01 February 2000 concerning provision of the Safe Drink;
- Prakas No 124 dated 15 June 2001 concerning Heavy Object Lifting by Hand;
- Prakas No 125 dated 15 June 2001 concerning Air Ventilation and Sanitation;
- Prakas No 138 dated 22 April 2003 concerning Noise at Workplace;
- Prakas No 106 dated 28 April 2004 concerning Prohibition of Children Working in Dangerous Workplace;
- Prakas No 075 dated 30 March 2011 concerning Sanitation at the Construction Site;
- Prakas No 077 dated 30 March 2011 concerning Information at the Construction Site;
- Prakas No 078 dated 30 March 2011 concerning Storage, Waste Management and Cleanliness at Construction Site.

6. RESPONSIBLE STAFF

6.1 Responsibilities of MRD and MRD PMU

As project owner, MRD is responsible for overall implementation of the LMP. Before project implementation, MRD will establish an PMU and ensure the PMU will carry out day-to-day project implementation and management to ensure all project workers are recruited and managed in accordance with requirements set forth in the LMP, Labor Law (1997), and pertinent laws and regulations. Specifically, PMU will:

- Ensure principal contractors and their subcontractor are fully aware of, and are committed to implementing all requirements set forth in the project LMP;
- Ensure principal contractors prepare Contract's Labor Management Procedures in compliance with the project LMP and submit to PMU for review and approval prior to mobilizing staff to project site;
- Ensure workers engaged by principal contractors and their subcontractors are fully aware of all requirements described in the Contractor's LMP, particularly requirements related to terms and working condition and complaint handling procedures applicable to project workers;
- Conduct regular monitoring to ensure principal contractors and subcontractors' performance is in compliance with the Contractor's LMP, and with relevant provisions described in subproject's ESMP and procurement documents;
- Ensure principal contractors and their subcontractors take timely and appropriate measures to ensure their workers carry out the work safely and without risk to their health;
- Ensure principal contractors and their subcontractors conduct regular risk assessment, provide timely and necessary risks-based trainings to their workers, and provide

appropriate supervision to required plans and actions with a view to avoiding or minimize the risks and potential impacts identified in this LMP;

- Ensure principal contractors and their subcontractor address timely their workers' grievances in accordance with the GRM described in Contractor's LMP and establish a safe working environment, free of discrimination and SEA/SH risks, as well as provide appropriate PPE, especially for those conducting site inspections/supervision.

6.2 Responsibilities of PMU's Contractors

The contractors will:

- Develop and implement procedures to establish and maintain a safe working environment at project's construction sites. This includes safe workplaces, safe operation of machinery and equipment to avoid/reduce potential risks to the health and safety of contracted workers, and the general public.
- Actively and regularly train workers to promote workers' understanding and implementation of OHS requirements, including risks related to COVID-19, SEA/SH/VAC, etc.
- Provide laminated signs of relevant safe working procedures in visible area at construction sites (in English and local language);
- Provide appropriate PPE to workers;
- Put in place procedure that encourage workers to report work situations that are hazardous or put the health and safety of workers and community members at risk;
- Confirm training of workers is provided and appropriate measures are in place before mobilizing their workers to communities with potential risk of conflicts;
- Ensure sufficiently supplied first-aid kits are provided at all construction sites;
- Provide employees with access to toilets and potable drinking water; and
- Properly dispose of solid waste at designated permitted disposal/landfill sites.
- Keep track of and report periodically all responsibilities listed under Section 6.2 , as a minimum,

Specifically, the contractors are responsible for the followings:

Compliance. Comply with relevant national legislation as well as requirements set forth in this LMP (see Annex 9 for OHS Guidelines);

Terms and Working Conditions. Ensure all the workers engaged for the project work are fully aware of terms and working conditions as per Contractor's LMP. Observe fully the Contractor's LMP.

Appointment of Staff. Ensure key officers in charge of OHS and Work Safety are timely on board and satisfactorily identify hazards, assess risks, prepare training curriculum, timely deliver

training and appropriately to ensure workers' full understanding of OHS and Work Safety requirements before workers commence the works.

Training of Workers. Ensure all workers engaged have the right and sufficient skills, knowledge, training and experience to carry out the work, or are in the process of obtaining them, to meet the work requirements as specified in the Work Contract. Where required by the project, provide additional trainings and supervision to ensure workers work safely.

Ensure training of workers covers key topics that were identified as potential risks to workers and to the general public. These topics may include Environmental, Social, Health and Safety (ESHS), OHS, SEA/SH/VAC, communicable diseases such as HIV/AIDs, COVID-19, non-communicable diseases, as well Individual Code of Conduct (CoC) - as specified in the Work Contract with PMU.

Addressing Workers' Grievances. The Contractors shall implement the Grievance Redress Mechanism (GRM) for workers – as specified in this LMP. The MRD's SEO will review the contractors' GRM records on a monthly basis. MRD will ensure all complaints are resolved timely – in line with the procedures set forth in Section 10 of this LMP and reflect GRM results in PMU's progress reports to be submitted quarterly to the World Bank.

Reporting. Ensure accidents are reported to MRD on a monthly basis and serious incidents shall be reported immediately.

Contractor's Safety Officer will be responsible for:

- Identifying potential hazards to project workers, particularly those that may be life-threatening;
- Providing preventative and protective measures, including modification, substitution, or elimination of hazardous conditions or substances;
- Training project workers and maintenance of training records;
- Documenting and reporting of incidents;
- Preparing emergency preparedness plan, including response actions for such emergency situations; and
- Providing remedial actions for adverse impacts such as occupational injuries, deaths, disability and diseases.

Further to compliance to the environmental and social management requirements, contractors will be responsible and liable for the safety of the workers and community members in relation to construction activities of the contractors at subproject site.

7. POLICIES AND PROCEDURES

MRD will incorporate all environmental and social requirements in the tender document and contract documents to ensure potential bidders are aware of environmental and social performance requirements, are able to incorporate such requirements in their bids, as well as implement such clauses for the duration of the contract.

The contractor is required to ensure all documentation related to their environmental and social performance, including activities related to the LMP, are available for inspection at any time by the MRD. All workers will be trained and will be required to sign Individual Code of Conduct, including Manager, as applicable (See Annex 5.2).

Occupational Health and Safety

Occupational Health and Safety (OHS) strategy will include specific measures to ensure the safety of workers who travel to remote sites, including (1) project cars to be driven by professional drivers only and with use of seatbelts while in cars; (2) compulsory helmet use for drivers and passengers when using project motorcycles, including private motorcycles when used for project-related tasks; (3) travel by motorcycle for project-related purposes shall be in during daytime (4) not driving when under the influence of alcohol or any drugs, (5) measures to monitor, anticipate and avoid potential security risks while travelling, including liaison with local police and authorities and encouraging project workers to share any concerns they may have.

Project workers in remote areas will receive health and safety training including prevention of infections through contaminated food and/or water and/or through vector-borne diseases and avoidance of snakebites and insect stings. Site-specific risks will be assessed as part of the ESMP which will include plans for identification of emergency health facilities and emergency evacuation. If necessary, stocks of snakebite anti-venom will be maintained at project sites.

UXO risks will be assessed for all sites with the assistance of Cambodia Mines Action Centre / Cambodia Mines Action Authority and appropriate risk mitigation measures adopted.

The Health and Safety specifications will include the following provisions:

- Ensuring health and safety standards at workplace are in full compliance with Cambodian law, including (1) basic safety awareness training to be provided to all workers as a pre-condition for presence at a construction site; (2) all vehicle drivers to have appropriate licenses, and all construction equipment operators to be trained including in safety procedures; (3) Safe management of the area around operating equipment (e.g. turning circle of excavators), including stationing flagmen where necessary; (4) all workers on construction sites to be equipped with helmets, safety boots and protective gloves; (5) secure scaffolding and fixed ladders to be provided for work above ground level; (6) First aid equipment and facilities to be provided in accordance with the Labour Law; (8) at least one supervisory staff trained in safety procedures and to be present at all times when construction work is in progress; and (9) adequate provision of hygiene facilities, resting areas, etc.
- Ensuring workplace are safe from COVID-19 and are in compliance with the Law on Measures to Prevent the Spread of COVID-19 and other Deadly and Dangerous Diseases, dated on 11 March 2021.
- All health and safety incidents at workplace will be appropriately recorded in a register which will be shared with the supervising engineer. The register should include (1) time and place of the incident; (2) type of incident; (3) type of injury or other impacts that

occur, and number of workers and others that have been affected; and (4) actions that have been taken (first aid, evacuation etc.).

- All workers will be covered by insurance against occupational hazards.
- All work sites have health and safety plan, including identification of potential hazards and actions to be taken in case of emergency, locations prone to accidents, and emergency facilities.
- On-site accommodation has to be safe and hygienic. Adequate supply of potable water, washing facilities, sanitation, accommodation and cooking facilities will be provided. Location and layout of site camps will be agreed with construction supervisors and relevant risk assessment will be conducted (See also Annex 4.5 of ESMF for Guidelines on Worker's Camps).
- Workers residing at site accommodation will receive training on prevention of infections from contaminated food and/or water, vector-borne and sexually transmitted diseases.
- Where contractors hire workers who are local community members, ensure disadvantaged and vulnerable community members have equal access to such work opportunities. Where large numbers of community members are employed, childcare facilities should be provided.
- Employment of children under 18 is prohibited under the project.
- Under no circumstances will contractors, sub-contractors and primary suppliers engage forced labor.
- Construction materials manufactured in Cambodia shall be procured from suppliers who are able to certify that no forced labour (including debt bondage labour) or child labour (except as permitted by the Labour Law) were involved in production of the materials.
- All employees have to be aware of their rights under the Labour Law;
- All employees will be informed of their rights to submit a grievance through the Project's GRM for project workers (Section 10.2).

Additional guidelines on OHS are provided in Annex 5.1.

8. AGE OF EMPLOYMENT

The minimum working age required for the KH-SEADRM 2 project is 18 years of age. This requirement applies to both national and international workers. Prior to the engagement of labor, workers will be required to provide their identification card or birth certificate for age verification before commencing project related works. In the absence of these official documents, alternative methods could be used to support the age verification, such as a testimony/affidavit from commune level where the potential employee was born, or currently live. Contractors will check all supporting documents for age verification for its validity. A copy of the document used for age verification will be kept on the Contractor's record.

9. TERMS AND CONDITIONS

All terms and conditions that have been outlined in the World Bank's ESS2 (paragraphs 10 to 15) will be adopted and applied to contracted workers. In addition,

- In line with national law, the maximum working hours are limited to 8 hours per day, 6 days per week.
- Employers shall guarantee that the workers shall have at least one resting day per week. Employers shall also make arrangements for the employees to take vacation according to law during Khmer New Year, Pchum Ben and any other holidays prescribed by the laws and regulations.
- Employment opportunities will be available to all, including equal pay regardless of workers' gender, ethnicity, and employment status.
- The wages to be paid to workers shall not be lower than the local Cambodian minimum wage.
- Relevant provisions in the Labor Law for female workers must be observed, including maternity leave for female workers, where applicable.
- Workers are required to be tested periodically for COVID-19 (per updated local regulations at subproject location). Worker(s) tested positive will be isolated and transferred to designated Health Care Facilities for medical treatment.
- Suspected workers will be isolated for close medical monitoring and reported to local health services/authorities for guidance/action to prevent spreading.
- Workers affected with COVID-19 and cannot work will be paid as per regulation under Labor Code.

The labor contract shall be provided to workers in writing and shall have the following provisions:

- Work content (e.g. nature and scope of work);
- Working condition (duration of contract; hours of work, overtime work, place of work, annual leave, sick leave, labor protection measures, etc);
- Remuneration payable (basic wage, bonus...);
- Conditions for termination of the employment contract;
- Responsibilities of parties when breaching employment contract;
- Staff regulation and rules, including Individual Code of Conduct on SEA/SH/VAC, etc.;
- Disciplinary measures for violation of Individual Code of Conduct and misconduct;
- Grievance Redress Procedures related Labor and Working Conditions, and SEA/SH.

10. GRIEVANCE REDRESS MECHANISM

To address potential grievances of direct and contracted workers, the GRMs for project workers and SEA/SH survivors are described below. These complaint handling procedures will be disclosed to project stakeholders, including project workers, community adjoining to subprojects, vulnerable groups, and interested parties, etc., during project preparation and implementation. Project contractors and subcontractors are responsible for informing their project workers of these grievance redress procedures – through their employment contract and induction training before the workers commence the works at construction sites.

It is noted that while a timeframe is specified for each step, any grievance that are concerned of urgent health and safety issues shall be addressed and resolved immediately. Where a grievance cannot be addressed within a reasonable/specified timeframe, the aggrieved persons should be informed in writing to allow them to consider proceeding to the Labor Inspector in their province or municipality. The aggrieved persons also can appeal to court any step as they wish.

10.1 Principles for labor related GRM

- Complaint will be resolved in a timely, fair, transparent manner;
- Complaint can be lodged in writing, verbally, directly by the complainant, or their representative;
- Complaint will be documented, acknowledged in writing upon receipt;
- Resolution process specifies parties who are in charge of complaint resolution, timeframe for each step, and complainant' right to approaching Labor Inspector and/or initiating a lawsuit at any step;
- MRD's PMU is an alternative channel through which complaint can be lodged;
- Collective complaint is possible – through representative of the complainant group.

10.2 Grievance Redress Procedure for Project Workers

Project workers can lodge their grievance/complaint as follows:

- **Step 1 – Employer Level.** aggrieved person (AP) can submit their grievance to their Employer who serves as the first focal point for receiving and resolving grievance. Grievance can be lodged verbally or in writing, in person or by phone, text message, mail or email (anonymous complaint is accepted). The Employer involved will resolve the case no later than 15 days. Once resolved and the AP is satisfactory, the Employer will report the case, including resolution process and results, to the SEO of the MRD for information and record. If the AP is not satisfied with the resolution of their Employer, the Employer will refer the AP to the SEO of the MRD, and the MRD Management if needed, and inform the AP of this referral. It is noted that if a complaint is concerned of the safety and health of one or several individuals, such complaint shall be resolved as soon as possible – depending on the nature and urgency of the grievance.

- **Step 2 – PMU level.** MRD SEO will resolve the complaint referred by the Employer and acknowledge the receipt of the AP's complaints within two weeks from the date of complaint receipt. If the SEO of MRD cannot resolve the complaint, the SEO Safeguard Team will consult with the Project Manager/Director for resolution. The SEO of the MRD will inform the AP of the PMU's resolution result in writing within 30 days from the date of complaint receipt. If the AP is not satisfied with the resolution outcome proposed by PMU, PMU will refer the case to the Project Steering Committee of the project for resolving and inform the AP of this referral in writing.
- **Step 3 – Project Steering Committee level.** At this level, the case will be resolved no later than 21 days. The AP will be informed of the resolution decision in writing.

In case the grievance has not been solved within the specified timeframe, or the AP does not agree with the proposed resolution, the AP can approach the Labor Inspector of his/her province or municipality.
- **Step 4 – Court of Law.** If the AP is not satisfied with the resolution proposed above, the AP can initiate a lawsuit to the court of law at any step. The cost associated to the lawsuit shall be borne by the AP. The decision of the Court will be final.

10.2 Grievance Redress Procedure for SEA/SH

Under the project, the GRM for SEA/SH mainly serves to: (i) REFER complainants to local GBV service provider; and (ii) RECORD resolution of the complaint. In line with this, the following principles are applied. These principles recognize survivor as principal decision makers in their own care, and treat them with agency, dignity and respect for their needs and wishes.

- **Multiple channels** are in place for easy access and lodge complaints;
- **SEA/SH survivors will be referred to local GBV service provider** for immediate support if they make a complaint directly to PMU,;
- **Confidentiality of survivors are protected.** GM operator will keep SEA/SH allegation report confidential.
- **No identifiable information on the survivor shall be collected and stored** in Project Grievance Logbook;
- **Costs of operating the SEA/SH GRM will be financed by the project;**
- **GBV service provider will be engaged** for subprojects that are rated "High" or "Substantial" for SEA/SH risks, based on SEA/SH risk assessment conducted as part of site-specific ESMP.

Channels for lodging SEA/SH complaints

Channel 1 – AP can follow steps outlined in Section 10.2 (above) to lodge a SEA/SH complaint.

Channel 2 – Alternatively, AP can lodge their complaint, verbally or in writing, to the GRM Focal Point (the SEO of MRD) for advice on grievance resolution.

Channel 3 – If AP wants to bring the case of the Court of Law, AP can follow steps below. Prosecution related to SEA/SH is administered under the Criminal Code and the Code of Criminal Procedure, and is as follows:

- ◇ **Step 1 – Judicial Police.** SEA/SH victim or a representative can submit their grievance to a local Judicial Police (JP) Officer. JPs include a) Commune/ Sangkat Chief, b) Commune/ Sangkat/ District/ Provincial/ National Police, and c) District/ Provincial/ National Military Police. The JP is responsible for receiving, recording complaints, and may conduct preliminary investigations to identify and may arrest the perpetrator. The JP will also collect evidence to support the prosecutors. If the SEA/SH happens at home and/or falls under the domain of domestic violence (as per Law on the Prevention of Domestic Violence and Protection of Victims), the SEA/SH survivor may seek support from a local qualified Judiciary Police Officer (appointed by the Ministry of Women’s Affairs) who can act as a complaining party on behalf of the SEA/SH survivor⁵³.
- ◇ **Step 2 – Prosecutor.** Upon receiving the completed written record from the JP, the prosecutor can make a decision on if the prosecutor will hold a file without processing it further, or conduct proceedings against the perpetrator. The prosecutor may bring the case to the Court of Law and present the evidence in Court hearings.
- ◇ **Step 4 – Investigation by Judge.** During this step, the investigating Judge will conduct interrogation of the charged person and perform other required investigation procedure.
- ◇ **Step 5 – Hearing.** After issuing an order of indictment, the investigating Judge will submit the case to the trial court president who shall arrange a date for the trial. The decision of the Court on SEA/SH resolution is final.

11. CONTRACTOR MANAGEMENT

11.1 Contractor Selection

- **PREQUALIFICATION**

⁵³ In 2007, Inter-Ministerial Prakas No. 64 was issued by the Ministry of Women's Affairs (MoWA) and the Ministry of Justice (MoJ) appointing MoWA officials who have legal qualifications to be officials of the MoWA Judicial Police. The roles and authority of the JPO under MoWA is defined in the MoWA’s Prakas No. 072 KKN/BS (2007) and is as follows: (1) act as a plaintiff representing the victim (2) prepare reports and records (3) monitor and follow up on relevant investigations (4) follow up on Court’s procedures (decisions and convictions). In addition, Prakas of the Ministry of the Interior (No. 3840, 2020) on Establishment and Functioning of the Commune/ Sangkat Committee for Women and Children, has defined the roles and responsibilities of these Committees in prevention, mitigation and collaboration with juridical agencies to prevent, resolve cases related to domestic violence, sexual abuses, sexual harassment, human trafficking (such as exportations of women and children in commune/ sangkat for sexual exploitation).

Contractors should be asked to provide details including (but not limited to):

- Past EHS performance; status of ESMS;
- Number and qualifications of ESHS personnel; occupational health and safety procedures and controls;
- HR policies, codes of conduct, and grievance mechanism, including means to address harassment and other forms of GBV plus prior reported incidents of SEA and GBV; and
- Supply chain management as criteria for inclusion on such lists.

The number of documents and level of information and detail requested shall be commensurate to the scope of work and other specific features that the contractor is being prequalified against.

- **SOLICITATION**

MRD PMU may include the following in their RFPs or other solicitations to prospective contractors:

- Documents showing compliance with in-country ESHS legal requirements.
- MRD's corporate E&S policy and other relevant policies, such as those for human resources, anticorruption and bribery, procurement, and stakeholder engagement.
- MRD's Contractor E&S Requirements that define the main expectations in terms of occupational health, safety, E&S, and community aspects.
- Other governance frameworks or industry standards that may apply.

11.2 Project Performance

During construction, contractors are required to:

- Monitor, keep records and report on terms and conditions related to labor management;
- Provide workers with evidence of all payments made, including benefits and any valid deductions;
- Keep records regarding labor conditions and workers engaged under the Project, including contracts, registry of induction of workers including Code of Conduct, hours worked, remuneration and deductions (including overtime);
- Record safety incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, etc.);
- Report evidence that no child labor is involved;
- Training/induction dates, number of trainees, and topics;
- Details of any worker grievances including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be

taken. Grievances listed should include those received since the preceding report and those that were unresolved at the time of that report;

- Sign the Manager's Code of Conduct (Annex 5.2) and/or the Individual Code of Conduct (Annex 5.3), as applicable.

MRD and DDIS are responsible for management and supervision of contractors' performance – as per PMU's contract with contractors. In particular, MRD/DDIS is responsible for overseeing the implementation of labor related provisions – as described in Contractor's work contract, project's LMP and Contractor's LMP.

12. PRIMARY SUPPLY WORKERS

Given the nature and scope of project' civil works (rehabilitation and construction of roads and bridges), the construction activities may require supply of construction material such as aggregates, bituminous materials, binders like lime, cement, and miscellaneous materials used as admixtures for improved performance of roads under increased traffic and flood resilience, and steels, etc.

Some contractors may be able to produce some of the construction materials using their own workforce. However, where the contractors procure 1) essential materials, 2) directly from primary suppliers for the core functions of the project, and 3) on an ongoing basis, the workers engaged by such primary suppliers are considered "primary supply workers" – as defined in the World Bank's ESS2. As discussed in Chapter 3 (Key Labor Risks), the OHS risks are also deemed to be generally significant in the construction sector including quarry sites where there is no functioning labor inspection mechanism. To address these potential risks, the following measures will be taken:

- **Selection of primary suppliers**

Before purchasing the material from a primary supplier, the Contractors need to conduct due diligence of the potential Primary Suppliers (those providing key materials for road construction, in particular raw materials) to ensure there is no forced or child labor involved with activities that produce materials for the project use. In conducting due diligence, the contractor should:

- Inform the Primary Supplier that the Contractor will not enter into contract with any primary suppliers that engaged forced or child labor;
- When possible, visit the company/factory, and interview key personnel about their working conditions, as well as conduct informal, random interviews with workers;
- Conduct secondary due diligence by collecting information from other parties who may be familiar with the primary suppliers. This is to make sure there are no reported instances of forced or child labor;
- If necessary, and when possible, engage the Ministry of Labor and Vocational Training to conduct due diligence of the potential supplier(s) to ensure no child labor or forced labor are involved;

- Prepare due diligence reports and submit to MRD;
- Includes specific requirements on child labor, forced labor and work safety issues in all purchasing contracts with primary suppliers.

- **Remedial process**

If child labor, forced labor and/or serious safety incidents are identified in relation to primary supply workers under the project, particularly when the supply of material is underway, MRD PMU and their Construction Supervision consultants will require the contractor to request their primary supplier to take appropriate necessary steps as remedial actions. Implementation of mitigation measures will be monitored periodically by Contractors to ascertain remedial actions taken by the primary supplier is on track. If the mitigation measures are found ineffective, MRD PMU will require the Contractors, within a reasonable period of time, change to other primary suppliers who are qualified.

Annex 1 Occupational Health and Safety Guideline

The objective of the Occupational Health and Safety (OHS) guideline is to provide guidance on the:

- Key principles involved in ensuring the health and safety of workers is protected;
- Preparation of Health and Safety plans

The key reference document for this Guideline is the World Bank Group's *Environmental, Health, and Safety (EHS) Guidelines* (April 2007)⁵⁴ and the World Bank's ESS 4.

1. Principles

Employers must take all reasonably practicable steps to protect the health and safety of workers and provide and maintain a safe and healthy working environment. The following key principles are relevant to maintaining worker health and safety:

1.1 Identification and assessment of hazards

Each employer must establish and maintain effective methods for:

- Systematically identifying existing and potential hazards to employees;
- Systematically identifying, at the earliest practicable time, new hazards to employees;
- Regularly assessing the extent to which a hazard poses a risk to employees.

1.2 Management of identified hazards

Each employer must apply prevention and control measures to control hazards which are identified and assessed as posing a threat to the safety, health or welfare of employees, and where practicable, the hazard shall be eliminated. The following preventive and protective measures must be implemented in order of priority:

- Eliminating the hazard by removing the activity from the work process;
- Controlling the hazard at its source through engineering controls;
- Minimizing the hazard through design of safe work systems;
- Providing appropriate personal protective equipment (PPE).

The application of prevention and control measures to occupational hazards should be based on comprehensive job safety analyses (JSA). The results of these analyses should be prioritized as part of an action plan based on the likelihood and severity of the consequence of exposure to the identified hazards.

1.3 Training and supervision

Each employer must take all reasonably practicable steps to provide to employees (in appropriate languages) the necessary information, instruction, training and supervision to protect each employee's health and to manage emergencies that might reasonably be expected to arise in the course of work. Training and supervision includes the correct use of PPE and providing employees with appropriate incentives to use PPE.

1.4 General duty of employees

Each employee shall:

- Take all reasonable care to protect their own and fellow workers health and safety at the workplace and, as appropriate, other persons in the vicinity of the workplace;
- Use PPE and other safety equipment supplied as required; and

⁵⁴ www.ifc.org/ehsguidelines

- Not use PPE or other safety equipment for any purpose not directly related to the work for which it is provided.

1.5 Protective clothing and equipment

Each employer shall:

- Provide, maintain and make accessible to employees the PPE necessary to avoid injury and damage to their health;
- Take all reasonably practicable steps to ensure that employees use that PPE in the circumstances for which it is provided; and
- Make provision at the workplace for PPE to be cleaned and securely stored without risk of damage when not required.

2. Design

Effective management of health and safety issues requires the inclusion of health and safety considerations during design processes in an organized, hierarchical manner that includes the following steps:

- Identifying project health and safety hazards and associated risks as early as possible in the project cycle including the incorporation of health and safety considerations into the worksite selection process and construction methodologies;
- Involving health and safety professionals who have the experience, competence, and training necessary to assess and manage health and safety risks;
- Understanding the likelihood and magnitude of health and safety risks, based on:
 - The nature of the project activities, such as whether the project will involve hazardous materials or processes;
 - The potential consequences to workers if hazards are not adequately managed;
- Designing and implementing risk management strategies with the objective of reducing the risk to human health;
- Prioritising strategies that eliminate the cause of the hazard at its source by selecting less hazardous materials or processes that avoid the need for health and safety controls;
- When impact avoidance is not feasible, incorporating engineering and management controls to reduce or minimize the possibility and magnitude of undesired consequences;
- Preparing workers and nearby communities to respond to accidents, including providing technical resources to control such events effectively and safely, in particular relating to traffic;
- Improving health and safety performance through a combination of ongoing monitoring of facility performance and effective accountability.

3. Implementation

3.1 Documentation

A Health and Safety Plan must be prepared and approved prior to any works commencing on site. The H&S Plan must demonstrate the Contractor's understanding of how to manage safety and a commitment to providing a workplace that enables all work activities to be carried out safely. The H&S Plan must detail reasonably practicable measures to eliminate or minimize risks to the health, safety and welfare of workers, contractors, visitors, and anyone else who may be affected by the operations. The H&S Plan must be prepared in accordance with the World Bank's EH&S Guidelines and the relevant country health and safety legislation.

3.2 Training and Awareness

Provisions should be made to provide health and safety orientation training to all new employees to ensure they are apprised of the basic site rules of work at / on the site and of personal protection and preventing injury to fellow employees. Training should consist of basic hazard awareness, site-specific hazards, safe work practices, and emergency procedures for fire, evacuation, and natural disaster, as appropriate. Training should also include HIV/AIDS awareness training.

Visitors are not permitted to access to areas where hazardous conditions or substances may be present, unless appropriately inducted.

3.3 Personal Protective Equipment (PPE)

Personal Protective Equipment (PPE) provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems.

PPE is considered to be a last resort that is above and beyond the other facility controls and provides the worker with an extra level of personal protection. The table below presents general examples of occupational hazards and types of PPE available for different purposes. Recommended measures for use of PPE in the workplace include:

- Active use of PPE if alternative technologies, work plans or procedures cannot eliminate, or sufficiently reduce, a hazard or exposure;
- Identification and provision of appropriate PPE that offers adequate protection to the worker, co-workers, and occasional visitors, without incurring unnecessary inconvenience to the individual;
- Proper maintenance of PPE, including cleaning when dirty and replacement when damaged or worn out. Proper use of PPE should be part of the recurrent training programs for Employees
- Selection of PPE should be based on the hazard and risk ranking described earlier in this section, and selected according to criteria on performance and testing established

Objective	Workplace Hazards	Suggested PPE
Eye and face protection	Flying particles, molten metal, liquid chemicals, gases or vapors, light radiation.	Safety Glasses with side-shields, protective shades, etc.
Head protection	Falling objects, inadequate height clearance, and overhead power cords.	Plastic Helmets with top and side impact protection.
Hearing protection	Noise, ultra-sound.	Hearing protectors (ear plugs or ear muffs).
Foot protection	Falling or rolling objects, pointed objects. Corrosive or hot liquids.	Safety shoes and boots for protection Against moving & falling objects, liquids and chemicals.
Hand protection	Hazardous materials, cuts or lacerations, vibrations, extreme temperatures.	Gloves made of rubber or synthetic materials (Neoprene), leather, steel, insulating materials, etc.
Respiratory protection	Dust, fogs, fumes, mists, gases, smokes, vapors.	Facemasks with appropriate filters for dust removal and air purification (chemicals, mists, vapors and gases). Single or multi-gas personal monitors, if available.
	Oxygen deficiency	Portable or supplied air (fixed lines). On-site rescue equipment.
Body/leg protection	Extreme temperatures, hazardous materials, biological agents, cutting and laceration.	Insulating clothing, body suits aprons etc. of appropriate materials.

4. Monitoring

Occupational health and safety monitoring programs should verify the effectiveness of prevention and control strategies. The selected indicators should be representative of the most significant occupational, health, and safety hazards, and the implementation of prevention and control strategies. The occupational health and safety monitoring program should include:

- **Safety inspection, testing and calibration:** This should include regular inspection and testing of all safety features and hazard control measures focusing on engineering and personal protective features, work procedures, places of work, installations, equipment, and tools used. The inspection should verify that issued PPE continues to provide adequate protection and is being worn as required.
- **Surveillance of the working environment:** Employers should document compliance using an appropriate combination of portable and stationary sampling and monitoring instruments. Monitoring and analyses should be conducted according to internationally recognized methods and standards.
- **Surveillance of workers health:** When extraordinary protective measures are required (for example, Against hazardous compounds), workers should be provided appropriate and relevant health surveillance prior to first exposure, and at regular intervals thereafter.
- **Training:** Training activities for employees and visitors should be adequately monitored and documented (curriculum, duration, and participants). Emergency exercises, including fire drills, should be documented adequately.
- **Accidents and Diseases monitoring.** The employer should establish procedures and systems for reporting and recording:
 - Occupational accidents and diseases
 - Dangerous occurrences and incidents

These systems should enable workers to report immediately to their immediate supervisor any situation they believe presents a serious danger to life or health. Each month, the contractor shall supply data on trainings delivered, safety incidents prevented and any accidents to the Client's Consulting Engineer for reporting to the MRD. These data are to also include incidents related to any sub-contractors working directly, or indirectly, for the Contractor.

The MRD and DDIS shall be notified of any incident in accordance with the standards below:

Incident Severity Class	Incident Classification	Notification Timeframe
Class 1	Fatality	As soon as possible
	Notifiable injury, illness or incident	Notification Timeframe
Class 2	Lost Time injury	As soon as possible
	Medical treatment	Within 72 hours

All Class 1 and Class 2 health and safety incidents must be formally investigated and reported to the MRD and DDIS through an investigation report. This report shall be based on a sufficient level of investigation by the Contractor so that all the essential factors are recorded. Lessons learnt must be identified and

communicated promptly. All findings must have substantive documentation. As a minimum the investigation report must include:

- Date and location of incident;
- Summary of events;
- Immediate cause of incident;
- Underlying cause of incident;
- Root cause of incident;
- Immediate action taken;
- Human factors;
- Outcome of incident, e.g. severity of harm caused, injury, damage;
- Corrective actions with clearly defined timelines and people responsible for implementation;
- Recommendations for further improvement.

Annex 2 Manager's Code of Conduct

Instructions: This Code of Conduct should be included in bidding documents for the civil works contractor(s) and in their contracts once hired. This Code of Conduct should also be included in bidding documents, and the contracts, of DDIS. This Code of Conduct is to be signed by the main party (head or manager) in the Contractor/DDIS.

Manager's Code of Conduct

The contractor/DDIS is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The contractor/DDIS is also committed to creating and maintaining an environment where children under the age of 18 will be protected, and where sexual abuse and sexual harassment have no place. Improper actions towards children, Violence against Children (VAC), and/or Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Staff at all levels have a responsibility to uphold the contractor's/DDIS' commitment. Contractors/DDIS need to support and promote the implementation of the Code of Conduct. To that end, staff must adhere to this Code of Conduct and also to sign the Workers' Code of Conduct. This commits them to supporting the implementation of the Contractor's Environmental and Social Management Plan, the OHS Management Plan, and developing systems that facilitate the implementation of the SEA/SH Action Plan.

Staff, in particular Managers, need to maintain a safe workplace, as well as a SEA/SH-free environment at the workplace and in the local community. Their responsibilities to achieve this include but are not limited to:

Implementation

- a. To ensure maximum effectiveness of the Code of Conduct:
 - (i) Prominently displaying the Code of Conduct in clear view at workers' camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
 - (ii) Ensuring all posted and distributed copies of the Code of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
- b. Verbally and in writing explain the Code of Conduct to all staff, including in an initial training session.
- c. Ensure that:
 - (i) All staff sign the 'Workers' Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
 - (ii) Staff lists and signed copies of the Workers' Code of Conduct are provided to the OHS Manager and the MRD'S SEO.
 - (iii) Participate in training and ensure that staff also participate as outlined below.
 - (iv) Put in place a mechanism for staff to:

- report concerns on ESHS or OHS compliance; and,
 - confidentially report SEA/SH incidents through the Grievance Redress Mechanism (GRM)
- (v) Staff are encouraged to report suspected or actual ESHS, OHS, SEA/SH, VAC issues, emphasizing the staff's responsibility in compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all employees not ordinarily resident in the country where the works are taking place.
- d. Ensure that when engaging in partnership, sub-contractor, supplier or similar agreements, these agreements:
- (i) Incorporate the ESHS, OHS, SEA/SH, VAC Codes of Conduct as an attachment.
 - (ii) Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Workers' Codes of Conduct.
 - (iii) Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures Against SEA/SH and VAC, to investigate allegations thereof, or to take corrective actions when SEA/SH or VAC has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Workers' Codes of Conduct but also termination of agreements to work on or supply the project.
- e. Provide support and resources to the E&S team to create and disseminate staff training and awareness-raising strategy on SEA/SH, VAC and other issues highlighted in the ESMP.
- f. Ensure that any SEA/SH or VAC complaint warranting Police action is reported to the Police, the client and the World Bank immediately.
- g. Report and act in accordance with the agreed response protocol any suspected or actual acts of SEA/SH or VAC.
- h. Ensure that any major ESHS or OHS incidents are reported to the client and the supervision engineer immediately, non-major issues in accordance with the agreed reporting protocol.
- i. Ensure that children under the age of 18 are not present at the construction site or engaged in any hazardous activities.

Training

- j. The managers are responsible to:
- (i) Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-contractors and suppliers; and,
 - (ii) Ensure that staff have a suitable understanding of the ESMP and are trained as appropriate to implement the Contractor's ESMP requirements.
- k. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the SEA/SH and VAC elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the SEA/SH Action Plan for addressing SEA/SH issues.

- l. Managers are required to attend and assist with the project facilitated monthly training courses for all employees.
- m. Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on:
 - (i) OHS and ESHS, and,
 - (ii) SEA/SH and VAC.
- n. During civil works, ensure that staff attend ongoing OHS and ESHS training, as well as the monthly mandatory refresher training course required of all employees on SEA/SH.

Response

- o. Managers will be required to take appropriate actions to address any ESHS or OHS incidents.
- p. Regarding SEA/SH:
 - (i) Maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of SEA/SH (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
 - (ii) If a manager develops concerns or suspicions regarding any form of SEA/SH by one of his/her direct reports, or by an employee working for another contractor on the same work site, s/he is required to report the case using the GRM.
 - (iii) Once a sanction has been determined by the GRM, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made by the GRM.
 - (iv) If a Manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, he/she must notify the Company and the GRM. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
 - (v) Ensure that any SEA/SH issue warranting Police action is reported to the Police, the client and the World Bank immediately.
- q. Managers failing address ESHS or OHS incidents or failing to report or comply with the SEA/SH provisions may be subject to disciplinary measures, to be determined and enacted by the Company. Those measures may include:
 - (i) Informal warning;
 - (ii) Formal warning;
 - (iii) Additional Training;
 - (iv) Loss of up to one week's salary;
 - (v) Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
 - (vi) Termination of employment.
- r. Ultimately, failure to effectively respond to ESHS, OHS, VAC and SEA/SH cases on the work site by the company's managers may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, VAC and SEA/SH requirements. I understand that any action inconsistent with this Code of Conduct or failure to act mandated by this Code of Conduct may result in disciplinary action.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Annex 3 Workers' Code of Conduct

Instructions: This Code of Conduct should be included in bidding documents for the civil works contractor(s) and in their contracts once hired. This Code of Conduct should also be included in bidding documents, and the contracts, of DDIS. This Code of Conduct is to be signed by all contractor and DDIS staff, including managers, working under KH-SEADRM 2.

I, _____, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing Sexual Exploitation Abuse (SEA)/Sexual Harassment (SH) is important.

The Contractor/DDIS considers that failure to follow ESHS and OHS standards, or to partake in activities constituting SEA and SH be it on the work site, the work site surroundings, at workers' camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit VAC, SEA/SH may be pursued if appropriate.

I agree that while working on the project I will:

- a. Carry out his/her duties competently and diligently;
- b. Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
- c. Maintain a safe working environment including by:
- d. Ensure that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
- e. Use appropriate measures relating to chemical, physical and biological substances and agents; and
- f. Follow applicable emergency operating procedures.
- g. Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and danger to his/her life or health;
- h. Consent to a background check in any place I have worked for more than six months.
- i. Attend and actively partake in training courses related to ESHS, OHS, VAC, SEA/SH as requested by my employer.
- j. Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
- k. Take all practical steps to implement the environmental and social management plan (ESMP).
- l. Implement the OHS Management Plan.
- m. Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
- n. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

- o. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- p. Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
- q. Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited: i.e. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
- r. Not engage in sexual favors—for instance, making promises of favorable treatment (i.e. promotion), threats of unfavorable treatment (i.e. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- s. Not use prostitution in any form at any time.
- t. Not participate in sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- u. Unless there is the full consent⁵⁵ by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
- v. Consider reporting through the GRM or to my manager any suspected or actual SEA/SH by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.
- w. Complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, and Sexual Exploitation, and Sexual Assault (SEA);
- x. Report violations of this Code of Conduct; and

With respect to children under the age of 18:

- y. Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
- z. Wherever possible, ensure that another adult is present when working in the proximity of children.
- aa. Not invite unaccompanied children unrelated to my family into my home unless they are at immediate risk of injury or in physical danger.

⁵⁵ **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

- bb. Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
- cc. Refrain from physical punishment or discipline of children.
- dd. No hiring of children for any KH-SEADRM 2 project activity (no persons under the age of 18).
- ee. Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s safeguard policies on child labor and minimum age.
- ff. Take appropriate caution when photographing or filming children (see x-bb below). Photos or films of children should generally not be taken in the KH-SEADRM 2, except in instances showing the benefits or impacts of road works, such as impacts to schools or school safety trainings.

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

- gg. Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- hh. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- ii. Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- jj. Ensure images are honest representations of the context and the facts.
- kk. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Raising Concerns

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

1. Contact [enter name of the Contractor’s Social Expert with relevant experience in handling gender-based violence, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters] in writing at this address [] or by telephone at [] or in person at []; or
2. Call [] to reach the Contractor’s hotline (if any) and leave a message.

The person’s identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

Sanctions

I understand that if I breach this Workers' Code of Conduct, my employer will take disciplinary action which could include:

- ll. Informal warning;
- mm. Formal warning;
- nn. Additional Training;
- oo. Loss of up to one week's salary;
- pp. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
- qq. Termination of employment;
- rr. Report to the Police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviors that could be construed as VAC or SEA/SH. Any such actions will be a breach this Workers' Code of Conduct. I do hereby acknowledge that I have read the foregoing Workers' Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, VAC and SEA/SH issues. I understand that any action inconsistent with this Workers' Code of Conduct or failure to act mandated by this Workers' Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____
Printed Name: _____
Title: _____
Date: _____

APPENDIX 6: SUMMARY OF CONSULTATIONS HOLD DURING PROJECT PREPARATION

Date	Time	Participants		Purpose	Key Feedback from Stakeholders
		Male	Female		
16 Nov 2021	14:00–16:03	7	1	ONLINE CONSULTATION WITH TBOUNG KHMUM PROVINCE (Tuol Kleang village, Preah Theat commune, Koh Sotin district) for reconstruction of the TK2 Bridge. <ul style="list-style-type: none"> • Screen for a) presence of IP(s) in TK2 bridge subproject area and b) potential impact of land acquisition. • Collect local feedback to support preparation of draft Environment and Social Management Plan (ESMP) for TK2 bridge reconstruction subproject. • Questions and Answers 	<ul style="list-style-type: none"> • The Director of Provincial Department of Culture and Fine Arts said that there is no cultural temple as well as indigenous people or communities within the bridge area. However, he said, he would go to the bridge location and checked also the areas surrounding the bridge to confirm his preliminary feedback. • After the field visit, the Director of Provincial Department of Culture and Fine Arts and his team confirmed that there are no cultural temple and IPs living within the bridge location, as well as the villages, communes, and the district where TK2 bridge is located. He also confirmed that the land area where the new TK2 bridge is situated is public land. There are no individual households who own any pieces of land within the footprint of the new bridge – based on the overlay map. • Representative of the Provincial Department of Agriculture, Forestry, and Fisheries also clarified at the meeting that no forest conservation area is situated within the bridge area. However, there are two fishery conservation areas that belong to two fishery communities: (i) Beung Krapet Fishery Community (located in Mean and Ou Reang Ov communes, Ou Reang Ov district, Tboung Khmum province); and (ii) Samki Maot Khmong Fishery Community located in Tonle Bet and Chiro commune, Tboung Khmum district. These are not affected by bridge reconstruction. • The Director of Provincial Department of Environment (PDE) informed meeting participants of PDE's no objection to the reconstruction of the TK2 bridge. He added that Cintri waste collection services will collect unarmful wastes from future construction site and workers' camps, and will dispose the wastes at a landfill site which will be identified. In terms of waste generated from bridge debris, he said that the

Date	Time	Participants		Purpose	Key Feedback from Stakeholders
		Male	Female		
					<p>contractor (once selected by MRD) should discuss with the Provincial Department of Environment to find a proper area for disposal.</p> <ul style="list-style-type: none"> The WB's consultant has asked all provincial Departments to share important data and information which included commune database (2014-2020), three-year provincial investment plan (2014-2020), annual agricultural report (2014-2020), annual environmental report (2014-2020), water level, temperature, water quality, air quality, rainfall, and reservoir or water storage, including information on local capacity. The meeting participants agreed to share the required data and information with the Consultant. Unfortunately, Provincial Department of Water Resources and Meteorology could not participate in the meeting. Yet, Mr. Chhayheang (Project Manager) informed the Director of Provincial Department of Rural Development to ask for required data later on from the Provincial Department of Water Resources and Meteorology. Conclusion: The IP Screening Meeting was successfully conducted. The meeting confirmed that no IP Community is present in the TK2 Bridge area/potential area of influence as a result of TK2 bridge reconstruction. It was also confirmed that the land area where the new TK2 bridge is to be situated is public land which is managed by local government. So, there is no need for land acquisition for the reconstruction of the TK2 bridge. The meeting participants agreed with the Ministry of Rural Development to move ahead for the construction of the TK2 bridge.
17 Nov 2021	14:00 – 16:00	10	1	ONLINE CONSULTATION WITH TBOUNG KHMUM PROVINCE (Preah Theat commune, Koh Sotin district) for reconstruction of the TK2 Bridge.	<ul style="list-style-type: none"> The Deputy Chief of Tboung Khmum District clarified that there was no any indigenous people and community living in Tboung Khmum district, including the commune and villages where TK2 bridge was located. One participant said that there was a small house located approximately 3-4 meters to the east side of the bridge. The person who owns the small house has his home in the village nearby the bridge. He came here and use his small boat to carry any people who want to cross the river. The small house and piece of land where the small house is situated was illegally settled by himself. No competent authorities have permitted.

Date	Time	Participants		Purpose	Key Feedback from Stakeholders
		Male	Female		
				<ul style="list-style-type: none"> Screening for presence of IP in subproject area and screening for potential impact of land acquisition. Questions and answers about the project and TK2 bridge reconstruction subproject 	<p>All authorities attended the meeting confirmed that that household would leave his small house if local authorities needed that area to develop or construct the bridge.</p> <ul style="list-style-type: none"> Representatives of Tuol Kleang and Preah Theat replied that the owner of small house would leave without any complaint and involved local authorities in the meeting agreed to issue the official letter stating that the area around the bridge is not owned by any persons and private companies. Such official letter would be sent to the Provincial Department of Rural Development, then to Ministry of Rural Development as supporting evidence. The participants in the meeting reported that there was a small ancient hill/cottage (where people come for praying. It is situated about 0.5 – 1 km on the south-eastern side of the bridge. Conclusion: The IP Screening Meeting was successfully conducted. Participants discussed actively in terms of IPs and natural and private properties situated within the bridge area as well as communes/villages around the bridge area. Similar to the meeting with concerned provincial departments conducted on 16 November 2021, the meeting confirms that no IP are present in the TK2 bridge area. A small house will be negatively impacted (physical resettlement) due to the reconstruction of the bridge since it's located within the footprint of the new TK2 bridge. The owner of the house is happy that the bridge will be rehabilitated.
27 Nov 2021	14:00 – 15:30		1	FACE-TO-FACE CONSULTATION Visit TK2 bridge site and consult with the household who own a cottage in the footprint of the TK2.	<ul style="list-style-type: none"> The cottage owner said she was glad if the bridge would be reconstructed. She was happy to resettle if the local authorities requested her to move. Yet, she added that it would be good if the local authorities could provide her with a new place for resettlement. She knew her existing house would be affected by the rehabilitation of the bridge because she heard that the bridge would be widened.
03 Dec 2021	8:30 – 12:00	15	7	NATIONAL ONLINE CONSULTATION WORKSHOP	<ul style="list-style-type: none"> The meeting was successfully carried out. Participants actively discussed and provided comments/suggestions. The draft Project Environmental and Social Management Framework (ESMF) was disseminated to the

Date	Time	Participants		Purpose	Key Feedback from Stakeholders
		Male	Female		
				<ul style="list-style-type: none"> • Clarify the purpose of the stakeholder consultation workshop, then consult on: • Draft Environmental and Social Management Framework (ESMF), • Project's key activities and potential environmental and social risks and impacts which will be managed as per draft ESMF, • Environmental and Social Commitment Plan (ESCP). • Project Stakeholder Engagement Plan (SEP) and • Grievance Redress Mechanism (GRM) related to issues of Land Acquisition, Labor Management, and SEA/SH. • Questions and Answers 	relevant stakeholders. The meeting participants appreciated and agreed with the Ministry of Rural Development to move ahead with the proposed SEADRM II project and provide their contacts for further consultation and information as needed.
10 Dec 2021	10:00 – 12:30	30	3	ONLINE CONSULTATION WORKSHOP WITH PURSAT PROVINCE <ul style="list-style-type: none"> • Clarify the purpose of the stakeholder consultation workshop, then consult on: • Draft Environmental and Social Management Framework (ESMF), • Project's key activities and potential environmental and 	<ul style="list-style-type: none"> • Mr. OUN Khoeun, Chief of Snam Preah Commune, expressed his appreciation on behalf of Snam Preah's citizen for the project by the MRD. He would be happy to assist the project team in terms of coordination with the local communities. • Mr. MAK Saroeun, a Khna's Pagoda Committee representative, said the project would bring benefits to local people. He added that he was happy to support the project in terms of coordination with local communities. • Mr. OU Chanthon, a Chief of Bac Pring village, shared his working experience in resettlement coordination among development projects and affected local households.

Date	Time	Participants		Purpose	Key Feedback from Stakeholders
		Male	Female		
				<p>social risks and impacts which will be managed as per draft ESMF,</p> <ul style="list-style-type: none"> • Environmental and Social Commitment Plan (ESCP). • Project Stakeholder Engagement Plan (SEP) and • Grievance Redness Mechanism (GRM) related to issues of Land Acquisition, Labor Management, and SEA/SH. • Questions and Answers 	<ul style="list-style-type: none"> • Mr. Prom Soi, a Chief of Toul Khmer village, raised his concern about road designs, e.g., whether there would be an installation of U drains or not when the targeted roads would be rehabilitated. He added that U drain installation would prevent and protect the road from being affected by the floods. He also said that households located along the roads had raised their house above the flood level. Mr. KONG Sopheak replied on behalf of MRD that the U drain would be installed at the road sections of markets and urban residents. • Mr. PICH Sokun, a Deputy Head of Indigenous People Development office, said that there are no IP communities living in the areas where the damaged road is potentially selected for rehabilitation in Pursat province. • Mr. NIN Sinat, Deputy Director of Pursat PDRD, mentioned that the targeted rehabilitated roads would not have any impacts since the roads would be rehabilitated on the existing road alignment. He added that most of the commune chiefs in the targeted areas had some experience in relation to the rehabilitated roads because they had been implementing such projects by using Commune/Sangkat funds. • Ms. CHUK Lav, a villager from the Toul Khmer village, said that she strongly believed that project disclosure information to the people living around the project areas were very useful to avoid misunderstanding. All villagers needed good roads in their villages, and they were always happy to support the project whenever the roads are rehabilitated. • The meeting was successfully concluded. All participants from local authorities and communities were happy when they had heard that the roads in their villages damaged and destroyed by floods would be rehabilitated by the MRC in the coming year. They appreciated MRD and donor and were happy to support the project.
10 Dec 2021	8:00 – 9:45am	9	5	ONLINE CONSULTATION WORKSHOP WITH TBOUNG KHMUM PROVINCE	<ul style="list-style-type: none"> • Mr. TRY Pov, Chief of Preah Theat Commune, said that the bridge reconstruction would bring more benefits to local people. He added that he was happy to support the project in terms of coordination with local communities.

Date	Time	Participants		Purpose	Key Feedback from Stakeholders
		Male	Female		
				Purpose: Consultation with local people on the draft ESMP for TK2 bridge area, Tboung Khmum province.	<ul style="list-style-type: none"> • Mr. MON Sophan, Village Chief of Toul Kleang Village, said that local people were very happy with the reconstruction of the bridge and suggested that reconstruction start soon. • Mr. NGUN Kimhean, a member of Preah Theat's Commune Council, said that the ESMP was well prepared taking into account the community safeguard as well as GRM for affected people. He added that it seemed that no potential adverse impacts are of great concern. • Mr. KONG Naret, a Vice-Chief of Toul Kleang Village, raised a perception of the benefit of the bridge connecting the road for transportation of agricultural products, especially for children to access schools. • Mr. PHO Chanpiseth mentioned that the targeted project area would not affect since the bridge would be reconstructed on the existing location and within the same road alignment on the state land. He added that the local authorities were informed of the proposed reconstruction of the bridge; and the project had never gotten any complaints from the households living around the project bridge areas. • Conclusion: The meeting was finished on time without additional questions and suggestions. The participants from local authorities and communities are not concerned about the potential negative impacts from reconstruction of the bridge because they would just like to see the bridge to be reconstructed soon and had no objection to the TK2 bridge reconstruction.