

Resettlement Planning Document

Abbreviated Resettlement Action Plan (ARAP)

Document Stage: Final

Project Number/Name: Cambodia Road Assets Management Project II (P150572)

December 2015 (updated in May 08 2018 with GBV, VAC and labor influx requirements incorporated)

**Cambodia: Road Assets Management Project II
(Package 1: National Road No. 3 from Kampot
Province at Km 147+100 to Veal Rinh at Km
201+400)**

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ABBREVIATION

AC	= Asphalt Concrete
AH	= Affected Household
AP	= Affected Person
ARAP	= Abbreviated Resettlement Action Plan
BP	= Bank Procedure
COI	= Corridor of Impacts
CRPF	= Compensation and Resettlement Policy Framework
CRS	= Commune Resettlement Sub-committee
EMP	= Environmental Mitigation Plan
ESO	= Environmental and Social Office
FRALA	= Framework for Resettlement and Acquisition of Land and Assets
GDPM	= General Department of Public Works
GRC	= Grievance Redress Committee
IA	= Implementing Agency
IPDF	= Indigenous People Development Framework
KG or Kg or kg	= Kilogram
KM or Km or km	= Kilometer
LHS	= Left Hand Side
LS	= Lump Sum
M or m	= Meter
M ² or m ²	= Meter Square
MPWT	= Ministry of Public Works and Transport
NGO	= None Governmental Organization
NR	= National Road
OP	= Operational Procedure
PAH	= Project Affected Household
PAP	= Project Affected Person
PIB	= Public Information Booklet
PK	= Point Kilometer
PR	= Provincial Road
RAMO	= Road Assets Management Office
RAMP	= Road Assets Management Project
RAMP-II	= Road Assets Management Project Phase II
RAP	= Resettlement Action Plan
RCP	= Reinforced Concrete Pipe
RDCMU	= Road Data Collection and Management Unit
RGC	= Royal Government of Cambodia
RHS	= Right Hand Side
RMDS	= Road Management Decision Support
ROW	= Right of Way
RP	= Resettlement Plan
SD	= Side Drain
SSS	= Social Safeguard Specialist
URC	= U-shape Reinforced Concrete
USM	= U-shape Stone Masonry

DEFINITION

- a. **Compensation:** means payment in cash or in kind for an asset to be acquired or affected by a project at replacement cost.
- b. **Cut-off Date:** is the date prior to which the occupation or use of the project area makes residents/users of the project area eligible to be categorized as affected persons. The cut-off date coincides with the date of the census of affected persons within the project area boundaries. Persons not covered in the census, because they were not residing, having assets, or deriving an income from the project area, are not eligible for compensation and other entitlements.
- c. **Eligible land holders:** are affected persons who (a) hold title to land; or (b) do not hold title but whose possession of land can be legalized with a title pursuant to the Land Law of Cambodia including those with recognizable rights.
 - **Entitlement:** means a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, and relocation support which are due to affected people, depending on the nature of their losses, to restore their economic and social base.
 - **Project Authorities:** are the Ministry of Public Works and Transport (MPWT) through its Implementation Agencies including Road Assets Management Office (RAMO) and Environmental and Social Office (ESO) under the Department of Administration and Planning of MPWT.
- d. **Project Affected Persons or Households (PAHs or PAHs):** includes any people, households, firms or private institutions who, on account of changes that result from the Project will have their (i) standard of living adversely affected, (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement.
- e. **Rehabilitation:** means assistance provided to affected persons seriously affected due to the loss of productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
- f. **Replacement cost:** with regard to land and structures, replacement cost is defined as follows: For agricultural land, it is the pre-project market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a placement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of

salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

- g. **Resettlement:** means all measures taken to mitigate any and all adverse impacts of a project on PAP property and/or livelihood's, including compensation, relocation (where relevant) and rehabilitation as needed. Vulnerable group are distinct groups of people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households with no means of support and landlessness, and (v) indigenous minorities.

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EXECUTIVE SUMMARY

A. Introduction

This updated version of ARAP for National Road No 3 (NR3) is developed based on the draft ARAP, which was prepared in December, 2014 or a year ago. The ARAP is updated with findings of the recent reassessment conducted on December, 2015 incorporated to reflect the current status of impacts resulted from recent developments observed along the NR3.

Project Description: The Royal Government of Cambodia (RGC) through the Ministry of Public Works and Transport (MPWT), is provided with the World Bank financing, implement a new Road Asset Management Project II (RAMP-II) for a period from 2016 to 2022. The RAMP-II will support the scaling up of the original RAMP project's achievements to ensure continued effective use of the rehabilitated national (NR) and provincial road (PR) network in support of the economic development in Cambodia. The RAMP-II will improve the climate resilience and longevity of about 218 km of National Roads 3 and 7 through the strengthening, repair and maintenance (through three-year performance based maintenance contracts) of road surfaces, and installation of about 90 km of side-drainage in flood prone areas along the roads. The RAMP-II has two main components, Component 1 is Road Asset Management and Component 2 is Capacity Development.

Sub-project Description: Package 1 is part of Component 1 and is reconstruction of NR3 from Kampot town to Veal Rinh (junction with NR4) with total length of 54km. The scope of work is consisted of asphalt concrete (AC) overlay and upgrading the side drainage system including inlet and outlet structures. All works are limited within the existing constructed road. Thus, there will be no land acquisition and very limited impact on temporary structures and trees.

Scope of Impacts and Resettlement Categorization: Works under Package 1 are limited on existing constructed road. However, the project (including Package 1) was considered triggering 3 safeguard policies including Environmental Assessment (OP/BP 4.01), Indigenous People (OP/BP 4.10), and Involuntary Resettlement (OP/BP 4.12). Outcomes of the screening process documented in the report dated November 20, 2013 reveals that no major environmental and social impacts are envisaged because the proposed road maintenance sections will be carried out on the existing road alignments and within Right of Way (ROW). A joint field study consisted of environmental specialist, resettlement specialist, social specialist and project engineers confirmed the outcomes of the project screening. The joint study was conducted on October 8-12, 2014. Discussion with engineers concluded that locations where there are potential impacts would be further minimized by using different types of drain and soil excavation technique. Based on proposed drainage system and types along the NR3 provided by MPWT only 14 households (with 70 persons) will be potentially affected his/her extended roof structures, stalls and trees, and some quantity of concrete forecourt. Thus, the abbreviated resettlement action plan (RAP) was prepared in December, 2014. The field visit conducted on December 16, 2015 reconfirms that no major additional impacts were identified and thus this updated is prepared to reflect the current status.

Lessons Learned from the Original RAMP Implementation

Safeguards screening and risks. Under the original project, adequate attention has been paid to the safeguards screening and requirements, including preparation of the safeguards instruments, training and monitoring. Safeguards screening have been carried out in a satisfactory manner. Overall risk for safeguards is perceived to be low under the RAMP-II because it will focus on repair and maintenance of the existing road assets and will follow the same road alignments.

Land acquisition and resettlement. No major issues related to land acquisition or major adverse social impacts have been observed under the original project. There were minor cases of temporary loss of access to affected communities, houses and shops along both sides of the road during the civil work. Temporary crossing facilities were provided by the contractors to ensure continued accessibility. Some small trees naturally grown and assets (eg temporary stalls or booths extended beyond the ROW) were removed or shifted backward with support from the contractor's workers (particularly for relatively large and heavy structures). The PAHs had been well informed and prepared to cope with these anticipated short term impacts. No major complaints were received or heard except the lengthy work in some spots and construction debris left, which will be addressed under the EMP to be applicable for RAMP-II.

The road sections to be covered by the RAMP-II are located in flat area connecting a number of provincial and district towns, in which rapid growth in economic developments and increasing demand for improved transport infrastructures are observed. Minor relocation of temporary buildings including roof structures and concrete floors extended from small shops and houses and crops or trees found along the ROWs are anticipated. Potential minor and temporary land acquisition may be required due to the construction of side ditches and drainage within the ROW. Since the packages of NRs are already known in terms of location and scope of impacts, this abbreviated RAP have been prepared in line with the updated Compensation and Resettlement Policy Framework (CRPF) to address and mitigate the potential impacts under the RAMP-II

Ethnic Minority or Indigenous minorities (IM). IMs (locally known as Highland Peoples) are found mostly in the northeast (Ratanakiri and Mondolkiri provinces), which would not be covered by the RAMP-II. These groups, among them the Tampuan, Kuy, Jarai, Phnong, Kreung, Kavaet, Brou, Stieng, Lun and others, are estimated to total about 120,000 people, or about one percent of the national population. No IMs were found to be affected under the RAMP-I. Although no ethnic minority people were identified among the 919 potential PAHs visited during the screening for RAMP-II, the existing IPDF would remain applicable for the precautionary purpose. Similar process would continue during implementation with focus on further improving the quality of consultation and project information disclosure.

Physical cultural properties and sensitive areas. There were local hospitals, schools, temples and markets identified along the NRs to be repaired during the screening process. These public facilities and physical cultural properties are found to be located outside the ROW or at least 50 meter from the center of the roads. Hence, the civil works would not cause major impacts on the properties and sensitive areas. However, the updated site specific EMP including chance finds clauses and good engineering practice will be applied to mitigate impacts identified under the RAMP-II.

Implementation of the RAMP-II. Under the original project, MPWT's capacity on safeguards implementation has been developed through training and engagement of safeguard consultants to provide proactive support for the Environmental and Social Office (ESO, formerly known as EMU). As stated above, no major environmental and social impacts,

including negative impacts on ethnic minority, have been observed under the original RAMP. The safeguard team considers that all safeguards-related activities have been satisfactorily implemented and safeguard findings have been documented in progress and supervision reports. The RAMP-II will continue its support for strengthening capacity of ESO to implement the safeguards for the project. At present, there are only 4 social safeguard staff and 2 environmental staff in the ESO trained by the original RAMP, other donors-financed projects and Ministry of Environment. With limited number and frequent turnover of staff to cover the growing number of NRs development projects, a more holistic capacity development program will be developed and implemented based on experience from the original RAMP and from Bank-financed road sector projects in neighboring countries such as Laos and Vietnam.

An estimated budget of US\$300,000 from the RAMP-II will be specifically allocated for (i) strengthening supervision and monitoring of safeguard compliance, including reporting; (ii) safeguard training for ESO and IRC secretariat's staff with focus on ESIA review, social and economic impact assessment and reporting and effective consultation with PAHs.

B. Baseline Information and Category of PAHs by Degree and Type of Impacts

No acquisition of land and house relocation resulted from the Sub-project. No impact on any permanent and large-scale structure or high value tree located in the project areas where the side drainages are proposed. 14 households located in small urban centers along NR3 have been identified to be potentially affected due to the need to relocate and/or his/her temporary stalls (2), extended roof (10), bathroom (1) and trees (8). Majority of affected structures are steel roofs extended from the main houses or shop. Number of commercial and advertisement signboards and approximately 1,371m² of concrete frontcourt will also be affected. Households who have business along the NR3 will also be disrupted during the construction and consequently their daily income may be slightly decreased.

There are 70 people living in the 13 affected households, excluding one non-AH. In average there are 5 people per household, above national average of household size of 4.7. Average age of head of household is 55, the youngest reported age is 29 and the oldest reported age is 80. Majority of AHs have middle level income of \$287 per month in average. The lowest reported income is \$70 per month where the highest one is \$500 per month. 7 AHs are headed by female and 5 of them having support from their children and the rest of 2 AHs is considered vulnerable because one is female single headed household with landlessness and the other has five dependences aged under 18.

No indigenous people¹ or community is living along the NR3. Despite there are Cham communities, the ethnic minority group (not part of IP group), living along the NR3 none of them having affected assets. An AH reported himself Vietnamese ethnicity. However, his household is living among the Khmer community. Therefore, Indigenous People Development Framework (IPDF) will not be applied for this Sub-project.

¹ **Census 1998:** The 1998 Cambodian Population Census identified 17 different indigenous groups (Cham is not part of the group). Based on spoken language, the census estimated the indigenous population at about 101,000 people or 0.9 percent of the total population of 11.4 million. Empirical research, however, suggests that the figure is most likely underestimated and could be as high as 190,000 people or 1.4 percent of Cambodia's population, NGO Forum on Cambodia (Indigenous People in Cambodia, April 2006).

C. Policy Framework, Entitlements, Allowance, and Assistances

Compensation and Resettlement Policy Framework (CRPF): This ARAP is prepared in line with CRPF for the RAMP-II. Given the similar nature of this RAMP-II as compared to the original RAMP, the Project, the CRPF applied under the original project remains relevant and applicable. The CRPF is updated for with lessons learned from the original project implementation and key provisions of the Law on Expropriation 2010 incorporated. The updated CRPF is to some extents consistent with the key principles of the Law on Expropriation, applicable for public physical infrastructure projects served for public interests. It will be applied to all subprojects financed by Government and World Bank to address adverse social impacts that may result from involuntary acquisition of assets and change largely in land use and includes provision for compensation and rehabilitation assistance.

Nevertheless, there are some gaps noted in the national Law on Expropriation in comparison with the Bank's policy on Involuntary Resettlement, OP/BP 4.12. These are summarized in bullet points below:

- The Expropriation Law provides principles, mechanisms, and procedures of expropriation, and defines fair and just compensation for any construction, rehabilitation, and expansion of only public physical infrastructure projects for the public and national interests and development.
- It does not provide detail of the process and procedures of resettlement induced by the public development projects, land acquisition, voluntary land and asset donation and post relocation support.
- No measures required to support the vulnerable groups of PAHs are provided in the law even though it outlines a complaint and dispute resolution mechanism for PAHs across articles under Chapter 3: Expropriation Mechanism and Chapter 4 Expropriation Procedures. No provisions regarding monitoring and public disclosure requirements were described in the Expropriation Law.

The above outlined gaps shall be governed by the Bank's policy OP/BP 4.12 in the CRPF.

Framework for Resettlement and Acquisition of Land and Assets (FRALA): FRALA is developed and applicable to RAMP-II, in order to address the issue of voluntary land donation under the project. This is because it was found to be difficult during project implementation for the RAMP-II to completely eliminate the need for acquisition. FRALA defines the terms and provides guidance for voluntary acquisition of land and/or other assets (including restrictions on asset use) caused by the implementation either through contribution or with compensation by communities and establish principles and procedures to be followed to ensure equitable treatment for, and rehabilitation of, any person adversely affected by project implementation.

Voluntary Contribution: Structures and trees located within the COI of 15m from the road centerline have been cleared and compensations were paid to the AHs during Phase 1 road rehabilitation in 1999-2006 (P004030). MPWT will not re-compensate for structures built within COI of 30m after the cut-off date established in 1999. Meeting with members of commune councils consisted of chiefs of commune and village located along the NR3 confirmed the compensation payment during 1999 and that no more cash compensation to

be paid for structures and trees that re-built and re-grew within the COI of 30m because it would encourage people to further encroach the ROW. However, vulnerable AHs will receive special assistance from the project and that affected concrete frontcourt and other permanent structures will be replaced to the same existing condition under the EMP budget or compensated at replacement cost. In addition, if construction, in any part including borrowed pit, is happened beyond 15m from road centerline but within the ROW the affected assets shall be compensated and other assistance with be applied. In any case AHs request labor assistance the project authority shall provide to them. The project will not cause severely impact on AHs' livelihood.

Special Assistance for Vulnerable AHs: In addition to labor assistance for removal and reparation of structure the two vulnerable AHs will receive special assistance for the disruption of her business during construction. Since they will loss income resulted from business disruption the special assistance will be given in the form of living allowance. Thus, each vulnerable AH will receive a living allowance of 20kg rice per 5 persons per month for one month (or equivalent to \$50 in cash). During construction, landless AHs will receive assistance for shifting back her stall. During the consultation, consensus and agreement was reached with the two vulnerable AHs on this package of compensation and support to be provided for them by the MPWT.

C. Public Information, Consultation and Grievance Redress Procedure

Policy Requirements: Consultations and public participation would be carried out as an ongoing process throughout project planning, design and implementation stages. Preparation of appropriate documents and planning and implementation for the acquisition of land and other assets will be carried out in consultation with the PAHs. Public participation is performed and information is made available during both preparation and implementation of the RAP and should include, at a minimum, public information booklet, community meetings and television and radio reports.

Public Consultation During Planning: Public consultation has been conducted twice; one is during the screening for environmental and social safeguard and second is during census and baseline survey for resettlement planning. The first consultation was to seek for public support for the Project and informed them about the project objectives and potential impact both positive and negative. The second consultation is to assess impacts, discuss resettlement planning and voluntary contribution of what they would be potentially affected during the construction.

Public Consultation During Implementation: Implementation of ARAP shall be closely linked with civil work construction schedule. It shall not be commenced so early because traditionally people will not remove their structure until they see the civil work approaching or they will move back to the same place if they do not see the construction activities happen sooner after they have moved away. Two months before the construction commencement Commune Resettlement Sub-committee (CRS) with assistance from the Project's management team and safeguard specialist will conduct public meeting and consultation. At the meeting APs shall be informed about the project benefit, potential impact, and their entitlement under the CRPF and ARAP. The public information booklet (PIB), see Annex 1, will be distributed to every AP and content of it will be explained to APs.

APs will be allowed to ask question and the project management will answer to every question that are relevant.

Public Participation in the form of Voluntary Contribution: APs have the right to make a voluntary contribution of their affected assets, structures and trees without seeking or being given compensation. This can be justified as the rehabilitated road will likely increase the value of the reaming property and their income. They shall also be informed about their entitlement for any compensation and assistance i.e. labor and materials replacement. Vulnerable AHs will be taken care of and special assistance will be given including labor for removal and reparation of damage, material replacement and a month living allowance. The Project Management shall clearly inform the APs that they have right to voluntarily contribute or not to voluntarily contribute their affected assets and also have right to claim for project assistance if they want to. In the event if the PAHs opt for voluntary contribution of their affected assets without seeking compensation, an agreement shall be prepared and signed by the both head of PAH and his/her spouse and the project authority for future references and record.

Disclosure: The Bank's Disclosure Policy requires that safeguard-related documents be disclosed before appraisal: (i) at the InfoShop and (ii) in country, at publicly accessible locations and in a form and language that are accessible to potentially affected persons. In this respect, the approved ARAP version will be uploaded to the World Bank's InfoShop and the MPWT website. The ARAP will be translated into Khmer language and a copy of the translated Khmer version will be posted at communes where there are affected households.

Grievance Redress Procedure (GRC): A GRC will be established at provincial level and chaired by provincial governor or his/her designated deputy governor. Members are representative from districts, communes and villages where AHs exist. A representative of a local NGO will also be appointed as an independent member. The objective is to resolve complaints as quickly as possible and at the local level through a process of conciliation; and, if that is not possible, to provide clear and transparent procedures for appeal. All AHs will be made fully aware of their rights, and the detailed grievance redress procedures will be publicized through an effective public information campaign. The grievance redress process includes four stages. There are three stages before complaints may be elevated to a court of law as a last resort (first to third stages are at commune, district, and provincial level, and last on is at court level).

Labor Influx: A risk assessment conducted based on the risk classification defined by the World Bank's 2016 Labor Influx Guidance Note indicates that the marginal risk associated with the labor influx under the project is considered low. The size of the potential influx of laborers and workers is expected to be limited relative to the absorptive capacity of the local communities. The POM specifies responsibilities of the implementing agency, RAMO and ESO, its contractors and supervision engineer to mitigate and monitor the negative impacts of labor influx, and the potential risks related to sexual exploitation and abuse (SEA) and GBV.

Guidelines of enhanced ESHS requirements, including contractor Codes of Conduct and management of Occupational Health and Safety (OHS), will be incorporated in the bidding documents and will be regularly monitored and reported on by the supervision consultant during the execution of works. Contractors will be required to train all workers and staff on a regular basis on the Code of Conduct to ensure clear definition of obligations of contractors'

staff and workers with regard to implementing the project's ESHS and OHS requirements, and help prevent, report and address GBV and VAC issues within the work site and in its immediate surrounding communities. Contractors will also inform workers about national laws that make GBV a punishable offence that is prosecuted. Labor camps will be constructed for those workers coming from outside the community and will be regularly monitored by the ESO and its supervision consultant. The above paragraph provides details on a grievance redress mechanism that will also be used to manage grievance redress related to worker conduct, including monitoring timely resolution of grievances received from women. Guidelines for a Code of Conduct and Action Plan on GBV and VAC is provided in Annex 5.

D. Institutional Responsibilities for Implementing and Monitoring

The Ministry of Public Works and Transport (MPWT) is responsible for planning and implementation of the project. As the project implementing agency, the MPWT will be responsible for carrying out all resettlement activities in compliance with this Abbreviated RAP. Its provincial department of public works and transport will appoint a resettlement focal person for ARAP implementation and related issues that may arise during construction of civil work. He/she will work very closely with commune resettlement sub-committee, project safeguard specialist, and contractor and reports all related issues to relevant stakeholders for immediate action especially the complaint from APs if any.

Commune Resettlement Sub-committee (CRS): In commune where AH exist, an ad-hoc CRS will be established and chaired by the Commune Chief (or designated representative). The membership of CRS will include commune and village representatives; representatives of AHs for subprojects; and a resettlement focal point from each provincial department. In order to address issues of vulnerable AHs adequately, the membership of the CRS will include female and, as relevant, ethnic minority representatives. IA will assist in the formation of CRS and train them on the CRPF and RAP. CRS with assistance from IA will be responsible for implementing ARAP.

Internal Monitoring: The Environmental and Social Office (ESO) would appoint adequate full time staff to monitor the process of resettlement in collaboration with CRS. In order to assist with this monitoring, the ESO shall obtain and maintain appropriate baseline data prior to the resettlement impacts. The monitoring staff will submit periodic progress reports to the involved authorities for inclusion in the progress report. The main objective of the reports is to determine whether the resettlement is effective and to make the needed recommendations for change. The monitoring staff will be present in the field as well as at every meeting related to resettlement. Under the RAMP-II, training will be provided to strengthen his/her monitoring and reporting on the resettlement, social impacts and mitigation measures.

Independent External Monitoring: The resettlement impacts are minor. However, to have an independent view on the implementation of ARAP an independent external social safeguard specialist (SSS) shall be engaged on the intermittent basis (max. 30 days input). He/she will be responsible for i) periodic monitoring the process of resettlement; ii) assisting in updating ARAP, if required; iii) preparing voluntary contribution report; and conducting training to ESO staff in charge of resettlement issue, GRC members and CRS. The SSS would be provided full access to project documents and database to facilitate monitoring process.

The safeguard specialist will prepare periodic monitoring reports for submission to the RAMO of MPWT as well as to the World Bank.

Evaluation: Evaluation of ARAP implementation will be jointly carried by the RAMO, ESO, SSS and the World Bank task team in the final year of the RAMP-II. Since the Sub-project have no land acquisition and no significant impact on livelihood of the APs but in turn will improve their livelihood through improved environment and hygiene and better access to their business. Thus, there will be no ex-post evaluation of resettlement implementation to be conducted.

Capacity training: Members of CRS and GRC will take a one-day capacity training for RAP implementation. Three sets of training will be conducted for the entire Sub-project (one for each Package). The training venue shall be at convenience to the participants. Trainee will be offer lunch and per diem for transport and cost of the training will be included in resettlement cost and budget.

E. Resettlement Cost and Budget

Resettlement Costing: Necessary funds for planning and implementation of ARAP will be provided by the project. The implementing agencies will provide for all costs related to mitigating adverse social impacts based on budgetary requirements established in the ARAP as detail in below table. There are two cost components including resettlement cost and other cost. Resettlement costs are included cost for replacement of concrete forecourt and special assistance to vulnerable AHs. Total resettlement cost is estimated at \$120.00. Other costs are included cost for internal monitoring and other administration, external monitoring, complaint handling and training to CRS and GRC. Total other cost is estimated at \$14,100.00. **Thus, grand total is \$14,220.00.** All of these costs are to be a part of the total project cost. However, resettlement cost item shall be included in the EMP budget while other cost item shall be included in construction supervision package or other related package.

Flows of Fund: The Royal Government of Cambodia, through Ministry of Economic and Finance will be responsible for financing the Project as well as resettlement activities specified in the ARAP. The IA, represented by MPWT will be in charge of the ARAP implementation and payment for resettlement activities and assistance as specified in the ARAP. Fund will be approved and disbursed by IA (MPWT).

F. RAP Implementation and Schedule

Implementation Process: The draft ARAP was submitted to the World Bank by first week of November 2014 for review and clearance but it was delayed for almost one year. It, therefore, require updating it. The updated ARAP is expected to be approved by end of December 2015. The approved (updated) ARAP will be publicly disclosed on the MPWT, its website and local office. It will also be disclosed on the World Bank's Infoshop. The ARAP will be implemented immediately after its approval and the provision of compensation and assistance to the PAHs shall be completed 60 days prior to the commencement of the civil work. The sequential activities will include i) conducting training to CRS and GRC; ii) conducting public information and consultation with APs; iii) identifying and validating the affected properties and signing agreements for voluntary donation, if any; iv) preparing

report on voluntary contribution, if any and request for budget; v) paying compensation and assistance, if any; vi) issuing notification for removal of affected properties; vii) clearing structures, trees and other assets by AHs; and viii) handing over the cleared site to civil work.

Implementation Schedule: The implementation schedule of the ARAP will be based on the construction schedule of the Sub-project. Affected structures, trees, and other assets shall be removed and cleared out of the construction site 7 days prior to commencement of the civil work construction. The specific implementation schedule is indicated in the below table.

Table 7-1: RAP Implementation Schedule for NR3

Item	Planned schedule
Approval of ARAP	December 2015
Training to CRS and GRC	60 days prior to civil work construction
Public information and consultative meeting with the leaflet to be distributed to all potential communities and PAHs for references	7 days after the training
Identify and validate the affected structures, trees and other assets and discuss and sign agreement for voluntary contribution of affected assets.	Next day after the public meeting (duration is estimated 7 days)
Prepared voluntary contribution report and request for budget for RAP implementation	7 days after completing collection of thumbprint
Budget disbursement	30 days after submission of report and request for budget
Payment of compensation and assistance if any	7 days after budget disbursed
Issue notification for removal to AHs	7 days prior to civil work construction
Clear structures, trees and other assets by AHs	Within 7 days after receiving notification for removal
Handover to civil work	After 7 days of notification of removal
Regular internal and external monitoring by ESO and SSS	Periodic from the date of training to completion of civil work

Note: The project construction period is two years (2015 – 2016). Resettlement work should be completed section by section in accordance with construction schedule.

1. INTRODUCTION

1.1. Project Description

1. The Royal Government of Cambodia (RGC) through the Ministry of Public Works and Transport (MPWT), is provided with the World Bank financing, implement a new Road Asset Management Project II (RAMP-II) for a period from 2016 to 2022. The RAMP-II will support the scaling up of the original RAMP project's achievements to ensure continued effective use of the rehabilitated national (NR) and provincial road (PR) network in support of the economic development in Cambodia. The project will continue to integrate periodic rehabilitation and maintenance investments with institutional support and capacity development for prioritization, planning and implementation of maintenance activities.

2. The RAMP-II will improve the climate resilience and longevity of about 218 km of National Roads 3 and 7 through the strengthening, repair and maintenance (through three-year performance based maintenance contracts) of road surfaces, and installation of about 67 km of side-drainage in flood prone areas along the roads. The RAMP-II would support the planning and development of the road maintenance program by further enhancing the capacity of MPWT to carry out data collection, processing and analysis necessary for effective road asset management of the national and provincial road networks. It would also provide ongoing support to community-based road safety and HIV/AIDs and human trafficking awareness campaigns.

3. The RAMP-II has two main components, Component 1 is Road Asset Management and Component 2 is Capacity Development.

Component A - Road Asset Management. The RAMP-II project (US\$58.57 million; IDA US\$54.27 million; RGC US\$4.3 million) has two subcomponents: Sub-component A1 Periodic maintenance and strengthening of national roads, and Sub-component A2 Implementation support.

Sub-component A1: Periodic maintenance and strengthening (US\$54.10 million; IDA US\$49.77 million, RGC US\$4.3 million) of about 218 km of existing bitumen-sealed roads with an overlay of asphalt concrete, replacement of current pavement with concrete pavement at flood prone areas, including strengthening and replacement, as necessary, of sub-base and road base-course, using unbound materials or stabilized materials for the road pavement. The civil works would include about 90 km of repair, replacement and installation of new drains, as well as repair and replacement of existing cross-drainage and the placement of some new culverts. The works would be followed by an application of performance-based road maintenance for a period of three years. The works would be divided into four contract packages, one on NR3 and three on NR7. The two road lines (i.e., NR3 and NR7) are divided into four road sections:

- Package 1: Periodic maintenance of 54 km of NR3 from Kampot provincial town to Veal Rinh intersection of NR3 and NR4, with performance based contract covering routine maintenance for three years. It also supports the construction of side drains of 17 km along the NR 3 road.
- Package 2: Periodic maintenance of 50 km of NR7 from PK136 to PK186, with performance based contract covering routine maintenance for three years. It also supports the construction of both side drains along 28.7 km of the NR7 road.
- Package 3: Periodic maintenance of 57 km of NR7 from PK186 to PK243, with performance based contract covering routine maintenance for three years. It also supports the

construction of both side drains along 37.7 km of the NR 7 road.

- Package 4: Periodic maintenance of 57 km of NR7 from PK243 to PK300, with performance based contract covering routine maintenance for three years. It also supports the construction of both side drains along 11.8 km along of the NR7 road.

Figure 1.1: Project Location Map

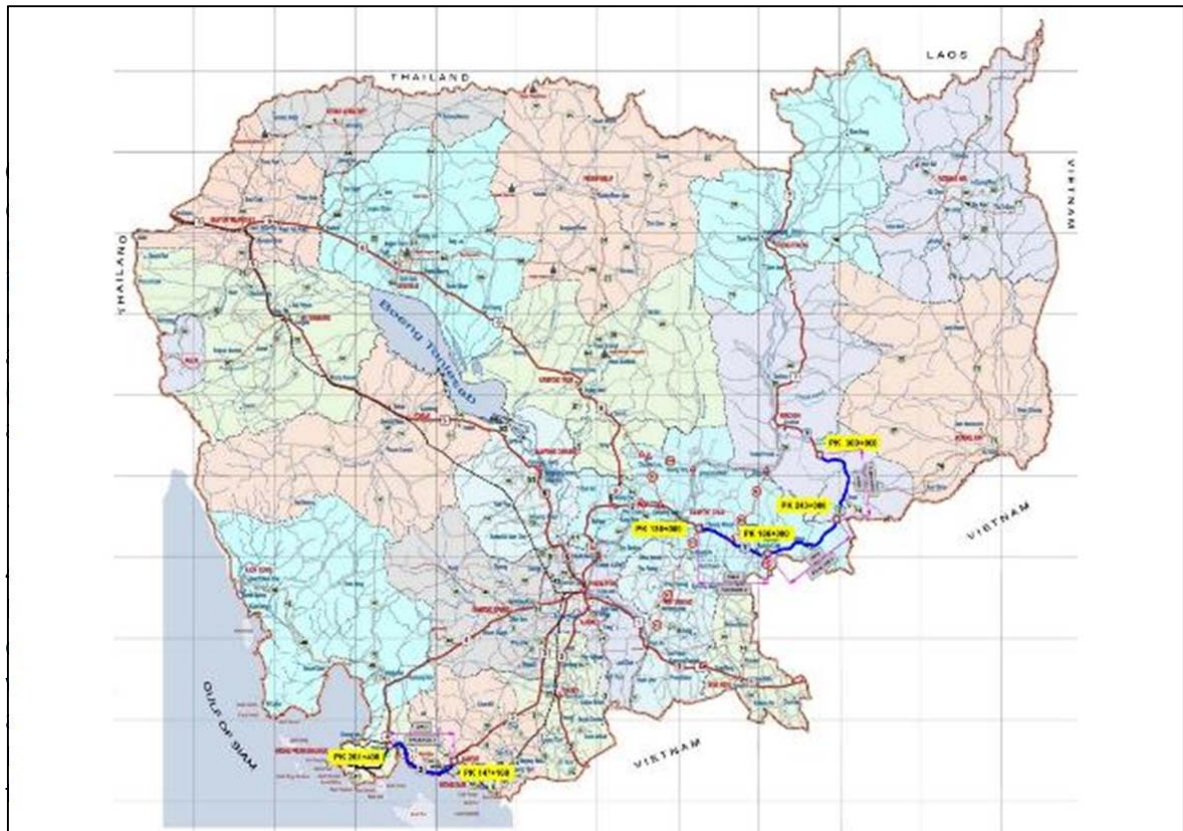


Figure 1.2: Location Map of Package 1

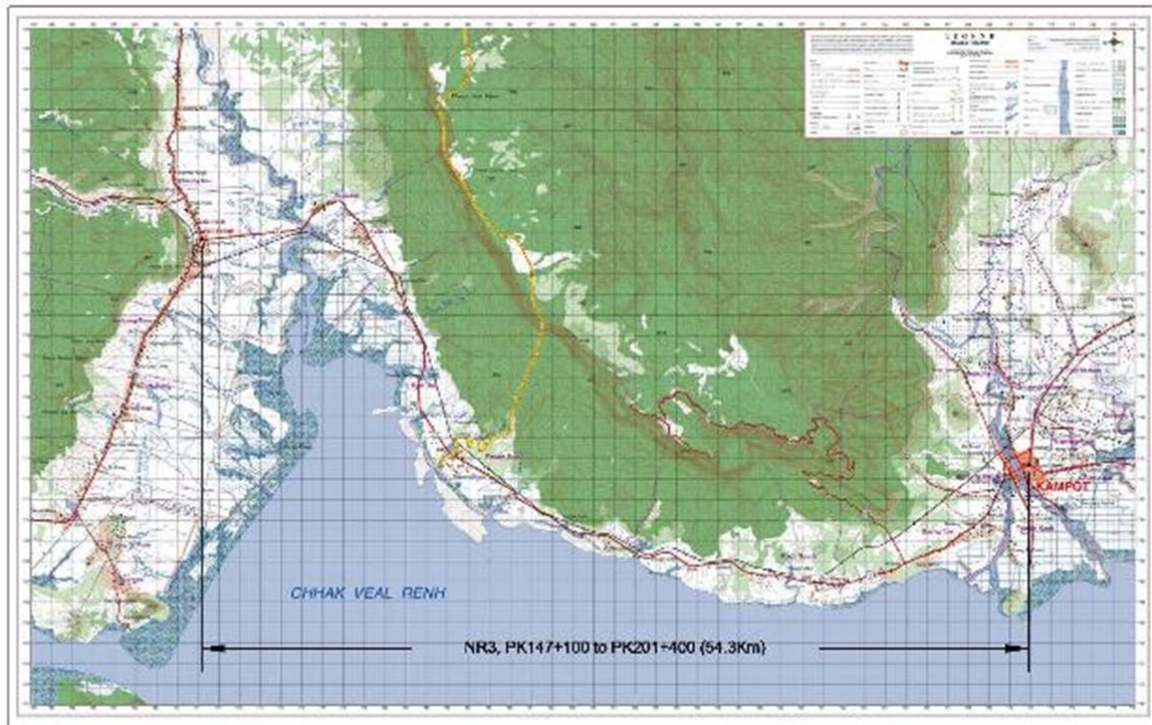


Table 1.1a. Proposed Schedule of Side Drainage

No	Side Drain Name	Location PK		Offset	Length in (m)	Proposed Type
		From	To			
1	SD 01	147+127	147+961	LHS	834	
2	SD 02	147+100	147+961	RHS	861	
3	SD 03	148+232	148+405	LHS	171	Type A
4	SD 04	148+431	148+495	LHS	70	Type A
5	SD 05	148+461	148+517	RHS	65	Type A
6	SD 06	148+520	149+048	RHS	528	Type A
7	SD 07	148+548	149+048	LHS	506	Type A
8	SD 08	149+148	149+530	RHS	393	Type A
9	SD 09	149+148	149+530	LHS	394	Type A
10	SD 10	155+018	155+030	LHS	12	Type A
11	SD 11	155+723	155+933	LHS	211	Type B
12	SD 12	158+992	159+815	RHS	818	Type E
14	SD 14	169+135	169+537	RHS	411	
15	SD 15	169+000	169+367	LHS	369	Type A
16	SD 16	169+367	169+547	LHS	182	Type A
17	SD 17	169+599	169+701	RHS	101	Type A
18	SD 18	169+599	169+701	LHS	101	Type A
19	SD 19	170+817	171+060	LHS	243	Type D
20	SD 20	170+835	171+060	RHS	225	Type D
21	SD 21	171+060	171+144	LHS	84	Type D

22	SD 22	171+060	171+144	RHS	84	Type D
23	SD 23	171+144	171+320	LHS	176	Type D
24	SD 24	178+974	179+400	LHS	426	Type A
25	SD 25	179+034	179+400	RHS	368	Type A
26	SD 26	179+400	179+895	RHS	494	Type A
27	SD 27	179+400	179+895	LHS	497	Type A
28	SD 28	179+934	180+088	RHS	163	Type A
29	SD 29	179+934	180+088	LHS	156	Type A
30	SD 30	191+500	191+850	RHS	348	Type A
31	SD 31	191+500	191+850	LHS	349	Type A
32	SD 32	201+110	201+398	LHS	285	Type B
33	SD 33	201+202	201+254	RHS	228	Type A
34	SD 34	201+220	201+252	RHS	212	Type A
35	SD 35	201+250	201+333	RHS	228	Type A

Table 1.1b. Summary Table for Proposed Drainage

No	Drainage type	Unit	Quantity (m)	Notes:
1	Type A	m	6361	Reinforced Concrete Pipe with Manhole (RCP & Manhole)
2	Type B	m	496	U-shape Reinforced Concrete Side Drain (URC Side Drain)
3	Type C	m	0	U-shape Stone Masonry Side Drain (USM Side Drain)
4	Type D	m	812	V-Shape side ditch with stone rip rap protection
5	Type E	m	818	Earthen side ditch

Table 1.2a. Proposed Extra Works of Side Drainage

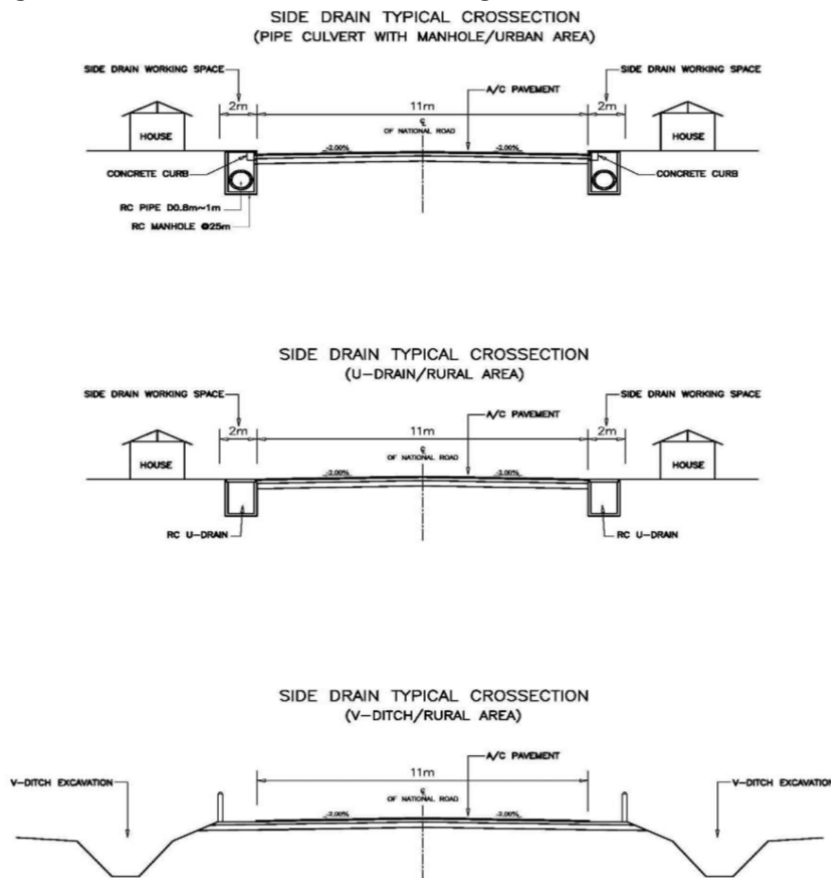
No	Side Drain Name	Location PK		Offset	Length in (m)	Proposed Type
		From	To			
36	SD 36	149+575	149+950	LHS	375	Type D
37	SD 37	149+575	149+740	RHS	165	Type D
38	SD 38	149+740	149+950	RHS	210	Type D
39	SD 39	149+950	150+288	RHS	338	Type D
40	SD 40	150+010	150+288	LHS	278	Type D
41	SD 41	150+288	150+760	LHS	472	Type D
42	SD 42	150+288	150+760	RHS	472	Type D
43	SD 43	150+825	151+000	LHS	175	Type D
44	SD 44	151+000	151+500	LHS	500	Type D
45	SD 45	151+140	151+400	RHS	260	Type D
46	SD 46	153+375	153+430	LHS	55	Type D
47	SD 47	154+360	154+850	LHS	490	Type D
48	SD 48	155+000	155+150	LHS	150	Type D
49	SD 49	155+000	155+050	RHS	50	Type D
50	SD 50	157+900	158+000	LHS	100	Type D
51	SD 51	159+450	159+570	LHS	120	Type D
52	SD 52	159+800	160+400	LHS	600	Type D
53	SD 53	160+150	160+300	RHS	150	Type D
54	SD 54	161+000	161+535	LHS	535	Type D
55	SD 55	161+000	161+535	RHS	535	Type D

58	SD 58	162+880	163+050	RHS	170	Type D
59	SD 59	163+700	164+050	RHS	350	Type D
60	SD 60	164+800	165+050	RHS	250	Type D
61	SD 61	165+110	166+050	RHS	940	Type D
62	SD 62	169+700	169+900	LHS	200	Type D
63	SD 63	169+700	169+900	RHS	200	Type D
64	SD 64	171+700	172+000	RHS	300	Type E
65	SD 65	172+700	173+050	RHS	350	Type E
66	SD 66	175+600	175+900	RHS	300	Type E
67	SD 67	176+500	176+800	LHS	300	Type E
68	SD 68	176+600	176+900	RHS	300	Type E
69	SD 69	177+900	178+500	LHS	600	Type D
70	SD 70	177+900	178+500	RHS	600	Type D
71	SD 71	192+000	192+600	LHS	600	Type E
72	SD 72	195+900	196+000	RHS	100	Type D

Table 1.2a. Summary Table for Proposed Extra Works of Side Drainage

No	Drainage type	Unit	Quantity (m)	<u>Notes:</u>
1	Type A	m	0	Reinforced Concrete Pipe with Manhole (RCP & Manhole)
2	Type B	m	0	U-shape Reinforced Concrete Side Drain (URC Side Drain)
3	Type C	m	0	U-shape Stone Masonry Side Drain (USM Side Drain)
4	Type D	m	9440	V-Shape side ditch with stone rip rap protection
5	Type E	m	2150	Earthen side ditch

Figure 1.3. Cross Section of Side Drainage



1.3. Scope of Impacts and Resettlement Categorization

5. Works under Package 1 are limited on existing constructed road. However, the project (including Package 1) was considered triggering 3 safeguard policies including Environmental Assessment (OP/BP 4.01), Indigenous People (OP/BP 4.10), and Involuntary Resettlement (OP/BP 4.12). Outcomes of the screening process documented in the report dated November 20, 2013 reveals that no major environmental and social impacts are envisaged because the proposed road maintenance sections will be carried out on the existing road alignments and within Right of Way (ROW). Some inconveniences may occur during construction such as dust, noise and construction debris, which however can be mitigated by applying good construction practices and close supervision. Similarly, no physical resettlement would be required and no ethnic groups of people were found in the project area during the survey. Nevertheless, minor relocation of temporary structures including roof structures and concrete floors extended from small shops and houses along the ROW and crops or trees are anticipated. Although no ethnic minority people were identified among the 919 potential Project Affected Households (PAHs) visited during the screening, the IPDF would remain applicable for precautionary reasons. Potential minor land acquisition may also be required due to the construction of side ditches within the ROW.

6. A joint field study consisted of environmental specialist, resettlement specialist, social specialist and project engineers confirmed the outcomes of the project screening. The joint study was conducted on October 8-12, 2014. Discussion with engineers concluded that locations where there are potential impacts would be further minimized by using different types of drain and soil excavation technique. U-shape and shallow gutter is appropriate in populated area where structures are projected to the road. According to observation, minimum clearance space from structure to the edge of road pavement is 2m and it is sufficient for U-shape and shallow gutter types of drain.

7. Based on proposed drainage system and types along the NR3 provided by MPWT only 14 households (with 70 persons) will be affected with their extended roof structures, stalls and trees, and some quantity of concrete forecourt. Minor temporary land acquisition is anticipated as a result of the civil work particularly the construction of side ditch and drainage. No main structure will be affected. Thus, the abbreviated resettlement action plan (RAP) was prepared in December 2014 to mitigate the impacts and is updated based on the findings of the final round assessment carried on December 16-17, 2015.

1.4. Sub-Project Abbreviated Resettlement Action Plan

8. To address Sub-project associated impacts, an abbreviated RAP is prepared based on the existing Compensation and Resettlement Policy Framework (CRPF) that has been updated and be applied for the RAMP-II. The updated CRPF is not conflicting with the RGC's Law on Expropriation and other relevant policies. The abbreviated RAP is included:

- i) Brief description of the sub-project, location and its impacts;
- ii) The baseline information and category of PAHs by degree and type of impacts;
- iii) Policy Framework, Entitlement, allowances, and assistances;
- iv) Consultation with PAHs and Grievance redress procedures;
- v) Institutional responsibilities for implementation and monitoring;
- vi) Resettlement cost and budget; and
- vii) A time-bound action plan for implementation.

2. BASELINE INFORMATION AND CATEGORY OF PAHs BY DEGREE AND TYPE OF IMPACTS

9. No acquisition of land and house relocation resulted from the Sub-project as the side drainage will be constructed within the existing road right of way. No impact on any permanent and large-scale structure or high value tree located in the rural areas where the side drainages are proposed. 14 households located in small urban centers along NR3 will be potentially affected his/her temporary stalls (2), extended roof (10), bathroom (1) and trees (8). Majority of affected structures are steel roof extended from the main house or shop. Number of commercial and advertisement signboards and approximately 1,371m² of concrete frontcourt will also be affected. Households who have business along the NR3 will also be disrupted during the construction and consequently their daily income may be slightly decreased.

10. Discussion with project engineers during site visit on 8th and 12th October 2014 concluded that the identified impacts would be further minimized by reducing soil cutting slope proportion during the construction and construction period at location where impact existed would be reduced to 3-5 days and would allow for temporary access to the business outlets.

11. 10 out of 14 AHs having their business under the affected structure. They are running small retail shop (6), cottage restaurant and phone shop (1), barber cum retail shop (1), Salon (1), and tailored shop (1). An affected structure belongs to government office of education. Other three AHs have their sources of income from outside the Sub-project location, including bakery (1), farming (1), teacher and government worker (1).

12. There are 70 people living in the 13 affected households, excluding one non-AH. In average there are 5 people per household, above national average of household size of 4.7. Average age of head of household is 55, the youngest reported age is 29 and the oldest reported age is 80. Majority of AHs have middle level income of \$287 per month in average. The lowest reported income is \$70 per month where the highest one is \$500 per month. 7 AHs are headed by female and 5 of them having support from their children and the rest of 2 AHs is considered vulnerable because one is female single headed household with landlessness and the other has five dependences aged under 18.

13. No indigenous people² or community is living along the NR3. Despite there are Cham communities, the ethnic minority group (not part of IP group), living along the NR3 none of them having affected assets. An AH reported himself Vietnamese ethnicity. However, his household is living among the Khmer community. Therefore, Indigenous People Development Framework (IPDF) will not be applied for this Sub-project.





14. Below table summarize baseline information of AHs and category of AHs by degree and type of impact.





² **Census 1998:** The 1998 Cambodian Population Census identified 17 different indigenous groups (Cham is not part of the group). Based on spoken language, the census estimated the indigenous population at about 101,000 people or 0.9 percent of the total population of 11.4 million.


Table 2.1: Baseline information of Surveyed AHs, Category of AHs by Degree and Type of Impacts

PK to PK	Village	HH Code	HH Head	HH Size	No. Female	Occupation	Monthly income \$	No. Income Earner	Female Head N/Y	Poor N/Y	Ethnic Group	Affected Assets	Vol. cont. (N/Y)
148-149	Thvy Choeung	30	Dort Saron	7	4	Bakery owner	500	5	Y	N	Khmer	-3 small mango tree - 2 small Chumpou - 1 small Champei	Y
149-150	Thvy Choeung	31	Ly Ty	7	4	3 Farmers, 1 teacher, 1 govt officer	250	5	N	N	Khmer	1 bathroom with permanent structure (1m x 1m)	Y
169-170	Prey Amil	32	Le Linh	5	2	1 cottage restaurant 1 Phone shop	350	2	N	N	Vietnamese	Extended (steel) roof (1m x 8m)	Y
169-170	Kdat	33	Sou Phat	1	1	1 Small retailer	70	1	Y	Y	Khmer	Fully affect stall (2m x 3m) but easily to relocate and move back	Y
179-180	Trapeang Ropove	34	Neth Voeun	4	2	2 retailers	DK	2	N	N	Khmer	Extended (steel) roof (2m x 4m)	Y
179-180	Trapeang Ropove	35	Doung Samon	6	5	2 retailers	400	2	Y	N	Khmer	Extended (steel) roof (1m x 5m)	Y
179-180	Prek Pros	36	Prak Savuth	5	4	1 retailer 1 barber	200	2	N	N	Khmer	Extended (steel) roof (1m x 4m)	Y
179-180	Prek Pros	37	Chhum Mala	8	4	2 retailers 1 fisher	DK	3	N	N	Khmer	Fully affected stall (4m x 3m) steel roof, no wall, concrete floor	Y
201-202	Prey Nob	38	Mouy Kea	2	1	2 retailers	200	2	Y	N	Khmer	Extended (steel) roof (7m x 2m)	Y
201-202	Prey Nob	39	Office of Education									Extended (steel) roof (6m x 1m)	Not meet
201-202	Veal Meas	40	Choun Savy	6	4	1 retailer	200	1	Y	N	Khmer	Extended (steel) roof (5m x 0.5m) Owner request for replacement	No
201-202	Veal Meas	41	Vit Touch	6	2	1 tailor 1 worker	200	2	N	N	Khmer	Extended (steel) roof (4m x 1.2m)	Y
201-202	Veal Meas	42	Sav Vei	4	1	1 salon, 1 goldsmith	500	2	Y	N	Khmer	Extended (steel) roof (4m x 1m)	Y
201-202	Veal Meas	43	Keo Chhat	9	5	2 farmers	DK	2	Y	N	Khmer	Extended (steel) roof (6m x 1m)	Y
179-180	Trapeang Ropove	-	-									1 large Teuk Dos and 1 large Kangork	

Table 2.2. Types of Impact by Road Section

No	Side Drain Name	Location PK		Offset	Length in (m)	Proposed Type	Types of Impact	Photo
		From	To					
1	SD 01	147+127	147+961	LHS	834		1 small mango tree. Temporary front drainage placed by the PAHs	
2	SD 02	147+100	147+961	RHS	861		No	
3	SD 03	148+232	148+405	LHS	171	Type A	No	
4	SD 04	148+431	148+495	LHS	70	Type A	No	
5	SD 05	148+461	148+517	RHS	65	Type A	No	
6	SD 06	148+520	149+048	RHS	528	Type A	No	
7	SD 07	148+548	149+048	LHS	506	Type A	No	
8	SD 08	149+148	149+530	RHS	393	Type A	Some of the above PAHs places temporary front drainage along the road. This road section was widened for about 2m under previous MPWT's project.	
9	SD 09	149+148	149+530	LHS	394	Type A	1 bathroom (tile floor, brick wall, steel roof) Street light on RHS and individual drainage on LHS. Road was widened for about 2 m under previous MPWT's project.	
10	SD 10	155+018	155+030	LHS	12	Type A		
11	SD 11	155+723	155+933	LHS	211	Type B	No	

12	SD 12	158+992	159+815	RHS	818	Type E	No	
13	SD 14	169+135	169+537	RHS	411		No	
14	SD 15	169+000	169+367	LHS	369	Type A	1 Extended (steel) roof (8m x 1m). New filling station made of concrete extended to the ROW.	
15	SD 16	169+367	169+547	LHS	182	Type A	No	
16	SD 17	169+599	169+701	RHS	101	Type A	No	
17	SD 18	169+599	169+701	LHS	101	Type A	1 stall with steel roof (3m x 2m)	
18	SD 19	170+817	171+060	LHS	243	Type D	No	
19	SD 20	170+835	171+060	RHS	225	Type D	No	
20	SD 21	171+060	171+144	LHS	84	Type D	No	
21	SD 22	171+060	171+144	RHS	84	Type D	No	
22	SD 23	171+144	171+320	LHS	176	Type D	No	
23	SD 24	178+974	179+400	LHS	426	Type A	No	
24	SD 25	179+034	179+400	RHS	368	Type A	1 large Teuk Dos tree	
25	SD 26	179+400	179+895	RHS	494	Type A	No	
26	SD 27	179+400	179+895	LHS	497	Type A	3 extended (steel) roofs (4m x 2m; 4m x 1m; 4m x 1m)	
27	SD 28	179+934	180+088	RHS	163	Type A	No	
28	SD 29	179+934	180+088	LHS	156	Type A	1 stall with steel roof (4m x 3m)	
29	SD 30	191+500	191+850	RHS	348	Type A	No	

30	SD 31	191+500	191+850	LHS	349	Type A	No	
31	SD 32	201+110	201+398	LHS	285	Type B	1 Extended (steel) roof (7m x 2m)	
32	SD 33	201+202	201+254	RHS	228	Type A	1 Extended (steel) roof (6m x 1m)	
33	SD 34	201+220	201+252	RHS	212	Type A	4 Extended (steel) roof (0.5m x 5m, 4m x 1.2m; 4m x 1m; 5m x 1m)	
34	SD 35	201+250	201+333	RHS	228	Type A	No	

Note: The above Table indicating type of impacts by Road Section has been updated based on the field visit conducted on 16th December 2015 (one year after the ARAP was prepared). Number of impact has been reduced by 6 trees as some died and the others were removed by local communities.

Table 2.3. Summary of Potential Impacts by Type and Number of Affected Households

No.	Types of impacts	Unit	Quantity	No. of AHs
1	Concrete forecourt	M ²	1371 (est.)	Base on actual number during construction
2	Extended steel roof*	M ²	60.3	10 AHs
3	Bathroom (permanent structure: concrete slab, brick wall and steel roof)	M ²	2	1 AH but may not be affected
4	Stall*	Stall	2	2 AHs
5	Fruited Tree	Tree	2	2 AHs
6	Access to business	Count	To be identified	Based on actual number during construction
7	Commercial and advertisement sign	Count	To be identified	Based on actual number during construction

15. **Extended roof** refers to light structure consisted of column and roof without wall extended from main house. In the Sub-project all extended roofs are made of steel roof, wood or steel columns and earth or concrete slab for ground.

16. **Stall** refers to light structure consisted of four columns with roof but without wall and rooted to the ground. However, it is easily to remove without use much force. In the Sub-project all stalls are made of steel or thatch roof, wood columns and earth or concrete slab for ground.

17. Field visit conducted on 16-17 December 2015 reconfirms no additional extended roof or stall is built.

3. POLICY FRAMEWORK, ENTITLEMENTS, ALLOWANCES, AND ASSISTANCES

3.1. Compensation and Resettlement Policy Framework (CRPF)

18. This RAP is prepared in line with CRPF for the RAMP-II. Given the similar nature of this RAMP-II as compared to the original RAMP, the Project, the CRPF applied under the original project remains relevant and applicable. The CRPF is updated for with lessons learned from the original project implementation and key provisions of the Law on Expropriation 2010 incorporated. The updated CRPF is largely consistent with the key principles of the Law on Expropriation, applicable for public physical infrastructure projects served for public interests. It will be applied to all subprojects financed by Government and World Bank to address adverse social impacts that may result from involuntary acquisition of assets and changes in land use and includes provision for compensation and rehabilitation assistance. If land donation is involved the Framework for Resettlement and Acquisition of Land and Assets (FRALA) shall be applied.

3.2. Framework for Resettlement and Acquisition of Land and Assets (FRALA)

19. As mentioned above, the FRALA is developed and applicable to RAMP-II, in order to address the issue of voluntary land donation under the project. This is because it was found to be difficult during project implementation for the RAMP-II to completely eliminate the need for acquisition. FRALA defines the terms and provides guidance for voluntary acquisition of land and/or other assets (including restrictions on asset use) caused by the implementation either through contribution or with compensation by communities and establish principles and procedures to be followed to ensure equitable treatment for, and rehabilitation of, any person adversely affected by project implementation. FRALA thus allows for acquiring assets through the following two methods:

20. **Voluntary Contributions:** Community members have the right to make a contribution of their land or other assets, without seeking or being given compensation. This can often be justified because the road rehabilitation will either increase the value of the remaining property or provide some other direct benefit to the affected people. Voluntary contribution is an act of informed consent. Implementing agencies must assure that voluntary contributions are made with the prior knowledge on the part of the person who would donate assets that other options are available, and are obtained without coercion or duress. Proposals including voluntary contributions will not be submitted for approval where they would significantly harm incomes or living standards of individual owners or users (the size of land contributed on a voluntary basis should not exceed 5% of that individual's total land holding; the affected structure shall be minor and easily to repair with minimum expanses; the affected tree shall not be income-making tree; and disturbance to business shall be less than 5 days).

21. **Voluntary Contributions with Compensation:** Persons who contribute their land or other assets have the right to seek and receive compensation (the subproject grant cannot be used to pay compensation). In such cases, Project authorities will ensure that the following

means of compensation, as applicable, are agreed upon and provided before works are undertaken:

- Replacement of land with an equally productive plot or other equivalent productive assets;
- Materials and assistance to replace fully solid structures that will be demolished;
- Replacement of damaged crops, at market value;
- Other acceptable in-kind compensation.

3.3. Voluntary Contribution

22. Structures and trees located within the COI of 15m from the road centerline have been cleared and compensations were paid to the AHs during Phase 1 road rehabilitation in 2009-2010. MPWT will not re-compensate for structures built within COI of 30m after the cut-off date established in 2009. Meeting with members of commune councils consisted of chiefs of commune and village located along the NR3 confirmed the compensation payment during 2009 and that no more cash compensation to be paid for structures and trees that re-built and re-grew within the COI of 30m because it would encourage people to further encroach the ROW. However, vulnerable AHs will receive special assistance from the project and that affected concrete frontcourt and other permanent materials will be replaced to the same existing condition under the EMP budget or compensated at replacement cost. In addition, if construction, in any part including borrowed pit, is happened beyond 15m from road centerline but within the ROW the affected assets shall be compensated and other assistance with be applied.

23. The outcomes of the screening process conducted in November 2013 indicated that people living along the NR3 are happy with the project. 13 households and a public entity were identified having their structures, stalls, and trees potentially affected by the construction of side drainage. 12 out of 13 AHs (one is non-AH) voluntarily contribute the affected portion to the project and they agreed to remove their affected structure once they receive notification for removal. A vulnerable AH whose extended steel roof is affected requested for replacement of damaged structure. In this case the project authority through the contractor shall provide labor for removal and reparation (address PK201 to NR4 in Veal Meas village, AH name is Choun Savy). In addition, the project authority also shall provide labor assistance to another vulnerable AH living between PK169 and PK170 for removal and reparation of damaged stall (in Kadat village, AH name is Sou Phat) despite she volunteer to contribute. In any case AHs request labor assistance the project authority shall provide to them.

3.4. Special Assistance for Vulnerable AHs

24. In addition to labor assistance for removal and reparation of structure the two vulnerable AHs will receive special assistance for the disruption of her business during construction. Since they will loss income resulted from business disruption the special assistance will be given in the form of living allowance. Thus, each vulnerable AH will receive a

living allowance³ of 20kg rice per 5 persons per month for one month (or equivalent to \$50 in cash). During construction, landless AHs will receive assistance for shifting back her stall. During the consultation, consensus and agreement was reached with the two vulnerable AHs on this package of compensation and support to be provided for them by the MPWT.

Table 3.1. Entitlement Matrix for the affected households

No.	Type of Lose	Applicable	Entitled Person	Compensation	Implementation Issues
1	Land	N/A			If construction require physical displacement AH will received full compensation and rehabilitation assistance
2	House	N/A			
3	Extended roof	10 AHs	Owner	AHs are requested for voluntary contribution with thumbprint on voluntary contribution form. Labor assistance will be provided if requested from AHs. Replacement for material that is permanently loses or compensated at replacement cost.	Structure need to trim about 1-2 meters with minor damage and can be repair after construction of the drainage.
4	Stall	2 AHs	Owner	AHs are requested for voluntary contribution with thumbprint on voluntary contribution form. Labor assistance will be provided if requested from AHs. Replacement for material that is permanently loses or compensated at replacement cost.	Structure is temporary and easy to remove with little damage.
5	Bathroom	1 AH	Owner	Owner is requested for voluntary contribution with thumbprint on voluntary contribution form.. Labor assistance will be provided if requested from AHs. Replacement for material that is permanently loses or compensated at replacement cost.	Contractor shall minimize the impact using alternative soil excavation technique. Will ask for thumbprint on voluntary contribution form
6	Commercial/ad sign	Many	Company or Party owner	No compensation and owners are requested relocating	MPWT shall inform to the owners in writing for relocation prior to the construction works

³ 20kg rice per 5 persons per month is past and present resettlement practice in Cambodia used by Inter-ministerial Resettlement Committee (IRC). The rate of rice is updated from time to time. Presently, the market price of rice is from KHR1500 to KHR3500. The RAP use the market price of KHR2000 or US\$0.5

7	Concrete court	1371 m ² (est.)	Owners	Replacement by the project to the same condition or compensated at replacement cost.	Contractor shall minimize the impact and shall repair concrete forecourt to the existing or better condition after backfilling the soil
8	Trees	3 AH	Owner	AHs are requested for voluntary contribution with thumbprint on voluntary contribution form. Labor assistance will be provided if requested from AHs or compensated at replacement cost.	Contractor shall use alternative soil excavation technique in order to avoid cutting and replacement of the trees.
9	Lose of access to business	At market	Owner	AHs are requested for voluntary contribution with thumbprint on voluntary contribution form	Contractor shall provide temporary access to business stall and complete his/her work no later than 3-5 days
10	Special assistance to vulnerable AHs	2 AH	Female headed household	20kg rice per 5 persons per month for one month (or equivalent to \$50 in cash)	IA shall provide labor to remove the structure away and to repair it to same or better condition after construction

4. PUBLIC INFORMATION, CONSULTATION AND GRIEVANCE REDRESS PROCEDURES

4.1. Policy Requirements

25. CRPF requires the project authorities be responsible for public consultation and public information dissemination. Consultations and public participation would be carried out as an ongoing process throughout project planning, design and implementation stages. Preparation of appropriate documents and planning and implementation for the acquisition of land and other assets will be carried out in consultation with the PAHs and the PAHs will receive prior information of the compensation, relocation and other assistance available to them including:

- The relevant details of the project;
- The resettlement plan and various degrees of project impact;
- Details of entitlements under the RAP and what is required of PAHs in order to claim their entitlements;
- Compensation process and compensation rates, if any;
- Implementation schedule with a time table for the delivery of entitlements; and
- Information concerning grievance procedures and how to use them.

26. The project authorities would also provide a detailed explanation of the grievance process and enlist the help of village leaders and other influential community officials in encouraging the participation of the PAHs in resettlement activities. Finally, the project

authorities shall attempt to ensure that all vulnerable groups including indigenous peoples/ethnic minorities understand the process and that their needs are specifically taken into consideration.

27. Public participation is performed and information is made available during both preparation and implementation of the RAP and should include, at a minimum, public information booklet, community meetings and television and radio reports.

4.2. Public Consultation during Planning and Implementation of ARAP

4.2.1. Public Consultation during Planning

28. Public consultation has been conducted twice; one is during the screening for environmental and social safeguard and second is during census and baseline survey for resettlement planning. The first consultation was to seek for public support for the Project and informed them about the project objectives and potential impact both positive and negative. The second consultation is to seek for voluntary contribution of what they would be potentially affected during the construction.

29. At the first stage of consultation conducted in November 2013, 919 potential project affected households living along the NR3 and NR7 and members of commune councils were met and consulted. All consulted people viewed that the project would have positive impact on their community and they would support the project and were happy to participate in the project through voluntary contribution to the certain degree of impact on their structure and/or tree. At the second stage conducted in October 2014, each AH were informed about the scope of impact on their structure and trees and asked if they would voluntarily contribute to the Project.

30. For Package 1, 13 households were identified having their structures, stall and trees affected plus a public structure, none AH. Each AH was asked if he/she would voluntarily contribute to the Project the affected structure and trees. 12 out of 13 AHs agreed to voluntary contribution and one requested for assistance to remove and repair her structure after the construction because she has no one helping to remove. Apart from consultation with AHs four commune councils were also consulted at the commune halls (totally 17 persons met). Members of commune councils were informed about the project and potential impact, asked if they have experienced with resettlement and sought for opinion if the Project should compensate for loss of structure and tree. They all were very happy about the project with strong support and commit to fully cooperate. They requested to the Project authority not to compensate in cash for affected structure and trees as it has been compensated during the Phase 1 road rehabilitation; structures were temporary in conditions; and it would encourage more people to encroach the ROW. However, they welcomed if the Project can provide labor assistance for removal.

31. Below is List of public meetings conducted in October 2014 during census and baseline survey.

Table 4.1: List of Public Consultation, Location and Number of Participants

No.	Meetings	Location	Date	# of Participants
1	Meeting with Andong Khmer Commune Council	Andong Khmer Commune Hall	8 Oct 2014	10 including 1 chief of commune, 5 members and 4 chiefs of village
2	Meeting with Boeung Tuk Commune Council	Boeng Tuk Commune Hall	8 Oct 2014	4 including 1 chief of commune and 3 chiefs of village
3	Meeting with Koh Toch Commune Council	Koh Toch Commune Hall	8 Oct 2014	3 including 1 chief of commune and 2 chiefs of village
4	Meeting with Prek Tnot Commune Council	Prek Tnot Commune Hall	8 Oct 2014	5 including 1 chief of commune and 4 chiefs of village
5	Meeting with 13 affected persons	Along NR3	12 Oct 2014	13 persons

4.2.2. Public Consultation during Implementation

32. Implementation of ARAP shall be closely linked with civil work construction schedule. It shall not be commenced so early because traditionally people will not remove their structure until they see the civil work approaching or they will move back to the same place if they do not see the construction activities happened sooner after they moved away. Two months before the construction commencement Commune Resettlement Sub-committee (CRS) with assistance from the Project's management team and safeguard specialist conduct public meeting and consultation. At the meeting APs shall be informed about the project benefit, potential impact, and their entitlement under the CRPF and ARAP. The public information booklet (PIB), see Annex 1, will be distributed to every APs and content of it will be explained to APs. APs will be allowed to ask question and the project management will answer to every questions that are relevant.

4.2.3. Public Participation in the Form of Voluntary Contribution

33. APs have the right to make a voluntary contribution of their affected assets, structures and trees without seeking or being given compensation. This can be justified as the rehabilitated road will likely increase the value of the reaming property and their income. They shall also be informed about their entitlement for any compensation and assistance i.e. labor and materials replacement. Vulnerable AHs will be taken care of and special assistance will be given including labor for removal and reparation of damage, material replacement and a month living allowance. The Project Management shall clearly inform the APs that they have right to voluntarily contribute or not to voluntarily contribute their affected assets and also have right to claim for project assistance if they want to. In the event if the PAHs opt for voluntary contribution of their affected assets without seeking compensation, an agreement shall be prepared and signed by the both head of PAH and his/her spouse and the project authority for future references and record.

34. After the public meeting and consultation, CRS with assistance from the Project's safeguard specialist and ESO officer will go house to house to discuss and get the agreement on voluntary contribution signed, see Annex 2: agreement form. However, must bear in mind that voluntary contribution is an act of informed consent. Thus they must assure that voluntary contributions are made with the prior knowledge on the part of the person who would donate assets and that other options are available, and are obtained without coercion or duress.

35. Members of CRS involved in ARAP implementation will receive a one-day training on CRPF, ARAP implementation process, and grievance redress procedure. Project's safeguard specialist will conduct the training together with ESO officer.

4.2.4. Disclosure

36. The Bank's Disclosure Policy requires that safeguard-related documents be disclosed before appraisal: (i) at the InfoShop and (ii) in country, at publicly accessible locations and in a form and language that are accessible to potentially affected persons. In this respect, the approved ARAP version will be uploaded to the World Bank's InfoShop and the MPWT website. The ARAP will be translated into Khmer language and a copy of the translated Khmer version will be posted at communes where there are affected households.

4.3. Grievance Redress Procedure

37. A Grievance Redress Committee (GRC) will be established at provincial level and chaired by provincial governor or his/her designated deputy governor. Members are representative from districts, communes and villages where AHs exist. A representative of a local NGO will also be appointed as an independent member. The objective is to resolve complaints as quickly as possible and at the local level through a process of conciliation; and, if that is not possible, to provide clear and transparent procedures for appeal. All AHs will be made fully aware of their rights, and the detailed grievance redress procedures will be publicized through an effective public information campaign.

38. The grievance redress process includes four stages. There are three stages before complaints may be elevated to a court of law as a last resort.

- a. First stage: APs will present their complaints and grievances to the Commune Resettlement Sub-committee (CRS), if he or she wishes, to the nominated NGO working on the RGC. The NGO will record the complaint in writing and accompany the AH to meet the Commune Resettlement Sub-Committee. The Sub-Committee will be obliged to provide immediate written confirmation of receiving the complaint. If after 15 days the aggrieved AP does not hear from, or if the AH is not satisfied with the decision taken in the first stage, the complaint may be brought to the District Office.
- b. Second stage: The District Office has 15 days within which to resolve the complaint to the satisfaction of all concerned. If the complaint cannot be solved at this stage, the District Office will bring the case to the Provincial Grievance Redress Committee.
- c. Third stage: The Provincial Grievance Redress Committee meets with the aggrieved party and tries to resolve the situation. Within 30 days of the submission of the

grievance, the Committee must make a written decision and submit copies to the Project Implementing Authority (IA) and the AH.

- d. Final stage: If the aggrieved AH does not hear from the Provincial Grievance Redress Committee or is not satisfied, he/she will bring the case to Provincial Court. This is the final stage for adjudicating complaints. The Court must make a written decision and submit copies to IA and the AH. If any party is still unsatisfied with the Provincial Court judgment, he/she can bring the case to a higher-level court.

39. The IA will shoulder all administrative and legal fees that will be incurred in the resolution of grievances and complaints. Other costs incurred by legitimate complaints will also be refunded by the Project if AHs win their case.

40. In order not to delay the construction works caused by grievance redress process AHs may be requested removing their affected structures or trees away from construction area and the IA will fully follow the decision made by the Grievance Redress Committee or the court. If decision requires paying full compensation to AH, IA must do so.

41. In addition, for effective work, the ARAP will include a budget line for grievance redress i.e. per diem and transport of the GRC's members.

5. INSTITUTIONAL RESPONSIBILITIES FOR IMPLEMENTATION AND MONITORING

5.1. Ministry of Public Works and Transport and Its Provincial Department

42. **The Ministry of Public Works and Transport (MPWT)** is responsible for planning and implementation of the project. As the project implementing agency, the MPWT will be responsible for, at a minimum, the following resettlement activities:

- a. Carry out all necessary surveys and field investigations and preparation of necessary documents;
- b. With assistance from other relevant agencies and local authorities, implementation of resettlement activities in accordance with the approved ARAP;
- c. Address all deficiencies identified in resettlement implementation;
- d. Ensure timely allocation of resources and budgetary provisions, and process compensation claims of PAHs to ensure that the same are paid in time as planned; and
- e. Supervise and monitor ARAP implementation.

43. Its provincial department of public works and transport will appoint a resettlement focal person for ARAP implementation and related issues that may arise during construction of civil work. He/she will work very closely with commune resettlement sub-committee, project safeguard specialist, and contractor and reports all related issues to relevant stakeholders for immediate action especially the complaint from APs if any.

5.2. Commune Resettlement Sub-committee

44. In commune where AH exist, an ad-hoc Commune Resettlement Sub-committee (CRS) will be established, chaired by the Commune Chief (or designated representative). The membership of CRS will include commune and village representatives; representatives of AHs for subprojects; and a resettlement focal point from each provincial department. In order to address issues of vulnerable AHs adequately, the membership of the CRS will include female and, as relevant, ethnic minority representatives⁴. IA will assist in the formation of CRS and train them on the CRPF and RAP.

45. The roles and responsibilities of the CRS, under guidance of the project safeguard specialist, include:

- i. Conduct field assessments, based on final drainage drawings, of subprojects to confirm that there would not be any involuntary resettlement, and collaborate with provincial resettlement focal point on finalization of voluntary contribution form.

⁴ For example: (i) female and/or Cham Commune Councilors; (ii) designated Gender Focal Points (GFP) at the commune levels; (iii) female and Cham members of Village Development Committees (VDC); and, (iv) AH representatives that are members of poor households, women, including heads and/or members of AH households and, as relevant, representatives from Cham households or other ethnic minority households.

- ii. Organize all activities for public disclosure of information and consultations with AHs associated with the final drainage drawings, voluntary contribution of affected assets, and distribution of the project PIB.
- iii. Collect thumbprint using voluntary contribution form from all AHs for non-significant impacts. Any significant impact will report to IA for consideration including alternative drainage design or compensation.
- iv. Receive, hear and resolve the complaints and grievances of AHs, preferably through a process of conciliation.
- v. Coordinate with and assist MPWT to prepare update ARAP for subprojects involving involuntary resettlement and/or voluntary contribution report.
- vi. Coordinate with and assist MPWT to implement ARAP by coordinate with schedules for civil works.
- vii. Cooperate when provincial resettlement focal points and safeguard specialist to conduct monitoring and evaluation.

5.3. Internal Monitoring

46. The Environmental and Social Office (ESO) would appoint adequate full time staff to monitor the process of resettlement in collaboration with CRS. In order to assist with this monitoring, the ESO shall obtain and maintain appropriate baseline data prior to the resettlement impacts. The monitoring staff will submit periodic progress reports to the involved authorities for inclusion in the progress report. The main objective of the reports is to determine whether the resettlement is effective and to make the needed recommendations for change. The monitoring staff will be present in the field as well as at every meeting related to resettlement. Under the RAMP-II, training will be provided to strengthen his/her monitoring and reporting on the resettlement, social impacts and mitigation measures.

5.4. Independent External Monitoring

47. The resettlement impacts are minor. However, to have an independent view on the implementation of ARAP an independent external social safeguard specialist (SSS) shall be engaged on the intermittent basis (max. 30 days input). He/she will be responsible for:

- a. Periodic monitoring the process of resettlement;
- b. Assisting in updating ARAP, if required;
- c. Preparing voluntary contribution report;
- d. Conducting training to ESO staff in charge of resettlement issue, GRC members and CRS.

48. The SSS would be provided full access to project documents and database to facilitate monitoring process. The safeguard specialist will prepare periodic monitoring reports for

submission to the RAMO of MPWT as well as to the World Bank. Annex 3 is Terms of Reference for Social Safeguard Specialist.

49. In the event monitoring by either the internal or external monitor shows that PAHs are not receiving entitlements due to them, or there are other problems in implementation in accordance with the ARAP, then the project authorities will take, on a priority basis, all steps necessary to rectify the situation and ensure compliance with a RAP.

5.5. Evaluation

50. Since the Sub-project have no land acquisition and no significant impact on livelihood of the APs but in turn will improve their livelihood through improved environment and hygiene and better access to their business. Thus, there will be no ex-post evaluation of resettlement implementation to be conducted. However, the ESO under the Department of Planning and Administration of the MPWT and the Bank's task team will be monitoring and assessing the implementation of the ARAP.

5.6. Capacity Training

51. Members of CRS and GRC will take a one-day capacity training for RAP implementation. Only a training will be conducted for the entire Sub-project. The training venue shall be in Kampot town. Trainee will be offer lunch and per diem for transport and cost of the training will be included in resettlement cost and budget. The content of the training will be included:

- a. Objectives and scope of the project
- b. Compensation and resettlement policy framework
- c. Full content of the ARAP including entitlement, institutional responsibilities, and monitoring
- d. ARAP implementation process
- e. Grievance redress procedure (how to handle complaint)

6. RESETTLEMENT COST AND BUDGET

52. The IA shall ensure sufficient fund for resettlement activities as indicated in the below table. In case of overruns due to unforeseen circumstances or delays, the project will allocate additional funds as necessary.

6.1. Resettlement Costing

53. Necessary funds for planning and implementation of ARAP will be provided by the project. The implementing agencies will provide for all costs related to mitigating adverse social impacts based on budgetary requirements established in the ARAP as detail in below table. There are two cost components including resettlement cost and other cost. **Grand total is estimated at \$14,220.00.** All of these costs are to be part of the total project cost.

54. **Resettlement costs** are included cost for replacement of concrete forecourt and special assistance to vulnerable AHs. Cost for replacement of concrete forecourt was already included in the Project Bidding Document. Thus, resettlement cost is very minor and limited to assistance for two vulnerable AHs and estimated at \$120. At present, impacts identified are potential only. The actual impact can only be identified during the setting out and excavation work. Thus, the resettlement cost shall be included in Environmental Mitigation Plan (EMP) and only actual damage/impact will be compensated.

55. **Other costs** are included cost for internal monitoring and other administration, independent external monitoring, complaint handling and training to CRS and GRC. Due to no significant impact expanse for internal monitoring and administration will be less, therefore, IA will use its own budget. Total other cost is estimated at \$14,100.00. This cost item shall be included in construction supervision package or other package to be discussed between the Government and the Bank.

Table 6.1. Resettlement Cost Estimate Broken Down by Types of Impact

No.	Items	Unit	Quantity	Comp. Rate	Amount
1	Replacement of concrete forecourt (include materials and labor)	M2	Based on actual	Already included in Bidding Document	
2	Labor assistance for removing structures of vulnerable AHs		2	10	20.00
3	Special assistance to vulnerable AHs	LS	2	50	100.00
A	Total Resettlement Cost (TRC): to be included in EMP budget				120.00
4	Internal Monitoring and other administrative cost	LS			IA own budget
5	Independent External Monitoring	Days	30	350	10,500.00
6	Grievance Redress	Days	15	50	750.00
7	Training (include transport and per diem for participant	Days	1	500	500.00

8	Contingencies (20% of TRC)				2,350.00
B	Total Other Cost (TOC): to be included in construction supervision package or other related package				14,100.00
C	Grand Total (TRC + TOC)				14,220.00

56. **The unit rate** for concrete forecourt or slab includes cost for all materials plus labor but no tax is included. Current rate for similar work is \$7.5 to \$8 per m². We add \$0.5 for future inflation, totally \$8.5/m². Current non-skill labor is \$5 per person per day. To remove a stall or an extended roof it will require 2 persons for a half day of work.

6.2. Flow of Fund

57. The Royal Government of Cambodia, through Ministry of Economic and Finance will be responsible for financing the Project as well as resettlement activities specified in the ARAP. The IA, represented by MPWT will be in charge of ARAP implementation and payment for resettlement activities and assistance as specified in the ARAP. Fund will be approved and disbursed by IA (MPWT).

7. RAP IMPLEMENTATION SCHEDULE

7.1. Implementation Process

58. The draft RAP will be submitted to the World Bank by first week of November 2014 for review clearance, expectedly to be provided by first week of December 2014.

59. The RAP will be implemented immediately after its approval and provision of all compensation and assistance to the PAHs shall be completed 60 days prior to the commencement of the civil work.

60. Training will be conducted with members of CRS and RGC by ESO who is assigned for resettlement implementation. He/she will be assisted by the external SSS recruited specifically for the Project. Content of training will be included CRPF' objectives and principles, relevant policies and laws of the RGC, entitlement for compensation and assistance and complaint handling.

61. After the training, public information and consultative meeting will be conducted among the APs and APs will be informed about their impact and entitlement under the RAP. However, for this Sub-project APs will be requested for voluntary contribution of their affected assets provided that their impact is minor and will not be worsen their livelihood.

62. After the public meeting, the CRS with assistance from ESO staff and SSS will go house to house to identify and validate the impact and collect thumbprint for voluntary contribution. At this stage the SSS will observe if any AH will be severely affected his/her structure as well as his/her livelihood. If any, he/she shall immediately report to the IA so that CRPF will be fully applied.

63. After collection of thumbprint ESO staff will prepare voluntary contribution report including budget for RAP implementation and submitted to MPWT, within 7 days, for approval. It is expected that the budget can be disbursed within 30 days after submission of the report and request for budget.

64. If any AP disagrees to voluntary contribution his/her affected assets and request for project assistance in terms of cash or labor the IA shall look into the possible options as specified in the RAP. Past experience indicates that labor assistance can be provided through the contractor. At any case that AP disagrees to remove his/her structure from the construction area at all such case will need to go through the grievance redress procedure. Thus, construction work at that section to be suspended or continued will be the decision made by the GRC.

65. The agreed AHs shall be notified in writing the dated for removal of their affected structures and trees prior to the civil work approaching. After receiving written notification AHs

shall take action within 7 days. AHs are entitled for labor assistance for removal if they need and IA shall fully cooperate and assist the AHs if they ask for.

66. Civil work can be commenced only in the area where affected structures, trees and other assets are removed or cleared. The contractor shall not cause any damage to the property or assets of any AH living closer to the construction site.

67. The SSS will conduct periodic site visit to monitor the RAP implementation and prepare resettlement progress report. The report will be submitted to MPWT and the Bank.

7.2. Implementation Schedule

68. The implementation schedule of the ARAP will be based on the construction schedule of the Sub-project. Affected structures, trees, and other assets shall be removed and cleared out of the construction site 7 days prior to commencement of the civil work construction. The specific implementation schedule is indicated in the below table.

Table 7-1: RAP Implementation Schedule for NR3

Item	Planned schedule
Approval of ARAP	December 2014
Training to CRS and GRC	60 days prior to civil work construction
Public information and consultative meeting with the leaflet to be distributed to all potential communities and PAHs for references	7 days after the training
Identify and validate the affected structures, trees and other assets and discuss and sign agreement for voluntary contribution of affected assets.	Next day after the public meeting (duration is estimated 7 days)
Prepared voluntary contribution report and request for budget for RAP implementation	7 days after completing collection of thumbprint
Budget disbursement	30 days after submission of report and request for budget
Payment of compensation and assistance if any	7 days after budget disbursed
Issue notification for removal to AHs	At least 7 days prior to civil work construction
Clear structures, trees and other assets by AHs	Within 7 days after receiving notification for removal
Handover to civil work	After 7 days of notification of removal
Regular internal and external monitoring by ESO and SSS	Periodic from the date of training to completion of civil work

Note: The project construction period is two years (2015 – 2016). Resettlement work should be completed section by section in accordance with construction schedule.

Annex 1: Public Information Booklet

Cover page



ROYAL GOVERNMENT OF CAMBODIA
MINISTRY OF PUBLIC WORKS AND TRANSPORT

PUBLIC INFORMATION ON RESETTLEMENT

**Cambodia: Road Assets Management Project II
(Package 1: National Road No. 3 from Kampot
Province at Km 147+100 to Veal Rinh at Km
201+400)**

Date: _____

PUBLIC INFORMATION BOOKLET

Question 1: What is the Road Assets Management Project II Project, or RAMP-II?

Answer: The Royal Government of Cambodia (RGC) through the Ministry of Public Works and Transport (MPWT), is provided with the World Bank financing, implement a new Road Asset Management Project II (RAMP-II) for a period from 2016 to 2022. The RAMP-II will improve the climate resilience and longevity of about 218 km of National Roads 3 and 7 through the strengthening, repair and maintenance (through three-year performance based maintenance contracts) of road surfaces, and installation of about 90 km of side-drainage in flood prone areas along the roads. Package 1 is reconstruction of NR3 from Kampot town to Veal Rinh (junction with NR4) with total length of 54km. The scope of work is consisted of asphalt concrete (AC) overlay and upgrading the side drainage system including inlet and outlet structures. All works are limited within the existing constructed road.

Question 2: Who is in charge of implementing the Project Resettlement?

Answer: Ministry of Public Works and Transport (MPWT) will be responsible for planning and implementing all resettlement related activities. Environment and Social Office (ESO) of the MPWT will implement and monitor the resettlement plan for land, structures, crops and trees affected along the roads. Commune Resettlement Sub-committee (CRS) will be established in order to assist MPWT in planning and implementing the resettlement efforts.

Question 3: What types of benefit do we expect from the Project?

Answer: Of course there are significant benefits. The improvement of roads and side drainage will help to ease the transport of your products and the travel of the people. It will save travel time, increase efficiency, and provide cheaper transport cost in terms of transporting from urban and towns to villages. For side drainage, it will evacuate storm water, get rid of flood, and improve road pavement and hygiene in your community.

Question 4: Will the project activities affect us?

Answer: Construction of NR3 from Kampot to Veal Rinh will be on existing road alignment and side drainage within the right of ways will be located within 2m from the road pavement. Thus, there will be no land acquisition and no impact on your house except some roof structure extended too close to the road and also some trees.

Question 5: Can we reside within the remaining Right of Way (ROW)?

Answer: According to the Law on Road (2014) you cannot reside within the ROW. However, the Law on Road allows for temporary use of the ROW without impact on facilities and structures that served for road safety.

Question 6: Do I receive compensation for my loss of assets i.e. structure and tree?

Answer: The road was rehabilitated in 1999-2006 by MPWT and properties located within 15m from road centerline were compensated and necessary assistances were given to people who severely affected by the Project. For this project there will be no more cash compensation for loss of structure

and trees. In return, the project will request to affected households to voluntarily contribute the affected structures and trees to the project. However, the project will provide special assistance to vulnerable AHs in order to make sure that they will not be severely affected by the project. All affected concrete forecourt will be repaired by the project to the same condition and quality or even better.

Question 7: When will be I informed about the removal of affected structure and/or tree?

Answer: Two months prior to civil work commencement you will be invited to the public meeting. At the meeting you will be clearly informed about the resettlement schedule step by step. You will also be notified in written letter at least 7 days prior to the civil commencement to remove your affected structure and or tree.

Question 8: Do I have right to complain about disagreements, compensation issues, resettlement or other related issues, if yes how?

Answer: Yes, you have right to lodge your complaint to Grievance Redress Committee (GRC) if you are unclear or unhappy with resettlement activities. The members of GRC at all time are ready to assist you. The attempt to redress your grievance will be at all level starting from village. You can lodge your verbal complaint to any member of the GRC (i.e. at village, commune or resettlement working group). The GRC will record and document your complaint and resolve it at all effort.

Question 9: How do we know if it [complaint] is unresolved or the objective of the Project is unaccomplished?

Answer: All Projects' activities will be monitored by ESO of MPWT and CRS. An Independent Monitor will conduct regular monitoring and evaluation of the project implementation, including consultation with APs. Quarter report will be prepared and submitted. Construction Supervision Consultant will also supervise the project activities through regular Mission.

Question 10: Have other documents available that provide additional information about the project and resettlement?

Answer: In this respect, the approved ARAP version will be uploaded to the World Bank's InfoShop and the MPWT website. The ARAP will be translated into Khmer language and a copy of the translated Khmer version will be posted at communes where there are affected households.

If you have further question or query please contact:

- Commune Resettlement Sub-committee, Focal Person: _____ Tel: _____
- Provincial Department of Public Works and Transport, Focal Person: _____ Tel: _____
- Ministry of Public Works and Transport, Focal Person: _____ Tel: _____

Annex 2: Voluntary Donation or Contribution Form

Kingdom of Cambodia

Nation Religion King

(The Form for Properties Permission/Donation/Contribution for Sub-Project)

We, the permit persons/donators/contributors:

Name _____ Sex _____ Age _____ Occupation _____

spouse _____ Sex _____ Age _____ Occupation _____

Village _____ Commune/Sangkat _____ District/municipality _____ Province _____

We confirm that, we are voluntarily Permit to pass/donate/contribute the _____ of _____ (bush/tree /m²/lm) Located in Village name

Commune/Sangkat _____ District/municipality _____ Province _____

For the Subproject _____

We confirmed that the _____ is permitted /donated/contributed voluntarily for the construction of _____ for the public uses and we do not request for any compensations over the losses of the land and properties under this sub-project.

Type of Properties	Sizes m2/lm	Number of Trees	Others

Therefore, we hereby signed this certification as the proof of our decision.

Witnesses
(Neighbor)
prints

No.1:_____

Name and thumb prints

Owner
Name and thumb

No. 2:_____

Name and thumb prints

No.3:_____

Head of
household
and Spouse/Name and thumb
prints

Name and thumb prints

Date_____

Date_____

Seen and Approved

Chief of Village

Commune/Sankgat

Seen and Approved

Chief of

Annex 3: Census and Baseline Survey Questionnaire

Road Assessment Management Project Additional Financing (RAMP-AF)
Checklist for Recording Affected Assets: Land, Structures, Tress and Others

HH Code:			Name Head of HH:			Age	
						Sex	
Village:		Commune:		District:			
Province:		Package No.:		PK:	PK:		
HH Information							
1. HH Size (write):		<18	18-65	>65	3. Ethnic Group		
2. Age Group:	Male:						
	Female:						
HH Socioeconomics							
4. Monthly HH Income	USD:	5. No. of Income Earner:					
6. Occupation (write down)	Rank	Total	Male	Female	7. No. of married couple living in this house:		
a.	1						
b.	2						
c.	3						
8. Education (write)	Head of HH:				Spouse:		
9. HH status	a. Poor	b. Non-poor	10. ID Poor?	a. Yes	b. No		
Record of Affected Assets							
11. Affected land	Total Area (m ²)	Affected Area (m ²)		Hard Tile (after 2001)			
Residential				Yes	No		
Commercial				Yes	No		
Agricultural				Yes	No		
12. Affected structures (type and function)	Total Area (m ²)	Affected Area (m ²)	Materials Used				
			Floor	Wall	Roof		
a.							
b.							
c.							
13. Affected other structure	No.	Size		Estimated cost in USD			
a.							
b.							
c.							
14. Affected crops and trees	Total	Small <3yr	Medium 3-5yr	Large >5yr			
a.							
b.							
c.							
15. Will you voluntarily remove your affected asset away so that the Government can construct the drainage?					a. Yes	b. No	
16. If no, What kind of assistance you need from the project?							
17. How many years have you been using this structure?		18. Did you receive compensation during Phase 1 (road rehabilitation)?			a. Yes	b. No	
19. Do you know what is right of way of this road?	a. Yes	_____ Meters			b. No		
20. Do you know that you have no right to build structure within the ROW?					a. Yes	b. No	
Comment (write)				Photo of the affected structure attached here			
Signature of interviewer & Date:							

Annex 4: List of Persons Met and Consulted

List of Participants

Road Asset Management Project II (RAMP-II)

Sangkat/Commune: Andong Khmer

Date: 8th October 2014

No.	Name	Position	Village/Commune	Signature	Contact
1	Yul Sithong	Chief Sangkat	Andong Khmer		
2	Pak Tiram	Member Sangkat council			
3	Khen Sokhan	Member Sangkat council			
4	Him Sarin	Village vice chief	Thvy Cheung		
5	Kong Bo	Village chief	O Toch		
6	Kim Pov	Sangkat vice chief			
7	Ou Sakhen	Village vice chief	Tadip		
8	Top Sann	Village member	Tadip		
9	Ung Boy	Village chief	Thvy Cheung		
10	Choup Savat	Village member	O Toch		
11	Neak Sam Aun	Village member	Andong Khmer		
12	Kin Mengse	Social Specialist			
13	Ea Sophy	Env. Specialist			
14	Tep Makathy	Bank STC			
15	Chea Sarin	Resettlement			
16	Yun Sokhen	Interviewer			
17	Kang Phirith	RAMP Proj Manag.			
18	Hir Samnang	Bank Engineer			
19	Ham Made	Proj Engineer			
20	Tep Panhanun	Assistance			

List of Participants

Road Asset Management Project (RAMP-II)

Sangkat/Commune: Boeung Tuk

Date: 8th October 2014

No.	Name	Position	Village/Commune	Signature	Contact
1	Mol Sokhom	Commune chief	Boeung Tuk		012214590
2	Em Chan	Village chief	Boeung Tuk		092480452
3	Chhun Bunly	Village chief	Kep Thmey		017539536
4	Deu Yos Sos	Village chief	Tortueng Thngay		0978631975
5	Kin Mengse	Social Specialist			012967523
6	Ea Sophy	Env. Specialist			011617766
7	Tep Makathy	Bank STC			012911099
8	Chea Sarin	Resettlement			012852507
9	Yun Sokhen	Interviewer			078835058

10	Kang Phirith	RAMP Proj Manag.			092850197
11	Hir Samnang	Bank Engineer			089999783
12	Ham Made	Proj Engineer			077677720
13	Tep Panhanun	Assistance			

List of Participants

Road Asset Management Project II (RAMP-II)

Sangkat/Commune: Koh Toch

Date: 8th October 2014

No.	Name	Position	Village/Commune	Signature	Contact
1	Sun Hout	Commune chief	Koh Toch		092289213
2	Touch Try	Assistant to commune chief	Koh Toch		
3	Kheat Mom	Member of commune council	Koh Toch		
4	Prum Mony	Member of commune council	Koh Toch		
5	Kin Mengse	Social Specialist			012967523
6	Ea Sophy	Env. Specialist			011617766
7	Tep Makathy	Bank STC			012911099
8	Chea Sarin	Resettlement			012852507
9	Yun Sokhen	Interviewer			078835058
10	Kang Phirith	RAMP Proj Manag.			092850197
11	Hir Samnang	Bank Engineer			089999783
12	Ham Made	Proj Engineer			077677720
13	Tep Panhanun	Assistance			

List of Participants

Road Asset Management Project (RAMP-II)

Sangkat/Commune: Prek Tnot

Date: 8th October 2014

No.	Name	Position	Village/Commune	Signature	Contact
1	Kong Bunra	Commune chief	Prek Tnot		012412997
2	Mao Mouk	Village chief	Prek Tnot		092278549
3	Toch Van	Village chief	Prek Ropov		092286147
4	Chhong Moeun	Village chief	Prek Kreng		0975379746
5	Chun Ty	Commune vice chief	Prek Tnot		012798810
6	Hand Sarith	Assistant to commune chief	Prek Tnot		0977887127
7	Sok Loh				092625002
8	Kin Mengse	Social Specialist			012967523
9	Ea Sophy	Env. Specialist			011617766
10	Chea Sarin	Resettlement			012852507
11	Yun Sokhen	Interviewer			078835058

12	Kang Phirith	RAMP Proj Manag.			092850197
13	Ham Made	Proj Engineer			077677720
14	Tep Panhanun	Assistance			

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

លាសាគ្រូកំភត

សន្តត្តិធម្មនុវត្ត

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការ
៨ ខែ ១២ ឆ្នាំ ២០១៤

បញ្ជីវត្តមាន

ល.រ	គោត្តនាម-នាម	ភេទ	តួនាទី	ហត្ថលេខា	ផ្សេងៗ
1	ស៊ីម ស៊ីម	ប្រុស	សមាជិក		
2	ឡាន វ៉ាន់	ប្រុស	សមាជិក		
3	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
4	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
5	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
6	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
7	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
8	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
09	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
10	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
11	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
12	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
13	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
14	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		013335533
15	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
16	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
17	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
18	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
19	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		
20	ស៊ីម វ៉ាន់	ប្រុស	សមាជិក		

អគ្គនាយក

បានឃើញ

ចៅសង្កាត់

ស៊ីម វ៉ាន់

List of Participants
Road Asset Management Project (RAMP-II)

မိုးညိုမြို့နယ်

Date: 8, 10, 2014

No.	Name	Position	Village	Signature	Note
1	ကျော် နုမိ	ဒါရိုက်တာချုပ်			011 617766
2	ကျော် နုမိ	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		012214590
3	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		0982180452
4	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		017539536
5	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		078 835058
6	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		072 911 099
7	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		02850197
8	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		012 852507
9	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		083 335 713
10	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		077 697720
11	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		0928651975
12	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		012 967523

List of Participants
Road Asset Management Project (RAMP-II)

မိုးညိုမြို့နယ်

Date: 8, 10, 2014

No.	Name	Position	Village	Signature	Note
1	ကျော် နုမိ	ဒါရိုက်တာချုပ်			011 617766
2	ကျော် နုမိ	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		092289213
3	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		
4	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		
5	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		
6	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		02850197
7	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		072 911 099
8	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		084 8753058
9	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		083 335 781
10	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		096 2388836
11	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		012 852507
12	ကျော် - အောင်	ဒါရိုက်တာ	မိုးညိုမြို့နယ်		012 967523

Road Asset Management Project (RAMP-II)

သို့မဟုတ်

Date: 8, 10, 14

No.	Name	Position	Village	Signature	Note
1	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	0102/412994
2	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	092278549
3	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	092286147
4	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	0925379746
5	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	0127788.10
6	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	0977883127
7	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	092625002
8	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	012852507
9	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	072850197
10	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	077677720
11	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	09272464
12	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	07883958
13	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	செ. பி. சிவசுந்தரம்	[Signature]	01167766

Annex 5: Guidelines for a Code of Conduct and Action Plan on Gender-Based Violence (GBV) and Violence Against Children

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1. Background

The purpose of these *Codes of Conduct and Action Plan on Gender Based Violence (GBV) and Child Protection* is to introduce a set of key definitions, core Codes of Conduct, and guidelines that establish mechanisms for preventing, reporting and addressing GBV and Violence Against Children (VAC) within the work site and in its immediate surrounding communities. The application of the GBV and VAC Codes of Conduct will help prevent and/or mitigate the risks of GBV and VAC on the project.

Mutual respect and fair treatment between those working on the project and local communities is critical to a safe, respectful, and productive workplace and operating environment. GBV and VAC can be one of the most serious violations of respect and fair treatment which can harm the local community, and significantly damage trust and cooperation between parties.

These Codes of Conduct are to be adopted by those working on the project and are meant to: (i) create common awareness about GBV and VAC; (ii) ensure a shared understanding that they have no place in the project; and, (iii) create a clear system for identifying, responding to, and sanctioning GBV and VAC incidents.

Ensuring that all project staff understand the values of the project, understand expectations for all employees, and acknowledge the consequences for violations of these values, will help to create a smoother, more respectful and productive project implementation thereby helping ensure that the project's objectives will be achieved.

2. Scope

[use what is in draft bidding documents]

3. Definitions

The following definitions apply:

- **Gender-Based Violence (GBV):** is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private.
- **Violence Against Children (VAC):** is defined as physical, sexual or psychological harm of minor children (i.e. under the age of 18) including using for profit, labor, sexual gratification, or some other personal or financial advantage.
- **Accountability Measures:** are the measures put in place to ensure the confidentiality of survivors and to hold contractors, consultants and the ESO responsible for instituting a fair system of addressing cases of GBV and VAC.
- **Child:** is used interchangeably with the term 'minor' and refers to a person under the age of 18.⁵ This is in accordance with Article 1 of the United Nations Convention on the Rights of the Child.
- **Child Protection (CP):** is an activity or initiative designed to protect children from any form of harm, particularly arising from VAC.

⁵ The Kingdom of Cambodia is party to this convention. <http://www.pseataforce.org/uploads/tools/1478613357.pdf>

- **Consent:** is 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 through the use of 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 in the event that 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.
 - **Consultant:** is as any firm, company, organization or other institution that has been awarded a contract to provide consulting services in the context of the RAMP-II, to the project, and has hired managers and/or employees to conduct this work.
 - **Contractor:** is any firm, company, organization or other institution that has been awarded a contract to conduct infrastructure development works in the context of the RAMP-II project and has hired managers and/or employees to conduct this work. This also includes sub-contractors hired to undertake activities on behalf of the contractor.
 - **Employee:** is as any individual offering labor to the contractor or consultant within country on or off the work site, under a formal or informal employment contract or arrangement, typically but not necessarily in exchange for a salary (e.g. including unpaid interns and volunteers), with no responsibility to manage or supervise other employees.
 - **Employer:** Ministry of Public Works and Transport
 - **GBV and VAC Allegation Procedure:** is the prescribed procedure to be followed when reporting incidents of GBV or VAC.
 - **GBV and VAC Codes of Conduct:** The Codes of Conduct adopted for the project covering the commitment of the company, and the responsibilities of managers and individuals with regards to GBV and VAC.
 - **GBV and VAC Compliance Team (GCCT):** a team established by the project to address GBV and VAC issues.
 - **Grievance Redress Mechanism (GRM):** is the process established by the RAMP-II project to receive and address complaints.
 - **Grooming:** are behaviors that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualize that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).
 - **Manager:** is any individual offering labor to the contractor or consultant, on or off the work site, under a formal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a contractor's or consultant's team, unit, division or similar, and to supervise and manage a pre-defined number of employees.
 - **Online Grooming:** is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender⁶.
 - **Perpetrator:** is the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV or VAC.
 - **Response Protocol:** is the mechanisms set in place to respond to cases of GBV and VAC.
 - **Survivor/Survivors:** is the person(s) adversely affected by GBV or VAC. Women, men and children can be survivors of GBV; children can be survivors of VAC.
 - **Work Site:** is the area in which infrastructure development works are being conducted, as part of the project.
-

- **Work Site Surroundings:** is the 'Project Area of Influence' which are any area, urban or rural, directly affected by the project, including all human settlements found on it.

4. Sample Codes of Conduct

This section presents three sample Codes of Conduct as the minimum standard for use under civil works contracts for RAMP-II. These codes will be confirmed and agreed upon prior commencement of works and cleared by the Supervision Consultant.

- **Company Code of Conduct:** Commits the company to addressing GBV and VAC issues;
- **Manager's Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
- **Individual Code of Conduct:** Code of Conduct for everyone working on the project, including managers.

Company Code of Conduct

Preventing Gender Based Violence and Violence Against Children

In the context of the RAMP-II project, the company is committed to creating and maintaining an environment in which gender based violence (GBV) and violence against children (VAC) have no place, and where they will not be tolerated by any employee, associate, or representative of the company. Therefore, in order to ensure that all those engaged in the project are aware of this commitment, and in order to prevent, be aware of, and respond to any allegations of GBV and VAC, the company commits to the following core principles and minimum standards of behavior that will apply to all company employees, associates, and representatives including sub-contractors, without exception:

1. The company—and therefore all employees, associates, and representatives—commit to treating 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. Acts of GBV and VAC are in violation of this commitment.
2. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and its representatives.
3. Acts of GBV or VAC constitute gross misconduct and are therefore grounds for administrative sanctions, which may include penalties and/or termination of employment. All forms of GBV and VAC, including grooming are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker's camps or at worker's homes.
4. In addition to company sanctions, legal prosecution of those who commit acts of GBV or VAC will be pursued if appropriate.
5. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
6. Sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior are prohibited.
7. Unless there is full consent⁷ by all parties involved in the sexual act, sexual interactions between the company's employees (at any level) and members of the communities surrounding the work place are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
8. All employees, including volunteers and sub-contractors are highly encouraged to report suspected or actual acts of GBV and/or VAC by a fellow worker, whether in the same company or not. Reports must be made in accordance with GBV and VAC Allegation Procedures.
9. Managers are required to report suspected or actual acts of GBV and/or VAC as they have a responsibility to uphold company commitments and hold their direct reports responsible.
10. Comply with all relevant local legislation, including labor laws in relation to child labor.

⁷ **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 through the use of 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 in the event that 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.

To ensure that the above principles are implemented effectively the company commits to ensuring that:

11. All managers sign the 'Manager's Code of Conduct' detailing their responsibilities for implementing the company's commitments and enforcing the responsibilities in the 'Individual Code of Conduct'.
12. All employees sign the project's 'Individual Code of Conduct' confirming their agreement not to engage in activities resulting in GBV or VAC.
13. Displaying the Company and Individual Codes of Conduct prominently and in clear view at workers' camps, offices, and in public areas of the work space. Examples of areas include waiting, rest and lobby areas of sites, canteen areas, health clinics.
14. Ensure that posted and distributed copies of the Company and Individual Codes 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.
15. An appropriate person is nominated as the company's 'Focal Point' for addressing GBV and VAC issues, including representing the company on the GBV and VAC Compliance Team (GCCT) which is comprised of representatives from ESO, contractor(s), the supervision consultant, and local service provider(s).
16. Ensuring that an effective Action Plan is developed in consultation with the supervision consultant and which includes as a minimum:
 - a. **GBV and VAC Allegation Procedure** to report GBV and VAC issues through the project Grievance Redress Mechanism (GRM);
 - b. **Accountability Measures** to protect confidentiality of all involved; and,
 - c. **Response Protocol** applicable to GBV and VAC survivors and perpetrators.
17. That the company effectively implements the Action Plan, providing feedback to the GCCT for improvements and updates as appropriate.
18. All employees attend an induction training course prior to commencing work on site to ensure they are familiar with the company's commitments and the project's GBV and VAC Codes of Conduct.
19. All employees attend two mandatory training courses per year for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's GBV and VAC Code of Conduct.

Company name: _____

Signature of Company's Representative: _____

Printed Name: _____

Title: _____

Date: _____

Manager's Code of Conduct

Preventing Gender Based Violence and Violence Against Children

Managers at all levels have particular responsibilities to uphold the company's commitment to preventing and addressing GBV and VAC. This means that managers have an acute responsibility to create and maintain an environment that prevents GBV and VAC. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere this Manager's Code of Conduct and also sign the Individual Code of Conduct. This commits them to supporting and developing systems that facilitate the implementation of the Action Plan and maintain a GBV-free and VAC-free environment at the workplace and in the local community. These responsibilities include but are not limited to:

Implementation

1. To ensure maximum effectiveness of the Company and Individual Codes of Conduct:
 - a. Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' camps, offices, and in public areas of the work space. Examples of areas include waiting, rest and lobby areas of sites, canteen areas, health clinics.
 - b. Ensuring all posted and distributed copies of the Company and Individual Codes 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.
2. Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.
3. Ensure that:
 - a. All staff members sign the 'Individual Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
 - b. Staff lists and signed copies of the Individual Code of Conduct are provided to the GCCT and the ESO.
 - c. Participate in training and ensure that staff also participate as outlined below.
 - d. Staff are familiar with the Grievance Redress Mechanism (GRM) and that they can use it to anonymously report concerns of GBV or VAC incidents.
 - e. Staff are encouraged to report suspected or actual GBV or VAC through the GRM by raising awareness about GBV and VAC issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.
4. 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, if available.
5. Ensure that when engaging in partnership, sub-contractor or similar agreements, these agreements:
 - a. Incorporate the GBV and VAC Codes of Conduct as an attachment.
 - b. Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.
 - c. expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against GBV and VAC, to investigate allegations thereof, or to take corrective actions when GBV or VAC has occurred, shall constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct.
6. Provide resources to the GCCT to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the Action Plan.
7. Ensure that any GBV or VAC issue warranting police action is reported to the ESO and the World Bank immediately.

Training

8. 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 GBV and VAC 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 Action Plan for addressing GBV and VAC issues.
9. Ensure that time is provided during work hours and that staff attend the mandatory project facilitated induction training on GBV and VAC required of all employees prior to commencing work on site.
10. Ensure that staff attend the mandatory refresher training course required of all employees . Managers are required to attend and assist the training courses for all employees.
11. Ensure satisfaction surveys to evaluate training are conducted by service provider.

Response

13. Managers will be required to provide input to the GBV and VAC Allegation Procedures and Response Protocol developed by the GCCT as part of the final cleared Action Plan.
14. Once adopted by the Company, managers will uphold the Accountability Measures set forth in the Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV and VAC (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
15. If a manager develops concerns or suspicions regarding any form of GBV or VAC 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.
16. Once a sanction has been determined, 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.
17. Managers failing to report or comply with such provision can in turn be subject to disciplinary measures, to be determined and enacted by the company's CEO, Managing Director or equivalent highest-ranking manager. Those measures may include:
 - a. Informal warning.
 - b. Formal warning.
 - c. Loss of up to one week's salary.
 - d. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
 - e. Termination of employment.
18. Ultimately, failure to effectively respond to GBV and VAC cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to GBV and VAC. I understand that any action inconsistent with this Manager's Code of Conduct or failure to take action mandated by this Manager's Code of Conduct may result in disciplinary action.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Individual Code of Conduct

Preventing Gender Based Violence and Violence Against Children

I, _____, acknowledge that preventing gender based violence (GBV) and violence against children (VAC) is important. The company considers that GBV or VAC activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. All forms of GBV or VAC are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- Consent to police background check if information available.
- 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.
- Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with children—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.
- Not engage in sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Unless there is the full consent⁸ 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—such sexual activity is considered “non-consensual” within the scope of this Code.
- Attend and actively partake in training courses related to HIV/AIDS, GBV and VAC as requested by my employer.
- Consider reporting through the GRM or to my manager any suspected or actual GBV or VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

With regard to children under the age of 18:

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.

⁸ **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 through the use of 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 in the event that 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.

- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also “Use of children’s images for work related purposes” below).
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- 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.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

- Informal warning.
- Formal warning.
- Loss of up to one week’s salary.
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of employment.
- Report to the police if warranted.

I understand that it is my responsibility to avoid actions or behaviors that could be regarded as GBV or VAC or breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to GBV and VAC. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

5. Action Plan

4.1 The GBV and VAC Compliance Team

The project shall establish a 'GBV and VAC Compliance Team' (GCCT). The GCCT will include, as appropriate to the project, at least four representatives ('Focal Points') as follows:

- a. A safeguards specialist from the ESO;
- b. The occupational health and safety manager from the contractor⁹, or someone else tasked with the responsibility for addressing GBV and VAC with the time and seniority to devote to the position;
- c. The supervision consultant; and,
- d. A representative from a local service provider with experience in GBV and VAC (the 'Service Provider').

It will be the duty of the GCCT with support from the management to inform workers about the activities and responsibilities of the GCCT. To effectively serve on the GCCT, members must undergo training by the local service provider prior to the commencement of their assignment to ensure that they are sensitized on GBV and Child Protection.

The GCCT will be required to:

- a. Approve any changes to the **GBV and VAC Codes of Conduct** contained in this document, with clearances from the Supervision Consultant for any such changes.
- b. Prepare the **Action Plan** reflecting the Codes of Conduct which includes:
 - i. **GBV and VAC Allegation Procedures** (See 4.3)
 - ii. **Accountability Measures** (See 4.4)
 - iii. An **Awareness raising Strategy** (See 4.5)
 - iv. A **Response Protocol** (See 4.6)
- c. Obtain approval of the Action Plan by company management;
- d. Obtain ESO clearances for the Action Plan prior to full mobilization;
- e. Receive and monitor resolutions and sanctions with regard to complaints received related to GBV and VAC associated with the project; and,
- f. Ensure that GBV and VAC statistics in the GRM are up to date and included in the regular project reports.

The GCCT shall hold quarterly update meetings to discuss ways to strengthen resources and GBV and VAC support for employees and community members.

The Action Plan and Code of Conduct shall be submitted for review to the ISWS Consultant within 90 days from the contract signature date. Works will not commence unless the Engineer is satisfied with measures in place, including plan and codes. Failure to comply with such obligation should provide ground for contract suspension cancellation – this shall be determined at the sole discretion of the contracting entity, whilst intention to cancel the contract shall be notified to the World Bank team within 60 days from the proposed cancellation date.

4.2 Making Complaints: GBV and VAC Allegation Procedures

⁹ Where there are multiple contractors working on the project each shall nominate a representative as appropriate.

All staff, volunteers, consultants and sub-contractors are encouraged to report suspected or actual GBV or VAC cases. Managers are required to report suspected or actual GBV and/or VAC cases as they have responsibilities to uphold company commitments and they hold their direct reports accountable for complying with the Individual Code of Conduct.

The project will provide information to employees and the community on how to report cases of GBV and VAC Code of Conduct breaches through the Grievance Redress Mechanism (GRM). The GCCT will follow up on cases of GBV, VAC and Code of Conduct breaches reported through the GRM.

4.3 Addressing Complaints about GBV or VAC

The project operates a grievance redress mechanism (GRM). Reports of GBV or VAC, other complaints, or other concerns may be submitted online, via telephone or mail, or in person. Gender focal point will be appointed from all project affected villages. The GCCT will advise and facilitate process of applying and addressing GBV and VAC related grievances and assist the survivor to access and apply their grievances.

The survivor will refer complaints related to GBV or VAC to the GCCT to resolve them. In accordance with the Action Plan, the GCCT through the Service Provider and Focal Point(s) will investigate the complaint and ultimately provide the GRM operator with a resolution to the complaint, or the police if necessary. The GRM operator will, upon resolution, advise the complainant of the outcome, unless it was made anonymously. Complaints made to managers or the Service Provider will be referred by them to the GRM for processing.

If the complaint to the GRM is made by a survivor or on behalf of a survivor, the complainant will be directly referred to the service provider to receive support services while the GCCT investigates the complaint in parallel.

Service Provider

The Service Provider is a local organization which has the experience and ability to provide training and to support survivors of GBV or VAC. The contractor(s) will contract the services of a Service Provider, so that GBV and VAC cases can safely be referred to them. The Service Provider will also provide support and guidance to the GBV and VAC Focal Points as necessary. The Service Provider will have a representative on the GCCT and be involved in resolving complaints related to GBV or VAC. The service provider will develop and conduct the mandatory training to employees on GBV and VAC.

GBV and VAC Focal Point

The GCCT will refer the complaint to the appropriate Focal Points for resolution (i.e. issues with contractor's staff will be for the contractor to resolve; consultant's staff to the consultant; and ESO staff the ESO) and will advise the GCCT on potential resolutions, including referral to the police if necessary. They will be assisted by the Service Provider as appropriate.

All the Focal Points on the GCCT must be trained and empowered to resolve GBV and VAC issues. It is essential that all staff of the GRM and GCCT understand the guiding principles and ethical requirement of dealing with survivors of GBV and VAC. All reports should be kept confidential and referred immediately to the Service Provider represented on the GCCT¹⁰. In GBV and VAC cases

¹⁰ Survivors of GBV and VAC may need access to police, justice, health, psychosocial, safe shelter and livelihood services to begin on a path of healing from their experience of violence.

warranting police action, the Focal Points must appropriately refer the complaint to: (i) the authorities; (ii) the Service Provider; and, (iii) management for further action. The Employer and the World Bank are to be immediately notified.

4.4 Accountability Measures

All reports of GBV or VAC shall be handled in a confidential manner in order to protect the rights of all involved. To ensure that survivors feel confident to disclose their experience of GBV or VAC, the ESO, contractor and consultant must maintain the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law). The contractor and consultant must prohibit discrimination or adverse action against an employee on the basis of survivor's disclosure, experience or perceived experience of GBV or VAC (see Annex 7 for examples of actions to maintain accountability).

4.5 Monitoring and Evaluation

The GCCT must monitor the follow up of cases that have been reported and maintain all reported cases in a confidential and secure location. Monitoring must collect the number of cases that have been reported and the share of them that are being managed by police, NGOs etc.

These statistics shall be reported to the GRM and the Supervision Engineer for inclusion in their reporting.

In GBV and VAC cases warranting police action, the ESO and the World Bank are to be immediately notified.

4.5 Awareness-raising Strategy

It is important to create an Awareness-raising Strategy with activities aimed to sensitize employees on GBV and VAC on the work site and its related risks, provisions of the GBV and VAC Codes of Conduct, GBV and VAC Allegation Procedures, Accountability Measures and Response Protocol. The strategy will be accompanied by a timeline, indicating the various sensitization activities through which the strategy will be implemented and also the related (expected) delivery dates. Awareness-raising activities may be linked with trainings provided by Service Provider.

4.6 Response Protocol

The GCCT will be responsible for developing a written response¹¹ protocol to meet the project requirements, in accordance to national laws and protocols. The response protocol must include mechanisms to notify and respond to perpetrators in the workplace (See 4.8 for Perpetrator Policy and Response). The response protocol will include the GRM process to ensure competent and confidential response to disclosures of GBV and VAC. An employee who discloses a case of GBV or VAC in the workplace shall be referred to the GRM for further action.

4.7 Survivor Support Measures

Appropriately respond to the survivor's complaint by respecting the survivor's choices to minimize

¹¹ Develop appropriate protocol for written recording of GBV issues and VAC raised in case the notes are subpoenaed. Develop processes for record keeping including activities undertaken by the GCCT.

the potential for re-traumatization and further violence against the survivor. Refer the survivor to the Service Provider to obtain appropriate support services in the community—including medical and psychosocial support, emergency accommodation, security including police protection and livelihood support—by facilitating contact and coordination with these services. The contractor may, where feasible, provide financial and other supports to survivors of GBV or VAC for these services (see Annex 1 for examples of financial support).

If the survivor is an employee, in order to ensure the safety of the survivor and the workplace in general, the contractor, in consultation with the survivor, will assess the risk of ongoing abuse, to the survivor and to the workplace, and make reasonable adjustments to the work schedule and work environment as deemed necessary (see Annex 1 for examples of safety measures). The contractor will provide adequate leave to survivors seeking services after experiencing violence (see Annex 1 for details).

4.8 Perpetrator Policy and Response

Encourage and accept notification through the GRM from employees and community members about perpetrators in the workplace. Through the GCCT and/or the Service Provider, oversee the investigation of these grievances, ensuring procedural fairness for the accused, and within the local laws. If an employee has breached the Code of Conduct, the contractor will take action which could include:

- a. Undertake disciplinary action up in accordance with sanctions in the GBV and VAC Codes of Conduct;
- b. Report the perpetrator to the Police as per local legal paradigms; and/or
- c. If feasible, provide or facilitate counselling for the perpetrator.

4.9 Administrative Sanctions

In accordance with the Code of Conduct, any employee identified as a potential GBV or VAC perpetrator shall be considered for disciplinary measures in line with sanctions and practices as agreed in the Individual Code of Conduct (see Annex 1 for examples of sanctions). It is important to note that, for each case, disciplinary sanctions are intended to be part of a process that is entirely internal to the employer, is placed under the full control and responsibility of its managers, and is conducted in accordance with the applicable national labor legislation.

Such process is expected to be fully independent from any official investigation that competent authorities (e.g. Police) may decide to conduct in relationship to the same case, and in accordance with the applicable national law. Similarly, internal disciplinary measures that the employer's managers may decide to enact are meant to be separate from any charges or sanctions that the official investigation may result into (e.g. monetary fines, detention etc.).

Annex 7.a - Potential Procedures for Addressing GBV and VAC

Accountability Measures to maintain confidentiality can be achieved through the following actions:

1. Inform all employees that confidentiality of GBV/VAC survivors' personal information is of utmost importance.
2. Provide the GCCT with training on empathetic and non-judgmental listening.
3. Take disciplinary action, including and up to dismissal, against those who breach survivor's confidentiality (this is unless a breach of confidentiality is necessary to protect the survivor or another person from serious harm, or where required by law).

GBV and VAC Allegation Procedures should specify:

1. Who survivors can seek information and assistance from.
2. The process for community members and employees to lodge a complaint through the GRM should there be alleged GBV or VAC.
3. The mechanism for how community members and employees can escalate a request for support or notification of violence if the process for reporting is ineffective due to unavailability or non-responsiveness, or if the employee's concern is not resolved.

Financial and Other Supports to survivors can include:

1. No/low interest loans.
2. Salary advances.
3. Direct payment of medical costs.
4. Upfront payments for medical costs to be recouped from the employee's health insurance.
5. Providing or facilitating access to childcare.
6. Providing security upgrades to the employee's home.
7. Providing safe transportation to access support services or to and from accommodation.

Survivor Support measures to ensure the safety of the survivor can include:

1. Changing the employee's span of hours or pattern of hours and/or shift patterns.
2. Redesigning or changing the employee's duties.
3. Changing the employee's telephone number or email address to avoid harassing contact.
4. Relocating the employee to another work site/ alternative premises.
5. Providing safe transportation to and from work for a specified period.
6. Supporting the employee to apply for an Interim Protection Order or referring them to appropriate support.
7. Taking any other appropriate measures including those available under existing provisions for family friendly and flexible work arrangements.

Leave options for survivors that are employees can include:

1. An employee experiencing GBV should be able to request paid special leave to attend medical or psychosocial appointments, legal proceedings, relocation to safe accommodation and other activities related to GBV.
2. An employee who supports a person experiencing GBV or VAC may take carer's leave, including but not limited to accompanying them to court or hospital, or to take care of children.
3. Employees who are employed in a casual capacity may request unpaid special leave or unpaid carer's leave to undertake the activities described above.
4. The amount of leave provided will be determined by the individual's situation through consultations with the employee, the management and the GCCT where appropriate.

Potential Sanctions to employees who are perpetrators of GBV and VAC include:

- Informal warning
- Formal warning
- Additional Training
- Loss of up to one week's salary.
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of employment.

Referral to the Police or other authorities as warranted.