

Social Monitoring Report

Semi-Annual Report
July – December 2020
March 2021

Cambodia: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

Prepared by the Project Management Unit of the Ministry of Public Works and Transport for the Royal Government of Cambodia and the Asian Development Bank.

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Semi-Annual Social Safeguards Monitoring Report

Project Number: 49387-001

ADB Loan: 3701-CAM

CAM: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

July -- December 2020



Renardet S.A
50, rue Rothschild - 1202 GENEVE (CH)

In Association with



SBK Research and Development Co., Ltd
43, St.317 corner St.572, Sangkat Boeung Kak
2, Khan Toul Kork, Phnom Penh, Cambodia

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AH	Affected Household
AP	Affected Person
ASEAN	Association of Southeast Asian Nations
BRP	Basic Resettlement Plan
COI	Corridor of Impact
DDR	Due Diligence Report
DED	Detailed Engineering Design
DMS	Detailed Measurement Survey
DOT	Department of Tourism
DPWT	Department of Public Works and Transport
DRP	Detailed Resettlement Plan
EA	Executing Agency
EMP	Environmental Management Plan
GAP	Gender Action Plan
GDR	General Department of Resettlement
GMS	Greater Mekong Subregion
GRM	Grievance Redress Mechanism
IA	Implementing Agency
IOL	Inventory of Loss
IPMU	Infrastructure Project Management Unit
DIMDM	Department of Internal Monitoring and Data Management
IRC	Inter-Ministerial Resettlement Committee
IRC-WG	Inter-Ministerial Resettlement Committee Working Group
IR	Involuntary Resettlement
IRP	Income Restoration Program
KLI	Kep Landfill Improvement
LAR	Land Acquisition and Resettlement
MEF	Ministry of Economy and Finance
MOT	Ministry of Tourism
MPWT	Ministry of Public Works and Transport
MRF	Materials Recovery Facility
O&M	Operations and Maintenance
PCU	Project Coordination Units
PIB	Project Information Booklet
PIU	Project Implementing Unit
PMCES	Project Management for Civil Engineering Support
PPTA	Project Preparatory Technical Assistance
PRSC	Provincial Resettlement Sub-Committee
PRSC-WG	Provincial Resettlement Committee Working Group

RC	Resettlement Committee
RCS	Replacement Cost Survey
RD	Resettlement Department
RDDR	Resettlement Due Diligence Report
RGC	Royal Government of Cambodia
RP	Resettlement Plan
SSMR	Semi-Annual Social Safeguards Monitoring Report
SES	Socio-Economic Survey
SLF	Sanitary Landfill
SPS	Safeguards Policy Statement (ADB, 2009)
SWM	Solid Waste Management
TIIGP	Tourism Infrastructure for Inclusive Growth Project
TOR	Terms of Reference
TWG	Technical Working Group

1.0 INTRODUCTION

1. This is the second Semi-annual Social Safeguards Monitoring Report (SSMR) submitted by the Project Management for Civil Engineering Support (PMCES) under the Ministry of Public Works and Transport (MPWT) for the Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (TIIGP). This report focuses on Output 1 (urban-rural access infrastructure and urban environmental services improved) being managed by the Infrastructure Project Management Unit (IPMU) under the Ministry of Public Works and Transport (MPWT). This report covers July to December 2020.

1.1 Project Background

2. The Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project was approved on 31 August 2018 for \$30.0 million and became effective 25 December 2018. The government will contribute \$0.89 million equivalent toward the project's estimated total cost of \$30.89 million. The project impact is sustainable, inclusive, and a more balanced tourism development will be achieved. The outcome is the increased tourism competitiveness of secondary towns in Cambodia. The project includes three outputs (i) urban-rural access infrastructure and urban environmental services improved; (ii) strengthened capacity to implement ASEAN tourism standards; and (iii) strengthened institutional arrangements for tourism destination management and infrastructure O&M.

3. The Ministry of Tourism (MOT) is the executing agency with a dedicated project coordination unit (PCU) managing inter-agency coordination and tourism capacity-building activities under Outputs 2 and 3. Department of Tourism (DOT) in the participating provinces is the implementing agency for Output 2 and Output 3 tourism activities.

4. An infrastructure project management unit (IPMU) established in the Ministry of Public Works and Transport (MPWT) manages Output 1 infrastructure sub-project design, procurement, construction, commissioning, related safeguards compliance (with MOT support for community consultations) and infrastructure O&M capacity-building activities under Output 3. The IPMU is supported by the provincial Department of Public Works and Transport (DPWT).

5. This output originally included: (i) Kep Solid Waste Management Improvements, (ii) Preah Sihanouk Seaside Access and Environmental Improvement, and (iii) Preah Sihanouk City–Koh Rong Passenger Piers Improvements. However, at the government's request, components (ii) and (iii) have been dropped from project financing.

6. On 16 October 2019 the Ministry of Economy and Finance formally requested ADB to cancel ADB financing for Preah Sihanouk infrastructure subprojects (i.e., Sihanoukville Seaside Access and Environmental Improvements and Koh Rong Passenger Piers Improvements) and reallocate this financing for similar subprojects in new locations.

7. Two new sub-projects (i) Kep-Angkol Coastal Road Improvements (Kep Coastal Road Development and Associated Tourism Infrastructure) and (ii) Rabbit Island Passenger Pier Improvements (Koh Tonsay Pier and Tourist Infrastructure) have been identified as the replacements for the two cancelled projects in Sihanoukville.

8. To support MPWT in implementing Output 1, the project management and civil engineering support consultant (PMCES) was mobilized in July 2019. In April 2020, a contract variation was duly approved to include: the new sub-projects in Kep Province, (preparation of detailed engineering designs (DEDs) for these new sub-projects); preparation of DED for additional three landfill cells at the Kep landfill; revision and increased capacity of the leachate treatment plant; improvements of the access road, civil works and electrical works of service buildings. In May 2020, the PMCES undertook both a topographical survey and a geotechnical investigation to start the design review and improvements for cell No. 1 DED, and prepare the DEDs for cells No. 2, 3 and 4. The DEDs are expected for completion by 31 July 2020.

1.2 Basic Data

9. The TIIGP will help transform secondary GMS central and southern corridor towns into economically inclusive, competitive tourism destinations by improving transport infrastructure, urban environmental services, and capacity to sustainably manage tourism growth. It will boost trade in services and deepen regional cooperation and integration in the GMS and Association of Southeast Asian Nations (ASEAN). About 97,000 residents are expected to directly benefit from climate-resilient infrastructure development and increase access to economic opportunities. Project investments are prioritized in the ASEAN Tourism Strategic Plan 2015 2025, GMS Tourism Sector Strategy 2016- 2025, and national tourism strategies. The basic project data is shown in **Table 1**.

Table 1: Project Basic Data

ADB Loan Number	3701-CAM (COL)
Project Title	Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth (TIIG)
Executing Agency:	Ministry of Tourism
Implementing Agencies:	Provincial Departments of Kep and Sihanoukville Ministry of Public Works and Transport (Phnom Penh and Provincial Departments of Kep and Sihanoukville)
Loan Amount	USD 30.00 million
RGC Contribution	USD 0.89 million
Estimated Project Cost	USD 30.89 million
Loan Approval Date	31 August 2018
Loan Signing Date	24 October 2018
Loan Effectiveness Date	25 December 2018
Closing Date	30 June 2024
Project Implementation Period	25/12/2018 – 30/06/2024 (66 months)
Time Elapsed Since Loan Approval	40% (28 of 70 months from loan approval date)
Overall Implementation Progress (%) ¹	34.54%
Date of Last Review Mission	VC 02 -10 December 2020

Source: Project Basic Data, Quarterly Progress Report, October 31-December 31, 2020

10. The Project is assigned Category B for involuntary resettlement impacts and Category B for IP safeguards triggered by the Laos components. Potential land acquisition impacts were assessed in accordance with ADB's SPS (2009) during project preparation based on the preliminary design. A draft resettlement plan has been prepared for Preah Sihanouk Province, Cambodia following ADB's

SPS (2009) and was endorsed by the Royal Government of Cambodia (RGC).² Project information was disclosed to all affected persons during project preparation.

11. The TIIGP2 project including the replacement subprojects is compliant with ADB Safeguard Policy Statement (SPS) and Government laws and regulations. It remains classified Category B for environment and involuntary resettlement and Category C for indigenous peoples.

1.3 TIIGP2 Subprojects as of Reporting Period

12. **Kep Landfill Improvement (PMU/MPWT/TIIGP2/CW03).** The Kep Landfill Improvement sub-project is being implemented in Cambodia's southern coast and Kep Town (Kep Province) which is a popular tourist destination known for its beach, seafood restaurants and quiet natural surroundings. The sub-project will mainly benefit Kep's urban core (Sangkat Kep and around half of Sangkat Prey Thom) with a residential population of 9,000 persons.

12. The Kep Landfill Improvement consist of two (2) main components, namely (a) the upgrading of the existing dumpsite to a sanitary landfill including the access road; and (b) improvement of solid waste collection in Kep Town and adjacent vicinities.

13. **Kep–Angkol Coastal Road Improvement (CW01a).** This sub-project will improve and widen about 12.4 kilometers of an existing laterite bypass road connecting Kep Town to Angkol Village and Provincial Road 1332. The work will include side drains, parking bays, footpaths and lighting, mangrove restoration along the seaside road shoulder to strengthen storm defenses, and community tourism facilities. Furthermore, it will improve economic opportunities and access to social services for about 6,000 people living in the road catchment area. It will also relieve growing traffic congestion, and catalyze tourism development in the eastern areas of Kep Town. The work is estimated to cost \$10.8 million.

14. **Koh Tonsay Passenger Pier³ (CW02a).** This sub-project will include two components: (i) the construction of a new passenger pier, connecting Kep City to Koh Tonsay Island and (ii) the construction of a 900 m walkway in front of the bungalows alongside the beach.

15. The construction of a modern and sturdy pier with proper sanitation facilities on Rabbit Island will ensure safety and convenience for tourists and residents. Improvement of the pier is expected to increase tourist visits to the island, which has been limited due to insufficient facilities (e.g., water supply and sanitation facilities). The increase in number of visitors is expected to boost income of local residents. The locals have formed a tourism association and currently operate 16 passenger boats and other basic tourism services.

16. The ADB review mission conducted in December 2020 advised the EA that a minor change of project scope will be required for output 1 to include the new two subprojects located in Kep and include; (i) the Kep Coastal Road improvement and (ii) Koh Tonsay Passenger Pier Infrastructure. In order for ADB to process the minor change in scope, safeguards documents and economic and financial analysis for the new subprojects are required. The minor change in scope is being processed by ADB as of end of the reporting period.

² <https://www.adb.org/projects/documents/cam-49387-002-rp>

³ The contract tracker adopted the English version of the name of the island (Rabbit Island) but all BD documents and other documents (i.e. BRP, Bid Documents, DED) use the khmer name (Koh Tonsay). The ADB-MEF-MOT agreed to use the Khmer name "Koh Tonsay" as the name of the sub-project.

1.4 Health Monitoring

17. A general approach to prevent the transmission of COVID-19 has been adopted by the IPMU/MPWT offices, as well as the PMCES offices since the first quarter up to the end of the reporting period (December 2020). This general approach consists of basic hygiene practices to prevent or at least minimize the spread of the virus.

18. Persons entering the MPWT compound and project office are screened for their body temperature to ensure that persons have no fever, high temperature being an indication of one of the symptoms of COVID 19. Other symptoms include coughing, sneezing, itchy throat, dizziness and loss of smell. In addition, frequent washing of hands is encouraged.

19. Persons are encouraged to practice social distancing (avoidance of close contact with one another) to prevent virus transmission. Hence, face-to-face meetings are discouraged and in lieu of these in-person interactions, meetings via video conference (Skype) with the PMU, MEF, ADB and TL for project-related meetings are held.

20. PMCES has requested the contractor for the CEMP to include a section describing the measures to be adopted to avoid the risk of COVID 19 spreading among the workers. The Safety and Health officer should prepare the said section to include the best practices suggested by the WHO, the Cambodian guidelines issued by the Ministry of Health and the health guidelines issued by ADB. The Safety and Health Officer should establish as soon as possible a contact with the National Environment Specialist of PMCES in order to include such a section in the CEMP.

21. The PCU/MOT is proposing a minor change of scope to provide funding support to adequately support the implementation of their COVID-19 response work plans for Kampot and Koh Kong PIUs which have been established and remain operational under the Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (Loan 3194-CAM). The additional resources required for Kampot and Koh Kong PIUs will include funding to cover the cost of government counterpart and contract staff positions on the same basis which has been allocated to Kep and Preah Sihanouk PIUs. The EA will submit its request for provide the minor change to ADB in Q1 2021.

22. The first COVID-19 case in Cambodia was registered on February 15, 2020⁴. As of December 31, 2020, COVID-19 cases totaled 366 cases. Cambodia was able to maintain a very low transmission of the virus which may resulted in lowering their guards against the virus. During the the public consultation in Kok Tonsay subproject on November 26, 2020, all participants were provided with face masks by Kep authorities and explained the COVID-19 protection measures and minimal social distancing was observed. It was conducted in the beach front, in open space to minimize the dangers of infection and contamination. However, the use of face masks was not apparent as recorded through photographs because some participants took them off during the consultation. Overall, COVID-19 has no effect yet on the resettlement activities or construction activities of TIIGP2 for the reporting period.

1.5 Purpose and Methodology

23. This second semi-annual social safeguards monitoring report presents the status of compliance with the project social safeguards requirements for the (a) Kep Landfill Improvement; (b) Kep-Angkol Coastal Road Improvement; and Koh Tonsay Pier Improvement from July to December

⁴ Source: <https://www.worldometers.info/coronavirus/country/cambodia/>

2020. This semi-annual social safeguards monitoring report (SSMR) is prepared in accordance with the requirements under the Safeguards Policy Statement 2009 (SPS 2009).

24. This report also establishes and summarizes various resettlement and social safeguards activities undertaken for this sub-project that were presented in some other reports during the covered period. Highlights and important milestones are reiterated to produce this document containing all the previous documentation and activities for this sub-project. This report is undertaken to establish the basis and foundation for future reports.

25. The normal resettlement monitoring outline containing (a) the budget and time frame; (b) delivery of compensation and entitlements; (c) public participation and consultations; (d) benefit monitoring; and (e) requirements for remedial actions cannot be substantially accomplished and submitted in this report due to certain institutional limitations because the agency who has the sole mandate over resettlement matters is lodged with the General Department of Resettlement (GDR). This includes holding of public consultations, identification of APs, their affected assets and their valuation as well as monthly, quarterly and semi-annual monitoring reports.

26. This report will include all data available to the Project Management and Civil Engineering Support (PMCES) based on documents and reports available. The list of reference materials is shown in Annex 1. This report should not be treated as an official report of GDR because it is an internal report exclusively prepared by the MOT and MPWT for ADB.

2.0 DESCRIPTION OF SUBPROJECTS

27. After the government's October 2019 decision to cancel ADB financing for infrastructure sub-projects in Sihanoukville, MPWT and MOT organized consultations and initial field investigations in Kep Province to identify suitable replacements using eligibility criteria in the Project Administration Manual (PAM). These are: (i) compatibility with national and regional tourism policy and strategy; (ii) potential to generate significant increase in tourism arrivals and receipts; (iii) need to solve existing access infrastructure constraints; (iv) need to upgrade environmental services in sub-project area; (v) opportunity for poverty alleviation; (vi) opportunity to catalyze community and private investment; (vii) minimal resettlement and/or land acquisition (category B or lower); (viii) low environmental impacts (category B or lower); and (ix) indicative cost estimate for each sub-project is at least \$3.0 million [and not more than \$14.0 million in total].

28. The Provincial Government of Kep Province submitted their list of priority projects to be considered as suitable replacements. Based on the consultations and application of these criteria, a short list of four sub-projects were selected. After further field visits and discussions, the supporting documents for two sub-projects were finally selected. The definition of suitable replacement projects for the TIIGP2 was finalized by the special ADB Review Mission made on 19-25 November 2020 when the following two projects were selected and considered similar in nature and scope to the original cancelled sub-projects: The Kep Coastal Road and the Koh Tonsay Pier were finally selected. This is in addition to the solid waste management improvements which is originally part of TIIGP. Hence, there are three sub-projects that are components of TIIGP 2 and will be briefly discussed in the following paragraphs. A summary table describing the sub-projects is shown in **Table 2**.

Table 2: Summary Description of Sub-Projects

Subprojects	Components	Description of works
Kep Landfill Improvement	Upgrading of the Existing Dumpsite	The upgrading of the existing dumpsite to a sanitary landfill (SLF) is on a 13.39 hectares area located within the existing dumpsite in Damnak Chang Ae Village, Sangkat Prey Thom.
	Access Road	The 3.5 km access road (6m wide) connecting the site to the National Road 33 will also be upgraded.
Kep-Angkol Coastal Road Improvement	Initial Section	1.20 km in length, it starts at the Kep Pier and runs across a semi-urban portion of Kep Town, on the alignment of an existing unpaved road.
	Main Section	The existing base of the embankment, about 20.00 m wide, was already built by Kep Provincial Government over a length of 8.455 km starting from Km 1+200 to Km 9+655.
	Connection from Coastal Road to PR 1332	This section has a total length of 2.00 km starting from Km 9+655 of the Coastal Road starting from the coast with an eastward direction to the Pagoda Junction on the PR 1332 at Km11+660.
	Access road to Beach and Angkol Village	The branch 0.74 km long section envisages the creation of a new road running along the beach up to the center of Angkol Village
Koh-Tonsay Passenger Pier	Construction of a new passenger pier Construction of a 900m walkway	New concrete pier at Koh Tonsay Pier protection dike pier Pier offshore platform for mooring larger boats Two floating platforms 2X25 m long, for mooring of tourist boats; Inland platform with tourist terminal building for (a) ticketing & waiting areas; food and beverage service facilities and toilets
	Walkway	New 850m X 2.8m concrete walkway with drains; Lighting along the walkway
	Complementary Works	Power generation; Water supply; Solid waste management

2.1 Kep Landfill Improvement

29. The Kep Landfill Improvement consists of two (2) main components, namely (a) upgrading of the existing dumpsite to a sanitary landfill including the access road; and (b) improvement of the solid waste collection in Kep Town and adjacent vicinity.

30. The sanitary landfill (SLF) site is located in the existing dumpsite. This has been used since 2014 and is located 6 km north of the Municipality of Kep and 3.5 km from the National Road 33. The existing waste has been partially burned and will initially be excavated and replaced with a man-made pit. The upgrading of the existing dumpsite to a sanitary landfill (SLF) will take place on a 13.39 hectares area located within the existing dumpsite in Damnak Chang Ae Village, Sangkat Prey Thom. The existing dumpsite where the project will be located is owned by Kep Province.

31. In addition, the 3.5 km access road (6m wide) connecting the site to the National Road 33 will also be upgraded. Based on the design assumptions, the access road must follow the existing alignment, vertical curvature and width of the road to avoid resettlement issues. Internal roads within the SLF will also be developed to facilitate access.

32. The principal design of the SLF including facilities and infrastructure has been developed with consideration of the existing site conditions with recent topographic maps. The SLF will have four (4) waste cells with a combined estimated footprint of 68,000 m² and a capacity of about 600,000 to 700,000 m³ depending on the final height of the landfill. This will allow for a minimum 20 years of operation. The existing waste will be bulldozed and reshaped into a separate cell and permanently capped.

33. Other major components of the SLF include: a landfill gas extraction system, leachate treatment system, septage treatment, hazardous waste cell, materials recovery facility, administration and service buildings. The MRF will have a floor area of at least 500 m². This will facilitate the processing of 3 to 5 tons of dry, potentially recyclable waste. The higher end will allow it to handle the expanded collection coverage 5 years after the establishment of the landfill.

34. The Construction Contract for the Kep Landfill was signed 07 May 2020 with MTA Construction Co. Ltd. This contract commenced on 24 May 2020. As of 31st December 2020, the contractor has achieved progress of 23.63% which is well above the planned S Curve indicating a progress of 5%. In July 2020 the assigned area to the sub-project was modified at the request of the Kep provincial government due to unresolved claims with an adjacent landowner and the discovery of a graveyard in the area of cell 4. The area lost due to the landfill perimeter change was compensated for by extending the landfill into the hills located on the western side of the landfill. The Leachate Treatment Plant design included in the contract was designed to serve only landfill cell No.1.

35. Consequently, PMU approved the recruitment of an International Treatment Specialist to design a complete leachate treatment plant with the capacity to treat leachate from all four landfill cells. The specialist submitted the proposed new design in a report on 24 August 2020. These changes required revision of the landfill layout, shifting the overall design westward to enable construction of the site according to the elements of the DED. This resulted in a significant increase of excavation works into the rocky hill slopes and an increase in the overall sub-project cost.

36. In November, the MPWT approved a contract variation (CVO-1), which included the upgrading of the access road pavement width from 6 to 7 m and concrete pavement thickness from 20 to 25 cm to make the road suitable for future extension and for integration with the interprovincial road network. The contract amount was not altered because the additional cost for the access road

improvement was covered through the utilization of provisional sums and contingencies which are now almost depleted.

37. An additional variation order (CVO-2) will cover the additional cost for increased excavations on the western side which was completed on 31 December 2020. Another contract variation (CVO-3) to cover the improvement and expansion of the leachate treatment plant (leachate ponds) will be completed by 31 January 2021.

2.2 Kep-Angkol Coastal Road Improvement

38. The upgrading and rehabilitation of the Coastal Road is included in the development plan of the road infrastructure of Kep Province. The provincial authorities worked on the construction of the coastal road for a few years but was not completed due to a lack of adequate funds.

39. The first road stretch originated from Kep Town, near the existing tourist pier and it will run for about 1 km along existing earth road flanked by private properties, passing through some 160 m through a small community of fishermen who built their houses on piles just off the coast. The main road section will be built on the existing unfinished road, running from Km 1.2 to Km 9.2 along the coast on a slightly elevated coastal dune. Majority of the road alignment is already on the existing road that will be completed or improved by the project. According to the preliminary design of the proposed subproject, the road is divided into four (4) sections and the details of each road section are described as follows:

40. Initial Section. The initial section has a length of 1.20 km and starts at the Kep Pier and runs across a semi-urban portion of Kep Town, on the alignment of an existing unpaved road. Due to the existing private property limits, this section may only accept a carriageway 8.00 m wide (maximum) flanked by a paved sidewalk 3.50 m wide with cycling track on the seaside, and a 1.00 m sidewalk on the inland side of the road.

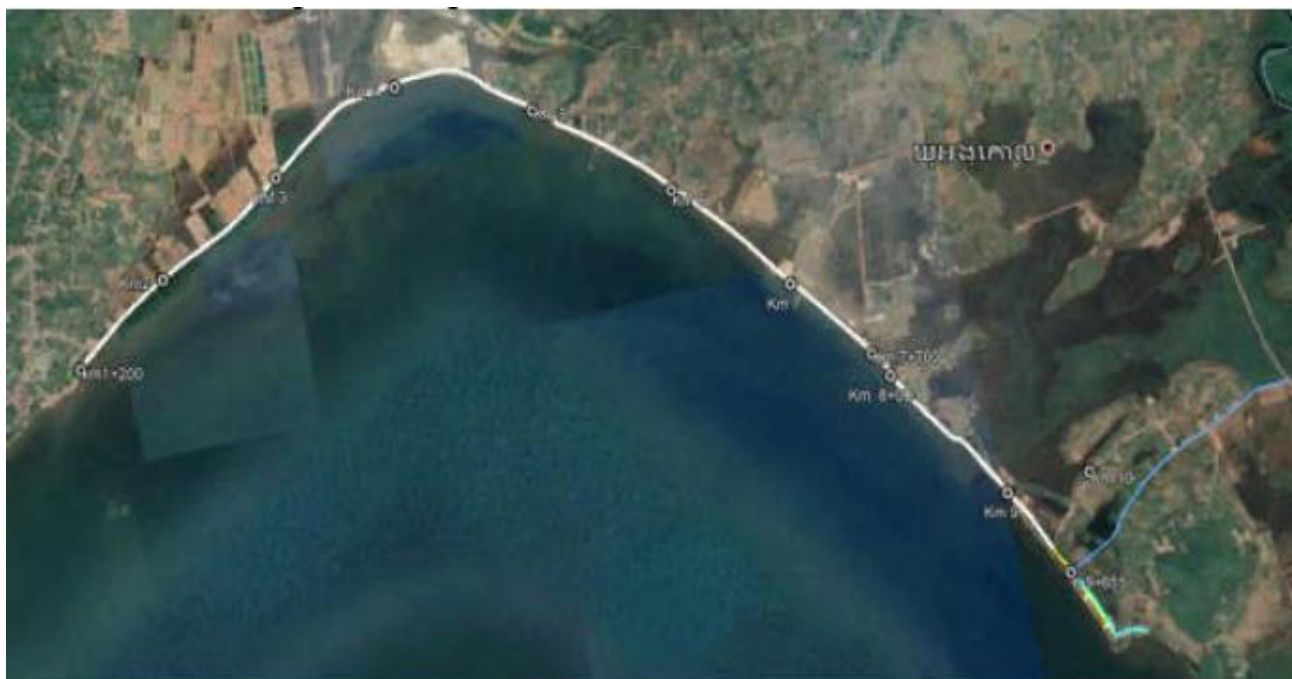
41. Main Section. The existing base of the embankment base, about 20.00 m wide, was already built by the Kep Provincial Government over a length of 8.455 km starting from Km 1+200 to Km 9+655. This section runs along the coast passing near small communities of fishermen and along private lands and salt production ponds. A mangrove forest is present along some 3 km of the shoreline from Km 1+500 up to Km 4+500. Several box culverts have been partly built at numerous stream outlets and canals for the usage of the existing unpaved track. The embankment should be raised by about 1 m to ensure safe drainage in all conditions. The proposed cross section shall have two lanes of 3.50 m wide, one shoulder of 1.5 m wide on the inland side, and a sidewalk of 3.50 m wide with cycle track of 2.00 m on the seaside. Considering the embankment slope, the road construction will fully utilize the 20 m width of the present low embankment.

42. Connection from Coastal Road to PR 1332. This section has a total length of 2.00 km starting from Km 9+655 of the Coastal Road, starting from the coast with an eastward direction to the Pagoda Junction on the PR 1332 at Km11+660. This connection branch will run along the rural road presently under construction with a width of about 5.00 m. The rural road will be widened to have the same cross section as the main section. i.e. a paved width of 10.00 m, with two lanes of 3.5+3.5 m and two shoulders of 1.50 m. The design road level will generally be about 0.80 m above the present ground level.

43. Access Road to the Beach and Angkol Village. The branch 0.74 km long section envisages the creation of a new road running along the beach up to the center of Angkol Village. Kep Officials asked that the alignment along the beach be kept within the strip of government land extending 50.00 m from the shoreline. This will require the displacement of several wooden gazebos

rented out to beach users. In addition, a few modest houses will probably have to be relocated. The traffic in this section is expected to be quite modest, generally made up of light vehicles for local residents or tourists. The section, after the establishment of the planned development on the inland side, will become semi-urban characterized by 30-40 Km/h design speed. The paved portion of the cross section will be 8.00 m wide, with two lanes of 3.0 m wide flanked by two shoulders of 1.00 m. Due to the tourism relevance of the section along Angkol beach, the two sidewalks and the cycle lane shall continue with the same pattern as the main section. Three tourist facilities units, with showers and toilets, shall also be set up along this section.

Figure 1: Alignment of the Proposed Coastal Road Improvements



Source: Initial Environmental Examination, Second Greater Mekong Region Tourism Infrastructure for Inclusive growth, Subproject of Coastal Road and Passenger Pier on Koh Tonsay Island in Kep Province, September 2020.

44. On 1 December 2020, ADB issued a conditional no objection to the MPWT's recommendation to award the contract with the contract price of \$10.5 million (including taxes). During the December mission, the mission team emphasized that ADB's approval on signing the contract is contingent on, (i) the approval of a minor change in scope; (ii) the updated IEE and EMP and final Resettlement Plan (RP) are approved by Royal Government of Cambodia and cleared by ADB; and (iii) the national environmental protection contract issued by MOE. ADB also advised MPWT that any construction shall commence only after: (i) ADB's clearance and disclosure of the IEE; (ii) construction EMP clearance is provided by the Executing Agency; (iii) compensation at full replacement cost and other entitlements due are paid to each displaced person; and (iv) a comprehensive income and livelihood rehabilitation program, supported by an adequate budget, is in place.

45. The detailed engineering design was completed on August 31, 2020. Given that the detailed resettlement plans prepared by GDR and MPWT will be completed in August 2021, MPWT requested that road sections without land acquisition issues where compensations have been fully paid, be allowed to proceed. The mission supported the approach and requested MPWT/PMCES to submit ADB with detailed maps showing the area free from land acquisition/ resettlement issues for the Kep Coastal Road as well as the Koh Tonsay Pier sub-projects. MPWT stated that about 80% of

the road sections do not have land acquisition and/or resettlement issues and the land acquisition and/or resettlement occurs only under the walkway work, which is a minor component of the sub-project. MWPT/PMCES will send the document to ADB by 15 January 2021.

2.3 Koh Tonsay Passenger Pier

46. Koh Tonsay Island is located at 5 km south of Kep Town. Tourists and the few residents reach the island by boat leaving from Kep Pier which is presently undergoing restructuring and improvement works. Sixteen (16) registered boats are authorized to provide transportation service to the tourists, for a return fee of USD 25, with sea travelling time of some 20 minutes. No pier is presently existing on the island and boats land directly on the sandy beach where passengers disembark and wade for a few meters in very shallow water. In 2019 about 12,400 boat trips were recorded, corresponding to a daily average of 2 boat rides/day for each registered boat.

47. The sub-project includes two components: (i) the pier construction including a platform built offshore in shallow water, on rock-fill and protected by a retaining wall, a protection dike, a hammer head terminal and two floating pontoons; and (ii) the walkway construction. The Koh Tonsay Passenger Pier Improvements sub-project contract is estimated to cost \$1.2 million (exclusive of taxes).

48. The detailed design for the sub-project made significant progresses since June 2020: (i) the topographical survey and bathymetric survey were completed in June 2020; (ii) a meteo-marine study was completed in August 2020 to define the expected wave action and storm sea water surges needed to provide for the safe design of the pier and its appurtenances (iii) the design of the pier structure, terminal building and the beach facilities (inclusive of water treatment and disposal units) (iv) the walkway was designed and the related social impacts were evaluated and included in the related BRP and; (v) the water supply system design was completed. The electrical design is now nearly complete and the quantities and costs for the BOQ have been estimated and the bidding documents under preparation. The Koh Tonsay DED is being completed and expected for completion by 31 December 2020.

49. For the Koh Tonsay sub-project, the land acquisition and/or resettlement issues relates only to the walkway, which is a minor component of the sub-project. MWPT/PMCES agreed to send the detailed maps and site plans to ADB by the end of December 2021.

50. In summary, continuous efforts have been exerted on the part of PMCES environmental and social consultants to complete the updated IEE, the BRPs and DRPs. In addition, MEF is carrying out management actions to closely follow up and coordinate GDR activities in order to complete the land acquisition and compensations to the affected households and landowners in the shortest time possible. To expedite the works and to mitigate the expected delay for the completion of compensation to the affected landowners and households, MPWT will request ADB for clearance of the work in areas that are not affected by land acquisition or compensation. For example, the majority of the works for the Coastal Road and the Pier sub-project are constructed on unobstructed government land and do not require land acquisition or compensation for affected households.

3.0 RESETTLEMENT ACTIVITIES IN THE REPORTING PERIOD

51. The loan agreement provides for resettlement related covenants and clauses to ensure compliance with SPS. For the reporting period, the following **Table 3** indicates the status of compliance to these covenants and clauses under the loan agreement as of November 30, 2020.

Table 3: Status of Compliance with Resettlement Related Loan Covenants

Schedule	Para #	Description	Remarks/ Issues
5	3	<p>Land Acquisition and Involuntary Resettlement</p> <p>The Borrower shall ensure that all land and all rights- of-way required for the Project are made available to the Works contractor in accordance with the schedule agreed under the related Works contract and all land acquisition and resettlement activities are implemented in compliance with (a) all applicable laws and regulations of the Borrower relating to land acquisition and involuntary resettlement; (b) the Involuntary Resettlement Safeguards; and (c) all measures and requirements set forth in the RP, and any corrective or preventative actions set forth in the Safeguards Monitoring Report.</p>	Being complied
5	4	<p>Land Acquisition and Involuntary Resettlement</p> <p>Without limiting the application of the Involuntary Resettlement Safeguards or the RP, the Borrower shall ensure that no physical or economic displacement takes place in connection with the Project until: (a) compensation and other entitlements have been provided to affected people in accordance with the RP; and (b) a comprehensive income and livelihood restoration program has been established in accordance with the RP.</p>	Being complied
5	7	<p>Safeguards Related Provisions in Bidding Documents and Work contracts</p> <p>The Borrower shall ensure that all bidding documents and contracts for Works contain provisions that require contractors to;</p> <p>(a) comply with the measures relevant to the contractor set forth in the IEE, the EMPs, the RP and the IPP (to the extent they concern impacts on affected people during construction), and any corrective or preventative actions set forth in a Safeguards Monitoring Report;</p> <p>(b) make available a budget for all such environmental and social measures;</p> <p>(c) provide the Borrower with a written notice of any unanticipated environmental, resettlement or indigenous peoples risks or impacts that arise during construction, implementation or operation of the Project that were not considered in the IEE, the EMPs, the RP and the IPP (as</p>	Being complied

Schedule	Para #	Description	Remarks/ Issues
		applicable); d) adequately record the condition of roads, agricultural land and other infrastructure prior to starting to transport materials and construction; and (e) reinstate pathways, other local infrastructure, and agricultural land to at least their pre-project condition upon the completion of construction.	
5	8	Safeguards Monitoring and Reporting a) submit semi-annual Safeguards Monitoring Reports to ADB and disclose relevant information from such reports to affected persons promptly upon submission; (b) if any unanticipated environmental and/or social risks and impacts arise during construction, implementation or operation of the Project that were not considered in the IEE, the EMPs, the RP and the IPP (as applicable), promptly inform ADB of the occurrence of such risks or impacts, with detailed description of the event and proposed corrective action plan; and (c) report any actual or potential breach of compliance with the measures and requirements set forth in the EMPs, the RP or the IPP (as applicable) promptly after becoming aware of the breach	
5	16	Consultation with Stakeholders The Borrower shall ensure that consultation with the Project stakeholders takes place during Project implementation, in accordance with the stakeholder communication strategy set out in the PAM.	Being complied

Source: Aide Memoire, Project Review Mission (Virtual, 2-10 December 2020 (Intermittent))

52. The summary of the status of social safeguards documents as of 31 December 2020 is presented in the following **Table 4**.

Table 4: Summary of Status of Social Safeguards Documents for Sub-Projects

Province Sub Projects	Prepared Documents	Date of Submission to ADB	Status
Kep Landfill Improvement	Due Diligence Report	December 2019	GDR to Update Resettlement Due Diligence Report
Kep-Angkol Coastal Road Improvements	Basic Resettlement Plan	Re-submitted 15 December 2020	Waiting approval
	Detailed Resettlement Plan	On-going	To be submitted before April 2, 2021
Koh-Tonsay Passenger Pier Improvements	Basic Resettlement Plan	Submitted; ADB issued a NOL dated October, 18, 2020	Approved 12 November 2020 and disclosed

	Detailed Resettlement Plan	On-going	To be submitted before February 1, 2021
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3.1 Solid Waste Management

53. An involuntary resettlement screening was conducted based on a checklist last 26 November, 2019 for the Kep sanitary landfill project to be located in the existing dumpsite in Damnak Chang' aeur Village, Sangkat Prey Thum, Kep Town, Kep Province. The site is located on state land, reserved for the proposed sanitary landfill and has been turned over to the Department of Public Works (DPWT) in 2017. The 3.0-km access road to be paved with concrete is also within state land.

54. In August 2020, the design of the improved leachate treatment plant that will cover all of the planned four cells was completed. In July 2020 the assigned area to the sub-project was modified at the request of the Kep Provincial Government due to unresolved claims with an adjacent landowner and the discovery of a graveyard in the area of cell 4.

55. The area lost due to the landfill perimeter change was compensated for by extending the landfill into the hills located on the western side of the landfill. These changes required revision of the landfill layout, shifting the overall design westward to enable construction of the site according to the elements of the DED. This has resulted in a significant increase of excavation works into the rocky hill slopes and will increase the overall subproject cost. An additional variation order (CVO-2) will cover the additional cost for increased excavations on the western side, which is presently under preparation and expected for completion by December 31, 2020.

56. The PMCES team conducted a follow up interview with the existing waste pickers who are still collecting waste from the Kep Solid Waste Management Site. When the PMCES team visited the landfill site on 05 December 2020 to interview the waste pickers, they found out that there are currently 5 waste pickers at the site, two of them from the previous group of three waste pickers, and three new waste pickers just recently moved in. Four of the five waste pickers are husband and wife, and one is single.

57. The interview confirmed that: i) there is no difference between before and during the construction of landfill site; ii) waste picking is only part time and is simply an alternative income to support their livelihood; iii) all confirmed that they have other income sources, in particular cleaning farms, motor taxi trailer operation, collecting firewood, etc. iv) All of them refused to work as WRF workers because they don't want to always be away from home. v) they are not sure about accepting the job opportunity to work in the MRF during the landfill operation because they are not clear about the working schedule, salary, other benefits, etc.

58. During the interview, the type of organization that will manage the operation of the landfill is not defined, i.e., whether it will be a private firm or a department of the Kep Provincial Government. It is difficult to assess what working conditions and which salary will be offered to the waste pickers for working as employees in the MRF. However, the commitment assumed in December 2019 to ensure hiring priority to the waste pickers may be honored. PMCES will continue monitoring this issue and progress/status will be reported in the coming monitoring reports.

3.2 Kep-Angkol Coastal Road Improvements

59. MPWT submitted the preliminary drawings together with the corridor of impact (COI) measurements at each chainage on August 28, 2020. A joint transect walk through the road alignment was conducted by IRC-WG, MPWT, PMCES and local officials on November 12, 2020 to

screen the IR impacts and improve the road alignment to further minimize resettlement impacts. MPWT and PMCES demarcated the COI on the ground and was completed on November 25, 2020.

60. MPWT requested GDR and the Provincial Governor of Kep Province on August 28, 2020 to establish the Inter-Ministerial Resettlement Committee (IRC), preparatory to the conduct of the detailed measurement survey (DMS) and the replacement cost survey (RCS). As a result, the Inter-Ministerial Committee (IRC), IRC-Working Group, Provincial Resettlement Sub-Committee (PRSC), PRSC-Working Group and the Provincial Grievance Redress Committee (PGRC) were duly established at the end of October, 2020.

61. MPWT requested the Governor of Kep Province to establish June 30, 2020 as a Cut-Off date for entitlement for compensation for the affected lands and other assets for Kep-Angkol Coastal Road improvement Subproject (**Annex 2**). Based on the recommendation of MPWH, the Governor set-up June 30, 2020 as the official cut-off date of the subproject. The cut-off date was announced verbally and publicly during the public consultation and before the DMS.

62. A draft of the basic resettlement plan (BRP) was prepared for the Kep-Angkol Coastal Road. This has been reviewed by GDR and ADB. Revision and incorporation of ADB and GDR comments was carried out by the PMCES. The revised BRP for Coastal Road was re-submitted to ADB on 15 December and the ADB comments have not yet been received on 31 December 2020. The completed resettlement activities for the Kep-Angkol Coastal Road Project for the reporting period are summarized in **Table 5**.

Table 5: Summary of Completed Resettlement Activities Within the Reporting Period

No.	Activity Description	Agency	Revised Target Date	Status
1	Submit preliminary drawings with COI measurements at each chainage and request formally to GDR to establish IRC to commence DMS and RCS	MPWT	10 July 2020	Completed 28 August 2020
2	Conduct joint transect walk on the alignment to screen the IR impacts and advise on design changes	IRC-WG/ PMCES/MPWT and local authorities	17 July 2020	Carried out on 12 November 2020
3	Demarcate the corridor of impact (COI) for Kep Coastal Road	PMCES/ MPWT	16 July 2020	completed on 25 November 2020
4	Establish IRC, IRC-WG, PRSC, PRSC-WG and PGRC	MEF/IRC/GDR/Provincial Governor	15 July 2020	Completed October 2020
5	Prepare draft BRP and submit to ADB	PMCES/MPWT/GDR	10 August 2020	15 December 2020
6	Approval of BRP by ADB	ADB	31 August 2020	Underway

Source: Quarterly Progress Report No.8 Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (October 1 to December 31, 2020).

3.3 Koh Tonsay Passenger Pier Improvements

63. MPWT submitted the preliminary drawings on October 25, 2020 complete with the corridor of impacts (COI) and their corresponding chainages. The IRC-WG together with MPWT, PMCES and local officials conducted a joint transect walk to screen the IR impacts and advice further improvements on the alignment to minimize the resettlement impacts on November 13, 2020. The COI for Koh Tonsay Pier was demarcated on the ground by MPWT together with PMCES on November 25, 2020.

64. MPWT requested GDR and the Provincial Governor of Kep Province on October 25, 2020 to establish the Inter-Ministerial Resettlement Committee (IRC), preparatory to the conduct of the detailed measurement survey (DMS) and the replacement cost survey (RCS). As a result, the Inter-Ministerial Committee (IRC), IRC-Working Group, Provincial Resettlement Sub-Committee (PRSC), PRSC-Working Group and the Provincial Grievance Redress Committee (PGRC) were duly established as of July 15, 2020.

65. MPWT requested the Governor of Kep Province to establish May 29, 2020 as a Cut-Off date for entitlement for compensation for the affected lands and other assets for Koh Tonsay Subproject (**Annex 3**). Based on the recommendation of MPWH, the Governor set-up May 29, 2020 as the official cut-off date of the subproject. The cut-off date was announced verbally and publicly during the public consultation and before the DMS.

66. Initial public consultations were conducted based on the preliminary design by IRC-WG, PRSC, MPWT, PMCES and local officials to provide project information and to elicit issues, concerns and opinions of direct stakeholders in the communities. These public consultations were conducted prior to the conduct of the DMS and were completed on November 25, 2020.

67. A basic resettlement plan (BRP) was prepared for the Koh Tonsay Pier and the report has been reviewed by GDR and ADB. Revision and incorporation of ADB and GDR comments were carried out by the PMCES. The BRP for Koh Tonsay Pier was issued by ADB on 12 November 2020. GDR together with the IRC-WG, PRSC-WG, MPWH and PMCES and was completed on November 27, 2020. The draft of the detailed resettlement plan (DRP) is presently being prepared. The approval of the final version of Koh Tonsay Pier DRP is expected to be issued by ADB in February 2021. The summary of resettlement related activities in Koh Tonsay Pier Improvements within the reporting period is shown in **Table 6**.

Table 6: Summary of Completed Resettlement Activities Within the Reporting Period

No.	Activity Description	Agency	Revised Target Date	Status
1	Submit preliminary drawings with COI measurements at each chainage and request formally to GDR to establish IRC to commence DMS and RCS	MPWT	10 July 2020	Completed 25 October 2020
2	Conduct joint transect walk on the alignment to screen the IR impacts and advise on design changes	IRC-WG/ PMCES/MPWT and local authorities	17 July 2020	Carried out on 13 November 2020
3	Demarcate the corridor of impact (COI) for Koh Tonsay Pier	PMCES/ MPWT	16 July 2020	Completed on 25 November 2020
4	Establish IRC, IRC-WG, PRSC, PRSC-WG and PGRC	MEF/IRC/GDR/Provincial Governor	15 July 2020	Completed
5	Conduct consultations prior to DMS	IRC-WG/PRSC-WG/PMCES/MPWT and local authorities	2 August 2020	Completed 25 November 2020
6	Prepare draft BRP and submit to ADB	PMCES/MPWT/GDR	10 August 2020	10 October 2020
7	Approval of BRP by ADB	ADB	10 August 2020	Completed on 12 November 2020
8	Conduct DMS	IRC-WG/PRSC-WG/PMCES/MPWT	14 August 2020	27 November 2020
9	Prepare draft DRP	PMCES/MPWT/GDR	31 January 2021	underway

Source: Quarterly Progress Report No.8 Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (October 1 to December 31, 2020).

4.0 INSTITUTIONAL ARRANGEMENTS

4.1 General Arrangements

68. Ministry of Tourism (MOT). The executing agency is MOT, which established (i) a Phnom Penh-based Project Coordination Unit (PCU) within MOT to handle overall project coordination and management, (ii) a tourism Project Management Unit (PMU) in MOT's Tourism Investment Department (TID) to lead ASEAN Tourism Standards implementation and capacity building for tourism destination management.

69. MOT is the Executive Agency (EA) and implementing project's output 2&3, and MPWT is the implementing agency and in charge for implementing project's output 1. MOT oversees all sub-project activities including BRP and DRP preparations. MOT coordinates closely with the MPWT in the implementation of the sub-project and with the IRC-WG on all matters concerning LAR, working closely with Resettlement Department 2 (RD2) of GDR to prepare, update, and implement the BRP and DRP. MOT will establish a Project Coordination Unit (PCU) to coordinate closely with the IRC on LAR and work closely with the GDR.

70. Provincial Department of Tourism (DOT). DOT established a PIU comprising staff of the DOT, Provincial Department of Public Works and Transport, and Provincial Department of Natural Resources and Environment. The PIU will have one full time Safeguards Officer to coordinate with RD2 in the implementation of the DRP. The PCU will provide technical assistance to the PIU as necessary.

71. Ministry of Public Works and Transport (MPWT). An Infrastructure PMU was established within the Ministry of Public Works and Transport (MPWT)'s General Department of Public Works to supervise and lead output 1 subprojects, comprising a civil works supervisor, three engineers, procurement officer, and a surveyor, and will work closely with the PIU Infrastructure Teams.

72. MPWT is in charge of social safeguards and Mr. Chey Tech is working as a National Social Safeguards and Resettlement Specialist at MPU-MPWT. He is working closely with consultant and GDR for the overall safeguards aspects. He also coordinates with MOT for quarterly report preparation as well as the annual work plan preparation, etc

73. Provincial Department of Public Works and Transport (PDPWT). Multisector Project Implementation Unit (PIUs) was established in Kep, embedded in provincial Departments of Tourism (DOT). PIU will comprise a director, administration staff, and two technical teams (infrastructure and tourism). The infrastructure technical teams, seconded from the provincial Departments of Public Works and Transport (DPWT), will support output 1 subprojects, in coordination with the central-level infrastructure PMU. The Provincial Implementing Unit (PIU) for infrastructure at sub-national level is chaired by Mr. Mam Touch (Director of PDPWT)

74. Inter-Ministerial Resettlement Committee (IRC)⁵. The IRC has the mandate to review and evaluate the LAR impacts for public physical infrastructure development projects in the Kingdom of

⁵The Inter-Ministerial Resettlement Committee (IRC) mechanism was established by the Prime Minister's Decision No. 13 dated 18 March 1997, updated 16 February 1999 by the Decision No. 98; and Decision dated 3 December 2010, with the mandate to review and evaluate the resettlement impact and land acquisition for public physical infrastructure

Cambodia. The IRC, by virtue of the Prime Minister's decision, exercises the authority of the Expropriation Committee under the Expropriation Law and is a collective entity, permanently chaired and led by the MEF, and with members from different line ministries. The IRC carries out its role and responsibilities through the IRC-WG which is established for each public investment project by MEF.

75. The Inter-Ministerial Resettlement Committee Working Group (IRC-WG) will carry out the day-to-day LAR activities for the preparations of the DRP. This will be led by the Deputy Director of Department of Resettlement 2 (RD2) of the GDR together with its staff, technical IPMU staff of the MPWT/PDPWT and staff of the Ministry of Land Management, Urban Planning and Construction. The IRC-WG is responsible for all field work under the supervision of the Director of the RD2 and overall guidance and direction of the Director General of the GDR. The social safeguards consultants of PMCES will assist RD2.

76. General Department of Resettlement (GDR). The GDR is the Permanent Secretariat of the IRC and the lead agency for LAR for public investment projects. It is responsible for the preparation, implementation, monitoring and reporting of resettlement plans in accordance with the laws and implementing rules and regulations related to LAR and the mandatory requirements of the safeguard policies of the development partners. Resettlement Department 2 (RD2) is in charge of resettlement for the 3 infrastructure subprojects under TIIGP2.

77. IRC-Working Group (IRC-WG) is the technical arm of IRC to plan and carry out the day-to-day LAR activities under the sub-project which is led by the Deputy Director, Chief of the RD2 of GDR and is comprised of technical PMU staff of the executing agency, staff of the RD2 and staff of the Ministry of Land Management, Urban Planning and Construction. The IRC-WG is responsible for all the field work under the supervision of the Director of the RD2 and overall guidance and direction of the Director General of GDR. The composition of the IRC-WG is shown in **Table 7**.

Table 7: Composition of Inter-Ministerial Resettlement Committee- Working Group

No.	Name of Representative	Position/Title
1	Mr. Seng Hai	Deputy Director of RD2-GDR, Team Leader
2	Mr. Em Sarasith	Deputy Director of Tourism Investment Department, Deputy Team Leader
3	Mr. An Disan	Vice Head of Cooperation Office, Member
4	Mr. Ly Zemine	Officer, Member
5	Mr. Pou Manith	Deputy Director of Waste Water Department, MPWT, Member
6	Mr. Chhom Sok	Deputy Director of Road Maintenance Department, MPWT, Member
7	Mr. Prak Sarith	Head Officer of Tourism Investment Office, MOT, Member
8	Mr. Khum Kimhuot	Head Officer of State and Private Tourism Investment Partner Office, MOT, Member
9	Mrs. Khun Pich Thida	Head Officer of State and Private Tourism Investment Partner Office, MOT, Member
10	Mr. Meas Thorn	Vice Head of IM&E and Data Management, Member
11	Mr. Sim Sin Somphy	Officer, IM&E Department, Member
12	Mr. Khim Sopheamony	Officer, RD2, Member

Source: Resettlement Department 1, General Department of Resettlement dated 07 July 2020

78. Provincial Resettlement Sub-Committee (PRSC): The PRSC is established by the Provincial Governor at the request of the IRC for the project and is comprised of (i) the Provincial Governor or the Deputy Provincial Governor as the Head and (ii) Provincial Department Directors of the Line Ministries represented in the IRC and (iii) the respective chiefs of the districts and

development projects in the Kingdom of Cambodia. The IRC, by virtue of the Prime Minister's Decision, exercises the authority of the Expropriation Committee under the Expropriation Law and is a collective entity, permanently chaired and led by the MEF, with members from different line ministries. The IRC carries out its role and responsibilities through the IRC-WG which is established for each public investment project by MEF

communes of the locations affected by the project as members. The composition of the Provincial Resettlement Sub-Committee is shown in **Table 8**.

Table 8: Composition of the Provincial Resettlement Sub-Committee

No.	Name of Representative	Position/Title
1	H.E. Vao Sokha	Deputy Governor, KEP Province, Chair
2	Mr. Hour Phallaravy	Deputy Director, Provincial Department of Public Works and Transport, Vice Chair
3	Mr. Pok Tiang	Deputy Director, Provincial Department of Tourism, Member
4	Mr. Teang Vannara	Deputy Director, Provincial Department of Economy and Finance, Member
5	Mr. Pat Mao	Deputy Director, Provincial Department of Land Management and Urban Planning Construction and Cadastral, Member
6	Mrs. Tith Sokha	Mayor of KEP Town, Member
7	Mrs. Kim Channy	Governor of Damnak Chang'Oeu District, Member
8	Mr. Nop Oun	Chief, Sangkat Kep, Member
9	Mr. Ly Huot	Chief of Pong Teuk Commune
10	Mr. Mei Chi	Chief of Angkol Commune

Source: Provincial Governor Letter dated 09 July 2020

79. Provincial Resettlement Sub-Committee Working Group (PRSC-WG). The PRSC-WG was established by the Provincial Governor for the sub-project and is mainly responsible for technical functions of the PRSC and works with the IRC-WG in carrying out the LAR activities at the provincial level. The members of the PRSC-WG is shown in **Table 9**.

Table 9: Composition of the Provincial Sub-Committee Working Group

No.	Position/Title	Name of Representative
1	Mr. Ing Vuthy	Director, Provincial Administration Office, Chair
2	Mr. Chin Vuthy	Representative of PDPWT, Vice-Chair
3	Mrs. Suon Bunna	Representative of PDOT, Member
4	Mr. Seng Sitha	Representative of PDEF
5	Mr. Nop Boramy	Representative of PLMUPC, Member
6	Mr. Vinh Thol	Representative of Kep Town, Member
7	Mr. Soy Chanravuth	Representative of Damnak Chang'Oeu District, Member
8	Mr. Chan Song	Representative of Sangkat Kep
9	Mr. Phou Mon	Representative of Pong Teuk Commune
10	Mr. Tin Ben	Representative of Angkol Commune
11	Mr. Ngeth Sean	Head of Kep Village
12	Mr. Mei Vuth	Head of Ampeng Village
13	Mr. Hang Oeung	Vice Head of Phnom Leav Village
14	Mrs. Kim Khy	Vice Head of Angkol Village
15	Mr. Kheng Yoan	Deputy Director of Provincial Plan and Investment Office

Source: Provincial Governor Letter dated 09 July 2020

80. Cadastral Administration Office. The Cadastral Administration Office under the Ministry of Land Management, Urban Planning and Construction is responsible for issuing titling documents, including the land use rights certificate, hard titles and social land concessions as part of securing tenure for the landless and issuing title documents for the land plots acquired in favor of MOT.

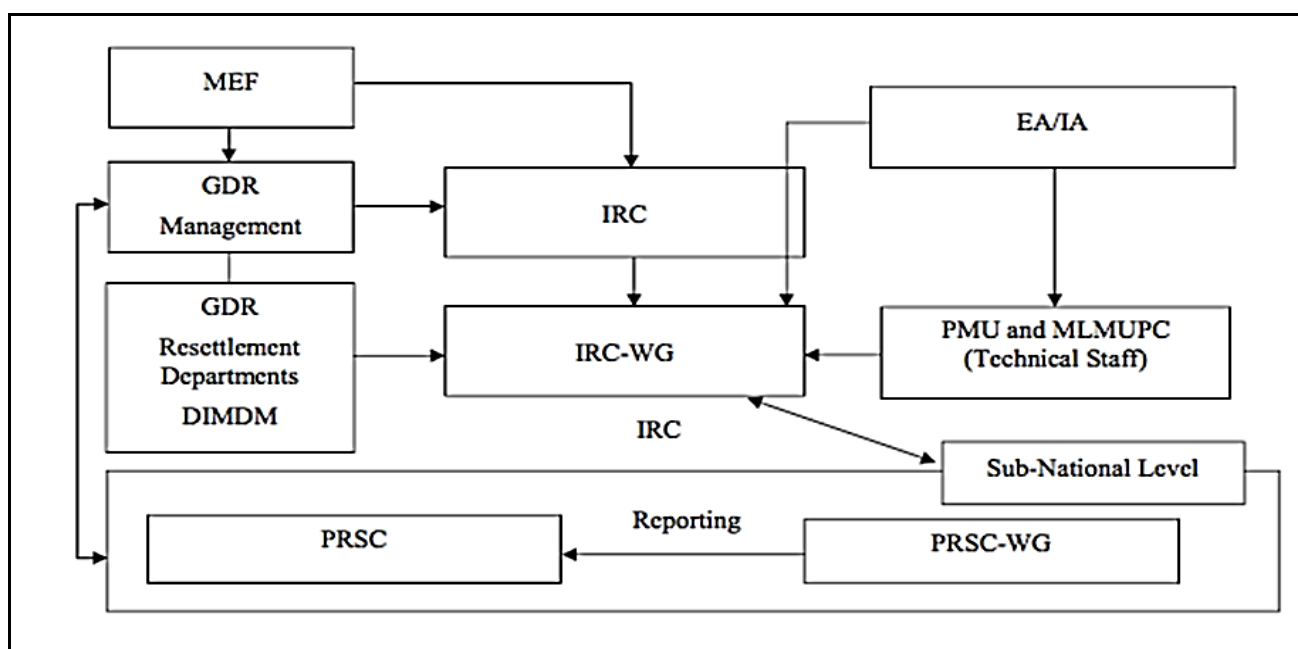
81. The Concerned Local Administration Authorities (district, commune and village). The districts, communes, and villages where the sub-project is located will coordinate and work closely with the PRSC, PRSC-WG and IRC-WG on the DRP preparation and implementation.

82. Project Management and Civil Engineering Support (PMCES): An international and a national Social Safeguards Specialist were hired to support the RD2 in preparing the DRP and performing internal monitoring of DRP implementation in behalf of the PCU.

4.2 Institutional Arrangement of LARP Implementation

83. The General Department of Resettlement (GDR) under the Ministry of Economy and Finance (MEF) is a full-fledged and functioning general department composed of five departments, namely: Department of General Affairs, Department of Internal Monitoring and Data Management, Resettlement Department 1, Resettlement Department 2 and Resettlement Department 3. The Kep sub-projects are handled by Resettlement Department 2.

Figure 2: Institutional Arrangement for LARP Implementation



Source: Basic Resettlement Plan, Greater Mekong Subregion-Tourism Infrastructure for Inclusive Growth Project, Kep Coastal Road Subproject, September, 2020.

5.0 DELIVERY OF COMPENSATION AND ENTITLEMENTS

5.1 Kep Landfill Improvement

85. There are no compensation or entitlements due to anyone for the Kep Landfill improvement subproject. A land ownership issue has been resolved successfully by adjusting cell 4 of the sanitary landfill. No payment of compensation was paid.

5.2 Kep-Angkol Coastal Road Improvement

86. A draft basic resettlement plan (BRP) was re-submitted on December 15, 2020 and MPWT is still awaiting approval from ADB. The conduct of the DMS preparatory to the formulation of the DRP is scheduled on the second week of February 2021. The submission of the draft DRP is expected on the first week of April and IRC/MEF approval of the corresponding compensation budget by end of May, 2021. Compensation, benefits and assistance is expected to be fully paid by end of August 2021.

87. Hence, as of this reporting period, there is no detailed resettlement plan which would be the basis for the allocation of budget and the subsequent payments of compensation and other entitlements.

88. MPWT requested that construction works at road sections without land acquisition issues or at sections where compensations have been fully paid, be allowed without waiting for the completion of compensation payments to all affected households. The ADB mission supported the approach and requested MPWT/PMCES to submit to ADB a note with the maps showing the area free from land acquisition/ resettlement issues for the Kep Coastal Road. MPWT stated that about 80% of the road sections do not have land acquisition and/or resettlement. MWPT/PMCES will send the document to ADB by 15 January 2021.

5.3 Koh Tonsay Passenger Pier Improvement

89. The pier component is expected to have minimal resettlement impacts while resettlement impacts are anticipated in the walkway component. These will be confirmed during the DMS and subsequently in the DRP.

90. The draft DRP is expected to be submitted at the end of February 2021 to ADB for review and approval. The budget approval for compensation and entitlements is expected to be allocated by MEF by end of March, 2021 and compensation paid by end of July 2021.

91. MPWT requested that construction works at sections without land acquisition issues or at sections, where compensations have been fully paid, be allowed without waiting for the completion of compensation payments to all affected households. The mission supported the approach and requested MPWT/PMCES to submit to ADB a note with the maps showing the area free from land acquisition/ resettlement issues for the Koh Tonsay Pier subproject. MPWT stated that in the Koh Tonsay sub-project, the land acquisition and/or resettlement occurs only under the walkway work, which is a minor component of the sub-project. MWPT/PMCES will send the document to ADB by 15 January 2021.

6.0 PUBLIC PARTICIPATION AND CONSULTATIONS

6.1 Public Consultations

92. A meeting was conducted on October 12, 2020 among the representatives of MPWT, PIU GDR and PMCES at the office of Kep DPWT to discuss the road alignment for the Kep Coastal Road Improvements and the Koh Tonsay Passenger Pier Improvements sub-projects. The 14 participants to this meeting discussed the proposed road alignment preparatory to the joint transect walk to be conducted later that day. The discussions centered on the possible IR impacts and any changes in the design to minimize resettlement impacts.

During the transect walk in the two sub-projects, the participants conducted informal key informants' interviews, asking the affected persons regarding their opinions on the projects and possible solutions to further minimize resettlement impacts. They assured the APs that if they are occupying government land, the land will not be compensated but all other assets such as structures, stores, repair shops, eateries will be fully compensated based on the project compensation policy.

It was also explained that there will be a team from MEF/GDR and other pertinent agencies who will demarcate the corridor on impact and identify and measure all affected assets within the COI. Aside from the compensation for the affected assets, there are also some benefits and assistance to be extended to the APs, depending on the severity of resettlement impacts.

On November 24, 2020, GDR/RD2 conducted a kick-off meeting at Kep Provincial Hall to discuss the implementation of the resettlement for TIIGP2, particularly the incoming DMS activity to identify and measure, if required, all affected assets (**Annex 8**). This meeting was held among representatives of IRC/PRSC/ PMCES/MPWT and local authorities totaling 40 participants (34 males and 6 females).

It was emphasized that the provincial governor of Kep Province, as chair of the Provincial Resettlement Sub-Committee (PRSC), has already issued on October 26, 2020 a cut-off date for the Kep sub-projects. It was explained that improvements introduced after the cut-off date will no longer be included in the DMS and will not be compensated by the projects.

Representatives of IRC-WG, PRSC-WG, PMCES, MPWT and local authorities conducted a public consultation attended by 19 participants (13 males and 6 females) on November 26, 2020 in Koh Tonsay sub-project preparatory to the conduct of the DMS.

The team explained the preliminary design, potential impacts, mitigation measures, cut-off date, grievance redress mechanism and compensation policy and allowances. The Public Information Brochure (PIB) containing project information detailing the preliminary design of the project, potential impacts and mitigation measures was presented to the participants. The concept of the cut-off date was explained, as well as the project policies on compensation and assistance. Lastly, a grievance redress mechanism was established to give displaced persons an avenue to seek redress arising from the project. The following **Table 10** summarizes the public consultations, key informants interviews and training conducted during the reporting period.

Table 10: Summary of Public Consultations, KII & Training

Subproject	Venue	Date	No. of Participants
Kep Landfill Improvement	Office of DPWT of Kep Province	October 12, 2020	16 participants; 14 males and 2 females

	Dumpsite (KII)	December 5, 2020	5 waste pickers; 3 males and 2 females
Kep Angkol Coastal Road improvement	Kep Provincial Hall	November 24, 2020	40 participants; 34 males and 6 females
Koh Tonsay Passenger Pier	Kep Provincial Hall	November 26, 2020	19 participants; 13 males and 6 females
All Subprojects	Kep Provincial Hall (resettlement training)	November 24-25, 2020	19 participants; 13 males and 6 females

6.2 Resettlement Training

A resettlement training was conducted at the Kep Provincial Hall on November 24 and 25, 2020 (**Annex 9**). It was participated in by 19 persons (13 males and 6 females), representatives of IRC-WG, PRSC-WG, PMCES, MPWT and local authorities. The training involved basic resettlement principles which would address the negative effects of the resettlement impacts of the projects. This will give participants a holistic view of what social safeguards are all about.

In particular, the difference between physical displacement and economic displacement was discussed as well as partial or total losses. Temporary and permanent resettlement impacts were tackled as well. It was also explained that resettlement impacts are either severe or marginal and this classification determines eligibility and assistance of APs.

6.3 Solid Waste Management Improvements

A focus group discussion was conducted among the waste pickers (WP) in the existing dumpsite that is proposed to be converted into a sanitary landfill (SLF) on December 5, 2020 in response to the concerns of ADB on their conditions and economic future. The following are the results of the FGD:

- 1) There are now 5 WPs from the previous 3 WPs. One WP returned home from Takeo Province while there are an additional 3 new WPs. The WPs are composed of two couples and a single man (3 males and two females).
- 2) The WPs retrieve recyclables 3 times a week with an average of 5 hours per day. Their average daily income is around 30,000 Riels/per day.
- 3) All 5 WPs are doing part-time waste picking because they have other irregular sources of income such as farming, cleaning farms, motor taxi trailer, collecting firewood, etc.
- 4) The on-going construction works does not affect them. In fact, the on-going works facilitate their access to the dumpsite.
- 5) All of them refused to work as material recovery facility (MRF) workers because they don't want to be always away from home.
- 6) They are not sure to accept the job opportunity, during the landfill operation, to work in the MRF because they are not clear about the working schedule, salary, other benefits, etc.

The team pointed out that the type of organization that will manage the operation of the sanitary landfill is not defined, i.e., if it will be a private firm or a department of the Kep Provincial Government. It is difficult to assess what working conditions and salary will be offered to the waste pickers for working as employees in the MRF because these arrangements will be determined by the SLF operator. However, the commitment of MPWT in a letter addressed to Mr. Yashushi Negishi, Country Director of Lao PDR Resident Mission dated December 6, 2019 to provide continuous access to the dumpsite and prioritize the hiring of waste pickers for the construction and/or operation of the SLF is still applicable.

6.4 Koh Tonsay Passenger Pier Improvement

A Public Consultation Meeting (PCM) before DMS for Koh Tonsay Subproject of Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (TIIGP2) was held on 26 November 2020 at 9:15 at Koh Tonsa, Kep village, Sangkat Kep, Kep City of Kep province.

The purpose of the consultation meeting was to provide and disseminate relevant information to the affected families. The following topics were discussed; funding source, institutional arrangement and structures, stages of resettlement planning and implementation, relevant laws on resettlement, basis for computation of compensation, and the establishment of the grievance redress mechanism.

Mr. Seng Hay, Deputy Director of the Department of Resettlement 1 and team leader of the IRC-WG, General Department of Resettlement (GDR) of Ministry of Economy and Finance, informed to AHs to prepare some needed documents during the DMS such as people I.D card, family book and land title... especially AHs must be presented for DMS interview.

In the subsequent open forum, issues raised focus on beach management. In response to the questions above, Mr. Seng Hay, team leader of IRG-WG said his team could not address these concerns because these concerns are under the jurisdiction and authority of Kep town as well as Kep province.

7.0 GRIEVANCE REDRESS MECHANISM

To guarantee that any resettlement-related complaints and grievances of local people on all aspects of the sub-projects will be addressed in a timely and satisfactory manner, a Provincial Grievance Redress Committee (PGRC) will be established within the next reporting period. This will be under training of GDR and operationalized prior to DMS. The concerns and complaints of local people will be resolved through a clear and easy-to-understand process appropriate to local cultures and is easily accessed by all of AHs at no cost and penalty. All minutes of the complaint and arbitration process will be recorded, and a copy will be furnished to the complainant. In the public consultation meetings conducted in June 2020, the proposed GRM was discussed and agreed on by all the meeting participants.

In PMU's letter dated 01 December 2020, the PMU confirmed the following actions in terms of establishing and training the GRM and the conduct of public consultations;

To further strengthen the GRM process, the PMU confirmed the following actions in terms of establishing and training the GRM and the conduct of public consultations:

- 1) A copy of the Project Information Booklet was shared with stakeholders, community members and affected persons at community consultation meetings held on 30 June 2020 to disseminate information for the Kep Coastal Road and Koh Tongsay Pier sub-project.
- 2) The PIB contained all relevant GRM information including the GRM process steps, locations where the PIB and GRM documents can be found and contact numbers of GRM focal persons.
- 3) Training was conducted for Kep GRM members on 25 November 2020 and was attended by 10 GRM members listed in PMU's letter to ADB on 01 December 2020.
- 4) The GRM established its recording system and is functioning properly with GRM ledgers to record all incidents and complaints.
- 5) A GRM information signage was installed in community villages close to the construction sites as well as along the access road.
- 6) The GRM focal point at the PMU level is receiving budget support for this position, however, no budget support is currently being provided to GRM members at the sub-national level.

7.1 Composition of the Provincial Grievance Redress Committee

The Provincial Grievance Redress Committee (PGRC) was established July 7, 2020 by the Provincial Governor of Kep Province and is composed of representatives from the relevant provincial authorities and the Ministry of Economy and Finance (MEF) as shown in **Table 11**:

Table 11: Composition of Provincial Grievance Redress Committee

No.	Name	Position
1	H.E. Som Pisith	Provincial Governor, Chair
2	Mr. Morm Touch	Director, Provincial Department of Public Works and Transport, Vice Chair
3	Mr. Som Chinda	Director, Provincial Department of Tourism, Member
4	Mr. Keo Hong	Director, Provincial Department of Economy and Finance, Member
5	Mr. Soth Puthimanin	Director, Provincial Department of Land Management and Urban Planning Construction and Cadastral Office, PLMUPC, Member
6	Mrs. Tith Sohka	Mayor of Kep City, Member
7	Mrs. Kim Channy	Governor of Damnak Chang'Oeu District, Member
8	Mr. Nop Oun	Chief, Sangkat Kep, Member

No.	Name	Position
9	Mr. Ly Huot	Chief of Pong Teuk Commune
10	Mr. Mei Chi	Chief of Angkol Commune

Letter from Provincial Governor dated 09 July 2020

7.2 Status of Project Grievances

However, a very important land issue arose from the solid waste management improvement project that did not pass through the newly established PGRC but was directly addressed by the key players of the project. The details of the grievance is summarized in the following **Table 12**.

Table 12: Summary of Project Grievances

Ref.	Date of submission of complaint	Issue/Substance	Actions taken	Status as of reporting period	Remarks
1.	July 15, 2020	Landowner of the adjacent lot of the proposed SLF claimed that the proposed project area will overlap his adjoining land by as much as 1.9 ha. In addition, a graveyard was discovered near Cell 4. Abandoning this disputed area will directly affect the proposed Cell 4 and would reduce it by about 28% of the landfill capacity. It will also reduce the life of the SLF from 20 years to only 15 years.	Project Director and Provincial Governor of Kep met with the landowner on July 23, 2020 to resolve the issue. Technical solution to shift away the landfill was adopted to avoid resettlement impacts.	The land of the adjacent landowner will not be affected. Adjustments in the design have been made to avoid the contested land.	SWM

The only subproject in the construction phase during the reporting period is the Kep Landfill Improvement wherein a grievance was raised by the adjacent landowner but was amicably resolved through the joint efforts of the PMU and the Province of Kep. This project did not affect any private property because it is located on Government land assigned to the project or on the ROW of the existing unpaved road to be improved. No grievances of any kind were reported on the GRM logbooks.

The PMCES together with the contractor of the Kep Landfill Improvement conducted monthly monitoring activities in the construction site for any grievance or complaint arising out of the subproject. These are reflected in the monthly progress report of PMCES. As of the reporting period, there were no grievance or complaint received.

During the public consultation in the Koh Tonsay, there were concerns raised but were not resettlement related. These concerns involved beach management which were referred to the local authorities which have jurisdiction over these concerns. There were no resettlement related grievances raised from the two remaining subprojects during the reporting period.

The construction phase of the 2 new subprojects has not started. There are no actual resettlement impacts yet such as damages arising out of physical or economic displacement assets because these subprojects are in the resettlement planning stage and no actual displacement has occurred.

PMCES will continue to monitor on the ground on any damage to assets or livelihood and will be reported in the next monitoring period.

7.2.1 Kep Landfill Improvement

The proposed landfill area which is the property of the Kep provincial government covers 13.3943⁶ ha of public land. The said landfill site in Damnak Chang'aeur Village consists of 9.3016 ha of public land. The sub-project will (i) use available public land for the site (landfill); and (ii) use the current Right of Way (RoW) of the existing road to the dumpsite to provide all-weather access to the landfill and therefore, neither land nor assets of individuals or households will be affected by the sub-project.

On, the Land Management and Urban Planning Department of the Kep Province alerted the MTA and PMCES Site Engineer about a land dispute concerning an adjacent land owner. A meeting to thresh out the land dispute was conducted by the Project Director on July 23, 2020. During the meeting, MPWH represented by the Project Director, the Governor representing Kep Province and the landowner all agreed that the western border of the landfill site will be adjusted within the proposed project area of 13.39 ha., equivalent to the portion of the affected area of the landowner so that the capacity and life of the SLF will not be impaired.

There are still unused portions within the proposed area to reconfigure the actual SLF site of 9.30 ha. A legal dispute concerning the contested area of 1.9 ha will only delay the implementation of the project which MPWH can ill afford. Hence, this amicable settlement between the landowner and the pertinent government agencies.

To compensate for the modification on the western border located in the downstream part of the landfill site, the Kep Government proposed to provide an additional area in the upper part of the landfill site. This replacement area within the proposed area of 13.39ha is smaller and is at a higher elevation.

The technical solution identified by the PMCES Consultant to maintain the capacity and life of the SLF is to move the leachate treatment plant upstream in the hilly part of the landfill area which would mean an additional excavation. This in turn would increase excavation volumes and operation cost because a higher height is required to pump raw leachate from the 49 m of the bottom of cell no. 4 up to 64 m where the treatment plant will now be located. In August 2020 the design of the improved leachate treatment plant that will cover all of the planned four cells was completed.

An additional variation order (CVO-2) will cover the additional cost for increased excavations on the western side which is presently under preparation and expected for completion by 31 December 2020. Another contract variation (CVO-3) to cover the improvement and expansion of the leachate treatment plant (leachate ponds) will be completed by 31 January 2021.

7.2.2 Kep-Angkol Coastal Road improvement

During the field visit to the Kep Coastal road improvements, there were some issues and complaints from structure owners regarding road alignment from km 9+565-km 10+150. These issues and complaints are under study by the design team. No definite decision has been made on the final road alignment. These issues and concerns, while very important for the design team to minimize resettlement impacts, have not matured enough to become grievances. Presently, the concerned structure owners have no cause of grievance yet because there is no final road alignment.

⁶ Updated Resettlement Due Diligence Report, Kep Solid Waste Management improvements, December 2019.

7.2.3 Koh Tonsay Passenger Pier Improvement

As to the Koh Tonsay Passenger Pier improvements, the process of completing the preliminary drawings is on-going. There is no final plan from the pier, walkway and facilities. PCU/MOT has not yet requested the General Department of Resettlement (GDR) to establish the Inter-Ministerial Resettlement Committee (IRC) as pre-requisites in the conduct of the detailed measurement and socio-economic surveys. Stakeholders have no cause of grievance yet during this preliminary stage.

In the reporting period up to December 2020, the only project in construction phase was the Kep Landfill Project that started on 20 May 2020. This project did not affect any private property because it is realized on Government land assigned to the project or on the ROW of and existing unpaved to be improved. No grievances of any kind were reported on the GRM logbooks.

8.0 CONCLUSIONS AND RECOMMENDATIONS

8.1 Conclusions

The MEF is fully compliant with the Loan Covenants. The December 2020 ADB mission reviewed the status of loan covenants with MOT, MPWT and MEF. The Borrower is compliant with 20 loan covenants due; and 6 covenants are not yet due. No covenants require modification, suspension, or waiver. In addition, the MEF and MOT are fully compliant with Financial Covenants.

The EA is fully compliant with implementing the project in accordance with the arrangements specified in the Loan Agreement and in the PAM sections VII Safeguards and VIII Gender and Social Dimensions. Further, MOT and MPWT has provided counterpart funding, office facilities, equipment and established project coordination unit (PCU) and project implementation units (PIU) in Kep and Preah Sihanouk to effectively execute the project. The National Project Steering Committee (NPSC) for oversight of the project has been formally appointed. All procurement undertaken by the project is being executed in compliance with ADB procedures for goods, civil works and consulting services.

During the period July-December, there some delays in the preparation of BRPs for the two new subprojects of Kep Angkol Coastal Road and the Koh Tonsay Pier because the PMCES contract only envisaged a National Resettlement Specialist but no International Expert. To solve this deficiency, a Variation Order was prepared to include the International Resettlement Expert in the PMCES team. While the Leading Company Renardet was selecting and hiring the IRS, ADB provided the consulting services of the specialist Mr. Tran Quy Suu who supported the National Expert for the preparation of the reports of the two BRPs for the above-mentioned subprojects.

Project implementation arrangements have been implemented in accordance with the PAM and these arrangements are functional and satisfactory. MOT and MPWT have established the PCU, infrastructure and tourism PMUs and PIUs. In late December 2020, MOT and PIUs hired external staff to supplement PCU, and PIU government counterpart staff. There are no issues in respect to funding project offices, facilities or utilities.

On 20 April 2020 the PMCES main Contract (PMU/ MPWT/ TIIGP2/C01) was modified by the Variation Order in order to improve the Kep landfill and to include the activities related to the new subprojects included in TIIGP2 as replacement of the cancelled subprojects in Sihanoukville). During the reporting period, the PMCES recruited and mobilized the following experts; International experts (Renardet) (i) water treatment expert (ii) road design engineer (iii) hydraulic engineer (iv) structural engineer (v) maritime works engineer (vi) contracts expert. National experts (SBK); (vii) structural design engineer (viii) electrical engineer (ix) road engineer and (x) architect. Performance of PMCES team leader is considered highly satisfactory and PMCES consultants rated as satisfactory

8.2 Recommendations

This sub-chapter is composed of three parts. The first part consists of pending remedial actions from the previous reporting period required by any or all of the three sub-projects. These are remedial actions recommended from the previous reporting period and includes their status or disposition. The second part of this chapter are remedial actions arising within the reporting period and applicable to all or any specific sub-project where these remedial actions are required. The third

part enumerates tasks and activities that should be undertaken or implemented during the first half of 2021.

8.2.1 Pending Remedial Action from Previous Reporting Period

MPWH/PMCES has not yet received the quarterly monitoring reports from either the DIMDM or GDR for the previous SAMR. The public consultations and resettlement-related activities done by RD2 are not reflected in this report unless such meetings were attended by the National Resettlement Specialist of PMCES.

8.2 Recommended Remedial Actions

The MPWH/PMCES will prepare and submit to MPWT a minor change of project scope to include the new two subprojects under the project financing. To enable ADB to process the minor change, safeguards documents and economic and financial analysis for the new subprojects are required.

The MPWT/PMCES will submit to ADB a note with the maps showing the area free from land acquisition/ resettlement issues for the Kep Coastal Road as well as the Koh Tonsay Pier subprojects. MPWT stated that about 80% of the road sections do not have land acquisition and/or resettlement issues and under the Koh Tonsay subproject, the land acquisition and/or resettlement occurs only under the walkway work, which is a minor component of the subproject. MWPT/PMCES will send the document to ADB by 15 January 2021. This will allow MPWT to start construction works at road sections without land acquisition issues or at sections, where compensations have been fully paid, are allowed without waiting for the completion of compensation payments to all affected households.

MPWT/PMCES will submit another contract variation (CVO-3) to cover the improvement and expansion of the leachate treatment plant (leachate ponds). ADB reminded MPWT that a contract variation with price increase of more than 15% of the original amount will need ADB's approval. However, any changes that will have impact on the social safeguards compliance need to be reported to ADB immediately regardless whether the contract variation has cost implication or not.

8.3 Resettlement Actions Agreed During the Review Missions

An ADB Project Review Mission (Virtual) was conducted from 02-10 December 2020 and the overall project was rated "at risk" as of the date of this mission and will continue to be so until two major contracts (the Kep Coastal Road and Koh Tonsay passenger pier) have been awarded. To further improve project performance, the project team has developed an action plan. A full compliance with the action plan by concerned agencies is critical and ADB will closely monitor the implementation and compliance of the plan.

The action plan recommended to improve project performance includes resettlement related activities and deliverables. The recommended schedule of activities for the sub-projects is summarized in the following **Table 13**.

Table 13: Recommended Resettlement Related Activities

No.	Activity Description	Target Date
	Kep-Angkol Coastal Road Improvement	
1	Conduct consultations prior to DMS	31 January 2021
2	Conduct DMS	10 February 2021
3	Prepare draft DRP	31 March 2021
4	Submit draft DRP to ADB	02 April 2021

No.	Activity Description	Target Date
5	ADB's No Objection to DRP	30 April 2021
6	Budget approval	31 May 2021
7	Compensation paid	31 August 2021
8	Request to ADB for partial handover of cleared project areas	01 May 2021
9	Partial Handover of cleared areas	15 May 2021
10	Complete Handover of land to MPWT	10 September 2021
Koh Tonsay Passenger Pier Improvement		
1	Submit draft DRP to ADB	01 February 2021
2	ADB's No Objection to DRP	28 February 2021
3	Budget approval	31 March 2021
4	Compensation paid	31 July 2021
5	Request to ADB for partial handover of cleared project areas	31 March 2021
6	Partial Handover of cleared areas	15 April 2021
7	Complete Handover of land to MPWT	15 August 2021

Source: Aide Memoire, Project Review Mission (Virtual) 2-10 December 2020 (Intermittent).

Note: ADB = Asian Development Bank, IRC = ..., GDR= General Department of Resettlements, IRC-WG= working group, MEF = Ministry of Economy and Finance, MPWT = Ministry of Public Works and Transport, PMCES = project management and civil engineering support consultant, PRSC-WG = Provincial Resettlement Sub-Committee Working Group

Annex 1: List of References

1. Safeguard Policy Statement, Asian Development Bank, June 2009.
2. Involuntary Resettlement Safeguards, A Planning and Implementation Good Practice Sourcebook – Draft Working Document, Asian Development Bank, March 2011.
3. Report and Recommendation of the President to the Board of Directors, Proposed Loan and Grant: Kingdom of Cambodia and Lao People's Democratic Republic: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project, July, 2018.
4. Project Administration Manual, Kingdom of Cambodia: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project, 24 May, 2018.
5. Resettlement Plan, Seaside Access and Environmental Improvements, Kingdom of Cambodia: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project, January 2018.
6. Resettlement Due Diligence Report, Kep Solid Waste Management Improvements, Kingdom of Cambodia: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project, December, 2019.
7. Final Report, (TA 9090 REG) Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth – Preparing the Second GMS Tourism Infrastructure for Inclusive Growth Project, June 2018.
8. Standard Operating Procedures for Externally Financed Projects in Cambodia, Land Acquisition and Involuntary Resettlement, Royal Government of Cambodia, 2018.
9. Environmental Management Plan, Detailed Design, Kep Solid Waste Management Improvements, Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth, May 2020.
10. Initial Environmental Examination, Kep Solid Waste Management Improvements, Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth, May 2020.
11. Basic Design Report, Kep Coastal Road, Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth, Project Management for Civil Engineering Support (PMCES) February 2020.
12. Basic Design Report, Koh Tonsay Pier, Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth, Project Management for Civil Engineering Support (PMCES) February 2020.
13. Aide Memoire, Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project. Project Review Mission (Virtual) 02-10 December 2020).
14. Quarterly Progress Report (3rd & 4th Quarters) Project Management and Civil Engineering Support (PMCES).
15. Monthly Progress Report (January to June 2020), Project Management and Civil Engineering Support (PMCES).

Annex 2: Designation of Cut-Off date for Kep Coastal Road Subproject

Kingdom of Cambodia Nation Religion King

Ministry of Public Works and
Transport (MPWT)
N°: 3726

Date: 26 October 2020

Attention to H.E Governor of Kep Provincial Board of Governors

Subject: Request for setting up Cut-Off Date on June 30, 2020 for entitlement for compensation for the affected land and assets by Kep Coastal Road Subproject of Second Greater Mekong Subregion (GMS) Tourism Infrastructure for Inclusive Growth Project.

Ref: Reference to Loan No. 3701-CAM (COL) dated on October 24, 2018 between the Royal Government of Cambodia and Asian Development Bank.

As stated in the subject and reference above I would like to inform His Excellency Governor that Project Technical Consultant in collaboration with the Kep Project Implementation Unit (PIU) held public consultation meeting on June 30, 2020 for preparation of the Basic Resettlement Plan (BRP) for Kep Coastal Road Development subproject. This is one of the ADB's requirements, as well as of the General Department of Resettlement (GDR) of the Ministry of Economy and Finance, in order to approve the project in accordance with the relevant policies and documentation for involuntary resettlement.

The public consultation meetings with potential affected households, local authorities and stakeholders were held on June 30, 2020 at the Sangkat Kep, Kep city and Angkol commune center of Damnak Chang' Oeu district. The said date was announced and concurred as the Cut-Off-Date (COD) which defines the limit for the entitlement for compensation from the Project. Therefore, the COD is duly concurred as **June 30, 2020** for the entitlement of compensation for the project.

The main scopes of the COD in the ADB Safeguards Policy Statement (2009) are to: (a) prevent influx of population in the project area, (b) prevent illegal encroachment of public land, (c) fix the assets falling within the Right-of-Way (ROW) to be legally compensated by the project, and (d) inform local residents and Provincial Authorities of keeping ROW clear of obstructions.

It has been clearly explained to the affected structure owners, landowners and the Provincial Authorities that any new or additional improvements built or introduced, or trees and new areas with crops planted within the project's ROW shall no longer be compensated for by the project after COD. The Ministry of Public Works and Transport urges officials of Kep town to ensure strict compliance with the established cut-off date. Then a close coordination within the town will be undertaken for the monitored and controlled issuance of new building and land use permits within the vicinity of the project.

However, no demolition activities shall be carried out by the provincial authorities during the planning phase, including the relocation, clearing or restriction of existing land use by the affected households until further guidance by the Ministry of Public Works and Transport after detailed measurement survey for resettlement plan has been approved by the General Department of resettlement (GDR) of the Ministry of Economy and Finance (MEF) and the Asian Development Bank (ADB).

The Social Policy Statement 2009 refers to the date when people will not be entitled to compensation or assistance according to the following: those who occupy or use the project area before the definition COD date would have the right to be considered as affected household and are entitled to compensation or other assistance. The households who are not included in the Inventory of Loss (IOL) are not entitled to compensation and other rights unless they can present specific evidence of the following cases:

(1) If they have been accidentally missed during the IOL; (2) if they have other assets that are legally affected after the IOL is completed and before the detailed measurement survey (DMS) has been conducted.

Finally, a copy of this resolution should be furnished to Provincial, District and Sangkat offices, as well as to the ADB and the PMIS, for their information and appropriate action.

As mentioned above, His Excellency the Governor, please review and decide with favor.

Sincerely yours

For Minister of Public Works and Transports

Secretary of State

Seal

Suy San

CC:

- Project Implementation Unit (PIU)
- Local Authorities at the Project area
- Municipal of Kep Province
- Provincial Council "to be Informed"
- Record-Achieve/ Chronological

Unofficial translation

Annex 3: Designation of Cut-Off Date for Koh Tunsay Subproject

**Kingdom of Cambodia
Nation Religion King**

**Ministry of Public Works and
Transport (MPWT)
N°: 3726**

Date: 26 October 2020

**Attention to
H.E Governor of Kep Provincial Board of Governors**

Subject: Request for setting up Cut-Off Date on May 29, 2020 for entitlement for compensation for the affected land and assets by Koh Tunsay Subproject of Second Greater Mekong Subregion (GMS) Tourism Infrastructure for Inclusive Growth Project.

Ref: Reference to Loan No. 3701-CAM (COL) dated on October 24, 2018 between the Royal Government of Cambodia and Asian Development Bank.

As stated in the subject and reference above I would like to inform His Excellency Governor that Project Technical Consultant in collaboration with the Kep Project Implementation Unit (PIU) held public consultation meeting on May 29, 2020 for preparation of the Basic Resettlement Plan (BRP) for Koh Tunsay subproject. This is one of the ADB's requirements, as well as of the General Department of Resettlement (GDR) of the Ministry of Economy and Finance, in order to approve the project in accordance with the relevant policies and documentation for involuntary resettlement.

The public consultation meetings with potential affected households, local authorities and stakeholders were held on May 29, 2020 at Koh Tunsay Community, Sangkat Kep, Kep city. The said date was announced and concurred as the Cut-Off-Date (COD) which defines the limit for the entitlement for compensation from the Project. Therefore, the COD is duly concurred as **May 29, 2020** for the entitlement of compensation for the project.

The main scopes of the COD in the ADB Safeguards Policy Statement (2009) are to: (a) prevent influx of population in the project area, (b) prevent illegal encroachment of public land, (c) fix the assets falling within the Right-of-Way (ROW) to be legally compensated by the project, and (d) inform local residents and Provincial Authorities of keeping ROW clear of obstructions.

It has been clearly explained to the affected structure owners, landowners and the Provincial Authorities that any new or additional improvements built or introduced, or trees and new areas with crops planted within the project's ROW shall no longer be compensated for by the project after COD. The Ministry of Public Works and Transport urges officials of Kep town to ensure strict compliance with the established cut-off date. Then a close coordination within the town will be undertaken for the monitored and controlled issuance of new building and land use permits within the vicinity of the project.

However, no demolition activities shall be carried out by the provincial authorities during the planning phase, including the relocation, clearing or restriction of existing land use by the affected households until further guidance by the Ministry of Public Works and Transport after detailed measurement survey for resettlement plan has been approved by the General Department of resettlement (GDR) of the Ministry of Economy and Finance (MEF) and the Asian Development Bank (ADB).

The Social Policy Statement 2009 refers to the date when people will not be entitled to compensation or assistance according to the following: those who occupy or use the project area before the definition COD date would have the right to be considered as affected household and are entitled to compensation or other assistance. The households who are not included in the Inventory of Loss (IOL) are not entitled to compensation and other rights unless they can present specific evidence of the following cases:

(1) If they have been accidentally missed during the IOL; (2) if they have other assets that are legally affected after the IOL is completed and before the detailed measurement survey (DMS) has been conducted.

Finally, a copy of this resolution should be furnished to Provincial, District and Sangkat offices, as well as to the ADB and the PMIS, for their information and appropriate action.

As mentioned above, His Excellency the Governor, please review and decide with favor.

Sincerely yours

For Minister of Public Works and Transports

Secretary of State

Seal

Suy San

CC:

- Project Implementation Unit (PIU)
- Local Authorities at the Project area
- Municipal of Kep Province
- Provincial Council "to be Informed"
- Record-Achieve/ Chronological

Unofficial translation

Annex 4: Confirmation Letter of an Operational GRM



KINGDOM OF CAMBODIA
Nation Religion King
ព្រះរាជាណាចក្រកម្ពុជា

Ministry of Public Works and Transport

No.: ៥៥៥/PMUM/PWT/TIGP/20

01 December 2020

Mr. Vijay Padmanabhan

Director

Urban Development and Water Division

Southeast Asia Department

Asian Development Bank

6 ADB Avenue, Mandaluyong City 1550 Metro, Manila, Philippines

Email: vpadmanabhan@adb.org

**Subject: ADB Loan 3701-CAM (COL): Second Greater Mekong Subregion (GMS) Tourism Infrastructure for Inclusive Growth Project
- Response to ADB letter on 17 November 2020 – Immediate Confirmation of an Operational Grievance Redress Mechanism**

Dear Mr. Vijay Padmanabhan,

We thank you for your above-mentioned letter. We confirm that the GRM has been established and is operation.

The list of GRM members is as follows. The Executing Agency's Project Management Unit (PMU) focal person for GRM is Mr. Chhum Sak, Project Manager.

List of GRM members:

No.	Name	Position
1	H.E. Som Pith	Provincial Governor, Chair
2	Mr. Morn Touch	Director, Provincial Department of Public Work and Transport, Vice Chair
3	Mr. Som Chinda	Director, Provincial Department of Tourism, Member
4	Mr. Keo Hong	Director, Provincial Department of Economic and Finance, Member
5	Mr. Soth Puthimatin	Director, Provincial Department of Land Management and Urban Planning Construction and Cadastral Office, PMU/PC, Member
6	Mrs. Tith Sakka	Mayor of Kep City, Member
7	Mrs. Kim Chaney	Governor of Banrak Chang'oea District, Member
8	Mr. Nop-Dun	Chief, Sangkat Kep, Member
9	Mr. Ly Huot	Chief of Pong Teuk commune
10	Mr. Meï Chi	Chief of Angkol commune

A copy of the letter from Provincial Governor dated 09 July 2020 in this regard is attached in Attachment #6.

The following documents are attached as evidence confirming GRM is operational at the project site:

- (i) Copy of the Project Information Booklet that has the GRM steps explained and GRM focal point contact numbers, is attached in Attachment #1.
- (ii) We confirm that the Project Information Booklet has been distributed to all affected households and is available at village halls. The evidence of the distribution and attendance list is attached in Attachment #2.

- (iii) We confirm that a training was conducted for GRM members. The attendance sheets that include dates, venues, and participants are attached in Attachment #3, as evidence of the training.
- (iv) We confirm that consultation and verbal dissemination of the GRM process with affected households and public was undertaken. Evidence of such consultation is attached as Public Consultation Report in Attachment #2, that includes presentation materials, and attendance sheets.
- (v) We confirm that signages were installed within the community and near construction sites with clear indication of first point of contact. Evidence of such signages is attached in in Attachment #4, that includes photos.
- (vi) We confirm that a record keeping system is established and functioning. Evidence of such record keeping is attached in in Attachment #5, that includes copy of grievance ledgers.
- (vii) We confirm that the focal person for GMR at executing agency level is receiving budget support from PMU as executive agency, but there is no budget provision for GRM members at sub-national level since they are government civil servant and they are using the existing government structure and own budget.

It will be ensured that complaints and resolutions are indicated in periodic (quarterly or semi-annual) monitoring reports and that these reports also confirm that the GRM focal points continue functioning in their role.

Your sincerely,



Vong Pisith,
Project Director
Ministry of Public Works and Transport

Enclosed:

- Attachment #1: Project Information Booklet and GRM focal point contact numbers
- Attachment #2: Public Consultation Report as well as the Evidence of distribution of Project Information Booklet and attendance list
- Attachment #3: Attendance sheet of GRM Training
- Attachment #4: GRM Signboard Photos
- Attachment #5: Copy of grievance ledgers
- Attachment #6: Copy of the letter from Provincial Governor dated 09 July 2020

Cc:

- Country Director, Cambodia Resident Mission
- H.E. Sok Sokun, Deputy Director General of Tourism Development and International Cooperation/Project Manager, Ministry of Tourism.

Annex 5: Samples of GRC Forms

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

សេចក្តីណែនាំចុះបញ្ជីបណ្តឹង

ឈ្មោះគម្រោង៖ _____
ទីតាំងគម្រោង៖ _____

ឆ្នាំ ២០.....
ពីលេខ _____ ដល់លេខ _____
ពីថ្ងៃទី _____ ដល់ថ្ងៃទី _____
សៀវភៅលេខ _____

លេខសំណុំរឿង	ឈ្មោះគម្រោង	កម្មវិធី/ប្រភេទ	ឈ្មោះបណ្តឹង (ខ្មែរ/អង់គ្លេស)	កាលបរិច្ឆេទប្រតិបត្តិការបណ្តឹង	កាលបរិច្ឆេទស្រាវជ្រាវ (បើមាន)	កាលបរិច្ឆេទស្រាវជ្រាវបណ្តឹង	កាលបរិច្ឆេទស្រាវជ្រាវស្រុក (ករណីស្នើសុំស្រាវជ្រាវស្រុក)	កាលបរិច្ឆេទស្រាវជ្រាវស្រុក (ករណីស្នើសុំស្រាវជ្រាវស្រុក)
១	២	៣	៤	៥	៦	៧	៨	៩

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

សំណុំរឿងលេខ: _____ លេខ: **004151**

បញ្ជាក់ដៃទទួលពាក្យបណ្តឹង

ឈ្មោះតម្រាង: _____
 ឈ្មោះដើមបណ្តឹង: _____ អក្សរខ្ចាតាំង: _____ ភេទ: _____
 ជនជាតិ: _____ សញ្ជាតិ: _____ ថ្ងៃខែឆ្នាំកំណើត: _____ លេខទូរស័ព្ទ: _____
 អាសយដ្ឋានបច្ចុប្បន្ន: _____
 កាលបរិច្ឆេទដាក់ពាក្យបណ្តឹង: _____
 កម្មវត្ថុនៃបណ្តឹង: _____

ថ្ងៃ.....ខែ.....ឆ្នាំ..... ព.ស.....
 ថ្ងៃទី..... ខែ..... ឆ្នាំ.....
អ្នកទទួល
ឈ្មោះ និងហត្ថលេខា

សេចក្តីបញ្ជាក់បណ្តឹងដាក់ពាក្យបណ្តឹង

ទម្រង់បណ្តឹង

ឈ្មោះ: _____

កាលបរិច្ឆេទបណ្តឹង			លេខបញ្ជី (បើមាន): _____
ឈ្មោះបណ្តឹង:	ឈ្មោះគ្រប់គ្រង:	ភេទ:	ថ្ងៃខែឆ្នាំកំណើត:
អង្គការ/ស្ថាប័ន/ស្ថាប័ន			
អាសយដ្ឋានបច្ចុប្បន្ន			
អាសយដ្ឋានបណ្តឹង			
លេខទូរស័ព្ទ			
លេខទូរស័ព្ទ			
លេខទូរស័ព្ទ			

ថ្ងៃ _____ ខែ _____ ឆ្នាំ _____
 ឈ្មោះ និងហត្ថលេខា

ក្រុមហ៊ុន ភូមិសាស្ត្រ
ភីអិលស៊ី ភូមិសាស្ត្រ

ឈ្មោះ: _____
អាសយដ្ឋាន: _____
លេខ: _____

លិខិតអនុញ្ញាត

យុទ្ធសាស្ត្រ: _____
អាសយដ្ឋាន: _____
សិទ្ធិស្រាវជ្រាវ: _____ រយៈពេល: _____ ថ្ងៃ
ស្រុក/ខេត្ត: _____
ស្រុក: _____

សំណើប្រើប្រាស់: _____ លេខ: _____ ថ្ងៃ ខែ ឆ្នាំ
ស្រុក: _____ ខេត្ត: _____

ឈ្មោះ: _____
អាសយដ្ឋាន: _____
លេខ: _____

លិខិតអនុញ្ញាត

ឈ្មោះ: _____
អាសយដ្ឋាន: _____
លេខ: _____

២) ទិញដីសម្រាប់ប្រើប្រាស់សម្រាប់ប្រតិបត្តិការងារ

ក្រុមហ៊ុន ភូមិសាស្ត្រ
ភីអិលស៊ី ភូមិសាស្ត្រ

សំណុំរៀបរយ: _____ លេខ: _____

បញ្ជីឈ្មោះប្រតិបត្តិការងារ

ឈ្មោះ: _____
ឈ្មោះ: _____ អក្សរតូច: _____ ភេទ: _____
ឈ្មោះ: _____ លក្ខណៈ: _____ ថ្ងៃខែឆ្នាំកំណើត: _____ លេខទូរស័ព្ទ: _____
អាសយដ្ឋានបច្ចុប្បន្ន: _____
កាលបរិច្ឆេទបញ្ជី: _____
កម្មវិធីប្រតិបត្តិការ: _____

ថ្ងៃ: _____ ខែ: _____ ឆ្នាំ: _____ ឆ. ម.
ថ្ងៃ: _____ ខែ: _____ ឆ្នាំ: _____

អ្នកទទួល
ឈ្មោះ: _____

៣) បញ្ជីឈ្មោះប្រតិបត្តិការងារ

Annex 6: Photograph of 5 Waste Pickers in the Existing Kep Dumpsite



Photograph 1: 5 waste pickers in the Kep Dumpsite taken on December 5, 2020.

Annex 7: Photographs of Sub-projects



Photograph 2: Earthworks on Cell 1 of SWM Improvements



Photograph 3: Backfilling in Cell 2 of SWM Improvements



Photograph 4: Access road works in SWM Improvements



Photograph 5: Traffic detour in access road SWM Improvements

Annex 8: Photographs of Kick-off Meeting



Annex 9 Photographs of PGRC Training



Annex 10: Photographs of Public Consultation

