

### **3. 建築申請の法律、1997**

**Kingdom of Cambodia  
Nation Religion King**

Royal Government  
of Cambodia  
No. 68 HNK.BK

**Sub-decree  
for  
Permission Letter for Construction**

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**Royal Government**

- According to Constitutions of Kingdom of Cambodia 1993
- According to Royal Decree dated 24 September 1993 for nominating the first Prime Minister and the second Prime Minister.
- According to Royal Decree Royal dated 01 November 1993 for nominating the Government of Cambodia.
- According to Royal Decree SH/ RKT 1094/ 83 dated 24 October 1994 for reforming the composition of the Royal Government.
- According to Royal Decree SH/ RKT 1094/ 90 dated 31 October 1994 for reforming the composition of the Royal Government.
- According to Royal Promulgated Law 02/SN/94 dated 20 July 1994, which announced for using law on arrangement and execution of Council of Ministers.
- According to Royal Decree CHS/ RKT 0897/ 147 dated 7 August 1997 for reforming the composition of the Royal Government.
- According to Royal Promulgated Law No. 04 SN 94 dated 10 August 1994 for Land Management, Urban Planning and Construction.
- According to the request from Senior Minister in charge of Culture and Art, Land Management, Urban Planning and Construction.
- Approval from the Council of Ministers during the Full Contingent Meeting dated 07 November 1997.

**Decision**

**Article 1:** All legal individuals, public or private have the right to construct buildings on the land belong to him/her and that right is protected by this Sub-decree. Letter for permission of construction, which has been issued before constructing is the legal document of buildings. The process for applying for the permission letter for construction is described in the first part of this Sub-decree.

In order that people, particularly the poor, have habitation, all the small-scale buildings made of timber or wooden leaves are not required to apply for the permission letter in accordance with regulation in article 3 of this Sub-decree.

To maintain the quality of buildings and safety of public and to protect the necessary public land to ensure the proper execution of urban and agricultural

## Unofficial Translation

management, general regulation of construction specifies the right and the duty of people and public agency in constructing public and private buildings.

All legal procedures in according with the regulations in part 2 of this Sub-decree will be obtained the permission letter.

These regulations must be applied when land titles and reference plan approved by the Royal Government are not available yet.

To be applicable in accordance with the situation of the community within the regulations of construction defined in the plan of province or city for using land.

This Sub-decree cannot be applied for existing buildings having permission.

For existing building, which has no permission and strongly affect the advantages or esthetics of the public, dismantling, under request from relevant authority, must be decided by the Royal Government or the Representative who has obtained the delegated right.

### **Part 1**

#### **Permission Letter for construction and Permission Letter for Dismantling**

#### **Chapter 1**

#### **Duty of Permission Letter for Construction**

**Article 2:** The buildings that required permission letting before constructing:

- Building inside the city and populous area must have permission letter.
- All new construction buildings must have permission letter.
- Reconstructing, Expanding and additional construction on the existing buildings must also have the permission letter.
- Transforming the existing buildings must have permission letter, if those transformations are:
  - Buildings usage
  - Aspects of buildings
  - Installing toilets and Sewerage
  - Connecting waste water reservoir to Sewage System
  - Increasing the basement area of buildings
  - Place for welcoming the public
  - Land formation ( Land backfilling, Land excavating, Replacing farm land for construction land) or strongly affecting the view of any place such as eliminating lakes or canals or any part of the drainage system by backfilling, etc.

Constructing or transforming any buildings that might cause fire accident ( Installing oil container, warehouses containing flammable materials and places for welcoming public), etc, transforming industrial buildings, installing advertisement boards, installing TV antennas, or telecommunication antennas, sunlight-energy-absorbed equipments as well as other equipment installed in the buildings and are close to the roads or installing in the direction that can be seen the municipality, provincial city hall will be given other orders.

## Unofficial Translation

### **Article 3:** Buildings for which the permission letter is not required

- Buildings which are the habitation of people located in rural areas or far away from national roads, railways, tourism areas, heritage areas and protected areas whose dimension is not determined or construction materials.
- Repairs and Maintenances where the shapes or views are not changed, unless those activities affect neighborhood.

For the following buildings, only notification of construction project to local authority is required:

- Cremation building
- Public Guest Houses
- National art places for public

### **Chapter 2**

#### **Authority who is responsible for issuing the Permission Letter**

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### **Chapter 3**

#### **Investigation on Issuance of Permission Letter for Construction**

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### **Chapter 4**

#### **Procedure after getting Permission Letter for Construction**

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### **Chapter 5**

#### **Permission Letter for Dismantling**

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### **Chapter 6**

#### **Violation and Lawsuit**

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...

## **Part II**

### **General Regulation on Land Use**

**Article 26:** This general regulation on land use must be applied for the whole Royal Government of Cambodia and require all people to obey and comply in according with permission letter for construction when the land titles and reference plan are unavailable.

**Chapter 1**  
**Categorization of Places and Access Roads to the Buildings**

**Article 30: Positioning the buildings along public roads**

**30.1:** Positioning buildings along the National Roads and Dam Roads around the city, the governor or government delegation to provincial city halls and municipality of Phnom Penh must determine, with approval from land-management-urban-planning-and-buildings committee, the public land and the right of way of the primary roads, which concern with urban management and urban planning.

Permission letters for construction must not be issued for the construction in the above-mentioned areas.

**30.2:** Positioning buildings along the public roads in urban.  
Buildings must be positioned on the straightened line of public roads or at least 4 m ( to be verified with the original since the copy is not clear at this point) backward from the straightened line of public roads. Buildings can be positioned on straightened line of entrance roads.

The governor or government delegation to provincial city halls and municipality of Phnom Penh must determine the straightened lines of public roads and a space on a plan, which is called plan of straightened line. This straightened line plan must be approved by land-management-urban-planning-and-buildings committee for the cities, in which there are at least 20 000 people. Those plans must be published in public.

#### 4. 住民強制排除の新聞記事、2005

## 新聞記事

フンセン首相や内務省は地方政府に対して、地方政府・移転住民双方が合意できる解決策をとる事を指示していたのにもかかわらず、業を煮やした地方政府は道路拡張のための 住居の強制排除に踏み切った。

TUESDAY, FEBRUARY 8, 2005

The CAMBODIA DAILY

### NATIONAL

## Pailin Homes Bulldozed Despite Gov't Orders

By PIN SISOVANN  
THE CAMBODIA DAILY

A three-year-old land dispute between residents and authorities in Pailin municipality's Sala Krau district ended Saturday with soldiers bulldozing 48 homes to make room for a road expansion project, rights workers and witnesses said Sunday.

"The district authorities ordered soldiers to destroy people's property to enlarge a road," said San Chan Chea, the Pailin representative for rights group Adhoc.

Following a complaint filed by residents at both the Interior Ministry and the office of Prime Minister Hun Sen in 2002, Pailin authorities were ordered to find a mutually acceptable solution, San Chan Chea said.

Pailin police Commissioner Ley Chan Chhey said the properties demolished were not houses but kiosks belonging to vendors. He

said the owners had been asked to move more than one month ago but had refused to cooperate.

Ley Chan Chhey also said that the expanded road would provide access to a new village created by Pailin Governor Y Chhean to provide housing for 500 families.

"The authorities displace people arbitrarily and disrespected Hun Sen and the Interior Ministry's

orders," said Heng Ty, a spokesman for the residents.

Heng Ty also accused the governor of reneging on a promise he made prior to the last commune election to allow residents to relocate near his own land.

Y Chhean could not be reached for comment Monday. Ley Chan Chhey denied that Y Chhean ever made the promise.

## 5. 3号線のDMS関係資料



打合せメモ

議題： 韓国道路プロジェクトの環境社会配慮状況

日時： 2005 年 2 月 1 日

場所： Public Work Research Center, MPWT

出席者： Mr. Kem Borey, Deputy Project Director of PIU/RN3, PIU/RN48, PIU/RN67,  
Focus Point of SCMST Cambodia、庄司

打合せ内容

（ Mr. Kem Borey ）

- ・ 2003 年 5 月に始まった韓国道路プロジェクトを担当した。
- ・ 環境社会配慮について何ら条件は付されなかった。
- ・ 20 世帯弱が現在も補償について不平を述べている。
- ・ DMS に携わった Mr. M. Seng が明朝 DMS 関係の資料を調査団に貸す。一読しもし疑問点があればお答えできる。
- ・ 本プロジェクトの当時の IRC 担当者は Mr. Lim Sambo （現在 Director PWT of Kampot Province ）である。必要であれば彼を紹介する。

（ 2 月 2 日入手資料 ）

- ・ 当プロジェクト用補償単価リスト
- ・ 補償費合計一覧
- ・ 戸別補償費表
- ・ 苦情申し立て者および苦情内容一覧表

2 February 2005

3号 4号

គំរោងស្តារកំណត់ដូចជាតិលេខ៣

(ឱ្យមេធាវីកតត្រូវការ)

Kampot - Trapaing Ropon

តារាងរាយឈ្មោះទ្រព្យសម្បត្តិដែលប៉ះពាល់

លេខរៀង	ទ្រព្យសម្បត្តិដែលប៉ះពាល់	តម្លៃ \$ / ឯកតា	ផ្សេងៗ
1	ជញ្ជាំងស្បូវ ឬស្លឹក រោបឬស្បូវ ដំបូលស្បូវ ឬស្លឹក	4.50\$/m <sup>2</sup>	
2	Wooden wall / wooden floor ជញ្ជាំងក្តារ ក្រាលក្តារ ដំបូលស្បូវ ឬ ក្រឡឹង ឬ ក្រឡឹង	12.00\$/m <sup>2</sup>	
3	Brick wall or concrete wall ជញ្ជាំងឥដ្ឋ ឬបេតុង ពីដានបេតុង - ceiling (concrete)	85.00\$/m <sup>2</sup>	
4	ជួរថ្មលើក្រោម 2 stories	140.00\$/m <sup>2</sup>	
5	ជួរថ្ម (E <sub>0</sub> , E <sub>1</sub> , E <sub>2</sub> ) 3 stories	140+70\$/m <sup>2</sup>	
6	របងឈើ ឬ ថ្ម ស្លឹក ទ្រព្យ 7x2	0.75\$/m	
7	របងថ្ម បេតុង concrete fence	4.86\$/m	
8	រានហាល Bench / bed outside	40% នៃសំណង់	
9	បង្អួចថ្ម concrete tablet	150\$	
10	អាងទឹក Water Basin	12.00\$/m <sup>2</sup>	
11	អណ្តូងជីក Open well	50\$	
12	អណ្តូងស្នប់ pump well	75\$	
13	សំយ៉ាបស្លឹក roof (wood) u/L		
14	សំយ៉ាបស្បូវ roof (Zinc) u/L		
	ជណ្តើរថ្ម 2-71-1 ក្រដាស	4.50\$/m <sup>2</sup>	
	ដីស្រែ ក្រដាស (4x6m)	0.50\$/m <sup>2</sup>	ដីកម្មសិទ្ធិ
	ដីកម្ម ឱ្យមេធាវី ប្រភេទ ១ Village Land 1		ដីកម្មសិទ្ធិ
	ដីកម្ម ឱ្យមេធាវី ប្រភេទ ២ 2		ដីកម្មសិទ្ធិ
	ដីកម្ម ឱ្យមេធាវី ប្រភេទ ៣ 3		ដីកម្មសិទ្ធិ
	ដីកម្ម ឱ្យមេធាវី តំលៃមធ្យម 4		ដីកម្មសិទ្ធិ

## តារាងលេខ ២

**សង្គមជនបទកម្ពុជា អំណាចផ្ទះសង្ឃ្រួច និងប្រកបរបរកសិករ ដើម្បីជួយដល់ការអភិវឌ្ឍន៍កសិកម្ម (ឱ្យមានកសិករកសិករ)**

Affected properties

Estimated Result of Compensation for PAP's NR No. 3 (Kampot-Trapang Ropaou)

~~Total Others~~

ប្រភេទការងារ	ប្រាក់កំណត់	ប្រាក់កំណត់	ប្រាក់កំណត់	ប្រាក់កំណត់	ប្រាក់កំណត់	សរុប	ផ្សេងៗ
ប្រាក់កំណត់សរុប	109	117	32	47	36	341	
ប្រាក់កំណត់សរុប	11	77	20	27	19	154	
ប្រាក់កំណត់សរុប	98	40	12	20	17	187	
ប្រាក់កំណត់សរុប	913.80	9,845.00	0.00	0.00	0.00	10,758.80	
ប្រាក់កំណត់សរុប	0.00	10,568.00	0.00	0.00	0.00	10,568.00	
ប្រាក់កំណត់សរុប	6,924.24	64,097.70	1,141.66	984.01	1,732.65	74,880.26	
ប្រាក់កំណត់សរុប	0.00	75.00	0.00	50.00	150.00	275.00	
ប្រាក់កំណត់សរុប	398.52	1,386.36	680.44	741.28	74.25	3,280.85	
ប្រាក់កំណត់សរុប	0.00	0.00	0.00	0.00	0.00	0.00	57ស្តង់
ប្រាក់កំណត់សរុប	0.00	2,625.40	0.00	0.00	0.00	2,625.40	
ប្រាក់កំណត់សរុប							
ប្រាក់កំណត់សរុប	400.00	2,280.00	440.00	360.00	600.00	4,080.00	
ប្រាក់កំណត់សរុប	100.00	80.00	80.00	20.00	0.00	280.00	
ប្រាក់កំណត់សរុប	100.00	1,120.00	200.00	120.00	160.00	1,600.00	
ប្រាក់កំណត់សរុប							
ប្រាក់កំណត់សរុប	7,822.76	71,664.46	2,542.10	2,275.29	2,716.90	87,021.51	

**ផែនការសិក្សា**៖ ផលប៉ះពាល់ខាងលើមិនទាន់គិតបញ្ចូល ៖

ថ្ងៃទី ខែ ឆ្នាំ២០០៣

រង់-តូបក្នុងផ្សារសាមគ្គីខេត្តកំពតចំនួន៥៧ដីធ្លី សំណង់ សំនៅឋាន  
បុរាណលម្អង់មួយភាគ៥ ក្នុងផ្លូវជាមួយផ្សារ ក្រុងកំពង់ឆ្នាយ ដីកម្មសិទ្ធិ ស្ថិតលើផ្លូវថ្មី ភ្នំ, ភូមិយំប្រេង, សំយាបស័ង្កសី, សំយាបស្លឹក.រោងលក់ដូរ.តូបលក់ដូរតូចៗ  
ទឹកក្រៀមក្រៅបច្ចេកវិទ្យា

**ප්‍රකාශනවලින්**

ក្រុមប្រឹក្សាភិបាល

គណៈកម្មការអន្តរាគ្គន្តរដ្ឋបាលស្រុកស្រែចម្ការ ខេត្តកំពង់ចាម

គំរោងស្ថាបនាផ្លូវជាតិលេខ៣(ឆ្នាំ២០០៣-២០០៤)

Kampong Thom

List of PAPs who do not sign on contract agreement

បញ្ជីនាមប្រជាពលរដ្ឋដែលមិនបានចុះកិច្ចសន្យាលើការងារសាងសង់ផ្លូវជាតិលេខ៣

ល.រ	ឈ្មោះ Name of PAP	លេខទីតាំង (PK)	Affected property building				ប្រជាពលរដ្ឋ Request from PAPs US\$	ផ្សេងៗ
			ដីក្រអូប m <sup>2</sup>	ដីស្រែ m <sup>2</sup>	សំណង់ ប្រភេទ	ទំហំ m <sup>2</sup>	ត្រូវបានផ្តល់ប្រាក់ឧបត្ថម្ភ Compensation to be US\$ provided	
	១-ឃុំកំពង់ឆ្នាំង		Village land	Rice field	Type	5.22		public land and house → Forward the
1	ម៉ឺន ម៉ឺន *****	00+779 **			2	65.80	2,000.00	8,000.00 តាមការស្នើសុំ (ដីសាធារណៈ) និងផ្ទះ ប្រគល់ជូនខេត្តស្រែចម្ការ provincial
	២-ឃុំអណ្តូងខ្មែរ (ថ្មីវាំង)							
1	សុខ ម៉ឺនសាវា **	01+220 *		735			2,205.00	3,675.00 ដីស្រែ តែតាមការស្នើសុំដីស្រែក្រអូប rice field, but request for the same price as Village Land.
2	ភូមិ កែវ *****	01+522 **	641		2	53.58	4,387.96	25,000.00
3	យ៉ែន យ៉ាង *****	01+527 *	428		2	56.16	2,893.92	11,000.00 we compensate only for setting back
4	យ៉ែន យ៉ាង *****	01+532 *	84		2	7.02	2,000.00	យើងកំប៉ង់ផ្ទៃដីក្រអូបកំណែសម និងការខូចខាត តែគេមិនព្រម
5	ស៊ី ឈីន *****	01+560 *	345		2	73.08	3,030.96	25,000.00
6	ស៊ី ឈីន *****	01+571 *	25		2	25	1,000.00	4,000.00 យើងកំប៉ង់ផ្ទៃដីក្រអូបកំណែសម និងការខូចខាត តែគេមិនព្រម =
7	ខាត ស៊ី *****	01+600 *	231		2	102.07	2,644.89	15,000.00
8	ថូច លាង *****	01+617 **	428		4	72.93	27,414.00	50,000.00
9	ស៊ី ឈីន *****	01+637 *			2	22.50	1,000.00	12,000.00 យើងកំប៉ង់ផ្ទៃដីក្រអូបកំណែសម និងការខូចខាត តែគេមិនព្រម =
	សរុប		2182	2761			54,654.73	170,000.00

ខេត្តកំពង់ ថ្ងៃទី ១៥ ខែកញ្ញា ឆ្នាំ២០០៤

ប្រធានក្រុមការងារ

付属資料5

4 / 4 ページ

រៀន ប្រឹក្សា

6. Resettlement Brochure for ADB C-2 Section, NR-1, 2000

ពេលវេលាជាក់លាក់សំរាប់ដំណើរការសាងសង់កំណត់ថ្លៃថវិកា  
និងចាប់ផ្តើមពិធីបុណ្យនេះ ។ ប៉ុន្តែការប្រៀបធៀបប្រភេទគ្រួសារ  
ព្រំប្រទល់ដែលបាន ត្រូវបានផ្តើមនៅដើមឆ្នាំ ២០០០ ពេល ត្រូវបាន  
ចាប់ផ្តើមនៃបេសា ឆ្នាំ ២០០០ ។

ប្រាក់ឧបត្ថម្ភទាំងអស់នឹងត្រូវបានប្រើប្រាស់ដោយធ្វើ  
ឱ្យមានប្រសិទ្ធភាព ហើយចាប់ផ្តើមពីឃុំណាដែលការសាងសង់  
បានចាប់ផ្តើមដំបូងបំផុត ។ ជំហានទីមួយនៃការអនុវត្តគោលនយោបាយ  
នេះ គឺការពិនិត្យស្ទង់ទីតាំងគ្រួសារដែលមានសិទ្ធិទទួលបានដី  
អន្តរាគ្គន៍ និងការជួយឧបត្ថម្ភផ្សេងៗ ។ តំណាងរាស្ត្រអង្គភាពកម្ពុជា  
ក្រសួង តំណាងរាស្ត្រខេត្ត និងតំណាងរាស្ត្រការត្រួតពិនិត្យ  
ក្រសួង និងបង្កើតជាគ្រូបការងារសំរាប់ស្វែងរក ចុះថ្នាក់ក្រោម  
ដំណើរការដោយសារតែការងារ ។ ក្នុងរយៈពេលនេះលទ្ធផលដែលបាន  
រៀនកាតព្វកិច្ច បេសា ដល់ខែ តុលា ឆ្នាំ ១៩៩៩ នឹងត្រូវបាន  
ត្រួតពិនិត្យឡើងវិញ ទឹកប្រាក់សំរាប់ឧបត្ថម្ភដូចជាពលរដ្ឋក៏ត្រូវ  
រកការព្រមព្រៀងគ្នា ហើយបែបបទផ្សេងៗក្នុងការឧបត្ថម្ភ នឹងត្រូវ  
រៀបចំឡើង ។

ប្រាក់ឧបត្ថម្ភនឹងត្រូវបានចាត់ចែងលេញនៅពេលប្រជុំជា  
អាទិភាពដោយមានអង្គការត្រួតពិនិត្យឯករាជ្យមួយជាសាក្សី ។  
ក្រសួងដែលទទួលបានការឧបត្ថម្ភហើយ ត្រូវបានបញ្ជាក់ពីការទទួលបានសំខាន់ៗ ។ ការប្រគល់ប្រាក់  
នឹងចាប់ផ្តើមឡើងនៅខែ មករា ឆ្នាំ ២០០០ ហើយបន្តទៀតដល់កំណត់  
រយៈពេលត្រូវបានបញ្ចប់ ។

ក្នុងពេលធ្វើការឧបត្ថម្ភជាសាច់ប្រាក់រាល់គ្រួសារដែលបាន  
ទទួលបានប្រាក់ឧបត្ថម្ភហើយ ត្រូវបានកំណត់ថ្លៃ ខែ ដែលខ្លួនត្រូវបាន  
ជំរុញឱ្យសាងសង់ការងារសាងសង់ចេញពីដីដែលបាន ។ រាល់ទ្រព្យ

ប្រើប្រាស់ឡើយ ។

### ការពិគ្រោះ និង ការពិនិត្យ

ប្រជាពលរដ្ឋត្រូវប្រុងប្រយ័ត្នដោយពេញលេញចំពោះការងារនេះ  
នឹងត្រូវទទួលបានការពិគ្រោះយោបល់ពីសិទ្ធិសំរាប់ទទួលបានប្រាក់ឧបត្ថម្ភ ការពិគ្រោះ  
ទឹកប្រាក់ និងការទទួលបានប្រភេទដីឧបត្ថម្ភផ្សេងៗទៀត ។ បញ្ហា  
រស់នៅផ្សេងៗ ដែលទាក់ទងដល់សិទ្ធិដីឧបត្ថម្ភការឧបត្ថម្ភ រឹតតែ  
ទឹកប្រាក់ដែលត្រូវបានប្រើប្រាស់ធ្វើការដោះស្រាយតាមរយៈការពិភាក្សា  
ជាមួយគ្រូបការងារអន្តរាគ្គន៍ដែលបានកំណត់នៅស្ថានភាពវិជ្ជាជនី ។  
ប្រជាពលរដ្ឋដែលពិតជាទិញ មានសិទ្ធិក្នុងការពិនិត្យគ្រប់លក្ខណៈ  
ដែលធ្វើឱ្យមានការប៉ះពាល់ដល់ខ្លួនដោយធ្វើការត្រួតពិនិត្យទាក់ទង  
ទៅនឹងការងារឧបត្ថម្ភសំរាប់ទទួលបានការប្រើប្រាស់ ។

បញ្ហាទាំងឡាយដែលកើតមានក្រោយមកទៀតសូមធ្វើការ  
ទាក់ទងទៅនឹងការងារអន្តរាគ្គន៍ ។ បើមានការប្តឹងត្រូវបាន  
រឹបអូសរយៈពេលប្រគល់ទឹកប្រាក់មួយចំណែកណាមួយពីការធ្វើគោល  
នយោបាយដោះស្រាយនេះក្នុងពេលមុន និងកំណត់ វិធានការឧបត្ថម្ភ  
ត្រូវបានកំណត់ទៅរាល់រដ្ឋាភិបាល ខាងក្រោមជាបញ្ជី ។

ខុទ្ទកាល័យខេត្ត ព្រៃវែង ៥ ស្ថាប័ន

ក្រសួងសេដ្ឋកិច្ច និង ហិរញ្ញវត្ថុ

អាស័យដ្ឋាន: ផ្លូវលេខ ៩២ សង្កាត់បឹងកក់ ខណ្ឌទួលគោក ព្រះសីហនុ



ក្រសួងសេដ្ឋកិច្ច និង ហិរញ្ញវត្ថុ

Ministry of Economy and Finance

គណៈកម្មការអន្តរក្រសួង

Interministerial Resettlement Committee

គម្រោងសាងសង់ ផ្លូវពីបឹងកក់ ទៅ ភ្នំពេញ-ហ្វូជីមី

Loan N° 1659-CAM (SF)

Phnom Penh to Ho Chi Minh City Highway Project

សៀវភៅចេញផ្សាយសំរាប់សាធារណជន

អំពី

ផែនការអនុវត្តការងារ និង ការវិនិច្ឆ័យ

និង ការឧបត្ថម្ភ

Booklet for Resettlement Implementation Plan

2000

C 2 of Booklet



# KINGDOM OF CAMBODIA

Nation Religion King  
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## Ministry of Economy and Finance Inter-ministerial Resettlement Committee (IRC) Loan No. 1659-CAM (SF)

### Phnom Penh to Ho Chi Minh City Highway Project Booklet for Resettlement Implementation Plan

## 2000

#### Project on Modifying Infra-structure (National Road) in Cambodia Booklet for the public

According to a loan agreement made by the Asian Development Bank (ADB), the Royal Government of Cambodia is preparing to construct the National Road No.1 from Neak Loeung to Bavet. Extending and improving the National Road not only provide many advantages to local people, but also to national economics. But this extending will force some people to abandon their lands and their houses or their trades located within the road construction site. However, both the Royal Government and the Asian Development Bank (ADB) united in **Grants Policy** for all the people that their lands and other property are affected by the project and planed to implement resettlements to balance with affected people as well. The **Grants** for affected people is the Royal Government's responsibility.

This booklet may enlighten the public regarding the policy on **Grants** for those who are affected by the project.

#### Who has legal rights to receive Grants?

On March 29, 1999 the Inter-ministerial Resettlement Committee's working group went to collect information in statistic of the people living a long the National Road No.1 from Neak Loeung to Bavet. Those who are affected by the project and have sealed contracts signed during the information collection they will actually have rights to receive **Grants**. Those who use or own the lands located in the road construction site after June 21, 1999 (After finishing collecting information in statistic on the project impacts) they will not have rights to receive **Grants**.



## **What is the type of Granting?**

### **Grants for property**

In the National Road Construction Project, there is no **Grants** for project-affected lands situated in the road construction site because they are public property. But the citizens who have permanent house buildings located on the road construction site they will actually be **Granted** for resettlements. On contrary, **Compensations** for lands and other crops will be paid only for lands used to make diverted roads.

The **Grant** amount relies on the cost of equipments used to construct and the products harvested from those crops. The citizens who are already **Granted** for their house buildings they can move their house building's equipments to the new place located outside the road construction site. If the affected lands are full of rice or crops, etc the land owners will be provided an opportunity to harvest their crops, but in case the affected lands are needed before harvesting season the land owners will be **Granted** for their loses. Wells, graves and funeral monuments will also be **Granted** for resettlement.

### **Grants for the people affected by the project**

People will need a limited duration to move their houses and to make resettlements. In some cases, the people have to transport equipment or other goods from pavement and road construction site. To make the process of the move easier, all the people moving to new places will be **Granted** USD 40 (Currency in Riel depends on an official rate) per family.

### **Grants for difficult families**

All the difficult families will be **Granted** USD 20 more (Currency in Riel depends on an official rate) per family. The type of the difficult families is determined in booklet for Resettlement Implementation Plan dated in October 1999. They are as the following:

- Those families led by women
- Those families led by the disabled
- Those families with lowest incomes (Lower than USD 10 per month)

### **Grants for provincial authorities responsible for the development of resettlement**

In another case, to stabilize people's livelihood, those who gain advantages from the road construction site, but have no suitable places to make their livings will actually have rights to receive some more **Grants**. In such case, the provincial authorities will provide suitable places located outside the road construction site. Beside **Grants** mentioned above, project owner ensured that there would be management or **Grants** in infrastructure such as Health Center, Irrigation System or Meeting Places between members and members in their community.

.....

The specific period regarding the process of the National Road Construction will begin from now. However, the process of people's move from the road construction site will start in the early of 2000 and will be finished in April 2000.

All the **Grants** will be provided to affected people once a commune and it will begin from the first-constructed commune. The first stage of such policy is reviewing the families that have rights to receive **Grants** and other relief. As a representative of Inter-ministerial Resettlement Committee (IRC), Provincial Authorities and Independent Watch Organization, one facilitation group will be formed to meet directly with project-affected people. In this period, the result of census from April to October 1999 will be reviewed and the **Grants** for citizens will also have to be approved by both parties and the ways of **Granting** will be reorganized as well.

The **Grants** will be calculated completely during the public meeting participated by an Independent Watch Organization that plays a role as a witness. For already-**Granted** families, they will have to thumbprint or sign contract on their receiving. Money will be given from January 2000 till the end of the project.

During the provision of money in notes, the families receiving money already will be asked to set the date of their moves from the road construction site. ...

### **Consultation and Complaints**

All the project-affected citizens will be allowed to join a consultation regarding their rights to receive **Grants**, to calculate the amount of the **Grants** and to gain other **Grants**. The problems or questions related to their rights to receive **Grants** or amount of the **Grants** will be resolved through a consultation with Inter-ministerial Resettlement Committee (IRC)'s working group. Disagreeing people have rights to review decisions that affect them through the communication with Provincial Inter-ministerial Resettlement Sub-Committee taking responsibility for receiving people's complaints.

Regarding any problems happening in the future, please contact Inter-ministerial Resettlement Committee (IRC). If someone is asked/forced to provide any fees for implementing this resolution policy before, during or after granting, please contact the following address immediately:

**Cabinet of Prey Veng Province or Svay Rieng Province**

**Ministry of Economy and Finance**

**Address: St. 92, Sangkat Wat Phnom, Don Penh Quarter, Phnom Penh City**

**7. Resettlement Brochure for WB NR-3 & 6, 2000**

ឧសភា ឆ្នាំ ១៩៩៨ និងត្រូវបានត្រួតពិនិត្យឡើងវិញ  
 ទឹកប្រាក់សំរាប់ឧបត្ថម្ភជូនប្រជាពលរដ្ឋក៏ត្រូវមានការ  
 ព្រមព្រៀងគ្នាដើម្បីសុំសេចក្តីសំរេចពីថ្នាក់លើ ។ បែប  
 ផែនផ្សេងៗក្នុងការឧបត្ថម្ភនឹងត្រូវរៀបចំឡើង ។  
 រាល់គ្រួសារនិមួយៗ នឹងសុំឱ្យមានការចុះហត្ថលេខា  
 ឯកភាពថាលទ្ធផលនៃជំរឿននេះត្រឹមត្រូវពិតប្រាកដ  
 មែន ។

មុនពេលធ្វើការផ្លាស់ប្តូរទីកន្លែង គណៈកម្មការ  
 ចំរុះនឹងចុះប្រជុំជាមួយប្រជាពលរដ្ឋតាមភូមិនិមួយៗ  
 ដើម្បីផ្តល់ប្រាក់ឧបត្ថម្ភ ។ ប្រាក់ឧបត្ថម្ភនឹងត្រូវទូទាត់  
 ពេញលេញនៅពេលប្រជុំជាសាធារណៈនេះ ដោយ  
 មានអង្គការត្រួតពិនិត្យឯករាជ្យមួយជាសាក្សី ។ រាល់  
 គ្រួសារនិមួយៗដែលបានទទួលការឧបត្ថម្ភរួចហើយ  
 ត្រូវចុះហត្ថលេខា ឬ ផិតមេដៃលើប័ណ្ណបញ្ជាក់ពីការ  
 ទទួលរបស់ខ្លួន ។

ក្នុងពេលធ្វើការឧបត្ថម្ភជាសាច់ប្រាក់ រាល់  
 គ្រួសារដែលបានទទួលប្រាក់ឧបត្ថម្ភហើយ ត្រូវបាន  
 កំណត់ថ្ងៃខែដែលខ្លួនគេត្រូវដឹកជញ្ជូនទ្រព្យសំភារៈ  
 ទាំងអស់ចេញពីតំបន់ដែលប៉ះពាល់ ។ រាល់ទ្រព្យ  
 សំភារៈដែលនៅសេសសល់ក្រោយពីថ្ងៃកំណត់នោះ  
 ត្រូវដឹកយកចេញដោយពុំមានសងជាសាច់ប្រាក់ ឬ  
 ឧបត្ថម្ភអ្វីបន្ថែមឡើយ ។

**ការពិគ្រោះនិងការប្តឹងសារទុក្ខ :**

ប្រជាពលរដ្ឋគ្រប់រូបដែលត្រូវបានប៉ះពាល់ដោយ

ការទទួលនូវប្រភេទជំនួយឧបត្ថម្ភផ្សេងៗទៀត ។  
 ប្រជាពលរដ្ឋមានសិទ្ធិក្នុងការពិនិត្យគ្រប់សេចក្តីសំរេច  
 ដែលធ្វើឱ្យមានការប៉ះពាល់ដល់ខ្លួនដោយធ្វើការ  
 ប្រាស្រ័យទាក់ទងជាបឋមមកអនុគណកម្មការខេត្ត  
 ដែលមានទីតាំងអចិន្ត្រៃយ៍នៅខុទ្ទកាល័យខេត្ត ហើយ  
 មានភារៈកិច្ចទាក់ទងផ្ទាល់មកពណ៌កម្មការអន្តរ  
 ក្រសួង ។

付属資料7

**ក្រសួងសាធារណការ និង ថតចម្លង  
 គំរោងស្តារឡើងវិញនូវជាតិកម្ពុជា**

(ឥណទាន ពី ធនាគារពិភពលោក  
 លេខ 3181 ~ KH)



ស្បៀងកៅដុំពូជពូជសំរាប់សាធារណជន  
 អំពីការតាំងទីលំនៅថ្មី និង ការឧបត្ថម្ភ

**ស្នងការអនុវត្តគំរោង  
 ធនាគារពិភពលោក  
 PIU-WB**

**គំរោងស្ថាបនាសម្ព័ន្ធនៃសហគមន៍ជាតិកម្ពុជា  
ស្រ្វីតនៅក្នុងប្រព័ន្ធសហគមន៍ជាតិ**

ដោយមានការព្រមព្រៀងឱ្យខ្ចីថវិកាពីធនាគារ  
ពិភពលោក ក្រសួងសាធារណការនិងដឹកជញ្ជូននៃ  
ព្រះរាជាណាចក្រកម្ពុជាតំបន់ប្រចាំឆ្នាំកំណត់ផ្លូវ  
ជាតិចំនួនពីរខ្សែ រួមមាន៖ ផ្លូវជាតិលេខ៦ ពីសៀម  
រាបដល់ព្រំប្រទល់រវាងខេត្តសៀមរាបនិងកំពង់ធំ និង  
ផ្លូវជាតិលេខ៣ពីវាលព្រឺងដល់ស្ថានីយ៍ច្រកចំរើន។  
ការពង្រីកនិងកែលម្អផ្លូវជាតិបានផ្តល់អត្ថប្រយោជន៍  
ជាច្រើនសំរាប់ប្រជាពលរដ្ឋនៅតាមមូលដ្ឋានក៏ដូចជា  
សំរាប់សេដ្ឋកិច្ចជាតិដែរ។ ក៏ប៉ុន្តែ ការពង្រីកផ្លូវជាតិ  
និងតម្រូវឱ្យអោយប្រជាពលរដ្ឋចេញច្បាប់ការប្រើប្រាស់ដី  
ធ្លី ដែលស្ថិតនៅក្នុងដីកំណើត ក្នុងការតាំងទីលំនៅ  
ឬ ធ្វើអាជីវកម្មផ្សេងៗ។ ទោះជាយ៉ាងនេះ  
ក៏ដោយរាជរដ្ឋាភិបាល មានគោលនយោបាយ ឱ្យ  
មានការដោះស្រាយជួយឧបត្ថម្ភដល់ប្រជាពលរដ្ឋ  
ដែលប៉ះពាល់ដីធ្លី ទ្រព្យសម្បត្តិ ឬ អត្ថប្រយោជន៍  
ដោយសារតំរោង ហើយនឹងរៀបចំវិធានការចាំបាច់  
មួយចំនួនដើម្បីជួយអោយមានប្រក្រតីភាពឡើងវិញ  
ចំពោះប្រាក់ចំណូលរបស់ប្រជាពលរដ្ឋ ដែលប៉ះពាល់  
ទាំងនោះ។

កូនស្មៅរុក្ខជាតិក្នុងនេះជួយ បំភ្លឺដល់សាធារណជន  
ពីគោលនយោបាយដែលត្រូវយកមកអនុវត្តក្នុងការ  
ជួយឧបត្ថម្ភចំពោះប្រជាពលរដ្ឋ ដែលប៉ះពាល់ដោយ  
សារតំរោងនេះ ។

**តើអ្នកណាដែលមានសិទ្ធិស្របច្បាប់ក្នុងការ  
ទទួលប្រាក់ឧបត្ថម្ភ ?**

កាលពីខែ ឧសភា ឆ្នាំ ១៩៩៨ ការធ្វើជំរឿន  
ប្រជាពលរដ្ឋ ដែលប៉ះពាល់ដោយសារតំរោងស្មៅរុក្ខជាតិ  
នេះ បានធ្វើឡើងនៅតាមដងផ្លូវជាតិលេខ៦ និង  
លេខ៣។ គ្រួសារទាំងឡាយណាដែលត្រូវប៉ះពាល់  
ដោយសារតំរោង ហើយមានកត់ត្រានៅក្នុងបញ្ជីនា  
ពេលជំរឿននោះគឺ មានសិទ្ធិក្នុងការទទួលប្រាក់  
ឧបត្ថម្ភ។ ជនណាម្នាក់ដែលប្រើប្រាស់ ឬ កាន់កាប់  
ដីកំណើតផ្លូវ តែក្រោយថ្ងៃទី ១៩ ឧសភា ១៩៩៨  
(ក្រោយពេលជំរឿន ប្រជាពលរដ្ឋដែលប៉ះពាល់  
ដោយសារតំរោង) ជននោះគ្មានសិទ្ធិទទួលប្រាក់  
ឧបត្ថម្ភឡើយ។

**តើការឧបត្ថម្ភនោះមានអ្វីខ្លះ ?**

**ឧបត្ថម្ភសំរាប់ទ្រព្យសម្បត្តិ :**

នៅក្នុងតំរោងស្មៅរុក្ខជាតិនេះ ពុំមានការជួយ  
ឧបត្ថម្ភទៅលើដីធ្លីទេព្រោះដីធ្លីដែលប៉ះពាល់ពេល  
សាងសង់ផ្លូវជាតិទាំងអស់ស្ថិតនៅក្នុងដីកំណើតផ្លូវ។  
ប៉ុន្តែចំពោះប្រជាពលរដ្ឋ ដែលកំពុងប្រើប្រាស់ដីទាំង  
នោះ នឹងទទួលបានការជួយឧបត្ថម្ភសំរាប់សំណង់ និង  
ដំណាំផ្សេងៗ ។

ចំនួនទឹកប្រាក់ឧបត្ថម្ភគឺ អាស្រ័យទៅលើសំភារៈ  
ដែលប្រើប្រាស់សំរាប់សំណង់និងទិន្នផលនៃដំណាំទាំង  
នោះ។ ប្រជាពលរដ្ឋដែលបានឧបត្ថម្ភលើសំណង់  
របស់ខ្លួន ហើយអាចរស់នៅសំណង់ចាស់នោះទៅ

ប្រើប្រាស់ ឬ សាងសង់ឡើងវិញបាននៅកន្លែងណា  
មួយក្រៅពីតំបន់ដែលប៉ះពាល់ដោយសារតំរោង។  
ប្រសិនបើដីធ្លីដែលប៉ះពាល់ មានដូចជាស្រូវ ឬ ឈើ  
ហូបផ្លែ បន្លែ។ល។ ប្រជាពលរដ្ឋនឹងត្រូវបានផ្តល់  
ពេលវេលាដើម្បីប្រមូលផលពីដំណាំទាំងនោះសិន ឬ  
ប្រសិនបើករណីដីធ្លីនោះត្រូវការមុនពេលប្រមូលផល  
ប្រជាពលរដ្ឋរង់ចាំការជួយឧបត្ថម្ភលើផលដំណាំ  
នោះ។ រណ្តៅ ឬ ស្រះក៏ត្រូវបានឧបត្ថម្ភ ឬ  
ដោះស្រាយការប្រើប្រាស់ឡើងវិញដោយសារតំរោងដែរ។

**ប្រាក់ឧបត្ថម្ភសំរាប់ការផ្លាស់ប្តូរទីកន្លែង :**

ក្នុងការរុះរើដីការរៀបចំសំណង់របស់ខ្លួនប្រជា  
ពលរដ្ឋរោងស្មៅរុក្ខជាតិពេលវេលាគឺសំខាន់បំផុត។ ក្នុង  
ករណីខ្លះប្រជាពលរដ្ឋត្រូវដីកំណើតសំភារៈ ឬ ទំនិញ  
លក់ដូរផ្សេងៗ ទេព្រោះពួកគេមិនចង់ ឬ ពិបាកក្នុង  
ចាស់។ ដើម្បីជួយសំរួលដល់ការផ្លាស់ប្តូរទីកន្លែងនេះ  
រាល់គ្រួសារដែលត្រូវផ្លាស់ប្តូរទីកន្លែង នឹងបានទទួល  
ប្រាក់ឧបត្ថម្ភក្នុងការផ្លាស់ប្តូរទីកន្លែងនេះ។

**ប្រាក់ឧបត្ថម្ភចំពោះគ្រួសារដែលមានការលំបាក :**

គ្រួសារដែលមានភាពលំបាកនឹងត្រូវបានទទួលប្រាក់  
ឧបត្ថម្ភ។ ប្រភេទគ្រួសារដែលមានភាពលំបាកបាន  
កំណត់នៅក្នុងបញ្ជីកាលពីខែ ឧសភា ១៩៩៨ រួម  
មាន៖

- គ្រួសារដែលមានស្ត្រីជាអគ្គគ្រួសារ
- គ្រួសារដែលគ្មានដីធ្លីផ្សេងទៀត ក្រៅ  
ពីដីធ្លីដែលនៅក្នុងដីកំណើតផ្លូវជាតិ
- គ្រួសារដែលមានមេគ្រួសារជាជនពិការ

- គ្រួសារដែលមានប្រាក់ចំណូលទាបបំផុត  
(តិចជាង៣៥០០០រៀល ក្នុងមួយខែ)

បន្ថែមទៅលើជំនួយនិងការឧបត្ថម្ភហិរញ្ញវត្ថុ  
ដែលបានបរិយាយខាងលើម្ចាស់តំរោងនឹងទទួលបាន  
មានការរៀបចំ ឬ ជំនួសការវិញ្ញាបនបត្រមធ្យម  
សហគមន៍នានា ដូចជាវិទ្យុ បណ្តាញបង្ហាញទឹក ឬ  
កន្លែងប្រមូលផ្តុំរបស់សហគមន៍ជាដើម ។

**តើការផ្លាស់ប្តូរទីកន្លែងចាំបាច់ធ្វើនៅពេល  
ណាហើយតើការជួយឧបត្ថម្ភប្រើប្រាស់  
បែបណា?**

ពេលវេលាជាក់លាក់សំរាប់ដំណើរការពង្រីក និងកែ  
លម្អកំណត់ផ្លូវទាំងនោះមិនទាន់ជាក់លាក់នៅឡើយ  
។ ប៉ុន្តែការរៀបចំអោយប្រជាពលរដ្ឋចេញពីតំបន់ប៉ះ  
ពាល់ត្រូវចាប់ផ្តើមនៅដើមឆ្នាំ ២០០០ ហើយបន្តបន្ទាប់  
នៅត្រីមាសទី១ឆ្នាំ ២០០០។ ប្រាក់ឧបត្ថម្ភទាំងអស់  
នឹងត្រូវឧបត្ថម្ភជូនប្រជាពលរដ្ឋ ដោយធ្វើឡើងតាម  
ស្រុកម្តងៗហើយចាប់ផ្តើមពីស្រុកណាដែលការសាង  
សង់នឹងចាប់ផ្តើមដំបូងគេ។ ជំហានទីមួយនៃការ  
អនុវត្តគម្រោងនយោបាយនេះគឺ ការពិនិត្យសារឡើង  
វិញនូវគ្រួសារដែលមានសិទ្ធិទទួលបានជំនួយសម្រៀននិង  
ការជួយឧបត្ថម្ភផ្សេងៗ។ តំណាងគណៈកម្មការអន្តរ  
ក្រសួង, តំណាងអនុគណៈកម្មការខេត្ត និងតំណាង  
អង្គការត្រួតពិនិត្យឯករាជ្យនឹងបង្កើតជាគ្រុមមួយចុះ  
ជួបរាល់គ្រួសារដែលប៉ះពាល់ដោយសារតំរោង។  
ក្នុងរយៈពេលនេះលទ្ធផលដែលបានជំរឿនកាលពីខែ

**Ministry of Public Works and Transport**  
Project for Improvement of Cambodian National Roads

**(World Bank Loan No. 3181 ~ KH)**

Information Booklet on Resettlement and Assistance (Compensation) for  
the Public

Project Implementation Unit of World Bank  
2000

## **Project for Improvement of National Roads in Cambodia**

### **Public Information Booklet**

Since there is an agreement for receiving loan from World Bank, MPWT is preparing to improve two lines national road: National Road No.6, from Siem Reap to Kampong-Siem Reap provincial border and National Road No.3, from Veal Regn to Trapang Ropove. Improvement of national roads will generate a great deal of benefit to the people in the communities, as well as to the national economy.

However, widening of national road will require people stop using the land area in the ROW for residing or doing businesses.

Nevertheless, the RGC has a policy to provide assistance for people whose properties are affected by the project and restore their livelihood (income).

This booklet helps the public to understand the policy that will be implemented to assist those who are affected by this project.

Who are eligible for assistance?

In May 1998, a census survey for those who are affected by the project was conducted along the national road No.6 and No.3. Those who have been recorded in that census survey list will have the right to receive assistance money. Anybody who used or owned part of land in side the ROW after 15 May 1998 (after census surveying) will have no right to receive any assistance.

#### **What that assistance is?**

Compensation for Assets: In this project, there will be no compensation for the land located in the ROW. Nonetheless, for those have been using those parts of land will be compensated for building structures and trees. The amount of compensation will be depend on the materials that have been used for those building structures and the production of those trees. PAPs who will have been compensated for the building structures can reuse these structures to rebuild houses outside the ROW. If the affected properties are crops or fruit trees, PAPs will be also given time to harvest or compensation for crops and fruits if the project starts before harvesting time. Furthermore, wells or ponds will be replaced by the project.

#### Compensation of relocation:

PAPs require time for disassembling and reassembling their houses or other structures. In some cases, PAPs need to transport building materials, goods far away from the current location. Those PAPs will be provided allowance for transportation.

#### Allowance for PAPs with difficulties

PAPs who have difficulties will be provided assistance. The type of the family that met the most difficulty has been already defined in the list of the Resettlement Implementation Plan since May 1998 as follow:



- Families heading by widow
- Families who do not have other land except in the ROW
- Families heading by disable people
- Families who have the lowest income ( lower than 35000 Riel per month)

In addition to the above assistance, the head of the project will assure to restore or replace the facility of the communities, such as market, sewerage system, or community gathering area.

### **When relocation must take place? And how the compensation will be implemented?**

The exact timetable for widening and improving the highways remain uncertain. But relocation away from the ROW is to begin in late 1999 and to be completed in 2000. Compensation for assets and transportation will be paid on a district-by-district basis, starting from a district where construction will start first.

The first step of the process is to verify the eligible PAPs and the amount of compensation to be received. A team consisting of a representative from IRC and Sub-committee of the province and an independent monitoring agency will visit each PAP. At that time census survey will be reviewed, compensation amount will be agreed, and legibility for other forms of assistance will be established. Each affected household will be asked to sign a document confirming that survey results are accurate.

Prior to relocation, a mixed committee will visit PAPs in each village to pay for the compensation. The full amount of compensation will be paid in the public meeting attended by an independent monitoring agency that acts as a witness. For PAPs who will have received the compensation must sign or thumb-print on the compensation sheet to be a proof of receiving compensation. The date for the PAPs, who will have already received the payment, to transport all their properties from the ROW will be set during the payment of compensation. All properties left after the designated date will be remove without any compensation.

### **Consultations and Complaint**

All the PAPs can receive and calculate compensation money and receive other assistances. If PAPs have any problem or question related to compensation or the amount of compensation money, PAPs can consult the Resettlement Implementation Plan Team. The people who do not agree can examine the decision that caused the effect on them by consulting provincial sub-committee situated in the province.

8. Resettlement Brochure for JICA C-1 Section, NR-1, 2004

### ៣. តើការឧបត្ថម្ភនិងប្រព្រឹត្តិទៅបែបណា ?

ពេលវេលាជាក់លាក់សំរាប់ដំណើរការសាងសង់កំណត់ផ្លូវជាតិលេខ ១ នឹងចាប់ផ្តើមនៅក្រោយពេលដោះស្រាយផលប៉ះពាល់នេះរួចរាល់ជាស្ថាពរ ( នៅរវាងឆ្នាំ២០០៥ ) ។ ប៉ុន្តែការរៀបចំអោយប្រជាពលរដ្ឋចេញពីចំណីផ្លូវត្រូវចាប់ផ្តើមក្រោយពីធ្វើកិច្ចសន្យា និងទទួលបានប្រាក់ឧបត្ថម្ភពីរាជរដ្ឋាភិបាល ។

ប្រាក់ឧបត្ថម្ភទាំងអស់នឹងត្រូវឧបត្ថម្ភជូនប្រជាពលរដ្ឋ ដោយធ្វើឡើងមួយឃុំម្តងៗ ហើយចាប់ផ្តើមពីឃុំណាដែលការសាងសង់ នឹងចាប់ផ្តើមដំបូងគេ ។ ជំហានទី១នៃការអនុវត្តន៍គោលនយោបាយនេះ គឺការពិនិត្យឡើងវិញនូវគ្រួសារ ដែលមានសិទ្ធិទទួលជំនួយសង្គ្រោះ និងការឧបត្ថម្ភផ្សេងៗ ។ តំណាងអោយគណៈកម្មការអន្តរក្រសួង តំណាងអាជ្ញាធរខេត្ត និងតំណាងអង្គការត្រួតពិនិត្យឯករាជ្យ នឹងបង្កើតជាគ្រូបការងារសំរាប់សំរួលមួយចុះជួបរាល់គ្រួសារដែលប៉ះពាល់ដោយសារគំរោង ។ ក្នុងរយៈពេលនេះលទ្ធផលដែលបានធ្វើសំរួលស្ថិតិសម័យកាលពី ខែកក្កដា ឆ្នាំ២០០៤ នឹងត្រូវបានត្រួតពិនិត្យឡើងវិញ ។ ទឹកប្រាក់សំរាប់ឧបត្ថម្ភជូនប្រជាពលរដ្ឋក៏ត្រូវមានការព្រមព្រៀងគ្នា និងមានផ្គត់មេដៃ ឬចុះហត្ថលេខាជាសំគាល់បញ្ជាក់ពីការព្រមព្រៀង ឬមិនព្រមព្រៀង ហើយបែបបទផ្សេងៗក្នុងការឧបត្ថម្ភនឹងត្រូវបានរៀបចំឡើង និងអនុវត្តជាបន្តបន្ទាប់ ។

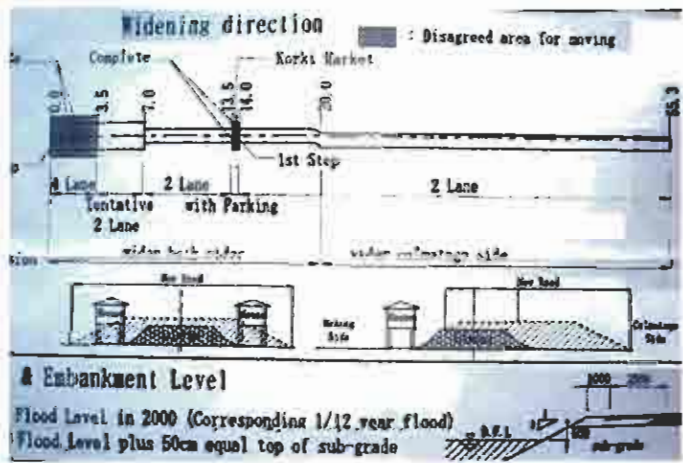
ប្រាក់ឧបត្ថម្ភ នឹងត្រូវទូទាត់ពេញលេញនៅពេលប្រជុំជាសាធារណៈដោយមានអង្គការត្រួតពិនិត្យឯករាជ្យមួយជាសាក្សី ។ ចំពោះគ្រួសារដែលបានទទួលការឧបត្ថម្ភរួចហើយត្រូវចុះហត្ថលេខាវិធីតម្លៃដំណើរការបញ្ជាក់ ពីការទទួលរងសំខាន់ ។ ការប្រគល់ប្រាក់ឧបត្ថម្ភ នឹងត្រូវធ្វើឡើងជាបន្តបន្ទាប់ រហូតដល់ចប់ ។

ក្នុងពេលធ្វើការឧបត្ថម្ភជាសាច់ប្រាក់ រាល់គ្រួសារដែលបានទទួល ប្រាក់ឧបត្ថម្ភហើយ នឹងត្រូវបានកំណត់ ថ្ងៃ ខែ ដែលត្រូវដឹកជញ្ជូនទ្រព្យសម្បត្តិសំភារៈទាំងអស់ចេញពីដីចំណីផ្លូវ ។

### ៤. ការពិគ្រោះ និងការគាំទ្រ :

ប្រជាពលរដ្ឋគ្រប់រូប ដែលមានផលប៉ះពាល់ដោយសារគំរោងនេះនឹងត្រូវផ្តល់លទ្ធភាពសំរាប់ទទួលបានប្រាក់ឧបត្ថម្ភ ការគណនាទឹកប្រាក់ និងការទទួលនូវប្រភេទជំនួយឧបត្ថម្ភផ្សេងៗ ។ បើមានបញ្ហា រឺ សំនួរផ្សេងៗដែលទាក់ទងដល់ជំនួយឧបត្ថម្ភ រឺ ចំនួនទឹកប្រាក់ដែលត្រូវឧបត្ថម្ភ អាចធ្វើការដោះស្រាយតាមរយៈការពិភាក្សាជាមួយគ្រូបការងារអនុវត្តផែនការតាំងពីដំបូងឡើងវិញបាន ។ ប្រជាពលរដ្ឋដែលមិនស្មើចិត្តអាចពិនិត្យមើលនូវសេចក្តីសំរេចដែលធ្វើអោយមានការប៉ះពាល់ដល់ខ្លួនក្នុងអំឡុងពេលសាងសង់ និងក្រោយពេលសាងសង់ផ្លូវ ដោយធ្វើការប្រាស្រ័យទាក់ទងទៅអនុគណៈកម្មការខេត្តសំរាប់ការពិគ្រោះយោបល់ ដែលមានអាជ្ញាធរដូចខាងក្រោម :

- សាលាខេត្តកណ្តាល ការិយាល័យអនុគណៈកម្មការខេត្តដោះស្រាយស្រាយផលប៉ះពាល់ប្រជាពលរដ្ឋ នៃគំរោងស្តារឡើងវិញកំណត់ផ្លូវជាតិលេខ ១ ពីភ្នំពេញ ដល់អ្នកលៀង ។

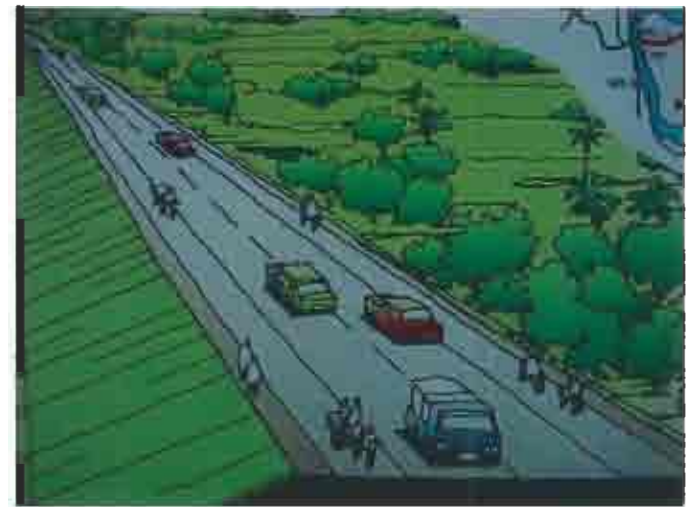


### គណៈកម្មការអន្តរក្រសួង INTER-MINISTERIAL RESETTLEMENT COMMITTEE

### គំរោងកែលម្អ ផ្លូវជាតិលេខ ១

(ភ្នំពេញ - ឃ្លាងឡើង)

THE IMPROVEMENT OF NATIONAL ROAD No.1  
(PHNOM PENH- NEAK LOUENG)



ការចេញផ្សាយសំរាប់សាធារណៈជន

ស្តីពី

ផែនការអនុវត្តការព្រឹត្តិការណ៍រស់នៅថ្មី និង ការឧបត្ថម្ភ

Leaflet For Resettlement Implementation Plan

2004

**គំរោងកែលម្អផ្លូវជាតិលេខ ១ (ភ្នំពេញ-អ្នកលើឡើង)**

**មេរៀនរាយការណ៍សាធារណៈជន**

គំរោងកែលម្អផ្លូវជាតិលេខ១ ពីភ្នំពេញទៅអ្នកលើឡើង បានទទួលការសន្យាថានឹងផ្តល់មូលនិធិដោយរដ្ឋាភិបាលជប៉ុន ។ គំរោងនេះនឹង រួមចំណែកក្នុងការអភិវឌ្ឍន៍ការដឹកជញ្ជូន ក្នុងតំបន់ដែលតភ្ជាប់ពីប្រទេស វៀតណាម ទៅថៃឡង់ដ៍ក្នុងមហាអនុតំបន់មេគង្គ ក្នុងអាស៊ាន និងក្នុងតំបន់ អាស៊ី-ប៉ាស៊ីហ្វិកទាំងមូល ។ ការពង្រីក និងកែលម្អផ្លូវជាតិបានផ្តល់ប្រយោជន៍ ជាច្រើនសំរាប់ប្រជាពលរដ្ឋមូលដ្ឋានក៏ដូចជា សំរាប់សេដ្ឋកិច្ចជាតិទាំងមូល ។ ក៏ ប៉ុន្តែការពង្រីកផ្លូវជាតិ នឹងតម្រូវអោយប្រជាពលរដ្ឋ បញ្ឈប់ការប្រើប្រាស់ដីធ្លី បញ្ឈប់ការតាំងលំនៅដ្ឋាន និងធ្វើអាជីវកម្មផ្សេងៗ ដែលស្ថិតនៅក្នុងដីចំណី ផ្លូវ ។ ទោះជាយ៉ាងណាក៏ដោយរាជរដ្ឋាភិបាលមានគោលនយោបាយដោះ ស្រាយជួយឧបត្ថម្ភជូនប្រជាពលរដ្ឋគ្រប់រូប ដែលប៉ះពាល់ទ្រព្យសម្បត្តិ ផល ប្រយោជន៍ដោយសារគំរោង ហើយបានរៀបចំផែនការអនុវត្តរុះរើ និងតាំង លំនៅថ្មី ដើម្បីជួយឱ្យមានប្រក្រតីភាពឡើងវិញ ចំពោះប្រជាពលរដ្ឋដែលរង នូវការប៉ះពាល់ ។ ប្រាក់ដែលឧបត្ថម្ភជូនប្រជាពលរដ្ឋទាំងនេះ ជាបន្តបន្ទាប់រដ្ឋាភិបាល ។

កូនស្បែកនៅក្នុងនេះជួយបង្កើនសាធារណជនអំពីគោលនយោបាយ ដែលត្រូវយកមកអនុវត្តក្នុងការជួយឧបត្ថម្ភ ចំពោះប្រជាពលរដ្ឋដែល ប៉ះពាល់ ដោយសារគំរោងនេះ ។

**១-តើអ្នកណាខ្លះដែលមានសិទ្ធិទទួលបានប្រាក់ឧបត្ថម្ភ?**

កាលពីថ្ងៃទី ៣០ ខែ កក្កដា ឆ្នាំ ២០០៤ ក្រុមការងាររបស់ គណៈកម្ម ការអន្តរក្រសួងបានផ្តើមធ្វើសំរង់ស្ថិតិលំអិត ផលប៉ះពាល់សំណង់ ផ្ទះសំបែង និង សំណង់ផ្សេងៗរបស់ប្រជាពលរដ្ឋ នៅតាមដងផ្លូវជាតិលេខ ១ ភ្នំពេញ- អ្នកលើឡើង ។ គ្រួសារទាំងឡាយណាដែលត្រូវប៉ះពាល់ដោយសារគំរោង ហើយបានកត់ត្រានៅក្នុងបញ្ជីនាពេលធ្វើសំរង់ស្ថិតិលំអិតនោះ គឺមាន សិទ្ធិក្នុង ការទទួលបានប្រាក់ឧបត្ថម្ភ ។ ជនណាដែលធ្វើការសាងសង់ផ្ទះសំបែង រឺ សំណង់ ផ្សេងៗលើដីចំណីផ្លូវនៅក្រោយពេលការធ្វើសំរង់ស្ថិតិលំអិតផលប៉ះពាល់ដែល បានបញ្ចប់រួចរាល់ហើយនោះ ជននោះគ្មានសិទ្ធិនឹងទទួលបានប្រាក់ឧបត្ថម្ភឡើយ ។

**២-តើការឧបត្ថម្ភនោះមានអ្វីខ្លះ ?**

**២-១ ប្រាក់ឧបត្ថម្ភសំរាប់ទ្រព្យសម្បត្តិ:**

- នៅក្នុងគំរោងសាងសង់ផ្លូវជាតិលេខ ១ មានការជួយឧបត្ថម្ភទៅលើដី ធ្លីដែលប៉ះពាល់ដោយសារគំរោងទាំងអស់ ដែលស្ថិតនៅក្នុងដីចំណីផ្លូវឡើយ ព្រោះដីចំណីផ្លូវជាសម្បត្តិសាធារណៈ ។
- ប៉ុន្តែ ចំពោះប្រជាពលរដ្ឋដែលមានលំនៅដ្ឋានអចិន្ត្រៃយ៍ លើដីចំណីផ្លូវទាំងនោះ នឹងទទួលបានការជួយឧបត្ថម្ភសំរាប់ការរុះរើ និង សាង សង់លំនៅដ្ឋានឡើងវិញ ។
- សំណង ឬការឧបត្ថម្ភ អាចធ្វើឡើងតាមតំលៃជាក់ស្តែង សមរម្យ និង ព្រមព្រៀងគ្នាទៅលើសំណង់ លំនៅដ្ឋានអចិន្ត្រៃយ៍ ដំណាក់កាលបូកផ្ទៃ និង ដំណាក់ផ្សេងៗទៀត ដែលស្ថិតនៅលើដីកម្មសិទ្ធិទាំងឡាយរបស់ប្រជាពលរដ្ឋ ក្រៅពីដីចំណីផ្លូវ ហើយដែលប៉ះពាល់ដោយសារគំរោង ( ស្ថិតនៅចំផ្លូវវាង ឬដី បំរុងសំរាប់ធ្វើ ស្ពាន លូ ។ល។ )
- ចំនួនទឹកប្រាក់ឧបត្ថម្ភ គឺអាស្រ័យទៅតាមតំលៃសំភារៈដែលប្រើ ប្រាស់សំរាប់ការសាងសង់ និងទិន្នផលនៃដំណាំទាំងនោះ ។ ប្រជាពលរដ្ឋដែល បានទទួលប្រាក់ឧបត្ថម្ភលើសំណង់របស់ខ្លួនហើយ អាចរើសការៈសំណង់ចាស់ នោះ ទៅប្រើប្រាស់ រឺសាងសង់ឡើងវិញបាននៅកន្លែងណាមួយក្រៅពីដីចំណី ផ្លូវ ។ ប្រសិនបើដីធ្លីដែលប៉ះពាល់មានដូចជាស្រូវ រឺ ដំណាំហូបផ្លែផ្សេងៗ ប្រជា- ពលរដ្ឋនឹងត្រូវបានផ្តល់ពេលវេលា ដើម្បីប្រមូលផលពីដំណាំទាំងនោះសិន ។ ប្រសិនបើករណីដីធ្លីនោះត្រូវការមុនពេលប្រមូលផល ប្រជាពលរដ្ឋនឹងទទួល បានការជួយឧបត្ថម្ភលើផលដំណាំនោះ ។ អណ្តូងទឹក ផ្លូវ ចេតិយ៍ របង ក៏ត្រូវបាន ការឧបត្ថម្ភសំរាប់ការរុះរើចេញពីដីចំណីផ្លូវដែរ ។

**២-២ ប្រាក់ឧបត្ថម្ភសំរាប់គ្រួសារដែលប៉ះពាល់ដោយសារគំរោង**

ក្នុងការរុះរើ និងរៀបចំសំណង់របស់ខ្លួន ប្រជាពលរដ្ឋអាចនឹងត្រូវការ ពេលវេលាកំណត់មួយ ។ ក្នុងករណីប្រជាពលរដ្ឋត្រូវការដឹកជញ្ជូនសំភារៈ និង ទ្រព្យសម្បត្តិផ្សេងៗ ចេញពីដីចំណីផ្លូវ រឺកន្លែងចាស់ដើម្បីជួយសំរួល ដល់ការ ធ្វើផ្លូវប្រជាពលរដ្ឋនោះ នឹងទទួលបានប្រាក់ ឧបត្ថម្ភក្នុងការដឹកជញ្ជូន ។

**២-៣ ប្រាក់ឧបត្ថម្ភចំពោះគ្រួសារដែលមានការបំបែកខ្លាំង :**

គ្រួសារដែលមានភាពលំបាកខ្លាំងនឹងត្រូវទទួលបានការឧបត្ថម្ភ ។ ប្រភេទគ្រួសារដែលមានភាពលំបាកខ្លាំងមានកំណត់ជាស្រេចនៅក្នុងបញ្ជី ផែនការ អនុវត្តការរុះរើ និងតាំងលំនៅដ្ឋានថ្មី តាំងពីថ្ងៃទី ៣០ ខែ កក្កដា ឆ្នាំ ២០០៤ រៀងមកដែលរួមមាន :

- គ្រួសារដែលមានស្ត្រីម៉ែម៉ាយជាមេគ្រួសារ
- គ្រួសារដែលមានជនពិការជាមេគ្រួសារ
- គ្រួសារដែលមានប្រាក់ចំណូលទាបបំផុត ( ពិតជាង ១០ ដុល្លារ អាមេរិកក្នុងមួយខែ ) ។

**ព័ត៌មានបន្ថែម :**

រាជរដ្ឋាភិបាលបានព្រមព្រៀងជាមួយ ទីភ្នាក់ងារផ្លូវការសំរាប់ការ អភិវឌ្ឍន៍ប្រទេសជប៉ុន ធ្វើការសហការ និងពិគ្រោះយោបល់ជាមួយប្រជា- ពលរដ្ឋទាំងអស់ដែលប៉ះពាល់ដោយសារគំរោងខាងលើ ដើម្បីទទួលបាន នូវការព្រមព្រៀងលើសលុបនិងការយល់ព្រមពីប្រជាពលរដ្ឋ ដែលប៉ះពាល់ ដោយសារគំរោងទាំងអស់ក្នុងការរុះរើ និងរៀបចំការតាំងទីលំនៅថ្មីឡើងវិញ និង ដើម្បីដំណើរការអនុវត្តគំរោងការនេះឱ្យបានឆាប់រហ័ស ។

**Inter-Ministerial Resettlement Committee**

**The Improvement of National Road No1  
(Phnom Penh- Neak Loeung Section)**

**Booklet for  
Resettlement Implementation Plan**

**2004**

# **The Improvement of National Road No1 (Phnom Penh-Neak Loeung)**

## **Issue for the Public**

The Improvement of National Road No1 (Phnom Penh-Neak Loeung) has received the grant aid of the Government of Japan. This project will take part in the development of the transportation in the connecting region between Vietnam and Thailand in the Great Mekong Sub-Region, in ASEAN and in the whole Asian-Pacific Region. The widening and the improving of the National Road give a lot of benefits to the local people as well as the whole national economic. Meanwhile, widening National Road will require the people located in the Right of Way stopping using their land and their houses and doing their businesses. However, the government has the policy to help every people whose properties and benefits are affected by the project; and has made the implementation of the resettlement plan in order to help recovering the Project Affected People to their normal state. The compensation for those people is the responsibility of the Government.

This small booklet help explaining the public about the compensation policy implemented for the Project Affected People (PAP)

### ***1. Who have the right to receive the compensation?***

On 30 July 2004, Inter-Ministerial Committee (IRC) working group started the Detail Measurement Survey (DMS) on the affected house and various structures of the people living along National Road No1, Phnom Penh-Neak Loeung. Any family that will be affected by the project and listed in DMS has the right to receive the compensation.

Any people who build the house or other structures in the land of ROW after the completion of DMS, those people will not have the right to receive the compensation.

### ***2. What are the compensations?***

#### **2.1. Compensation for the properties**

- In this project, there is no compensation for the affected land which is located within the Right of Way because that land is the public property.
- But for the people who have a permanent house on the ROW, they will receive the compensation for demolition and resettlement.
- The construction or compensation can be done by the agreement on the actual and reasonable price for the permanent houses, fruit trees and other trees that located outside the ROW (located on the bypass or land preparing for construction of bridges or culverts etc).

- The compensation amount is depending on the properties' value used for its construction and harvest of those crops. The people who have already received the compensation for their houses or structures can move the construction structure from the old house to reuse for the construction at other place where located outside the ROW. If the affect land contain such as rice or other fruit trees, people will be given the time to collect the harvest of those crops. Well, grave, tomb and fence are also compensated for the demolition from the ROW.

## 2.2 Compensation for the project affected family

In the demolition and resettlement, people would need a limited time. In case people need the transportation of the structure and properties from the ROW or old place for facilitating the road construction, those people will receive the compensation on the transportation fee.

## 2.3 Compensation for family with most difficulty

The family with the most difficulty will receive the compensation. The type of the family that met the most difficulty has been already defined in the list of the Resettlement Implementation Plan since 30 July 2004 that include:

- Family heading by widow
- Family heading by disable people
- Family having lowest income (less than 10 USD per month)

## **Additional Information**

The Royal Government have agree with the Japan International Cooperation Agency to make the cooperation and consultation with all the people that affected by the above project to get all the agreement in the demolition and relocation in order to quickly implement this project.

### ***3. How the compensation will be implemented?***

The construction of this portion of the National Road will be started after the completion of the resettlement works with PAPs (within 2005), but the preparation for relocating the PAPs from the ROW must be carried out after making the contract agreement and receiving compensation from the government.

The compensation money will be provided to the PAPs one commune by one commune, starting from the commune where the construction of the road starts first. The first step to perform this policy is to re-investigate the families who have the right to receive assistance and compensation. Representatives from IRC, provincial government and independent monitoring agency will create a settlement team to visit each PAPs on the site. During this visit the result of DMS conducted in July 2004 will be re-examined. The amount of compensation will be also elucidated by thumb-print or sign to indicate the agreement or disagreement and other procedures for the compensation will take place subsequently.

The compensation money will be fully paid during the public meeting attended by an independent monitoring agency that acts as a witness. For PAPs who will have received the compensation must sign or thumb-print on the compensation sheet to be a proof of receiving compensation. The payment will continue successively until the end.

The date for the PAPs, who will have already received the payment, to transport all their properties from the ROW will be set during the payment of compensation.

### ***4. Consultations and Complaint***

All the PAPs can receive and calculate compensation money and receive other assistances. If PAPs have any problem or question related to compensation or the amount of compensation money, PAPs can consult the Resettlement Implementation Plan Team. The people who do not agree can examine the decision that caused the effect on them during and after the construction of the road by consulting provincial sub-committee whose address is as follow:

- Kandal Province City Hall, Provincial Resettlement Sub-Committee Office, the Improvement of National Road No.1 Project Phnom Penh – Neak Loueng.



**9.     Resettlement Brochure for ADB GMS, NR-5, 6 & 7, 2005**

- ការជួយបណ្តុះបណ្តាល និងរកការងារអោយធ្វើចំពោះកសិករ និងក្រុមគ្រួសារណាដែលទទួលបានការប៉ះពាល់ខ្លាំងជាងគេ ហើយដែលបានបាត់បង់ ដីធ្លីអស់ច្រើនជាង ១០% ដើម្បីអោយបងប្អូន កសិករ និងក្រុមគ្រួសារមានការងារធ្វើ។
- ផ្តល់ជាសាច់ប្រាក់សំរាប់ការដឹកជញ្ជូន ឬ ជាមធ្យោបាយដឹកជញ្ជូនតាមរយៈអាជ្ញាធរដែនដី ដើម្បីអោយបងប្អូនអាច ដឹកជញ្ជូនទ្រព្យសម្បត្តិដែលមានទៅកន្លែងថ្មី។
- ផ្តល់ប្រាក់ឧបត្ថម្ភដល់បងប្អូន បុគ្គលិក កម្មករ ដែលបាត់បង់ចំណូលក្នុងអំឡុងពេលកំពុងមានការសាងសង់ផ្លូវ សំណងជាសាច់ប្រាក់ ត្រូវសមមូលទៅនឹងប្រាក់ខែជាក់ស្តែងដែលបានបាត់បង់ឬស្មើនឹង៤០ដុល្លារ។
- ផ្តល់ប្រាក់ឧបត្ថម្ភ សំរាប់ការបាត់បង់ប្រាក់ចំណូលក្នុងអំឡុងពេល កំពុងមានការស្ថាបនាផ្លូវដែលត្រូវអ្នករកទទួលទានទាំងអស់ ដែលទទួលបាននូវការផ្លាស់ប្តូរទីកន្លែង នូវទីកន្លែងចំនួន ៥០ដុល្លារ ឬក៏ផ្តល់ជូនដល់ថ្លៃការបាត់បង់ចំណូលជាក់ស្តែង ក្នុងអំឡុងពេល ដែលបងប្អូនត្រូវរុះរើ។
- ចំពោះបងប្អូនដែលត្រូវរកទទួលទានហើយត្រូវបង់ពន្ធ ម្ចាស់គំរោង និងទូរទាត់សំណងសមមូលទៅនឹងការបាត់បង់ពន្ធវិញ សំណងនឹងត្រូវទូរទាត់សមមូលទៅនឹងប្រាក់បៀវត្សកម្មបរិមាណបស់ខេត្ត។

តើម្ចាស់គំរោង គេចុះមកសិក្សាគំរោងផ្លូវខាងលើនេះពេលណា ?  
 ម្ចាស់គំរោងនឹងចុះមកសិក្សាគំរោងផ្លូវ ក្រោយពេលដែលគេបានកំណត់ពីរាងផ្លូវរួច។ ក្រុមដែលចុះទៅសិក្សាគំរោងផ្លូវរួមមាន៖

- គណៈកម្មការខេត្តដោះស្រាយផលប៉ះពាល់ដីធ្លី ផ្ទះសម្បែង និងទ្រព្យសម្បត្តិផ្សេងៗ នៅក្នុងដីចំណីផ្លូវ។
- គណៈកម្មការឃុំ-ស្រុក ដោះស្រាយផលប៉ះពាល់ដីធ្លី ផ្ទះសម្បែង និងទ្រព្យសម្បត្តិផ្សេងៗ នៅក្នុងដីចំណីផ្លូវ។
- អង្គការត្រួតពិនិត្យឯករាជ្យ។

ការអនុវត្តសកម្មភាពខាងលើ ត្រូវធ្វើឡើងនៅចំពោះមុខវត្តមានរបស់ប្រជាពលរដ្ឋ ដែលទទួលបានផលប៉ះពាល់ដោយសារគំរោង។ មុននឹងចាប់ផ្តើមការងារនេះម្ចាស់គំរោង នឹងជូនដំណឹងជាមុន ដល់អាជ្ញាធរដែនដី និងប្រជាពលរដ្ឋដែលរងផលប៉ះពាល់។

តើសំណងនេះមានការចែកចាយស្មើគ្នា ឬក៏មានបញ្ហាអ្វីមួយដែលពេញលេញទៅក្នុងពេលកំពុងអនុវត្តការងារនេះ ដូចជាបញ្ហាទំនាស់ទៅនឹងសំណង, វិធានបច្ចេកទេសនេះ តើខ្ញុំមានសិទ្ធិលើកឡើងបានឬទេ ផ្ទាល់ខ្លួនរបស់ខ្ញុំដូចម្តេច ?

- បើសិនបងប្អូនមិនពេញចិត្ត នឹងសំណងដែលបានបើកជូន ឬសំណងនោះធ្វើមិនបានច្បាស់លាស់ តាមអ្វីដែលបានឯកភាពពីមុន បងប្អូនមានសិទ្ធិប្តឹងជំទាស់។
  - បងប្អូនអាចមានសិទ្ធិប្តឹងទៅអង្គការក្រៅរដ្ឋាភិបាល ដែលអង្គការនោះគេនឹងចាត់ចែងជួយដល់បងប្អូន ដោយដាក់ពាក្យបណ្តឹង ជាលាយលក្ខណ៍អក្សរ ទៅអង្គភាពគ្រប់គ្រងគំរោង នៅក្នុងក្រសួង សាធារណការ និងដឹកជញ្ជូន។ ក្រោយមកគេ ព្យាយាមដោះស្រាយបញ្ហាខាងលើនៅកម្រិតភូមិ ឃុំ តាមរយៈការពិភាក្សា ជាមួយសហគមន៍ ដោយមានការចូលរួមពីសំណាក់អ្នកជំនាញការមកពី ខាងផ្នែកដោះស្រាយ ផលប៉ះពាល់ព្រមទាំងចូលរួមពីសំណាក់អង្គការក្រៅរដ្ឋាភិបាល និងអ្នកសំរាប់សំរួលដីទំនេរ។
  - ពាក្យបណ្តឹង និងដោះស្រាយត្រូវបានកត់ត្រាជាឯកសារយ៉ាងត្រឹមត្រូវនៅទីស្នាក់ការកណ្តាលកម្មការដែលពាក់ព័ន្ធ។
  - បងប្អូនដែលទទួលបានផលប៉ះពាល់ដោយសារគំរោង នឹងត្រូវរួចផុតពីការបង់ពន្ធ និងការចំណាយផ្សេងៗលើផ្នែករដ្ឋាភិបាល និងផ្លូវច្បាប់តើម្ចាស់បំណុលធ្វើដូចម្តេច និងដឹងថាអ្វីៗនេះអស់ខាងលើត្រូវបាន ថ្នាក់ក្រោមអនុវត្ត និងឆ្លើយតបតាមតំរូវការរបស់គំរោង ?
- រាល់សកម្មភាពទាំងអស់ នឹងត្រូវត្រួតពិនិត្យដោយ៖
- អង្គភាព បរិស្ថាន និងសង្គម នៃក្រសួងសាធារណការ និងដឹកជញ្ជូន។
  - គណៈកម្មការដោះស្រាយដីធ្លី ផ្ទះសម្បែង ថ្នាក់ខេត្ត
  - អ្នកត្រួតពិនិត្យឯករាជ្យ បន្ទាប់មកគេ នឹងធ្វើរបាយការណ៍ ប្រចាំត្រីមាស ធ្វើទៅម្ចាស់បំណុល (ធនាគារ អភិវឌ្ឍន៍អាស៊ី)។ បន្ទាប់មកទៀតគេនឹងធ្វើការវាយតម្លៃ លើផលប៉ះពាល់ ដែលកើតមានឡើង ក្រោយពីបានធ្វើការផ្លាស់ប្តូរទីលំនៅ ដើម្បីធ្វើការវាយតម្លៃមើលថា តើសិទ្ធិពលអាក្រក់ ទាំងនោះបានបន្ថយល្មមសមរម្យ ហើយកិច្ចការវាយតម្លៃរបស់បងប្អូន ក្រោយពេលមានការផ្លាស់ប្តូរទីលំនៅថ្មី តើបានល្អប្រសើរដែរឬទេ។ ក្រៅពីនេះធនាគារអភិវឌ្ឍន៍អាស៊ី នឹងបញ្ជូន បេសកជនរបស់ខ្លួន មកតាមដានមើលសកម្មភាព អនុវត្តគំរោងនេះ ផងដែរ។
- មើលបងប្អូនមានចំណង់ប្រយោជន៍បែបណាខ្លះសូមនាំទៅនឹងខ្ញុំនេះ៖
- មជ្ឈមណ្ឌលសាធារណការ និង ជីកជួស ខេត្តសៀមរាប មជ្ឈមណ្ឌល និងខេត្តកោះកុង
  - សាលាខេត្តសៀមរាប មជ្ឈមណ្ឌល និងខេត្តកោះកុង

18 March 2005



ព្រះរាជាណាចក្រកម្ពុជា  
 ជាតិ សាសនា ព្រះមហាក្សត្រ

ក្រសួងសាធារណការ និងជីកជួស  
 អគ្គនាយកដ្ឋាន និងសង្គម

សៀវភៅផ្សព្វផ្សាយសំរាប់សាធារណៈជន

ស្តីពី

ផែនការសកម្មភាព នៃការការពារបំបែកដីធ្លី

ក្នុង

គំរោងស្តារឡើងវិញនូវប្រព័ន្ធផ្លូវជាតិលើប្រទេសកម្ពុជា

ក្នុងបរិបទនៃការអភិវឌ្ឍន៍

Booklet  
 for  
 The Resettlement Action Plan  
 IN  
 The GMS Cambodia Roads Improvement  
 Project

2005

draft - not approve from Project Director yet  
 1 / 7 ページ

**តំរេងស្ដារប្រតិបត្តិការណ៍ ទៅក្នុងប្រទេសកម្ពុជាគឺជាអ្វី ?**

តើអ្នកណា ជាអ្នកទទួលខុសត្រូវលើការងារគំរោងនេះ ?

**តើគំរោងស្តារប្រព័ន្ធជូនជាតិទេ មានប្រយោជន៍ដល់យើងដែរ រឺទេ?**

ក្រសួងរ៉ែបារាយស័កោល ក្រោមសម្ព័ន្ធទីស្ថានបេឡាហ្ស៊ីយ៉ាប្រូមប្រុងៈ របស់ យើង

តើមានចំណាប់ដល់យើងដែរឬទេ ?

ចំពោះបងប្អូនដែលត្រូវបំណាស់ទីលំនៅដោយសារគំរោងនេះ បងប្អូន  
ទាំងនោះនឹងទទួលបានការជួយជ្រោបជ្រាប និងជំនួយឧបត្ថម្ភពីគំរោង ។

ធុរៈបីគឺរោងសាលាសង្គមភាគីដើមសង្គម តើម្ចាស់គំរោង គិតគូរឬទេ?

**តើបទប្បទេសចរណ៍ក្នុងតំបន់ភ្នំពេញមានលក្ខណៈអ្វីខុសពីតំបន់ដទៃទៀត?**

តើផ្ទះម្ចាស់ឈប់ផ្សេងៗ របស់ខ្ញុំគេសមដែរឬទេ ឬសិនបើគេពេលនេះថាឆាន  
 តើអោយប៉ះពាល់?

គេពិតជាសង, សងតាមតំលៃដោះដូរ ដោយមិនមាន ការកាត់បន្ថយតំលៃ ចំពោះសំភារៈសំណង់ចាស់ៗ ដែលសល់ពីការរុះរើនោះទេ។ បច្ចុប្បន្នពិតជាអាចសង់ សំណង់ថ្មី ជំនួសសំណង់ចាស់បាន។

**ចំពោះជំនាក់, ដើមឈើហុបថ្លៃ និងឈើត្រូវបស់ខ្ញុំ តើគេសម្បទេ ?**

នេះឡើងវិញត្រង់កន្លែងណាមួយ ឬនៅក្បែរនឹងផ្លូវ ដែលពុំប៉ះពាល់ដល់  
គំរោងសាងសង់ផ្លូវ ។

ក្រុងភ្នំពេញ ថ្ងៃទី ០១ ខែ កក្កដា ឆ្នាំ ២០១២ ។

បើគំរោងសាងសង់ដូចនេះ ប៉ះពាល់ស្រូវម្តងសារពេល ដូចជា :  
 អាគារសាលារៀន, ឥត្តារោង របចេត្ត របេសារារៀន, ប្រឡាយធិត,  
 ព្រៃពេល, រោងចក្រ, ស្រះធិត ដទៃ តើពេលយើងជួបប្រជុំដឹង ?

ប្រសិនបើគំរាងសាងសង់នេះវាខាន និងប៉ះពាល់ដល់ទ្រព្យសម្បត្តិសាធារណៈខាងលើ ម្ចាស់គំរាងនិងសាងសង់ ឬធ្វើអោយថ្មីនៅត្រង់កន្លែងណាមួយផ្សេងដោយមានការពិភាក្សាជាមុន ជាមួយសហគមន៍និងអាជ្ញាធរ ដែលពាក់ព័ន្ធ។ សំណង់ផ្ទះ និងអាគារផ្សេងៗ និងត្រូវសង់ឡើងវិញដូចដើម ហើយពួកវាជាមុន។ ប្រសិនបើមាន ការបាត់បង់ចំណូលដែលបានមកពីប្រភពធនធានខាងលើ ភូមិ ឃុំ ដែលទទួលការប៉ះពាល់ ខាន និងត្រូវទទួលសំណងថ្លៃការបាត់បង់ចំណូល សំរាប់រយៈពេលពេល ។ សំណងនេះ ត្រូវប្រើប្រាស់ជាសមូហភាព ដើម្បីស្តារឡើងវិញនូវចំណូលដែលបានបាត់បង់ ឬប្រើសំរាប់សាងសង់ រាជ្យានធនាសម្ព័ន្ធទីឡើងវិញ ។

បើសិនមានផ្ទះ, តុប, បារាចរឺអាជីវកម្មរួមចំណូល ត្រូវបានគេរើ ឬរើកន្លែង  
 តើម្ចាស់គំរោចគេជួយខ្ញុំយ៉ាងណាខ្លះ ក្នុងការសាងសង់ ផ្ទះ, តុប,  
 និងបារាចរឺអាជីវកម្ម របស់ខ្ញុំនៅទីណា ?

- ផ្ទះ, តុប និងហាងធ្វើអាជីវកម្ម នានា ដែលត្រូវរុះរើប្តូរទីតាំង ឬវាយចោល នឹងត្រូវបានគេសង់អោយវិញ ដោយប្រើសំភារៈ សំណង់ថ្មីៗ ហើយសំណង់នោះមិនរុះរើ ឬផ្លាស់ប្តូរទីកន្លែងទៀតទេ។ ក្រៅពីបានសង់ថ្មីដីថ្មី និងទ្រព្យសម្បត្តិដ៏ទៃទៀត ដោយគំរិលដោះ ដូររូបហើយ ម្ចាស់គំរោងនៅមានតួនាទីតាមដានមើល ដើម្បីធានា អោយប្រាកដថា បងប្អូនដែលទទួលការខាន និងប៉ះពាល់ ត្រូវធានា ថា ការរុះរើ ឬការផ្លាស់ប្តូរទីតាំងនៅ គឺមិនឆ្ងាយពីទីតាំងចាស់ទេ ។

- សំណង់ណាដែលអាចលើកបាន ម្ចាស់គំរោងនឹងជួយចេញថ្លៃពលកម្ម លើក  
រឹងការបាក់បែក ម្ចាស់គំរោងនឹងចេញសង ។

ចំពោះគ្រប់កម្មវត្ថុផ្សេងៗ បានដូចជា :

- ប្រាក់ឧបត្ថម្ភដល់សមាជិក គ្រួសារក្នុងអំឡុងពេលដែលកំពុងមានការ  
រុះរើផ្ទះសម្បែង និង ផ្តល់ជូនអ្នកទាំងឡាយណា ដែលទទួលរង  
ការប៉ះពាល់ខ្លាំងជាងគេ. អ្នកដែលត្រូវផ្លាស់ទីលំនៅ និងអ្នកដែល  
ទទួលការបាត់បង់ដីធ្លីច្រើនជាង១០ % នៃដីធ្លី សរុប  
ដោយឧបត្ថម្ភជាសាច់ប្រាក់ចំនួន ៤០ ដុល្លា ឬក៏ ជាតំលៃនៃ  
អង្ករសំរាប់បរិភោគរយៈពេល ៦ ខែ ជូនចំពោះសមាជិក នៃ  
គ្រួសារតាមវិធីមួយណាដែលខ្លួនចង់បាន ។

**Royal Government of Cambodia  
Nation Religion King**

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**Ministry of Public Works and Transport  
Social and Environmental Unit**  
\*\*\*\*\*

**Booklet  
for  
The Resettlement Action Plan  
  
in  
The GMS Cambodian Roads Improvement  
Project  
  
2005**

## **Public Information Booklet**

### **What is the project for improvement of national roads in Cambodia?**

The Royal Government of Cambodia has requested for improvement of national roads in north-west area of Cambodia, specifically National Road No.5 and No.6 from Siem Reap to Poi Pet with 150.5 Km in length, by using fund from ADB. In this project, the improvement of some parts of road No. 68 ( Kra Lagn – Udor Meanchey) and No. 56 (Udor Meanchey – Banteay Meanchey) are also included.

### **Who will be responsible for the activities of this project?**

The Ministry of Public Works and Transport has created a social environmental unit for monitoring the implementation of the Resettlement Action Plan along the Right of Way.

### **This roads improvement project will benefit us or not?**

It is clear that the improved roads will help passengers to travel faster and facilitate goods transportation, consequently the transportation cost from one place to another as well as from Thailand to populous areas in Cambodia become cheaper. Furthermore, the improved roads will help all of us in exchange products from each other and allow us to receive public services.

### **If this project improves the roads in front of our houses, this project will affect us or not?**

This roads improvement project will surely affect the private and public properties, such as houses, shops or selling stores, gardens and entrance gates. However, we will try to avoid and reduce to the minimum level of the project affected properties by discussing with the project affected persons and the community in the villages and communes. In case of affecting and cannot be avoided, people who are affected by this project will be fairly compensated on land usage, houses, buildings, production of plants and eatable-fruit trees as well as properties of the community so that project affected persons can restore their livelihood. People who need to be relocated because of this project will receive assistance from the Project.

### **If this improvement project pass on my land, how the owner of the project will consider?**

For those who own the land on which the road will pass by, those people will receive compensation either in form of exchange land, which has similar condition as the affected land and is agreed by PAPs themselves, or cash with the present market price.

### **Must project affected persons have land titles to get compensation?**

It's not necessary. Not having land titles does not prevent you from getting compensation or any assistance. For those who occupied and used the land before 30 June 2002, they will receive compensation if the project disturb or affect them. For

those who occupied and used the land after 30 June 2002, they have no right to receive any compensation or assistance.

**My houses or buildings will be compensated or not if this project affect ?**

They must be certainly compensated. They will be compensated with fair price without cost deducting for the dismantled construction materials. PAPs can definitely construct new houses to replace the old ones.

**Do they compensate for my plants, my eatable-fruit trees, and my trees?**

Those who have rice plants or other plants affected by the project, they will be informed two months in advance so that those people can manage time to harvest. If those plants are providing fruits and it's not time yet to harvest before starting of the project, those people will receive compensation for the loss according to the present market price. For the plants, which are located in the Right of Way, providing production for the whole season, the owner of those plants will receive compensation for the loss of the production. The compensation will be calculated by multiplying the annual production with a factor of 5 years. This is attributed to the compensation for the waiting time until the new plants can provide production. The owner of the project will help replanting in any places or next to the roads where it does not affect the project. Plants, which almost provide production or must harvest, will be also fully compensated.

**How do they consider if the project affects the public properties, such as schools, pagodas, school gates or pagoda gates, canal, jungle, well, pond, etc?**

If the project affects the above public properties, the owner of the project will construct or build new ones in any other places by discussing with concerned communities and authority in advance. Houses and buildings will be reconstructed with the same as the original and better condition than the old ones. If there are any losses of income which should have been received from the above public properties, Villages and Communes who are affected by the project will receive compensation for the loss of income for 3 years. This compensation must be used for the community to restore the income, which will have been lost, or for constructing new infrastructure.

**If there are some houses, some shops and some business stores will have been dismantled and relocated, how the owner of the project will help us in reconstructing our houses, shops and business stores?**

- Houses, shops and business stores, which will be dismantled and relocated or demolished, will be compensated by using new construction materials and these new buildings will not be dismantled or relocated any more. Besides compensation of land and other properties, the owner of the project has another role to investigate in order to make sure that people who are affected by this project will not be relocated far away from the previous places.

- For any movable houses or buildings, the owner of the project will pay for the labor cost for relocating as well as for the debris which caused by moving.

**Some other Assistance is as follows:**

- Assistance for family's members during the period of dismantling, will be provided to those who are strongly affected ( those who will be required to relocate and those who will have lost more than 10% of their total land). Those people can choose either \$40 in cash or the price of rice for food for 6 months.
- Provide trainings and seek for job for farmers and the families who are severely affected and lost more than 10% of their land.
- Provide either transportation fee or means of transportation by local authority in order that people can transport properties to the new location.
- Provide assistance money to personnel, workers who lose their income during the road construction. The compensation cash will be proportional to the actual salary, which will have been lost, or equivalent to \$40.
- Provide assistance money for the lost of income to those who are required to relocate with the amount of US\$50 or the actual income during the shifting period.
- For those who are .... (cannot be understood)

**When the project owner will conduct the study?**

The project owner will conduct the study after the geometry of roads has been made. The team is comprise of :

- Provincial Resettlement Committee
- Commune-District Resettlement Committee
- Independent Monitoring Agency

The above activities will be carry out in the presence of people who are affected by the project. Before starting this activity, the owner of the project will inform local authority and PAPs in advance.

**If there are some disagreements or any problems that could occur during the project implementation such as problems related to compensation, general technical disturbance, how do I have right to raise my grievance?**

- If you don't satisfy with the payment of compensation or the compensation was not transparent according to the original agreement, you have the right to file complaints.
- You have the right to raise your complaints to None Government Organization (NGO) and that NGO will help you in writing and conveying to Project Management Unit in the Ministry of Public Works and Transport. After that, they will try to solve the above problem in Village and Commune level with discussion with the community and participation of resettlement expert, NGO and other negotiators.
- The grievances will be solved and carefully recorded in the offices of relevant committees.
- Those who are affected by the project will be not responsible for the tax payment and other expenses on administration and legal procedure.

**How do the loan provider know that all mentioned above will have been implemented in according with the requirement of the project?**

All kind of activities will be investigated by:

- Environmental and Social Unit in the Ministry of Public Works and Transport.
- Provincial Resettlement Committee
- Independent Monitoring Agency. Then, they will quarterly report to loan provider ( ADB). After that they will evaluate the effect after relocation in order to know that whether the influence of relocation will have been appropriately mitigated and the living standard of the project affected people after relocation is good or not. In addition, ADB will also send a mission to investigate the activities of implementation of this project.

**If you have any questions or suggestions, please contact:**

- **Department of Public Works and Transport in Siem Reap, Banteay Meanchey and Udon Meanchey.**
- **City Hall of Siem Reap, Banteay Meanchey and Udon Meanchey Provinces.**



## 10. 土地の値段情報, 1999

表 土地の値段情報（上段は農地、下段は住宅地）

Province	Price, Riel/sq.m	Median	n
Kandal	11,140	7,400	378
Phnom Penh	4,750	4,000	140
Kampot	440	130	224
Kampong Cham	240	250	547
Takeo	170	160	349
Battambang	140	150	192
Kompong Speu	110	90	186
Kompong Thom	100	80	224
Svay Rieng	100	60	224
Banteay Meanchey	..	..	..
Kompong Chhnang	..	..	..
Kep	..	..	..
Koh Kong	..	..	..
Kratie	..	..	..
Prey Veng	..	..	..
Pursat	..	..	..
Rattanakiri	..	..	..
Siem Reap	..	..	..
Sihanoukville	..	..	..
Stung Treng	..	..	..

*Note: n = number of sample*  
*Source: Socio-economic Survey, NIS 1997*

Province	Urban			Rural		
	Ave. Price, R/m <sup>2</sup>	Median	n	Ave. Price, R/m <sup>2</sup>	Median	n
Kandal	921,400	254,600	40	10,300	2,500	454
Phnom Penh	593,800	216,600	1,136	..	..	..
Kompong Cham	258,400	37,600	40	4,000	1,100	663
Kompong Thom	160,500	3,000	58	5,700	2,000	206
Kampot	124,200	40,700	28	1,900	1,000	210
Battambang	101,600	12,600	146	9,200	1,200	224
Sihanoukville	65,700	2,700	140	..	..	..
Takeo	60,900	4,700	30	3,200	1,000	331
Rattanakiri	41,400	18,000	8	1,300	500	30
Svay Rieng	38,900	4,600	20	500	300	221
Koh Kong	22,200	6,400	21	5,000	2,000	25
Kompong Chhnang	21,700	11,100	30	13,700	2,000	131
Siem Reap	13,400	6,500	69	3,700	1,000	224
Kompong Speu	9,200	400	39	1,500	500	164
Banteay Meanchey	4,900	2,100	68	3,100	1,300	158
Pursat	3,700	1,800	57	27,000	1,100	103
Prey Veng	2,200	700	60	3,000	960	461
Kep	1,800	800	20	..	..	..
Kratie	1,600	1,100	69	2,100	1,100	73
Stung Treng	400	200	18	300	100	28

*Note: n = number of sample. Exchange rate: 2,989 Riel/US\$ (World Bank, 1999)*  
*Source: Socio-economic Survey (Questions 24.1-24.3), NIS 1997*

出典：A Preliminary Review of Secondary Data and Primary Data from Four Recent Surveys, Land Ownership, Sales and Concentration in Cambodia, Working Paper 16, September 2000, by Sik Break

## 新聞記事

プノンペン市内の地価が急激に高騰していることを伝えている。一番高いノルダム道路沿いでは土地価格が\$800~1,000 / m<sup>2</sup>すること、プロジェクトの始点辺りのミンチェイ地区では去年の12月から今年の1ヶ月の間に土地代が\$50 / m<sup>2</sup>から\$100 / m<sup>2</sup>に急上昇したことが示されている。

### NATIONAL

## Property Prices, Development Skyrocket in City

By WILLIAM SHAW  
THE CAMBODIA DAILY

Investor confidence in political stability for Cambodia is driving a surge in property prices in Phnom Penh, as developers and speculators snap up land and start construction work, estate agents and business experts said Monday.

In late 2003 and 2004, property prices in Phnom Penh rose 15 percent to 20 percent every six months, as investors awaited the formation of the new government with a degree of confidence, Tim Smyth, Indochina Research managing director said.

Following the government formation on July 15, 2004, confidence increased, and money moved from land speculation to construction work, he said.

"The only thing you can say about Phnom Penh is that it is expanding," he said.

In the next five years, property prices in the city will likely rise several hundred percent, especially around Tuol Kok district, the Boeng Keng Kang communes in Chamkar Mon district, and the riverside, Smyth said.

Construction projects have sprung up in recent months along the river front and on the outskirts of the city center in Russei Keo district, where Phanimex Co Ltd is building a new headquarters for the Municipal Police, in exchange for their current headquarters

near Phsar Thmei.

Land around Northbridge Communities in Meanchey district's Stung Meanchey commune jumped 100 percent from December to January, from \$50 per square meter to \$100, said Sung Bonna, director of Bonna Realty Co Ltd.

"Construction is coming up a lot—it seems like the country is also developing," Sung Bonna said. He predicted that property values across Phnom Penh will rise an average of 30 percent to 50 percent over the next five years.

However, he added: "In Cambodia we can't predict like that...the situation always changes quickly."

Many investors are keeping their property development projects here relatively small as they assess the business environment, he said.

One diplomat attributed the upward trend in land prices to Cambodia joining the World Trade Organization and Asean, and building a better reputation for stability.

Saroeun Soush, managing director of Asia Real Property Co Ltd, said the increase was also caused by a demand for housing, as people move from the provinces to the city. Land on Norodom Boulevard, one of the most expensive areas, has increased in price from about \$500 per square meters five years ago to \$800 to \$1,000 per square meter today, he said.

The top foreign property investors in Phnom Penh are Chinese, followed by South Koreans, he said.

Some voiced skepticism about the new developments. Buildings may be a form of alternative investment that will not necessarily be used, said Bretton Sciaroni, president of the International Business Club.

They "are not necessarily a good sign," unless they are occupied by businesses, he said.

Most property in Phnom Penh is controlled by political parties and powerful families, so if property values decline, the general public is unlikely to be directly affected, Smyth said.

"Most of the land has been consolidated," Smyth said. "The poor end of the [Phnom Penh] market never had the property anyway."

One economist said the majority of the land being bought is not being developed.

"The majority of people don't trust banks, and they can't put a million dollars under the mattress, so they'd rather put it in land," the economist said, speaking on condition of anonymity. "They fence it off... In terms of economic contribution, it's nothing."

High land prices will drive the poor out of the city, into remote areas with few economic opportunities, where their poverty will likely worsen, the economist said.

TUESDAY, JANUARY 25, 2005

The CAMBODIA DAILY

NATIONAL

## 11. 外部モニタリング報告書の概要

## Demarcation, DMS および Negotiation のモニタリング結果

### 0 . Demarcation, DMS および Negotiation の進捗（巻末の表参照）

2004 年 10 月 7 日付 IRC レター（No.5340MEF/DIC）によれば作業状況は以下のとおり：

- ・ Demarcation
  - Demarcation とは、CH54+740 から CH23+900 までの区間に国道 1 号線の予定工事道路幅（Provisional Road Width（PRW））を現地に杭を打って示す作業である。
  - 2004 年 7 月 30 日から 2004 年 9 月 24 日の間に実施された。
  - 同時に ROW（センターラインから両側 30mを示すコンクリート杭の設置も 250m 間隔で CH54+740 から CH34+700 の区間に対して実施された。
- ・ DMS
  - DMS とは影響資産詳細調査（Detailed Measurement Survey）であり、PRW 内移転の対象となる資産（家屋、樹木、フェンス等）の数量をカウントする作業である。このとき同時にプロジェクトの概要、移転対象資産への補償方針が説明され補償額(案)も DMS 結果の PAPs 配布用コピーの裏に書き込まれる。同時に住民の意見・要望も吸い上げられた。
  - DMS は CH54+740 から CH23+900 までの区間において 2004 年 7 月 31 日から 2004 年 9 月 28 日の間に実施された。
- ・ Negotiation（契約交渉）
  - 契約交渉とは上記 DMS 結果によって積算された補償額（案）についての補償対象者（PAPs）との交渉および合意時の調印である。
  - ネゴは 2004 年 8 月 20 日に開始して 2005 年 1 月 24 日時点で補償対象物件が 1653 件あること確認。以下は DMS 責任者からの口頭による情報である。
  - 1653 件中、1402 件について契約締結し、11 件については契約不成立である。22 件が橋梁部工事中迂回路の用地に関するもので未交渉、および 218 件が簡単に移動可能な屋台であることから補償は行わない方針とのことである。
  - 契約不成立 11 件の内容は 8 件が PRW 外の土地の問題（開口部）、1 件が PRW 外の建物への(道路建設によって生じると主張する影響に対する)補償、1 件が DMS 後に建てた塀への補償、および 1 件がパゴダの門の補償についてとのことである（パゴダについては現時点でほぼ合意がついている）。

### 1 . JICA 事務所と外部モニタリング機関 SBK 契約書 2004 年 9 月 17 日

- ・ Sta.22+00～ネクルン

- ・ 契約期間 2004 年 9 月 17 日～204 年 11 月 16 日（12 月 31 日まで延長）
- ・ モニタリングプランを JICA へ提出する

## 2 . Technical Proposal, 16 September 2004

本技術提案書によれば以下の調査を提案している：

- ・ 160households(20%)に対するランダム調査（社会経済条件を含む）
- ・ 最低 5 グループ×10households に対する Focused Group Discussion の実施
- ・ インセプションレポート、月報、中間報告、最終報告（案）および最終報告書を提出
- ・ メンバー構成はチームリーダー、副チームリーダー、記録係、DMS 監督

## 3 . Inception Report, 11 October 2004

本報告によれば以下のとおり：

- ・ 27-28 September にモニタリング訓練実施（モニタリングチームリーダー等 3 名、DMS モニタリング係り 2 名、ネゴモニタリング係り 2 名の計 7 名を 2 チームに分ける）し、
- ・ 29 日以降本格モニタリング実施（DMS は 7 月 31 日に開始、9 月 28 日終了、ネゴは 8 月 20 日開始）
- ・ DMS グループと契約交渉グループそれぞれのメンバーの構成
  - DMS グループ：団長（MEF）MEF 職員 1 名、MPWT 職員 1 名、州事務所職員 2 名、地区土地管理局員（Land Management Office）1 名、地区 PWT 職員 1 名、地区警察官 1 名、憲兵 1 名、各村世話役 1 名およびコミュニケーション長 1 名の計 11 名
  - 契約交渉グループ：団長（MEF）MPWT 職員 1 名、MLMUPC(Ministry of Land management, Urban Planning and Construction)職員 1 名、州事務所職員 3 名、警官 1 名、各村世話役 1 名、コミュニケーション長 1 名の計 9 名
- ・ 作業
  - 杭打ち：杭間隔が広すぎるため土地家屋の測量精度についての疑義が感じられた（SBK）。ただし測量結果は図面どおりのようであった。
  - DMS：DMS グループは 2 チームに細分化された。SBK のモニタリング下で 1 チームは質問表を元に 1 日 6 世帯調査した。DMS のやり方は友好的であり、大多数の PAPs が補償額に合意した。
  - 契約交渉：契約交渉チームも 2 分化された。モニタリング中の 2 日間にそれぞれのチームが 12 世帯と 18 世帯に対してネゴをおこなった。ネゴはスムーズにかつ打ち解けた雰囲気で行われた。
- ・ PAPs(30 世帯)たちの不安材料

- 移転先の無い PAPs に対してはどうするのか（WG は IRC 上部に伝えるといった）
- トイレ、果樹はどうなるか。セットバックすればそこは沼地であり埋立が必要である。
- ビジネスロスに対しては補償されるのか。
- 早期に移動してよいか。
- 沼地のため境界杭が周辺に打てなかったために測量精度に疑問を感じている
- ・ 結論と提言
  - DMS および Negotiation はスムーズかつ PAPs にとって満足がいくものようであった。ただし次のような提言をする・
  - 移転地を含めて補償について、誤解・混乱を避けるべく PAPs と意思の疎通を図るべき。同時に移転地の土地の投機・値上がりの問題もあるが。土地は予算が認められ次第買うべきであるにしても、移転する土地の無い人たちの DMS 登録はすぐにすべきである。
  - 職業訓練か就職の機会の選択権利を供与する。
  - プロジェクトと補償について理解していない PAPs の存在があったこと。
- ・ 本報告書には以下のアネックスがあり。
  - アネックス 1 . データ収集方法
    - EM ( External Monitoring ) チームの訓練
    - 20%PAPs インタビュー
    - FGD ( 焦点となる集団との協議：各集団 8-12HH からなる )
  - アネックス 2 . 契約交渉チェックリスト
  - アネックス 3. DMS チェックリスト
  - アネックス 4. 焦点となる集団との協議チェックリスト

#### 4 . Interim Report between 27 September to 9 October 2004 ( 227 世帯契約交渉のモニタリング結果報告書 )

- ・ 9 月 27 日から 10 月 9 日までの 13 日間 WG の 4 チームによる 227 世帯の契約交渉のモニタリングを行った。このことから Negotiation の速度は、
$$227 \text{ 世帯} \div 4 \text{ チーム} \div 13 \text{ 日} = \boxed{\text{約 4 世帯} / ( \text{日} \cdot \text{チーム} )}$$
- ・ 内容は次のマンスリーレポートと重複するので割愛する。

#### 5 . Monthly Progress Report between 27 September to 27 October 2004, 04 November 2004 ( 408 世帯の契約交渉のモニタリング結果報告書 )

- ・ 408 世帯を WG の 3 チームが 32 日間の間に契約交渉を行った。Negotiation 速度は、やはり



$$408 \text{ 世帯} \div 3 \text{ チーム} \div 32 \text{ 日} = \boxed{\text{約 4 世帯 / (日・チーム)}}$$

- ・ 408 世帯のうち 48 世帯が世帯代表者女性世帯、17 世帯が世帯代表者老人世帯、5 世帯が世帯代表者貧困世帯および 3 世帯が世帯代表者障害者世帯であった。残り 335 世帯がこれらに該当しない 世帯代表者普通世帯 であった（82%に相当）。
- ・ 契約交渉は 87.5%の件数は PAPs の家で行われた。他は IRC が招待した場所で行われた。
- ・ 契約交渉過程の詳細は以下のとおり：

#### 確認された契約交渉実施手順

手順	実施割合,%
1 契約交渉の開始の呼びかけ	97
2 DMS 結果の再測量	85
3 公衆の面前での大声での影響資産の読み上げ	95
4 公衆の面前での大声での補償総額の読み上げ	94
5 契約の呼びかけ	93
6 苦情申請方法の説明	85
7 署名・捺印	99
8 補償費の受け取り手続きの説明	83

- ・ 以下の表は 408 世帯のうち 100 世帯の PAPs の挙げた懸念と不平（括弧内は 408 世帯に対する割合、複数回答）の一覧表である。

#### 住民の不満と WG の対応（Monthly Progress Report）

	PAPs からのコメント	WG の対応・説明
1	補償単価が市場価格より安い(12.3%)	（ROW 内）であることから補償費は一部しか支払われない
2	小さな店に対する商売補償がないこと（4.9%）	移動が簡単であるから補償はしない
3	移転する土地がない（7.4%）	政府に報告する
4	果樹がもったいない（3.2%）	その木の生産性に応じた政府単価によって補償する
5	家屋を再築するには補償費が十分でない（2.5%）	補償費は青天井ではない。プロジェクト自体の便益を考え妥協して欲しい。
6	今後、小商売（こあきない）ができなくなるのでは（4.0%）	商売そのものに対する補償の規定はない
7	もし工事に差し支えなければ、工事の影響を受ける とされる資産をそのまま移動せずにいても構わないか(1.2%)	果樹を除き全ての建築物は移動する必要がある。
8	工事影響をうける現家屋の背後に位置する、工事の影響を受けないところの資産も家屋移動によって影響を受ける（1.0%）	補償規定にない
9	プロジェクトによって生活水準が深刻な影響をうけるので政府からの支援が必要である（1.2%）	補償規定にない



	PAPs からのコメント	WG の対応・説明
10	小さな木に対して補償がない(3.2%)	生産性を有する木に対してのみ補償
11	本当に道路が良くなるのか(1.0%)	道路は経済発展の要であるからきっと良くなる
12	DMS 前に移転した資産に対して補償が無い(0.5%)	現在影響を受けるものに対してのみ補償が行われる。
13	計算間違いをするな 0.5%)	再計算した

- ・ 契約交渉の過程でモニタリングチームが感じ取った PAPs 満足度について下表のようである：

- 不平を表明した 100 世帯の、WG による上記説明に対する納得の度合い

十分納得	6 世帯	6%
納得	52	52%
とりあえず納得	21	21%
納得できなかった	21	21%
合計	100	100%

- 補償額に対する満足度(408 世帯対象)

最高の満足	4%
満足	66%
低い満足度	22%
満足度ゼロ	8%
合計	100%

- ・ 当初合意されない場合が 7 世帯あったがその内の 3 世帯（塀、墓、果樹の問題）がその後合意し、この時点(2004.10.27)で合意拒否世帯が、408 世帯中に次の 4 世帯である。

- パゴダの塀の問題（政府による補修復元で口頭では合意）
- 家屋材補償カテゴリーの見直し
- 椰子の木の補償が安すぎる
- 埋立費の補償

- ・ 結論と提言

- 補償費を PAPs の前で常に大声で読み上げること
- 苦情申請方法を忘れずに教えること
- 政府の補償方針と補償単価へ従うこと という説明は適切な言い方ではない。今後使うべきではない
- 移転先の無い土地なし PAPs に対して、WG は移転地を供与すると伝えていな

い。この場合 WG は供与すると伝えるべきである。

## 6 . Fact Finding Survey Report( 2005 年 2 月 8 日バ・ジ・ョン)に基づく PIC・DMS 時の問題点と対策(案)

### Fact Finding Survey

スタートが遅れたことから SBK がモニターできなかった PAP s 840 世帯について、DMS/Negotiation 中に不具合があったかどうかの聞き取り調査を 2004 年 11 月 21 日～12 月 5 日の間実施。その結果以下が判明した。 は予備調査団のコメントおよび提言内容である。

- ・ 840 世帯中約 2%（17 世帯）がプロジェクトを知らなかった。  
少人数（20～30 人）の PIC をこまめに開くべき。
- ・ 地元の役人と警官以外はメンバーは誰か識別できない。  
識別カードを首からぶら下げる。
- ・ 840 世帯中 5%の世帯が補償内容について（スリップを見るまで）知らされていなかったし、質問もしなかった。850 世帯の 9 %が補償ポリシーの詳細な説明を受けなかった。  
“理解しました”と一筆取ることも検討すべき。
- ・ 840 世帯の 274 もの世帯（32%）の住民が補償額の変更を WG に申し立てている。  
住民は必ずしも遠慮がちな人ばかりではない。WG への申し立ては簡単で現実的な苦情申し立てと考える。ここで解決できなければ苦情処理委員会（GC）あるいは最終的には法廷で争うことになる。
- ・ 補償額の変更を申し入れた 274 世帯中の 13 世帯（5%）が単価の勘違い・測量ミス、残地(建物)・祭壇(もとの補償対象項目に入っていない)の問題等で増額が認められた。執拗な要求のために理由も確定せず増額した例も報告されている。  
申し立てがない世帯に対してもミスがないか再チェックが必要かもしれない。
- ・ 840 世帯中 10%が、合意しない場合の脅しとも取れる不愉快な警告を受けたといった。  
誤解を与える言動は軽い冗談でも慎むよう訓練が必要である。あるいはそれを監視・確認することも引き続き必要。
- ・ 840 世帯中 24%にブルースリップの金額記入漏れがあった。  
WG の訓練・および確認書（十分な説明・金額の入ったスリップ etc を受けたの確認）の取り交わし
- ・ 家屋に影響を受ける 396 世帯中の 214 世帯が、a)PRW 外に小移動するか b)完全移転にするか好きなオプションを選べるという説明を理解していなかった。オプションが選べることを知ってオプションの変更を申し出た世帯が 214 世帯中 60 世帯(28%)あった。  
重要な問題である。補償項目・ポリシーは文章で配布すべき。

表 Demarcation、DMSおよび契約交渉とそれらの外部モニタリング実施状況

					2004年						2005年
					7月	8月	9月	10月	11月	12月	1月
IRCワーキンググループ (WG)	Demarcation	PRWおよびROW幅を示す位置の杭打ちCH54+740～CH23+9008(約30km)			7/30 9/24						
	DMS	資産調査	1652	1440	7/31 9/28						
	Negotiation	補償交渉	(1412)	(1248)	8/20 10/21						
	未交渉物件	移動可能な屋台	218	?							
		橋梁部	22	?							
モニタリング機関 (SBK)	外部モニタリング	ネゴ実施状況のモニタリング	?	408	9/29 10/27						
	Fact Finding Survey	7/31から9/28間の実施状況のインタビューによる事後確認調査	?	840	11/21 12/5						
(外部モニタリングのない8/20から9/27の期間のNegotiationのモニタリングは、11/21～12/5の事後調査で補完)											

( ): 逆算して求めた

## 12. Manual for DMS

**MANUAL  
FOR  
SIMPLE SURVEY  
AND  
DETAILED MEASUREMENT SURVEY  
(DRAFT)**

**MARCH 2005**

**JAPAN INTERNATIONAL COOPERATION AGENCY**

## TERMINOLOGY

	Abbreviation	Definition in this report
<b>Affected Person</b>	<b>AP</b>	AP indicates any juridical person being as it may an individual, a household, a firm, or a private or public who, on a account of the execution of the Project, or any of its components or sub-projects or parts thereof would have their right, title or interest in any house, land (including residential, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, in full or in part, permanently or temporarily.
<b>Compensation</b>		These terms refer to all types of support system such as money, advice, services, training, etc. provided to eligible PAPs for lost access to land and for the removal of assets. Cash will be the most common type of compensation.
<b>Contract Negotiation</b>		After the measurement of affected assets of PAPs, compensation amount is proposed by WG (working group) and negotiated between WG and PAPs. At the same time any grievance of PAPs can be consulted with WG.
<b>Corridor of Impact</b>	<b>COI</b>	COI is the word, used by ADB project predominantly, which indicates the area impacted by road project or by the need to retain site for future use for construction or maintenance. This word is not used in this project.
<b>Cut Off Date</b>		This date is the date of simple survey was completed. It will establish that who are entitled to compensation under the NR-1 on <b>11 January 2004</b> . Any people moving on to the ROW after the cut-off date will not be considered as PAPs and will be evicted without compensation. If, however, any individual who was not surveyed during the simple survey or DMS can show proof that they were using land in the ROW before the cut –off date will be considered as a PAPs.
<b>Detailed Measurement Survey</b>	<b>DMS</b>	This refer to a survey of assets owned by PAPs, by which compensation amount is determined.
<b>Demarcation</b>		This work is to put pegs on the ground indicating boundary line(s) of ROW or PRW.
<b>External Monitoring</b>	<b>EM</b>	External monitoring is carried out by the impartial, independent organization in the purpose to monitor if resettlement activities is properly carried out in accordance with requirement. External monitor is directly hired by JICA.
<b>Grievance Committee</b>	<b>GC</b>	The function of the Grievance Committee is to meditate the dispute, grievance raised by PAPs. The committee member are consisting of local authorities, central government officers and village elder, all of who are impartial and neutral position to the project.
<b>Inter-ministerial Resettlement Committee</b>	<b>IRC</b>	Implementing body of resettlement activities with members consisting of MEF (ministry of economy and finance), MPWT (ministry of public works and transport), MLMUPC( ministry of land management, urban planning and construction), and so on.
<b>Landless</b>		This term refers to a condition that the PAP who does not have land, by which able to make living, other than inside PRW or money to purchase such land.
<b>Project Affected</b>	<b>PAPs</b>	In this Resettlement Brochure, ‘project affected persons’ are defined

	Abbreviation	Definition in this report																													
Persons		as <u>householders</u> of project affected households. Usually, PAP simply refer to any <u>individual</u> who is adversely affected, either temporarily or permanently, by the activities undertaken for the project.																													
Public Consultation	PC	Public consultation is held for PAPs to consult with IRC/Working Group or Commune Authority in the purpose to discuss and solve their issue(s) whatever related to the project including compensation and/or resettlement.																													
Provisional Road Width	PRW	<p>PRW refers a certain width of road necessary for the present project, within which all the assets have to move outside. In this moment, PRWs are:</p> <table><tr><th colspan="2">STA. km</th><th colspan="2">Distance from centerline to PRW pegs:</th><th rowspan="2">Remark</th></tr><tr><th>from</th><th>to</th><th>Mekon River side</th><th>Colmatage side</th></tr><tr><td>0.3</td><td>1.9</td><td>13</td><td>13</td><td>Most Congested Area</td></tr><tr><td>1.9</td><td>13.5</td><td>15-30</td><td>15-25</td><td></td></tr><tr><td>13.5</td><td>14.0</td><td>Existing Road</td><td>Existing Road</td><td>Kokir Market</td></tr><tr><td>14.0</td><td>55</td><td>5-20</td><td>15-30</td><td></td></tr></table>	STA. km		Distance from centerline to PRW pegs:		Remark	from	to	Mekon River side	Colmatage side	0.3	1.9	13	13	Most Congested Area	1.9	13.5	15-30	15-25		13.5	14.0	Existing Road	Existing Road	Kokir Market	14.0	55	5-20	15-30	
STA. km		Distance from centerline to PRW pegs:		Remark																											
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1.9	13.5	15-30	15-25																												
13.5	14.0	Existing Road	Existing Road	Kokir Market																											
14.0	55	5-20	15-30																												
Public Information Meeting	PIM	Public information meetings will be held for notifying (1)the project outline to the public and PAPs among all,(2) DMS and (3) relocation site(s). PIM is one of the Stakeholder Meeting.																													
Relocation Site		Relocation site(s) are prepared for those who don't have alternative land affected by the project to resettlement.																													
Resettlement Action Plan	RAP	Resettlement Action Plan (RAP) is a time-dependant action plan describing (1) outline of project, (2) compensation policy to PAPs, (3) schedules for project and resettlement activities and (4) with a total budget for compensation. The objectives of RAP is to ensure the losses of APs incurred are redressed so that APs can share the project benefits and can be assisted to develop their social and economic potential. The RAP will need to be revised after DMS and also during the Design and Implementation, and Rehabilitation stages																													
Resettlement Activity		Resettlement Activities refer to any activity related to PAPs. This includes, among all, public meetings, simple survey, DMS, relocation site preparation, compensation disbursement, monitoring of rehabilitation of PAPs and grievance redressing mechanism.																													
Right of Way	ROW	ROW refers that a certain width of the road, railway or river from centerline is considered to belong to State and can be necessary for future development. Occupants within the ROW are assumed not legalized according to Prime Minister's Declaration in 1999.																													
Set Back		This word refers to, for PAPs who have to go out of the PRW, relocating their houses, by the distance several meters backward from present location to outside of PRW in the most cases. Set back is possible only when vacant lands are available behind or nearby their present houses.																													

	Abbreviation	Definition in this report
<b>Simple Survey</b>		As a milestone to proceed to next DMS stage, the simple survey is performed, by which it is clarified if the project related residents (residents within the ROW for example) are with or against the development project. In case 70 to 80% of interviewed express agreement, the project is considered to be welcomed and able to proceed to the next stage.
<b>Stakeholder Meeting</b>		<p>Stakeholder is any person/organization in related to the project directly or indirectly. Therefore, stakeholder meeting refers meetings with any person or organization that are involved in the project including PAPs, NGO and/or implementing agency. Public Information Meeting is one of modes of the Stakeholder Meetings.</p> <div style="margin-left: 400px;"> <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">Stakeholder Meetings</div> <div style="border-left: 1px solid black; padding-left: 10px;"> <div style="margin-bottom: 10px;">└ Public Information Meeting</div> <div style="margin-bottom: 10px;">└ Public Consultation</div> <div style="margin-bottom: 10px;">└ Any other meetings held between stakeholders</div> </div> </div> </div>
<b>Vulnerable Households</b>		Vulnerable households refer to households, headed by either widow, aged, handicapped or poor (with income less than 10\$/month) householders, whose income are only or primary sources for those household.
<b>Working Group</b>		Simple survey and Detailed Measurement Survey at the field are performed by this working group consisting of staffs from MPWT, MEF, Local PWT and so on, under the direction of IRC or Resettlement Unit.



## TERMINOLOGY

## TABLE OF CONTENT

	Page
<b>GENERAL -----</b>	<b>1</b>
1. Purpose of This manual -----	1
1. Flow of the Resettlement Activity -----	1
 <b>PART 1 SIMPLE SURVEY -----</b>	 <b>3</b>
1. Preparation -----	3
1.1 Outline of Simple Survey-----	3
1.2 Planning and Budget Preparation-----	3
a. Drawing of Feasibility Study (F/S)-----	3
b. Schedule Planning-----	4
c. Simple Survey Brochure Preparation -----	4
d. Manpower and Material Required -----	4
e. Budget Application -----	4
1.3 Group Formation and Training-----	5
a. Working Group Formation-----	5
b. Training-----	5
1.4 Meeting with Stakeholders-----	5
a. Relevant Authorities -----	5
b. JICA-----	5
2 Implementation -----	6
2.1 Public Announcement including Declaration of Cut-Off-Date-----	6
2.2 Interview to PAPs-----	6
2.3 Identification of Assets of PAPs-----	6
2.4 Data Input to Computer-----	6
3 Reporting and Information Dissemination -----	6
Appendix -----	8
A. Procedure of Simple Survey -----	9
B. Form of Interview for Simple Survey -----	10
C. Simple Survey Brochure -----	11

<b>PART 2 DETAILED MESUREMENT SURVEY (DMS)</b>	<b>15</b>
<b>1. Preparation</b>	<b>15</b>
1.1 Outline of Detailed Measurement Survey (DMS)	15
1.2 Planning and Budget Preparation	15
a. Drawing of Basic Design Study (B/D)	15
b. Resettlement Brochure Preparation	16
c. Schedule Planning	16
d. Manpower and Material Required	16
e. Budget Application	17
1.3 Formation of Grievance Committee	17
1.4 Group Formation and Training	17
a. Working Group Formation	17
b. Training	18
1.5 Meeting with Stakeholders	18
a. Relevant Authorities	18
b. JICA/External Monitor	18
<b>2 Implementation</b>	<b>19</b>
2.1 Public Announcement and Public Information Meeting (PIM)	19
a. Announcement	19
b. Brochure Delivery at Meeting Place	19
c. Presentation at PIM	19
d. Preparation of Attendants List and Minutes of Meeting	19
2.2 Demarcation	19
2.3 Assets Measurement	20
2.4 Census	20
2.5 Negotiation	20
2.4 Explanation of Relocation Site	20
<b>3 Reporting and Information Dissemination</b>	<b>20</b>
<b>Appendix</b>	<b>21</b>
A Procedure of Public Information Meeting (PIM)	22
B Procedure of Asset Measurement	23
C Form of Interview for Asset Measurement	24
D Form of Interview for Census	29
E Procedure of Contract Negotiation	32
F Resettlement Brochure	34

# **GENERAL**

## **1. Purpose of This Manual**

This is the manual presented for 1) the working group who actually contact with PAPs through public information meetings, simple survey and detailed measurement survey and 2) the external monitoring agency, if employed.

This is prepared based on the previous experience and shall be revised and updated depending on revision of compensation policy or what we learn in the future.

## **2. Flow of the Resettlement Activity**

Figure 1 presents the general flow of resettlement activities required for JICA project.

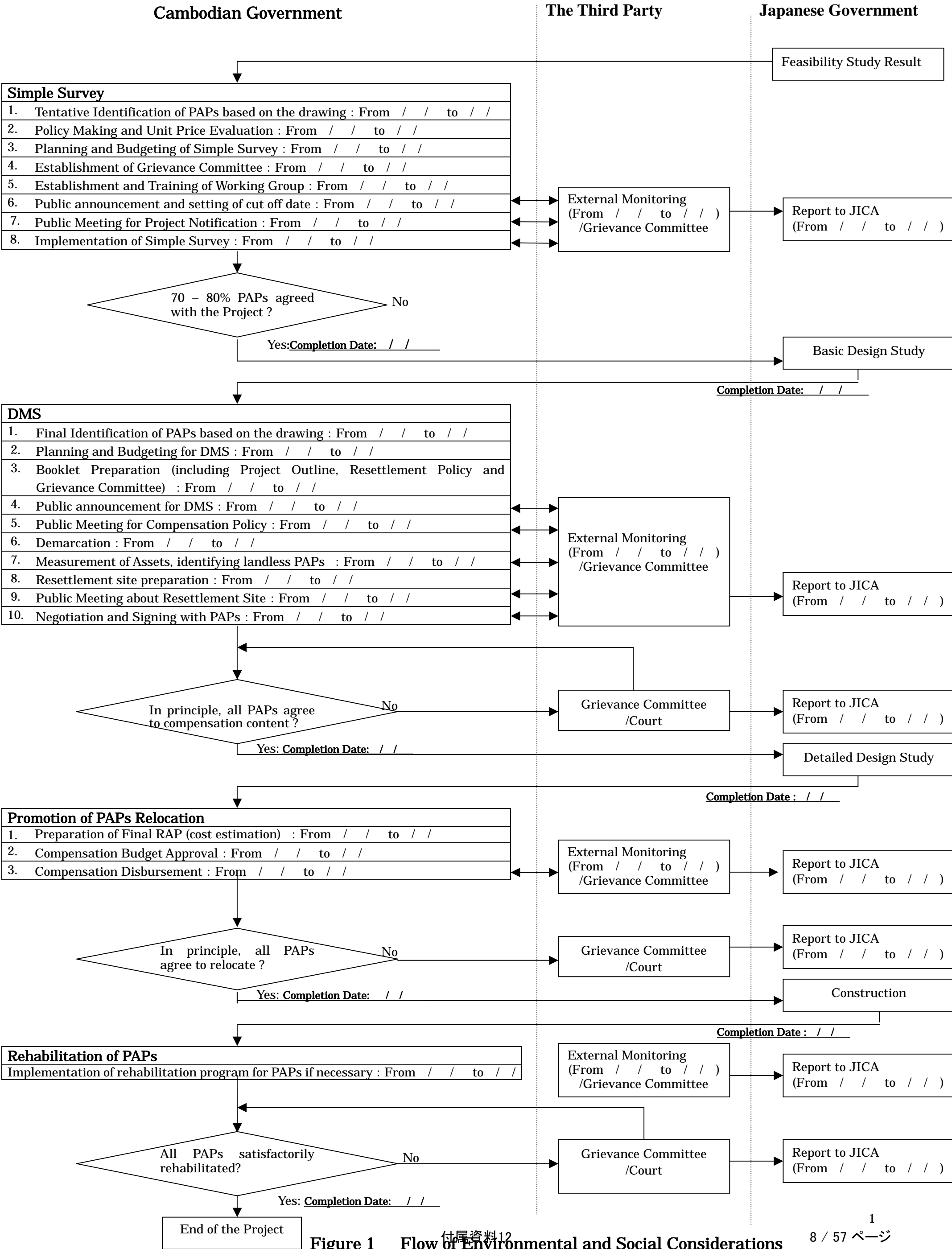


Figure 1 Flow of Environmental and Social Considerations

付属資料12

# **PART 1 SIMPLE SURVEY**

## **1. Preparation**

### **1.1 Outline of Simple Survey**

Purpose of the simple survey is to confirm if majority (70-80%) of PAPs have no objections both to the project and to his (her) relocation if required. Only when that majority agree, Japanese government approves the grant for the basic design study as Figure 1.

Simple survey is performed:

- (1) To confirm if the majority have no objection with the project, by explaining them with brochure.
- (2) To confirm if the majority are willing to be relocated outside project area, under the condition that proper compensation will be made for their assets to be lost by relocation,
- (3) To notify to all PAPs, afterward of this date (cut off date), no compensation will be made for other than assets identified by this simple survey and
- (4) To take picture/video tape of affected assets as evidences as of Cut Off date.

Procedure of Simple Survey is proposed as Appendix A. Form of the interview is presented in Appendix B. A sample of brochure used for this Simple Survey is attached in Appendix C.

### **1.2 Planning and Budget Preparation**

#### **a. Drawing of Feasibility Study (F/S)**

Working group shall obtain the F/S drawing for Corridor of Impact (COI), by which affected area is indicated and assets in that affected area are able to be identified. However, in this very preliminary stage, it is also acceptable that wider area such as ROW can be chosen, instead of COI, in the purpose for opinion collection only. In this case, more various opinions can be obtained from not only directly affected residents who may lose their assets, but also indirectly affected residents who may

suffer other than loss of assets, but not so seriously. In NR-1 Project, residents who own any assets inside the full stretch of ROW(60m) were interviewed in Simple Survey.

**b. Brochure Preparation for Simple Survey**

Brief brochure shall be prepared which describes the outline of the project and shall be distributed to each PAPs at the time of Simple Survey. Sample of the brochure is attached in the Appendix C.

**c. Schedule Planning**

Based on the NR-1 experience, about 16 households could be able to be interviewed in one day by one working group. Enough time shall be allocated based on the rough estimation of PAPs accordingly. Schedule for training of the working group member shall be also considered as well.

**d. Manpower and Material Required**

At least, four members are required for 1) interview, 2) survey for assets (building area, trees etc.,) and 3) local leader for identification of the PAP. As an escort, security personnel (policeman or military man) should standby apart from the working team at least while they are interviewing, not to scare the residents unnecessarily, or should not attend.

Equipment required are:

- ID card holder for all members
- Car and bikes
- Topographic survey tools such as an electric distant measurement (EDM) apparatus, a measurement tape and rods, marker, and so on.
- Interview sheets and cinnabar seal ink for finger printing
- Camera, video
- Copy of Resettlement Action Plan

**e. Budget Application**

Enough budget, including training, shall be allocated for above mentioned teams for pre-estimated duration.

### **1.3 Group Formation and Training**

#### **a. Working Group Formation**

For a team, following personnel are required:

- A team leader/ interviewer
- Surveyor(s) for assets measurement
- Local leader to confirm/identify PAPs

#### **b. Training**

Training for the working group shall be performed before implementation of Simple Survey at the site as:

##### **(1) Procedure of Interview**

Sequence of interview is presented in Appendix A.

##### **(2) Do and Do Not**

Do not force 'positive reply. Do not be angry or intimidate interviewee when you get negative reply. Purpose of Simple Survey does not obtain 'all residents agree with the project'. Keep in mind the 'Do and Do not' items while simple survey, which are presented in Appendix A.

### **1.4 Meeting with Stakeholders**

#### **a. Relevant Authorities and Local Governors**

All the provincial, district, commune and village authorities concerned to the project are informed to cooperate the simple survey and DMS afterward. Village elders/chiefs are explained about Simple Survey and are requested to accompany with working group while simple survey for identification of PAPs.

#### **b. JICA**

It is required that JICA is informed 1) the schedule of Simple Survey, 2) progress and final results timely for evaluation. Brochure shall be submitted as well.

## **2. Implementation**

### **2.1 Public Announcement including Declaration of Cut-Off-Date**

Public announcement that the simple survey will be made and, after that Cut Off Date, any encroachment is no more allowed to the project site.

### **2.2 Interview to PAPs**

Interview to PAPs are performed in accordance with the sequences and manners proposed in Appendix A. Interview form is attached in Appendix B. A sample of brochure used for explaining the project outline is attached in Appendix C.

### **2.3 Identification of Assets of PAPs**

Survey for qualities and quantities of unmovable assets, to be affected by the project such as residential/commercial buildings and fences, trees, and any utilities. Note easily movable assets such as stand, stall and small kiosk are not included in 'affected assets' since they are not compensated.

### **2.4 Data Input to Computer**

Following information shall be input to the computer immediately after the field work every day.

- Serial No.
- Address
- Name of owner
- Sex
- Vulnerable group or not (disable, widow, etc.)
- Distance of structures from road center and areas of structures
- Other unmovable assets (trees, well, grave, fence. etc.)

Form for Simple Survey is attached in Appendix B.



### **3. Reporting and Information Dissemination**

Periodically and immediately after the completion of Simple Survey, following shall be reported to JICA:

- (1) Response of individual PAP
- (2) Numbers of total PAPs and total assets
- (3) Numbers of agreed PAPs and agreed assets, and
- (4) Ratio of agreed PAPs over total PAPs

JICA Cambodia Office will check if the simple survey was performed properly and submit the report to the headquarters in Japan.

If the ratio of the number of agreed PAPs to the number of total PAPs is greater than 70-80% and basic agreement from PAPs' are considered to have been obtained, then Basic Design Study will be awarded by Japanese Government.

The outline of results of the simple survey will be disseminated at MPWT, JICA Cambodia Office, etc.

## **APPENDICES**

**A. Procedure of Interview for Simple Survey**

**B. Form of Interview Simple Survey**

**C. Simple Survey Brochure**

## **Procedure of Interview for Simple Survey**

### **Procedure of interview**

Interview shall be proceeded strictly in the following sequence:

- (1) Introduce yourself and other staff, showing your ID card properly to the interviewee.
- (2) Explain the purpose of interview briefly.
- (3) Pass Simple Survey Brochure to PAPs.
- (4) Explain the project outline, and positive and negative impacts that may be caused by the project.
- (5) Explain that they will be compensated if negative impacts are caused.
- (6) Explain them they will be provided with alternative land in relocation site if they have no place for relocation
- (7) Confirm if the interviewee is properly understand or not.
- (8) Ask them if they agree with the project and their relocation when necessary.
- (9) Inform interviewee clearly that negative reply to the project or relocation will never put them in unfavorable situation nor be treated unfairly afterward.
- (10) Inform them that no payment is made for any structure or any assets newly constructed after this date (Cut-Off-Date)
- (11) Record their reply and obtain fingerprint.

### **Do and Do Not**

- Speak to them very slowly and loudly.
- Do not force interviewee to reply soon. Give them enough time to consider.
- Answer back to any question made by them.
- Do not force a positive reply. 'No reply' is also very important reply as well.
- Before asking reply, ensure them that no matter what they reply, they will never be treated badly or unfairly afterward due to their negative reply.
- Do not intimidate interviewee.
- Do not say "Project may be cancelled/postponed/scale down if not agreed by you".

# APPENDIX B Form of Interview for Simple Survey

Kingdom of Cambodia  
Nation Religion King

Inter-Ministerial Settlement Committee  
For the Improvement of National Road number 1  
(Phnom Penh – Neak Loeung)

- a) **Interview number:** ..... **National Road no.:** ..... **Date of interview:** .....  
Name of interviewer: .....
- b) **Location of the construction and land/property:** House no.: ..... Village/group: .....  
Commune/quarter: ..... Srok/district: ..... province/city: ..... kilometer no.: .....  
left ☐ right ☐ (headed from the Phnom Penh side).  
- How many meters from the side of the road to the land? .....  
- How many meters from the side of the road to the house? ..... (counted from the first house's stand or the house's wall)  
- What kind of the construction is it? ..... wall: ..... floor: ..... roof: ..... width: ..... length: ..... total square: ..... m<sup>2</sup>
- c) **Question for the head of the family:** (in case of family's head absence, interview needs to conduct with the family member who has the right to answer for the head of the family)  
1. **Name and living condition of the house owner:**  
Name of the interviewee: ..... (Calling name: ..... ) Age: .....  
Sex: male ☐ female ☐ occupation of the interviewee: .....  
Is the interviewee the head of the family? Yes ☐ No ☐ (if the answer "yes" skip to question C – 2).  
If answer "no" – what relation are you with the family: .....  
- Name of the head of the family: ..... Calling name: .....  
- Age ..... sex: male ☐ female ☐ Occupation: ..... (Invalid ☐ widow ☐  
2. **The right of way using ( 30 meters from the road side)**  
- If there is any improvement of the National Road no. 1, will you be pleased? Pleased ☐ Not pleased ☐ No comments ☐  
- Are you using this right of way or not? Yes ☐ No ☐ (if answer "no" end the interview)  
- Will you agree to remove some part or fully removal (of the house, fruit-trees, fences and other construction) if there is any resettlement policy from the government concerning the improvement of National Road no.1?  
Agree ☐ Not Agree ☐ No Answer ☐  
- Do you have any request? .....

Name and signature  
of interviewer

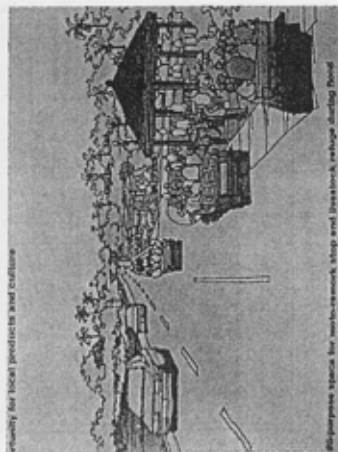
Thumb print and name  
of interviewee

Name: .....

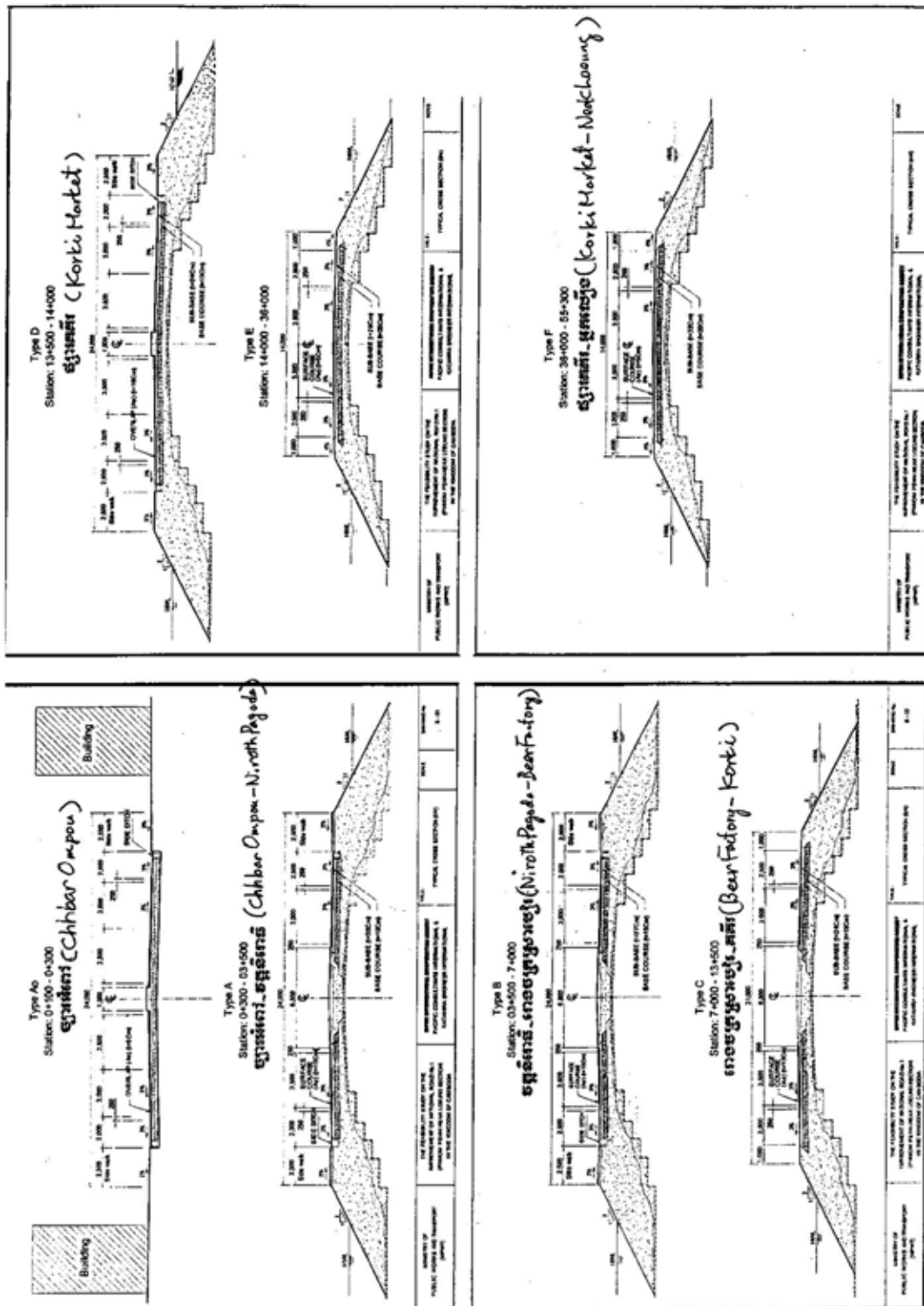
Seen and certify that  
Name .....  
is truly the person living in this village.  
Chief of commune

Names and signatures  
of provincial/city sub-committee officers

1. ....
2. ....
3. ....



2003



Inter-ministerial Resettlement Committee

The Improvement of National Road No.1  
(Phnom Penh-Neak Loeung Section)

Booklet  
for  
New Project Implementation Plan

2003

**The Project for the Improvement of National Road No.1  
(Phnom Penh-Neak Loeung Section)**

**Booklet**

The transportation is the mean to support the development. If there is no road infrastructure, the whole country will be cut from areas to areas. This infrastructure can lead to the people's better living and the development of the country.

The Project for the Improvement of the National Road No.1 (Phnom Penh – Neak Loeung Section) is funded by the Government of Japan. This project will contribute to the development of regional transportation which connects Vietnam and Thailand.

**What is the road width for the Project for the Improvement of National Road No.1  
(Phnom Penh – Neak Loeung Section) ?**

The design drawn by the study team is as follows:

- From the east end of Monivong Bridge (PK 0+100) to the intersection to the Tiger Beer factory (PK 7+000), enlarging the road width to 24m with the slope protection height of 5 to 8m.
- From (PK 7+000) to (PK 13+500), enlarging the road width to 21m with the slope protection height of 5 to 8m.
- Thom Korkin Market, from (PK 13+500) to (PK 14+000), enlarging the road width to 24m with the slope protection height of 3 to 5m
- From Thom Korkin Market (PK 14+000) to Neak Loeung Ferry (PK 55+300), enlarging the road width to 14m with the slope protection height of 5 to 8m and with 2 bridges.

\* The Government of Japan would like to have the participation from Cambodian people in term of making comments and expressing their desires for the Improvement of the National Road No.1 (Phnom Penh-Neak Loeung Section).

\*\*\*\*\*



## **PART 2 DETAILED MEASUREMENT SURVEY(DMS)**

### **1. Preparation**

#### **1.1 Outline of DMS**

The purpose of DMS is:

- (1) To demarcate COI and ROW boundaries on the ground for the purpose of not only for the following assets measurement but also reminding to the public the presence of government land into which, no further encroachment is allowed,
- (2) To perform Public Information Meeting (PIM) to notify the project outline and compensation policy to all of PAPs properly,
- (3) To measure and evaluate affected assets of all of PAPs,
- (4) To perform census survey for limited numbers of PAPs (about 30%), by which social and economic conditions of PAPs, as the background condition before the project, are evaluated. In the future, comparison of conditions of PAPs before and after project may be made to assess the effectiveness of the project,
- (5) To perform negotiation for compensation prices, consultation and contracting with PAPs.

By DMS, it shall be confirmed that all the PAPs agree with the compensation contents and thereby Japanese Government approves grant for the detailed design study as shown in Figure 1.

Procedures of Public Information Meeting (PIM) is proposed as Appendix A. The procedure and interview form for Asset measurement are presented in Appendices B and C respectively. Appendix D shows the interview form of Census. Procedure of Negotiation is indicated in Appendix E. Appendix G indicates recommended Resettlement Brochure.

#### **1.2 Planning and Budget Preparation**

##### **a. Drawing of Basic Design(B/D) Study**

On the basis of the B/D drawing, it is required to estimate detailed number of PAPs for

schedule planning of DMS.

#### **b. Resettlement Brochure Preparation**

Resettlement Brochure shall be prepared which contains:

- Project outline
- Explanation of terminology
- Entitlement for compensation
- Full details of compensation policy
- Contact addresses and procedure for grievance appealing
- FAQ

Brochures prepared shall be enough numbers and they should be distributed to every stakeholder. Example of Resettlement Brochure is attached in Appendix G.

#### **c. Schedule Planning**

Public information meeting (PIM) shall be held at every 5km (or every commune) along the road and at major towns before DMS. For each location, PIM shall be held for two times at the same places but at different hours (morning on the day and afternoon on another day). Our recommendation of PIM is presented in Appendix A.

Based on the previous results of Detailed Measurement Survey, one working group could complete 4 households per day in average. For negotiation with PAPs, one team can complete 4 households per day as well.

Thus schedule planning shall be made considering the progress rate.

#### **d. Estimation of Manpower and Material Required**

Required numbers of staff for respective activities are as;

Activities	Number of members required per one team as the minimum
Demarcation	4 members
Public Information Meeting (PIM)	5-6 members
Detailed Measurement survey (DMS) and Census	4 members
Negotiation	4 members

Material to be prepared are:

- (1) ID card holders for all members
- (2) Demarcation pegs as 1) permanent concrete pegs for indicating ROW installed every 250m and 2) temporarily wooden pegs for PRW/COI of the project whichever are adopted
- (3) Topographic survey tools
- (4) Cars, bikes, handy talkies
- (5) Camera and video

**e. Budget Application for DMS**

Allowances for staff and other expenses such as gasoline for motorcars, bikes and consumables shall be properly arranged.

**1.3 Formation of Grievance Committee (GC)**

Grievance Committee (GC) shall be established and its set up shall be officially announced to the public by the provincial governor. GC shall handle and treat any grievance to be arisen by PAPs in the process of implementation of Resettlement Action Plan (RAP) afterward.

**1.4 Group Formation and Training**

**a. Working Group Formation**

Followings are members formation chosen in NR-1 Project as a case.

- Demarcation Team  
Surveyors from Provincial Public Work Department (PPWT) and Provincial Land Management Department (PLMD)
- Public Information Meeting (PIM) Team  
Chief or Deputy of Resettlement Unit (or IRC), MPWT staff, MLMUPC staff, PPWT staff(s) and local authority (provincial/district/commune head or deputy)
- DMS Team  
MPWT staff, MLMUPC staff when necessary, PPWT staff, Socio-economic

specialist for census, Village leader

- **Negotiation Team**

MEF staff, MPWT staff, MLMUPC staff when necessary, PPWT staff, Village leader

## **b. Training**

Training for the working group shall be performed before implementation.

### **(1) Contents of Training :**

- Duty as interviewer, counselor and negotiator with PAPs
- RAP/report preparation
- Internal monitoring
- Gender analysis
- Knowledge of laws, finance and socio-economics

### **(2) Do and Do Not**

Negotiation with PAPs for compensation of their affected assets shall be carried out most carefully. Most of the complains from PAPs were:

- Number of compensation items were very little and compensation rates are the least.
- Procedure of grievance appealing was not properly explained
- They felt intimidated when they did not agree with the contract.
- Compensation policy was not clear.
- They have no land to relocate.

To avoid the above, Do and Do Not is presented in Appendices B and E.

## **1.5 Meeting with Stakeholders**

### **a. Relevant Authorities**

Meeting with relevant authorities shall be held for the above activities.

### **b. JICA/External Monitor**

It is required to inform the detailed schedules to JICA Cambodia Office, since External Monitoring (EM) for the above DMS may be performed by the consultants

directly hired by them. Meeting with EM is also required.

## **2 Implementation**

### **2.1 Public Information Meeting (PIM)**

#### **a. Announcement**

Announcement of DMS implementation shall be made by radio, TV and newspaper at least before 2 weeks to start it. Few days before implementation, village leaders shall remind the PAPs to cooperate for DMS, house to house.

#### **b. Brochure Delivery at Meeting Place**

Enough number of Resettlement Brochures shall be prepared, not only for the attendants themselves but also for their neighbors who could not attend and to be delivered by the attendants later.

#### **c. Manner of Presentation at PIM**

Presentation shall be made, as friendly manner, at pagoda, public meeting halls, or any place which can accommodate all participants (20–30 personnel in the maximum). Contents to be presented are basically as per what described in Resettlement Brochure. Most time will be spent on questions and answers for complete understanding by PAPs.

#### **d. Preparation for Minutes**

Minutes of meetings shall be prepared each time when the PIM is held. It is recommended to let all attended PAPs put his name on the attendants list at the entrance. Any questions made by PAPs frequently shall be studied very carefully. These minutes are also used to evaluate if PIMs are performed properly.

### **2.2 Demarcation**

In installing peg on the ground, although this work does not involve any PAPs, village leaders shall be recommended to accompany the working group to avoid any unnecessary

dispute with PAPs.

### **2.3 Assets Measurement**

Assets measurement shall be performed in accordance with Appendix B using the form attached as Appendix C.

### **2.4 Census**

At the same time with the assets measurement, census survey of socio-economic conditions shall be conducted for 30% of randomly selected PAPs from total PAPs. Typical census form is presented in Appendix D.

### **2.5 Negotiation**

Negotiation for compensation contracting shall be performed in accordance with Appendix E.

### **2.6 Explanation of Resettlement Site**

The PAPs who have to relocate to the relocation site are invited at the actual relocation site before relocation and, after this demonstration, the PAPs who may refuse that relocation site. However they shall be informed that no other land except the previous remaining area outside PRW is entitled to stay, with partial compensation to the affected assets located inside PRW only, and encroaching to other government land is strictly prohibited.

## **3 Reporting and Information Dissemination**

Monthly reports, information about disagreed PAPs and copy of the appeal letters to Grievance Committee shall be submitted to JICA as well in a timely manner.

The contents of compensation whether agreed or not by all the PAPs should be reported to JICA Cambodia Office if this process was properly performed and the report be delivered thereby to the headquarters in Japan for approval of the detailed design stage.

The outline of results of DMS will be disseminated at MPWT, JICA Cambodia Office, etc.

## **APPENDICES**

- A. Procedure of Public Information Meeting (PIM)**
- B. Procedure of Asset Measurement**
- C. Form of Interview for Asset Measurement**
- D. Form of Interview for Census**
- E. Procedure of Contract Negotiation**
- F. Resettlement Brochure**

11/03/2005

## **Improvement of National Road No.1 (Phnom Penh-Neak Loeung Section)**

### **Recommended Procedure for Public Information Meeting (PIM) for Phase II Section**

1. Purpose

PIM shall be held to let affected people to understand the project, their entitlement and grievance redressing process as much as possible. So, PIM shall be desirable to be held at adequate sizes (not too big) and not only one time as below, thereby various complains could be reduced, such as no explanation given, no voice reached to the rear seats, questions hesitated, and so on.

2. Locations to be held

Total of 6 locations consisting of every 5 km in rural area and two major townships as Kokir and the beginning section of Mean Chey, but taking into account commune boundaries.

3. Frequency

For each location, 2 times in a morning and in an afternoon on another day of totally 12 times.

4. Announcement of Date of Public Information Meeting (PIM)

Announcement of date, time and locations for PIM shall be made by local governor of district office to each commune, at least 1 week before for each PIM.

5. Participants List

All participants to the meeting are required to write their names at the entrance.

6. Note

Resettlement Brochure in the Cambodian language shall be prepared in advance, distributed to all participants, and placed at entrance to give them freely if they want more.



### **Procedure of Interview at Detailed Measurement Survey (DMS)**

Interview shall be proceeded strictly in the following sequence:

#### **Assets Measurement**

- (12) Introduce yourself and other staff, showing your ID card properly to the interviewee.
- (13) Introduce the external monitor, if he is attending, to interviewee that he is there to observe if DMS is properly done.
- (14) Check (ask) if interviewee has Resettlement Brochure.
- (15) Explain the purpose of DMS briefly (as measurement of assets for the estimation of compensation contract at the negotiation stage afterward).
- (16) Ask them if there is anything unclear for them and explain them repeatedly if requested.
- (17) In case census is performed (census interview is performed to every three households), inform them that no taxation or penalty will be made based on their reply, for example, of their income and occupancy inside ROW.
- (18) At the same time, remind them that any improper reply or lies, when classifying vulnerable group such as landless or very poor, may lead them to punishment since such group are entitled to special assistance (do not scare them).
- (19) After the completion, inform them that the negotiation team will contact later, and say thank you.

#### **Do and Do Not**

- Speak to them very slowly and loudly.
- Do not force interviewee to reply soon. Give them enough time to consider.
- Answer back to any question made by them.
- Do not force a reply. 'No reply' is also very important reply as well.
- Ensure them that no matter what they reply, they will never be treated badly or unfairly afterward due to the reply.

Kingdom of Cambodia  
Nation Religion King

3

Ministry of Public Works and Transportations  
Inter-Ministerial Settlement Committee  
For the Improvement of National Road number 1  
(A Japan Grant Aid Project)

**Survey and Property Assessment**

A. Interview No.:..... National Road No.:..... Date of interview: day..... Month..... Year..... time.....  
Name of interviewer:..... Name of monitor:.....

B. Address of settlement and land: House No.:..... Village:..... Commune:..... District:.....  
Province:..... .. Kilometer No.:..... Left ρ Right ρ (Follow direction from Phnom Penh)  
- How many meters from the center line of the road to the land? ..... meters  
- How many meters from the center line of the road to the house? ..... meters (counted from  
the first house's stand or the house's wall)

---

C. Question for head of family (in case of family's head absence, interview needs to conduct with the  
family member who has the right to answer for the head of the family)

**C1. Name and living condition of the house owner:**

Interviewee's name:..... Nick name:..... (Disable ρ Widow ρ)  
Age:..... years, Sex: Male ρ Female ρ Occupation of interviewee:.....  
Is interviewee head of family? No ρ Yes ρ (If "Yes", skip to question C2)  
If "No", - What relation are you with the family?:.....  
- Name of the head of the family:..... Nick name:..... (Disable ρ Widow ρ)  
- Age:..... years, Sex: Male ρ Female ρ Occupation:.....

**C2 The land within Right of Way (ROW) (.....m from center line)**

1. Have you used the land in the ROW? Yes ρ No ρ (If "No", It is the end of interview)
2. When have you used the land in the ROW? Month:..... Year:.....
3. Have you asked permission to use the land in ROW? Yes ρ No ρ  
If "Yes", which institution has given permission?.....Date: .....
4. Have you spent money to use this land? Yes ρ No ρ  
If "Yes", How much?..... (Calculate in US\$.....)
5. How many family are living in this land? 0 1 2 3 4
6. How many members in your family? (If there are a lot of families, it should total all the members)

# APPENDIX C

## Interview Form of Asset Measurement

Unofficial translation-JICA

0 - 14 years old : Male:..... person(s) Female:..... person(s)

15 - 64 years old : Male:..... person(s) Female:..... person(s)

65 years old up : Male:..... person(s) Female:..... person(s)

Total:..... persons

7. What are the following sources for your family income?

Wage or Salary = 1

Worker using force = 2

Business = 3

Agricultural Product = 4 Fishery = 5

Others = 6 (Describe:.....)

8. How much income can your family earn per year?

(From July 2003 to June 2004)..... (In US\$.....)

How many percentage of your annual income that can earn from the land within ROW?

(From July 2003 to June 2004)

0 - 20% = 1 >20% - 40% = 2 >40% - 60% = 3 >60% - 80% = 4 >80% - 100% = 5

9. How many Ares of the land do you have? ..... Ares (100 a = 1 ha)

How many parts of the whole land have you used?..... Ares (100 a = 1 ha)

10. How size of the land within ROW? Width..... m x Length.....m = .....m<sup>2</sup>

11. What the land within ROW have you use for?

Making rice = 1 Garden = 2 Plant for taking seed = 3 Fruit farm = 4

Feeding fish or planting lotus tree = 5 Parking/warehouse = 6 Restaurant = 7 Shop = 8

Others = 9 (Describe:.....)

12. Are there any main trees in the land within ROW?

Mango tree = 1 number:..... trees Tamarind tree = 2 number:..... trees

Coconut tree = 3 number:..... trees Valuable tree = 4 number:..... trees

Bamboo tree = 5 number:..... thickets Palm tree = 6 number:..... trees

Others = 7 number:..... trees (Describe:.....)

13. Annual income earns from those trees (from July 2003 to June 2004)

Mango tree = 1 Income..... Riels (Equal: US\$.....)

Tamarind tree = 2 Income..... Riels (Equal: US\$.....)

Coconut tree = 3 Income..... Riels (Equal: US\$.....)

Valuable tree = 4 Income..... Riels (Equal: US\$.....)

Bamboo tree = 5 Income..... Riels (Equal: US\$.....)

Palm tree = 6 Income..... Riels (Equal: US\$.....)

Others = 7 Income..... Riels (Equal: US\$.....)

## APPENDIX C

### Interview Form of Asset Measurement

Unofficial translation-JICA

14. Do you have any land near here that can be used instead of the land within ROW?  
 Yes ρ No ρ (If "No", skip to question 18)  
 If "Yes", where is the land?  
 - It is closed behind the land within ROW = 1  
 - It is Probably 150m from the land within ROW = 2  
 - It is more than 150m from the land within ROW = 3  
 Do you use that land recently? Yes ρ No ρ
15. If you were asked to move from the land of ROW and reconstruct your settlement behind. Do you agree with or need compensation for moving?  
 Need ρ No need ρ (If "No need" skip to question 18)
16. How do you need compensation?  
 - Re-cultivate plants or tree = 1 - Make pond or reconstruct new settlement = 2  
 - Lost income = 3 - Others = 4 (Describe:.....)
17. Make assessment of these impact?..... Riels (Equal: US\$.....)
18. Could you buy new land instead of the land within ROW?  
 Yes ρ I have my own land already ρ No ρ (If "No" skip to question 20)
19. If "Yes", how much does it cost?.....Riels (Equal, US\$:.....)
20. If "No", How the land within ROW affects to your family?  
 Describe:.....
- C3: Settlements or Other Constructions are located in the land within ROW**
21. Do you have any construction in the land within ROW? Yes ρ No ρ (If "No" skip to question C4)
22. If "Yes", What kind of the construction?  
 - Shop = 1 - Workshop = 2 - Kitchen = 3 - Settlement = 4  
 - Others = 5 (Describe:.....)  
 (Type number:..... Size : Width..... m x Length.....m = .....m<sup>2</sup>)
23. Identify the details of type and construction equipments (Including a whole or some part of construction equipments locating in the land within ROW)  
 - Wall: Palm leaves = 1 Wood = 2 Land = 3 Bamboo = 4 Brick/concrete = 5 size:.....m<sup>2</sup>  
 Palm leaves = 1 Wood = 2 Land = 3 Bamboo = 4 Brick/concrete = 5 size:.....m<sup>2</sup>  
 Others = 6 (Describe:.....) size:.....m<sup>2</sup>

## APPENDIX C

### Interview Form of Asset Measurement

Unofficial translation-JICA

- Floor: Bamboo=1    Wood=2    Brick/Concrete=3    Size:.....m<sup>2</sup>
- Bamboo=1    Wood=2    Brick/Concrete=3    Size:.....m<sup>2</sup>
- Roof: Palm leaves=1    Fabric corrugated tile=2    corrugated iron=3    tile=4    Size:.....m<sup>2</sup>
- Pillar: - Wood=1    Number:..... pillars
  - Quality number 1: Size:.....m x .....m x .....pillars = .....m<sup>3</sup>
  - Quality number 2: Size:.....m x .....m x .....pillars = .....m<sup>3</sup>
  - Quality number 3: Size:.....m x .....m x .....pillars = .....m<sup>3</sup>
- Concrete pavement=2    Number:..... pillars
  - Size: .....m x .....m x .....pillars = .....m<sup>3</sup>
- Bamboo=3    Number:..... pillars
- Palm wood=4    Size:.....m<sup>3</sup>
- Others=5    Size:.....m<sup>3</sup>    (Describe:.....)

24. In case of moving, how will it impact on the construction? (Interviewer is responsible to calculate)

- Wall:.....m<sup>2</sup>    or (.....% of whole total)
- Floor: .....m<sup>2</sup>    or (.....% of whole total)
- Proof: .....m<sup>2</sup>    or (.....% of whole total)
- Pillar: .....m<sup>2</sup>    or (.....% of whole total)

C4. Others assets in the land within ROW

- Deep well
- Hand Pump
- Pond
- Fence
- Others
- None

Signature and Name  
Interviewer

Signature and Name  
Interviewee

Signature and Name  
Member of Provincial Sub-Committee accompanying with interviewer

# APPENDIX C

## Interview Form of Asset Measurement

### Photographic Record

### Controls-work

Location.....  
 Date..... Family's chief ..... Sex..... Age..... years  
 Description..... Address: Village..... Commune.....  
 Remarks..... District/Arrondissement..... Province.....  
 Widow ☐ Disable ☐

Order Number..... Interview No.....

No.	Property	Size/length/quantity m <sup>2</sup> /m/tree	Price \$/m <sup>2</sup> , \$/m, \$/tree	Total Amount \$							
1	Land/rice field/farm										
2	Building										
3	Others										
Total											

Signature of representative of Committee for Evaluation

Mr.....  
 Mr.....

Printed thumb of Family's chief  
 Name.....

Signature and stamp of chief of commune

**APPENDIX D**  
**Form of Interview for Census**

Census and Socio-economic Survey of the PAPs  
Project Affected People: CENSUS FOR-B

Road no.6                      Date census: \_\_\_\_\_ / \_\_\_\_\_                      Village: \_\_\_\_\_  
Surveyor no. \_\_\_\_\_ Checked by Supervisor: \_\_\_\_\_                      Data entry done: \_\_\_\_\_  
Household no. \_\_\_\_\_                      Side of Road: Right=1                      Left=2                      KM from start: \_\_\_\_\_

ASK FOR HEAD OF HOUSEHOLD (If not present ask oldest adult)

- Respondent Name: \_\_\_\_\_ (call name: \_\_\_\_\_)                      □□□  
Age: \_\_\_\_\_ year                      Sex:                      Male=1                      Female=2                      Occupation: \_\_\_\_\_                      □  
Head of Household:                      yes=1                      no=2                      Name of household head \_\_\_\_\_                      □  
If no, what is relationship with Head of Household: \_\_\_\_\_                      □  
1. Do you use the land inside the right of way?                      yes=1                      no=2                      □  
If No, stop interview and move to the next case;                      (If Yes, continue interview)  
  
2. Since when have you used this land located inside the right of way? \_\_\_\_\_ 19 \_\_\_\_\_                      □  
    If less than 1 year, stop interview and move the next case, (Otherwise continue)  
3. Did you ask permission to use this land?                      yes=1                      no=2                      □  
If yes, who (Function) did you ask permission of: \_\_\_\_\_                      □  
4. Did you pay for the use of this land?                      yes=1                      no=2                      □  
    If yes, how much: \_\_\_\_\_ (convert to US\$ \_\_\_\_\_)                      □  
5. How many families live on this compound?                      0                      1                      2                      3                      □  
6. How many members in the Family (If more families living in one compound total all  
    Between 0 – 14 years:                      N° \_\_\_\_\_ male                      N° \_\_\_\_\_ female                      Total  
    Between 15 – 64 years:                      N° \_\_\_\_\_ male                      N° \_\_\_\_\_ female                      N#  
    Over 65 years:                      N° \_\_\_\_\_ male                      N° \_\_\_\_\_ female  
7. What is the principal income source for the family (from what do they earn most of their money)?  
    wages or salary = 1                      manual labor = 2                      business or trade = 3                      □  
    agricultural products = 4                      fishing = 5                      other (describe) = 6  
8. How much of the family income (from last Khmer new year 4/1997 – 3/1998) do you get from  
    activities inside the right of way?  
    little=1                      more than little=2                      about half=3                      more than half=4                      most=5  
    0 - 20%                      >20% - 40%                      >40% - 60%                      >60% - 80%                      >80% - 100%                      □  
9. How much land does your family own? \_\_\_\_\_ are (100 are=1 hectare)                      □  
How much land does your family use in total? \_\_\_\_\_ are (100 are=1 hectare)                      □  
10. What is the length and width of your land inside the right of way?  
    Length \_\_\_\_\_ x Width \_\_\_\_\_ meter                      (total \_\_\_\_\_ m<sup>2</sup>)                      □  
11. What is the activity on your land which is inside the right of way?

**1. PRIMARY SOURCE**

- Rice-field = 1                      Home garden = 2                      Cash-crop garden = 3  
Fruit tree = 4                      Fish or lotus pond = 5                      Parking/storage = 6  
Shop/restaurant = 7                      Small stall for selling = 9                      □  
Other = 8 (describe) \_\_\_\_\_

**2. SECONDARY SOURCE**

- Rice-field = 1                      Home garden = 2                      Cash-crop garden = 3  
Fruit tree = 4                      Fish or lotus pond = 5                      Parking/storage = 6  
Shop/restaurant = 7                      Small stall for selling = 9                      □  
Other = 8 (describe) \_\_\_\_\_

12. Are there different kinds of economically important trees inside the right of way only? Yes=1,

**APPENDIX D**  
Form of Interview for Census

No=2

Mongol = 1	_____	trees
Tamarind = 2	_____	trees
Coconut = 3	_____	trees
Tropical hardwood = 4	_____	trees
Bamboo = 5	_____	trees
Other _____ = 6	_____	trees
Palm tree = 7	_____	trees

□

13. Earning income from these economically important trees last year (from Khmer new year April 1997-March 1998)?

Mongol	=1	_____	Riels (convert to USD	_____)
Tamarind	=2	_____	Riels (convert to USD	_____)
Coconut	=3	_____	Riels (convert to USD	_____)
Tropical hardwood	=4	_____	Riels (convert to USD	_____)
Bamboo	=5	_____	Riels (convert to USD	_____)
	=6	_____	Riels (convert to USD	_____)
Palm tree	=7	_____	Riels (convert to USD	_____)

□

14. Do you own land nearby to replace what you use inside the right-of-way? yes=1, no=2, if no to Q:18

where

Behind the land inside the right of away	=1
It is about 150 meters away	=2
It is farther than 150 meters away	=3

14.1 Do you use [that] land? yes=1 no=2

15. If you were asked to leave the land inside the right of way, and move back several meters would you lose income or have costs to move what you have inside the right of way?

yes=1 no=2 →q.18

16. How would you lose income or have costs?

replanting, loss of plants, trees=1	making new pond, shed, construction = 2
loss of earning opportunities = 3	other=4, describe: _____

□

17. Estimate this loss or these costs in Riel: \_\_\_\_\_

□

18. Are you able to buy land to replace your land inside the right of way?

yes=1 no=2 →q.20 of own-land=3

□

19. If yes, at what costs? \_\_\_\_\_ (convert to US\$ \_\_\_\_\_)

□

20. If no, how does losing the land inside the right of way effect your family's livelihood?

Describe: \_\_\_\_\_

□

21. Is there a structure inside the right of way? yes=1 no=2 → q .25

□

22. If yes, what kind of structure and what is it used for?

stall for sale products=1	barm for making crafts=2	eatinghouse=3
house for living =4	other=5, describe: _____	

23. What construction material is used and how much in total (NOTE: only for construction inside the right of way)?

wall:	thatch=1	wood=2	brick, concrete=3	_____	m <sup>2</sup>	□ □
	thatch=1	wood=2	brick, concrete=3	_____	m <sup>2</sup>	□ □
floor:	bamboo=1	wood=2	brick, concrete=3	_____	m <sup>2</sup>	□ □
	bamboo=1	wood=2	brick, concrete=3	_____	m <sup>2</sup>	□ □
roof:	thatch=1	corrugated plastic=2	corrugated tin=3	tile=4	_____	m <sup>2</sup>
	thatch=1	corrugated plastic=2	corrugated tin=3	tile=4	_____	m <sup>2</sup>
column:	wood=1:					
Quality No1	size	_____ x _____	_____ x _____	metres	_____	m <sup>3</sup>

□

□

□

□



**APPENDIX D**  
Form of Interview for Census

Quality No2	size		x		x		metres		$m^3$	
Quality No2	size		x		x		metres		$m^3$	
	concrete=2	size			x				$m^2$	
	bamboo=2			Palm=4		other=5			$m^2$	<input type="checkbox"/> <input type="checkbox"/>

24. How much of the above material needs to be replaced in case of moving?

wall:		$m^2$	(or		% of total)	<input type="checkbox"/>
floor:		$m^2$	(or		% of total)	<input type="checkbox"/>
roof:		$m^2$	(or		% of total)	<input type="checkbox"/>
column:		$m^2$	(or		% of total)	<input type="checkbox"/>

25. What are other assets on land used with in the right of way?

well=1	pumpwell=2	water pond=3,		$m^3$	<input type="checkbox"/> <input type="checkbox"/>
fence=4, what material:		how		many	<input type="checkbox"/> <input type="checkbox"/>
		maters:			<input type="checkbox"/>
other=5,					<input type="checkbox"/>
describe:					
Nothing else=6					

26. Observation

a= No need for compensation (no problem);

b= Small problem or need compensation;

c=Need some compensation;

d=Full compensation

☐

## **Procedure of Contract Negotiation**

- (1) Introduce yourself and other staff, showing your ID card properly to the interviewee.
- (2) Introduce the external monitor, if he is attending, to interviewee that he is there to observe if Contract Negotiation is properly done or not.
- (3) Check (ask) if interviewee has Resettlement Brochure.
- (4) Explain the purpose of Negotiation briefly (as measurement of assets for the estimation of compensation contract at the negotiation stage afterward).
- (5) Explain the compensation policy described in the Resettlement Brochure one by one in details.
- (6) Perform measurement of land area he/she occupies which are located inside and outside PRW respectively.
- (7) If the remaining area outside PRW occupied by him/her is found to be less than 30m<sup>2</sup>, inform him that he/she is entitled to choose either:
  - 1) to have partial compensation for the assets inside PRW only, under the condition moving back to the remaining area outside PRW or
  - 2) to have full compensation for all the assets, under the condition of moving outside ROW completely. Furthermore in this case, if he/her says there is no land to relocate for him/her (that means he/she is classified as 'landless'), inform him/her that alternative plot for his/her house in relocation site is provided and that, at the same time, he/she will be punished if he/she has been found to have owning another land able to relocate or money to purchase such land.
- (8) If the remaining area outside PRW is equal or more than 30m<sup>2</sup> but less than 60m<sup>2</sup> and the remaining area is so small to afford whole of his/her family members, consultation shall be made and if concluded to be not affordable, inform him/her that he/she is entitled to choose either:
  - 1) to have partial compensation for the assets inside PRW only, under the condition moving back to the remaining area outside PRW or
  - 2) to have full compensation for all the assets, under the condition of moving outside ROW completely. Furthermore in this case, if he/her says there is no land to relocate for him (that means he/she is classified as 'landless'), inform him/her that alternative plot for his/her house in relocation site is provided and that, at the same time, he/she will be punished if he/she has been found to have owning another land able to relocate or money to purchase such land.
- (9) If the remaining area outside PRW is equal or more than 60m<sup>2</sup>, inform him/her that he/she will be entitled to be compensated only for the assets within the PRW and move back to the remaining area outside PRW.

- (10) Perform measurement of affected buildings area, categorize the assets type and multiply the unit rate to the quantity obtained.
- (11) Make sure there is no miscalculation.
- (12) Sum the amount of compensation to be made including various allowances and write the amount on the copy of assets measurement.
- (13) Loudly read out the quantity and compensation amount, item by item, in front of the public.
- (14) Loudly read out the sum of compensation, writing it behind the copy of assets measurement sheet passed to the PAP.
- (15) Explain the schedules of payment and work start, etc.(including the date of demonstration of relocation site he/she is supposed to relocate).
- (16) Ask them if there is anything unclear for them and explain them repeatedly if requested.
- (17) Explain the procedure of grievance redressing.
- (18) Remind him/her that if he/she does not agree with the contract, he/she does not need to sign.
- (19) Finger printing and signing by the PAP if agreed.
- (20) After the completion, say thank you.

### **Do and Do Not**

- Speak to them very slowly and loudly in front of the public
- Do not force contract signing.
- Answer back to any question made by them

**Royal Government of Cambodia**  
**Inter-ministerial Resettlement Committee**

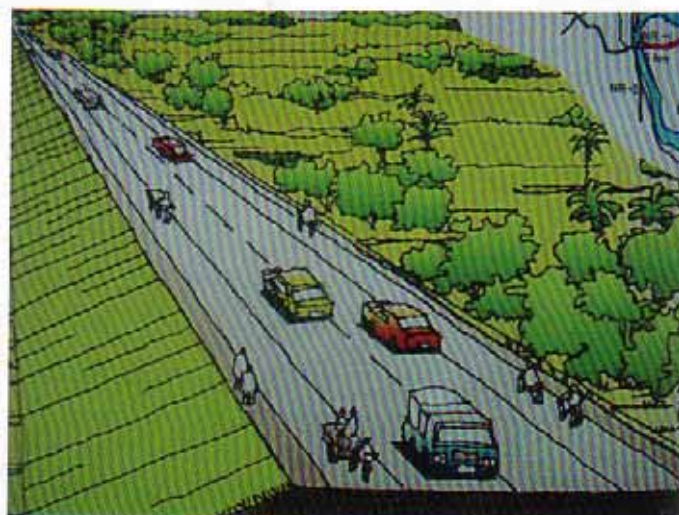
**RESETTLEMENT BROCHURE**

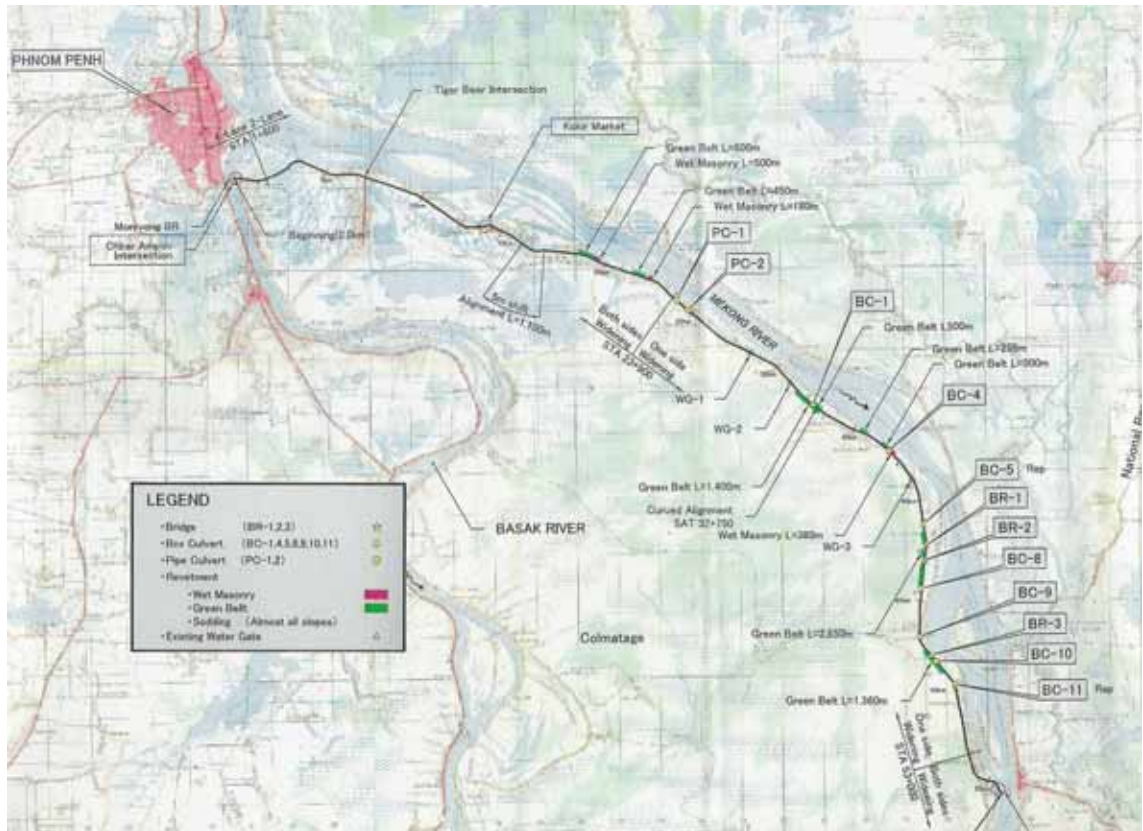
**(DRAFT)**

**Guidelines on Compensation Policy**  
**for Project Affected Persons (PAPs)**

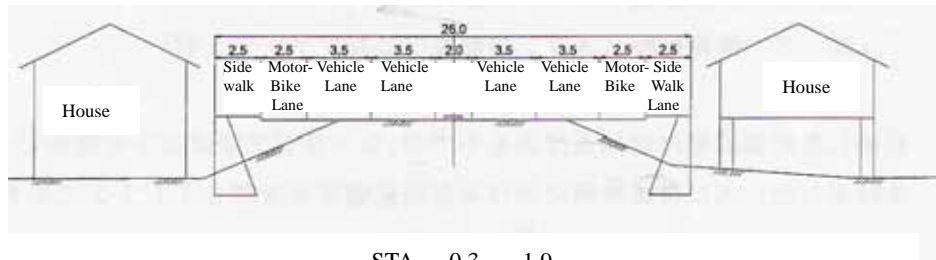
**National Road No.1 Rehabilitation Project**

**2005**

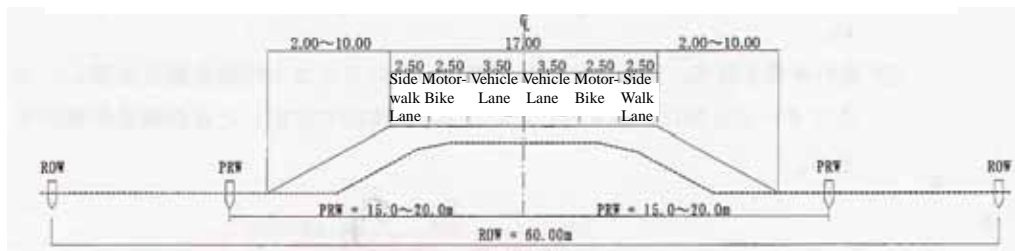




### Figure 1 Location of the Project



STA 0.3 ~ 1.9  
**Cross Section around Starting Points Heavily Congested**



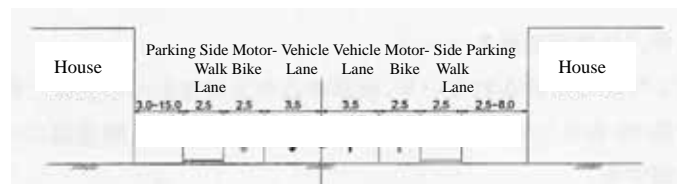
STA 1.9 ~ 13.5

STA 14.0 ~ 15.7

STA 16.6 ~ 23.9

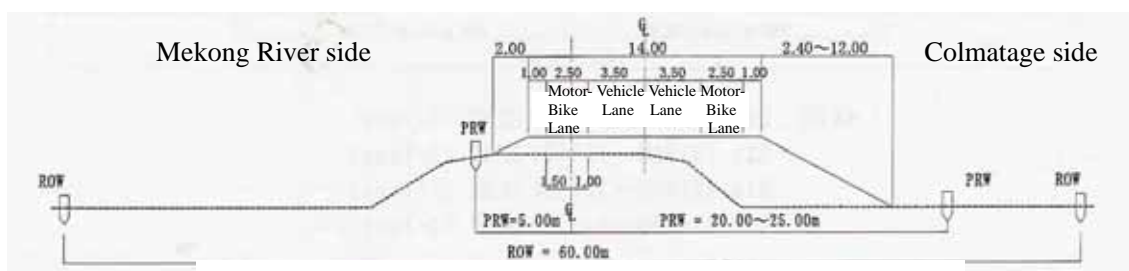
STA 53.4 ~ 54.7

**Cross Section for Both Sides Embankment**



STA.13.5 ~ 14.0

**Cross Section at Kokir Market**



STA.23.9 ~ 53.4

**Cross Section at One Side Embankment**

## **A. INTRODUCTION**

The General Directorate of Public Works (GDPW) under the Ministry of Public Works and Transport (MPWT), the Royal Government of the Kingdom of Cambodia (GOC), plans to improve 55 km stretch of the National Road No. 1 (NR-1) from Phnom Penh to Neak Loeung (hereinafter called “the Project”) with a Japanese grant. The Japan International Cooperation Agency (JICA), the official agency responsible for the implementation of the technical cooperation programs of the Japanese government, conducted the feasibility study on the project during April 2002 to 2003. A JICA team of consultants paid a visit to the project site and is in a position to formulate the project design and a comprehensive resettlement plan for the project affected people.

After decades of conflict and economic isolation, Cambodia’s road infrastructure is in an extremely poor state and in some areas not usable. The state of the road network acts as the primary constraint to general economic recovery and further growth in agricultural production and investment from the emerging private sector in areas such as plantation agriculture. The government of the Kingdom of Cambodia is trying to attract international assistance towards its road network development. The National Road No. 1, linking the capital city Phnom Penh to its border at Bavet, is a route designated as Asian Highway No. A-1 as well as ASEAN Highway No. 1, and most of all road traffic between Phnom Penh and Ho Chi Minh passes on this route. The 160 km long NR-1 will also link the capital to its vast flood plain yielding rich agricultural products.

The expected road improvement and functions of NR-1 are as follows:

- To ensure road transport throughout the year by upgrading to a flood-free road to an all-weather standard.
- To secure traffic safety by providing separate lane for slow-moving vehicles such as motorcycles, and motorcycle trailer (moto-remorque)
- To stimulate economic and social development by connecting the major productive centers with urban centers to provide better market accessibility,

allow more competition and stabilize the process as well as to increase job opportunities for the poor.

-To strengthen linkages between production and consumption centers and between exploited resources and trading gateways by the improvement of the arterial road to an international standard. This will encourage the ongoing transition to market economy that has opportunities for reducing poverty.

The area of impact has high development potential in terms of domestic production/consumption as well as international / regional trade and investment. This area produces crops such as paddy, maize and vegetables as well as fisheries, livestock and poultry products that are mainly transported to Phnom Penh, the biggest consumption center. Once NR-1 is improved, it will stimulate the development potential within the impact area, and high vehicle traffic generation is anticipated.

## **DEFINITION OF TERMS RELATED**

### **a) Affected Person(AP)**

AP indicates any juridical person being as it may an individual, a household, a firm, or a private or public who, on a account of the execution of the Project, or any of its components or sub-projects or parts thereof would have their right, title or interest in any house, land (including residential, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, in full or in part, permanently or temporarily.

### **b) Compensation**

These terms refer to all types of support system such as money, advice, services, training, etc. provided to eligible PAPs for lost access to land and for the removal of assets. Cash will be the most common type of compensation.

### **c) Contract Negotiation**

After the measurement of affected assets of PAPs, compensation amount is proposed by WG (working group) and negotiated between WG and PAPs. At the same time any grievance of PAPs can be consulted with WG.



**d) Corridor of Impact (COI)**

COI is the word, used by ADB project predominantly, which indicates the area impacted by road project or by the need to retain site for future use for construction or maintenance. This word is not used in this project.

**e) Cut Off Date**

This date is the date of simple survey was completed. It will establish that who are entitled to compensation under the NR-1 on **11 January 2004**. Any people moving on to the ROW after the cut-off date will not be considered as PAPs and will be evicted without compensation. If, however, any individual who was not surveyed during the simple survey or DMS can show proof that they were using land in the ROW before the cut –off date will be considered as a PAPs.

**f) Detailed Measurement Survey (DMS)**

This refer to a survey of assets owned by PAPs, by which compensation amount is determined.

**g) Demarcation**

This work is to put pegs on the ground indicating boundary line(s) of ROW or PRW.

**h) External Monitoring (EM)**

External monitoring is carried out by the impartial, independent organization in the purpose to monitor if resettlement activities is properly carried out in accordance with requirement. External monitor is directly hired by JICA.

**i) Grievance Committee (GC)**

The function of the Grievance Committee is to mediate the dispute, grievance raised by PAPs. The committee member are consisting of local authorities, central government officers and village elder, all of who are impartial and neutral position to the project.

**j) Inter-ministerial Resettlement Committee (IRC)**

Implementing body of resettlement activities with members consisting of MEF (ministry of economy and finance), MPWT (ministry of public works and transport), MLMUPC( ministry of land management, urban planning and construction), and so

on.

**k) Landless**

This term refers to a condition that the PAP who does not have land, able to make living, other than inside PRW or money to purchase such land.

**l) Project Affected Persons (PAPs)**

In this Resettlement Brochure, ‘project affected persons’ are defined as householders of project affected households. Usually, PAP simply refer to any individual who is adversely affected, either temporarily or permanently, by the activities undertaken for the project.

**m) Public Consultation (PC)**

Public consultation is held for PAPs to consult with IRC/Working Group or Commune Authority in the purpose to discuss and solve their issue(s) whatever related to the project including compensation and/or resettlement.

**n) Provisional Road Width (PRW)**

PRW refers a certain width of road necessary for the present project, within which all the assets have to move outside. In this moment, PRWs are:

STA. km		Distance from centerline to PRW pegs:		Remark
from	to	Mekon River side	Colmatage side	
0.3	1.9	13	13	Most Congested Area
1.9	13.5	15-30	15-25	
13.5	14.0	Existing Road	Existing Road	Kokir Market
14.0	55	5-20	15-30	

**o) Public Information Meeting (PIM)**

Public information meetings will be held for notifying (1)the project outline to the public and PAPs among all,(2) DMS and (3) relocation site(s). PIM is one of the Stakeholder Meeting.

**p) Relocation Site**

Relocation site(s) are prepared for those who don't have alternative land affected by the project to resettlement.

**q) Resettlement Action Plan (RAP)**

Resettlement Action Plan (RAP) is a time-dependant action plan describing (1) outline of project, (2) compensation policy to PAPs, (3) schedules for project and resettlement activities and (4) with a total budget for compensation. The objectives of RAP is to ensure the losses of APs incurred are redressed so that APs can share the project benefits and can be assisted to develop their social and economic potential. The RAP will need to be revised after DMS and also during the Design and Implementation, and Rehabilitation stages

**r) Resettlement Activity**

Resettlement Activities refer to any activity related to PAPs. This includes, among all, public meetings, simple survey, DMS, relocation site preparation, compensation disbursement, monitoring of rehabilitation of PAPs and grievance redressing mechanism.

**s) Right OF Way (ROW)**

ROW refers that a certain width of the road, railway or river from centerline is considered to belong to State and can be necessary for future development. Occupants within the ROW are assumed not legalized according to Prime Minister's Declaration in 1999.

**t) Set Back**

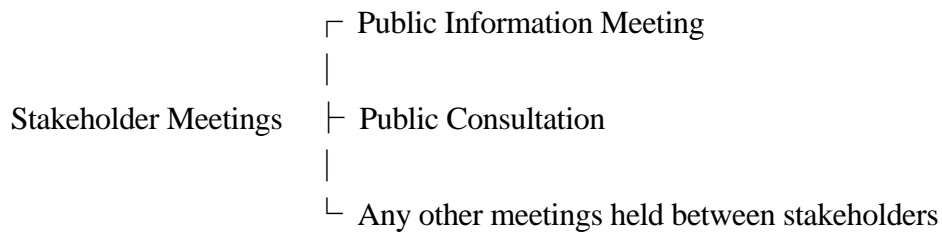
This word refers to, for PAPs who have to go out of the PRW, relocating their houses, by the distance several meters backward from present location to outside of PRW in the most cases. Set back is possible only when vacant lands are available behind or nearby their present houses.

**u) Simple Survey**

As a milestone to proceed to next DMS stage, the simple survey is performed, by which it is clarified if the project related residents (residents within the ROW for example) are with or against the development project. In case 70 to 80% of interviewed express agreement, the project is considered to be welcomed and able to proceed to the next stage.

**v) Stakeholder Meeting**

Stakeholder is any person/organization in related to the project directly or indirectly. Therefore, stakeholder meeting refers meetings with any person or organization that are involved in the project including PAPs, NGO and/or implementing agency. Public Information Meeting is one of mode of the Stakeholder Meetings.



**w) Vulnerable Households**

Vulnerable households refer to households, headed by either widow, aged, handicapped or poor (with income less than 10\$/month) householders, whose income are only or primary sources for those household.

## COMPENSATION POLICY

Compensation policy is tabulated as bellow.

**Table Compensation/Mitigation Policy for Assets inside ROW\***

Type of Loss		Entitlement
General Notes		<p>✓ Compensation is made one time only. PAPs, although who were allowed to remain within the ROW for this project, will not get compensation again when they have to move outside ROW for the future project.</p>
Loss of Land	Residential land/commercial land	<p>✓ In principle, no cash compensation is made for land.</p> <p>✓ It is allowed to remain within ROW, by setting back outside PRW if the land is available.</p> <p>✓ In addition, following is entitled to landless PAP depending on remaining land area he/she occupies outside PRW as:</p> <p>(1) less than 30 m<sup>2</sup>, alternative land in the relocation site is provided if he/she requests to move there</p> <p>(2) equal or more than 30 m<sup>2</sup> but less than 60 m<sup>2</sup> and this remaining area seems to be not enough to afford whole of his/her family, provision of alternative land in the relocation site may be considered if he/she requests.</p> <p>(3) equal or more than 60 m<sup>2</sup>, no alternative land in relocation site is provided.</p> <p>✓ It is noted that if the landless PAPs, after provision of alternative land in relocation site, is found to have been not really landless, i.e., having other land to live and/or enough money to purchase such land, his/her land will be retrieved and punished.</p>
	Agricultural land	<p>✓ Standing crops is allowed to harvest only</p>

Type of Loss		Entitlement
Loss of Structure	Thatch/ timber/ brick houses, concrete/ timber fences, concrete/ timber bridges, water tank and well	<p>✓ In principle, compensation for structures is made in accordance with government price based on categories <u>for the portion within PRW only</u>.</p> <p>✓ Note that no compensation is provided for movable stalls and stands.</p> <p>✓ Exceptional compensation is granted for the portion of structure located outside PRW also, only when he/she has to resettle, either to relocation site or to other place due to remaining area outside PRW is:</p> <p>(1) less than 30 m<sup>2</sup> or</p> <p>(2) sometimes less than 60 m<sup>2</sup> with which area it seems to be not enough to afford whole of his/her family.</p>
Loss of Productive Trees	Fruit Trees, bamboo, rubber tree and so on	✓ Cash compensation based on the investment and productivity of the tree.
Loss of Commune Public/Assets	Meeting halls, market	✓ Cash compensation with government price or preparation of equivalent assets lost by the project
Allowances for residential houses affected	Those whose houses are affected (partially or totally demolished), by which their lives are disrupted	<p>✓ Disruption allowance \$40/household is provided as support for meal and/or income loss while reconstruction/repair of their residential houses.</p> <p>✓ No disruption allowance is made for the reconstruction of buildings other than of residential purpose.</p>
	Those whose houses are affected so that they have to moved to relocation site or other places outside ROW	✓ Resettlement allowance \$40/household is also provided in addition to disruption allowance above.
Special Allowance to Vulnerable Households	Households headed by widow /aged /handicapped /poor householders, whose incomes are primary sources for the whole household members.	✓ Cash allowance \$20/household to each household applicable is provided.

\*Assets outside ROW is negotiated, not restricted to these policy

## SCHEDULE

Following activities are scheduled as:

Activity	Date
Public Information Meeting for Compensation Policy	
Detailed Measurement Survey (DMS)	
Public Information Meeting for Relocation Site (if necessary)	(To Be Filled In)
Disbursement of Cash and Provision of Alternative Land in Relocation Site	
Relocation of PAPs	
Start of Construction	

## EXTERNAL MONITORING

External Monitoring will be accompanied to above activities by independent and neutral organization, directly hired by Japan side, to monitor and witness the activities' soundness and properness. If any unfavorable issues are noted or PAPs raise complaints, the external monitor reports to JICA and recommendation may be presented to IRC if necessary.

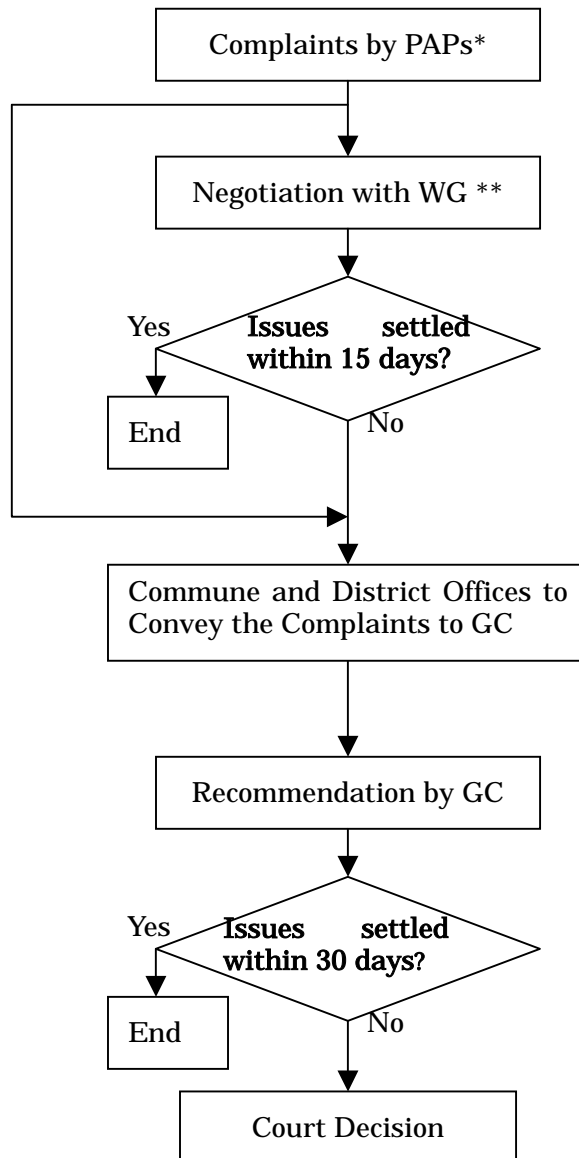
## GREIVANCE COMMITTEE

Grievance Committee (GC) is set up to mediate, to redress and to solve disputes and complaints between PAPs and IRC. PAPs can raise their grievance directly to GC, or indirectly through local government to GC as shown in the flow chart attached below.

Contact addresses are:

Contact to:	Address	Telephone No
IRC Working Group		
Luek Dau District Office		(To Be Filled In)
Kien Svay District Office		
Mien Chay District Office		
Grievance Committee:		

It is noted that no fee for submission of grievance is charged.



**Note**

\* Project Affected Persons (=Households)

\*\* Working Group in charge of Contract Negotiation with PAPs

\*\*\* Grievance Committee consisting of impartial members

**Figure** Flows of Grievance Redressing Process



## FREQUENTLY ASKED QUESTIONS

**Q-1** I have been living along NR. 1 since 1990 or before the sub-degree becomes effective and I planted 10 mango trees already in 1992. I have 100m<sup>2</sup>-land in the PRW. Ten mango trees earn 1500US\$ per year. Can I get compensation for the land? How much compensation can I get for mango trees?

**A-1** Your house have to set back outside PRW and, for that, no cash compensation will be made for land since it has been and is governmental land. However if you have no enough land to set back, no land for relocation outside ROW or no money to purchase land, government will provide alternative land in relocation site. As for trees, cash compensation will be made for each productive tree in accordance with government price predetermined. In case of Mango tree, 25 to 30\$ can be paid for each, depending on your investment and productivity of the tree.

**Q-2** When and how were the unit prices decided? What kinds of investigation were conducted at the time?

**A-2** On the basis of market prices investigation every year.

**Q-3** I don't have land to move back. Must I make agreement before checking of relocation place? If I need to make agreement before checking relocation site, can I cancel the agreement when I cannot agree with the relocation site?

**A-3** In this moment, we cannot show you the relocation site yet. Of course you can cancel the agreement if you cannot agree with the relocation site after you visit. However please note that the land in relocation site is provided to you, together with land title, free of charge and it does not seem to be that disadvantageous for you.

**Q-4** Please explain the detail of additional payment. Kinds and condition for payment.

**A-4** Please refer to the table of 'Compensation Policy' in this booklet. In the table, 'disruption allowance and resettlement allowance may be paid depending on the conditions how your houses are affected. Vulnerable allowances also are provided if you fall in one of their categories of 'Vulnerable Household' as specified at the section 'Definition of Terms'.

**Q-5** There is some space behind my house although it is outside ROW. The land is not mine, but there is no structure and no other properties in the land. Will the RGC provide the land for me for set back?

**A-5** Outside ROW is not a government land and government cannot provide that land behind your house to you. However, if you have no land to relocate, alternative land is provided in accordance with our compensation policy.

**Q-6** What will happen or how will the RGC deal with me if I do not agree to move because I cannot satisfy with compensation.

**A-6** You have the right to raise your grievance to Grievance Committee and, if not satisfied, court. You will never be treated unfairly by appealing your grievance.



*(Back cover page)*

*Prepared by Inter-Ministerial Resettlement Committee (IRC)*

*Address:*

*Telephone*

