

MINUTES OF MEETINGS BETWEEN  
JAPANESE PREPARATORY SURVEY TEAM AND  
AUTHORITIES CONCERNED OF  
THE ROYAL GOVERNMENT OF CAMBODIA ON  
THE PROJECT ON CAPACITY ENHANCEMENT OF ENVIRONMENTAL AND  
SOCIAL CONSIDERATIONS FOR RESETTLEMENT

In response to the request made by the Royal Government of Cambodia (hereinafter referred to as "RGC") for the Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement (hereinafter referred to as "the Project"), the Japan International Cooperation Agency (hereinafter referred to as "JICA") has organized the Preparatory Survey Team (hereinafter referred to as "the Team") headed by Mr. Yukiharu Kobayashi, Senior Representative of JICA Cambodia Office in order to discuss the framework of the Project from 12th to 28th October 2009.

During their stay at Phnom Penh, the Team held interviews, workshops, field survey and a series of meetings and exchanged views with the authorities concerned of the RGC (hereinafter referred to as "the Cambodian side").


As a result of the discussions, the Team and the Cambodian side agreed to recommend to their respective Government the tentative framework referred to in the document attached hereto.

Phnom Penh, 28 October 2009

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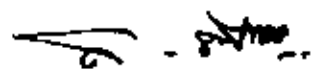
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Mr. Yukiharu Kobayashi  
Team Leader,  
Senior Representative,  
Japan International Cooperation  
Agency,  
Cambodia Office



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H.E. Nhean Leng  
Chairman of Inter-ministerial  
Resettlement Committee (IRC),  
Under Secretary of State,  
Ministry of Economy and Finance,  
The Royal Government of Cambodia



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H.E. Tauch Chankosal  
Secretary of State,  
Ministry of Public Works and Transport  
The Royal Government of Cambodia

## ATTACHED DOCUMENT

### 1. Background of the Preparatory Survey

Rapid economic development in Cambodia has lead to strong demand for development of the distribution and transportation networks within the country. The RGC emphasizes the importance of intensive development of land transport network. For instance, in the National Strategic Development Plan (NSDP) 2006 – 2010, the RGC mentioned that “(t)ransportation networks and facilities that connect all corners of the country are the arteries that transform the country into an integrated economy and are vitally critical for distributed economic growth.” It also mentioned that “(b)y facilitating trade, movement of goods and services, by fostering integration of domestic markets as well as enabling integration with the region and the world, they [*transportation networks such as roads, ports, inland waterways, railways and airports*] play a pivotal role in contributing to poverty reduction”.

Environmental and Social Considerations (hereinafter referred to as “ESC”) is the foundation for the proper and effective implementation of infrastructure construction projects. The RGC, especially Ministry of Economy and Finance (hereinafter referred to as “MEF”) has made sincere effort for the establishment of legal basis for resettlement action in Cambodia, such as the “Expropriation Law”. The Resettlement Department (hereinafter referred to as “RD”) is the one of the departments in the MEF and has dealt with resettlement issues in Cambodia. The RGC organized Inter-ministerial Resettlement Committee (hereinafter referred to as “IRC”) led by the MEF with representatives participation from Ministry of Public Works and Transport (hereinafter referred to as “MPWT”), Ministry of Land Management, Urban Planning and Construction (hereinafter referred to as “MLMUPC”) and other relevant governmental organizations in the RGC. The RD of the MEF which is a secretariat of the IRC consists of 5 Bureaus, (1) Bilateral Project Bureau, (2) the Government Project Bureau, (3) Multilateral Project Bureau (ADB, WB, Multi Donors), (4) the Administration and Finance Bureau and (5) Planning and Data Management Bureau. The roads and bridges construction projects financed by

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the Government of Japan have been in charged by the Bilateral Project Bureau for instance.

Since the Expropriation Law was already passed the Council of Ministers and submitted to the National Assembly for review and adoption, and the next step will be the re-examination of the "Sub-decree on Addressing Socio-Economic Impact Caused by Development Projects" (hereinafter referred to as "the Sub-decree") assisted by the Asian Development Bank. Therefore, it is an urgent matter to enhance capabilities of RD staff and IRC members, and to prepare unified and logical manuals for the implementation of resettlement processes according to the Sub-decree after it becomes effective.

Based on the above mentioned backgrounds, the RGC requested the implementation of the Technical Cooperation Project to the Government of Japan in order to enhance capacity of RD staff and thus to strengthen the function of IRC. In response to the request from the RGC, the Government of Japan dispatched the Team organized by JICA to Cambodia to conduct a preparatory survey for the Project with the purposes as described bellow.

## 2. Purposes of the Preparatory Survey

- (1) To study necessity of the Project implementation in terms of five analysis items for evaluation (Relevance, Effectiveness, Efficiency, Impact, and Sustainability) regarding inputs, activities, outputs and the feasibility of project purpose achievement.
- (2) To discuss and confirm a framework of the Project regarding the Project purpose, outputs, activities, inputs, institutional framework (budget, staff), terms of cooperation, and target groups, etc.
- (3) To discuss and prepare a draft of Tentative Schedule of Implementation for entire cooperation period based upon the framework of the Project (Project Design Matrix (PDM), Plan of Operation (PO)).
- (4) To prepare and sign the Minutes of Meetings (hereinafter referred to as "M/M") as a result of the Survey.

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### 3. Summary of Workshop

The Team held a workshop at 22nd October 2009 with participation from relevant departments from MEF, MPWT, MLMUPC, Ministry of Water Resource and Meteorology (MOWRM), Ministry of Environment (MoE), Ministry of Mines, Industry and Energy (MLME) Electricite Du Cambodge (EDC), Telecom Cambodia, Municipality of Phnom Penh (MPP), Kandal and Prey Veng provinces. The Team and participants discussed on the provisional outline of the Project activities and outputs based on the contents of presentation made by a facilitator, one of the Team members. The contents of discussions can be summarized as ANNEX A. ANNEX D shows the list of participants.

### 4. Results of the discussions on the Framework of the Project

Based on the results of the discussions through a series of meetings and a workshop, the framework of the Project was agreed upon by Cambodian side and the Team as ANNEX B and C as drafts. The framework will be reconfirmed when the Record of Discussions (hereinafter referred to as "R/D") will be signed.

The main points of discussions are as follows:

#### (1) Provisional Schedule of the Promulgation of Law and the Sub-decree

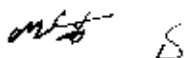
Both sides confirmed that the authorization process of the Sub-decree will be started as soon as the Expropriation Law is approved by the National Assembly. The Cambodian side projected that the approval and application of the Sub-decree will be at least by the end of 2010.

#### (2) Target Group of the Project

The main body for resolving resettlement issues has been IRC and the RD as its secretariat and IRC members from MPWT. Both sides agreed that therefore, MPWT will actively participate and contribute to the Project activities as one of counterparts for the Project.

#### (3) Target Area of the Project

Both sides agreed that the target sites of the Project will be whole country of Cambodia, with special reference to Mean Chey District of MPP, Kandal and



Prey Veng Provinces where road construction projects by the Japanese ODA are currently on-going or estimated to be implemented during the terms of cooperation of the Project.

(4) Purposes of the Project

Both sides agreed that the purposes for the Project are 1) to develop the operational manuals based on the relevant laws and regulations in Cambodia, and 2) to improve skill and capacity of RD staff and the IRC members including of the IRC Working Group in the field of resettlement.

(5) Legal Status of the Project Outputs (Operational Manuals)

Both sides agreed that the Project outputs such as operational manuals would be based on the relevant laws and regulations in Cambodia. Regarding those operational manuals, the Cambodian side agreed as follows:

- a. Operational manuals to be prepared by the Project under the Executive Committee (hereinafter referred to as "EC") shall be officially endorsed by the MEF as soon as possible for Sub-decree implementation after its promulgation.
- b. After the operational manuals are officially endorsed, these shall be immediately applied to all road construction projects.

5. Others

- (1) Further surveys for finalizing the R/D for the Project will be carried out by the JICA Cambodia Office around January 2010. The contents of the draft R/D could be subject to change depending on the Project evaluation and authorization process in JICA.
- (2) The team requested the Cambodian side to make necessary procedures to secure the smooth operation for the agreement of the final R/D.

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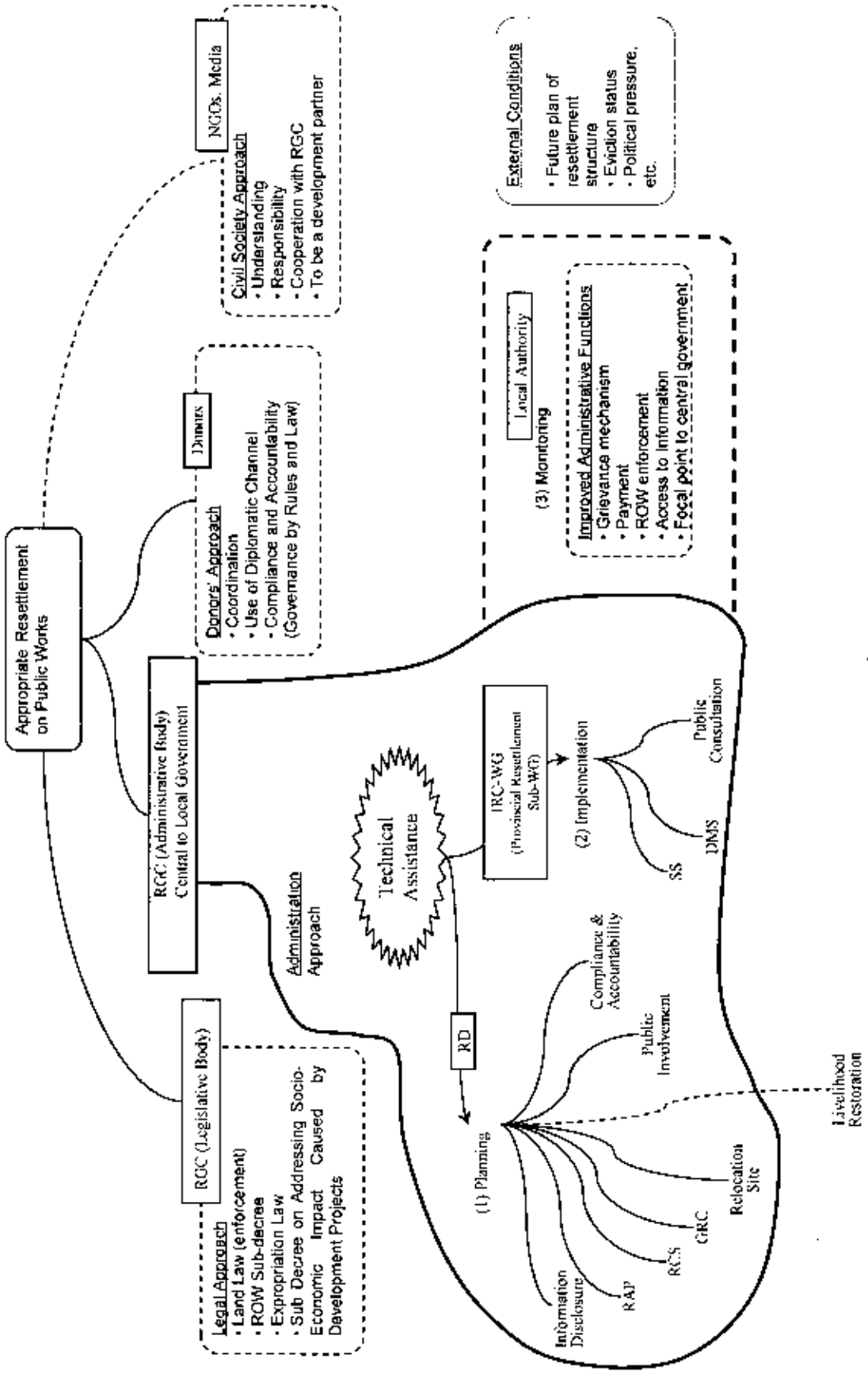
- ANNEX A SUMMARY OF WORKSHOP  
ANNEX B DRAFT RECORD OF DISCUSSIONS  
ANNEX C DRAFT MINUTES OF MEETINGS  
ANNEX D LIST OF WORKSHOP PARTICIPANTS

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ANNEX A SUMMARY OF WORKSHOP

Schematics of the Proposed Technical Cooperation Project



ANNEX B DRAFT RECORD OF DISCUSSIONS

RECORD OF DISCUSSIONS BETWEEN  
JAPAN INTERNATIONAL COOPERATION AGENCY AND  
AUTHORITIES CONCERNED OF THE ROYAL GOVERNMENT OF  
CAMBODIA  
ON JAPANESE TECHNICAL COOPERATION  
FOR THE PROJECT ON CAPACITY ENHANCEMENT OF ENVIRONMENTAL  
AND SOCIAL CONSIDERATIONS FOR RESETTLEMENT

The Senior Representative of Japan International Cooperation Agency (hereinafter referred to as "JICA") Cambodia Office had a series of discussions with the Cambodian authorities concerned with respect to desirable measures to be taken by JICA and the Royal Government of Cambodia (hereinafter referred to as "RGC") for the successful implementation of the above-mentioned Project.

As a result of the discussions, and in accordance with the provisions of the Agreement on Technical Cooperation between the Government of Japan and the RGC, signed in Phnom Penh on 28 October 2009 (hereinafter referred to as "the Agreement"), JICA and Cambodian authorities concerned agreed on the matters referred to in the document attached hereto.

Phnom Penh, \*\* January 2010

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Mr. Yukiharu Kobayashi  
Team Leader,  
Senior Representative,  
Japan International Cooperation Agency,  
Cambodia Office

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H.E. Nhean Leng  
Chairman of Inter-ministerial  
Resettlement Committee (IRC),  
Under Secretary of State,  
Ministry of Economy and Finance,  
The Royal Government of Cambodia

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H.E. Tauch Chankosal  
Secretary of State,  
Ministry of Public Works and Transport  
The Royal Government of Cambodia

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**THE ATTACHED DOCUMENT**

**I. COOPERATION BETWEEN JICA AND THE RGC**

1. The RGC will implement the Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement (hereinafter referred to as "the Project") in cooperation with JICA.
2. The Project will be implemented in accordance with the Master Plan which is given in Annex I.

**II. MEASURES TO BE TAKEN BY JICA**

In accordance with the laws and regulations in force in Japan and the provisions of Article III of the Agreement, JICA, as the executing agency for technical cooperation by the Government of Japan, will take, at its own expense, the following measures according to the normal procedures of its technical cooperation scheme.

**1. DISPATCH OF JAPANESE EXPERTS**

JICA will provide the services of the Japanese experts as listed in Annex II. The provision of Article V of the Agreement will be applied to the above mentioned experts.

**2. PROVISION OF MACHINERY AND EQUIPMENT**

JICA will provide such machinery, equipment and other materials (hereinafter referred to as "the Equipment") necessary for the implementation of the Project as listed in Annex III. The provision of Article VII of the Agreement will be applied to the Equipment.

**3. TRAINING OF CAMBODIAN PERSONNEL**

JICA will receive the Cambodian personnel connected with the Project for technical training in Japan and third countries.

**III. MEASURES TO BE TAKEN BY THE RGC**

1. The RGC will take necessary measures to ensure that the self-reliant operation

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of the Project will be sustained during and after the period of Japanese technical cooperation, through full and active involvement in the Project by all related authorities, beneficiary groups and institutions.

2. The RGC will ensure that the technologies and knowledge acquired by the Cambodian nationals as a result of the Japanese technical cooperation will contribute to the economic and social development of Cambodia.
3. In accordance with the provisions of Article V of the Agreement, the RGC will grant in the Kingdom of Cambodia privileges, exemptions and benefits to the Japanese experts referred to in II-1 above and their families.
4. In accordance with the provisions of Article VII of the Agreement, the RGC will take the measures necessary to receive and use the Equipment provided by JICA under II-2 above and equipment, machinery and materials carried in by the Japanese experts referred to in II-1 above.
5. The RGC will take necessary measures to ensure that the knowledge and experience acquired by the Cambodian personnel from technical training in Japan will be utilized effectively in the implementation of the Project.
6. In accordance with laws and regulations in force in the Kingdom of Cambodia, the RGC will provide the services of Cambodian counterpart personnel and administrative personnel as listed in Annex IV.
7. In accordance with laws and regulations in force in the Kingdom of Cambodia, the RGC will provide the buildings and facilities as listed in Annex V.
8. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the RGC will take necessary measures to supply or replace at its own expense machinery, equipment, instruments, vehicles, tools, spare parts and any other materials necessary for the implementation of the Project other than the Equipment provided by JICA under II-2 above.
9. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the RGC will take necessary measures to meet the expenses necessary for the Project activities.

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#### IV. ADMINISTRATION OF THE PROJECT

1. The Under Secretary of State, Ministry of Economy and Finance (hereinafter referred to as "MEF") as the Project Director will bear overall responsibility for the administration and implementation of the Project.
2. The Director of the Resettlement Department, MEF as the Project Manager, will be responsible for the managerial and technical matters of the Project.
3. The Japanese Team Leader will provide necessary recommendations and advice to the Project Director and the Project Manager on any matters pertaining to the implementation of the Project.
4. The Japanese experts will give necessary technical guidance and advice to Cambodian counterpart personnel on technical matters pertaining to the implementation of the Project.
5. For the effective and successful implementation of technical cooperation for the Project, a Joint Coordinating Committee will be established whose functions and composition are described in Annex VI.

#### V. JOINT MONITORING AND EVALUATION

Monitoring will be conducted jointly by JICA and the Cambodian authorities concerned every six months during the Project period, and Evaluation of the Project will be conducted jointly at the last six months of the Project period in order to examine the level of achievement.

#### VI. CLAIMS AGAINST JAPANESE EXPERTS

In accordance with the provision of Article VI of the Agreement, the RGC undertakes to bear claims, if any arises, against the Japanese experts engaged in technical cooperation for the Project resulting from, occurring in the course of, or otherwise connected with the discharge of their official functions in the Kingdom of Cambodia except for those arising from the willful misconduct or gross negligence of the Japanese experts.

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**VII. MUTUAL CONSULTATION**

There will be mutual consultation between JICA and RGC on any major issues arising from, or in connection with this Attached Document.

**VIII. MESURES TO PROMOTE UNDERSTANDING OF AND SUPPORT FOR THE PROJECT**

For the purpose of promoting support for the Project among the people of the Kingdom of Cambodia, the RGC will take appropriate measures to make the Project widely known to the people of Kingdom of Cambodia.

**IX. TERM OF COOPERATION**

The duration of the technical cooperation for the Project under this Attached Document will be two (2) years from April 2010.

- ANNEX I      MASTER PLAN
- ANNEX II     LIST OF JAPANESE EXPERTS
- ANNEX III    LIST OF MACHINERY AND EQUIPMENT
- ANNEX IV     LIST OF CAMBODIAN COUNTERPART AND ADMINISTRATIVE PERSONNEL
- ANNEX V     LIST OF LAND, BUILDINGS AND FACILITIES
- ANNEX VI    JOINT COORDINATING COMMITTEE
- ANNEX VII   EXECUTIVE COMMITTEE
- ANNEX VIII  ADMINISTRATIVE STRUCTURE OF THE PROJECT

**ANNEX I MASTER PLAN**

**1. OVERALL GOAL**

The RGC will have been able to implement resettlement policy for the public works by consistent measures complying with the laws and regulations of Cambodia.

**2. PROJECT PURPOSE**

The resettlement capacity of the Resettlement Department (RD) of the MEF and IRC will be enhanced.

**3. OUTPUTS**

(Output 1)

Organizational arrangement for the technical cooperation project is completed.

(Output 2)

Appropriate resettlement procedures for planning are established.

(Output 3)

Appropriate survey procedures regarding resettlement are established.

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## ANNEX II LIST OF JAPANESE EXPERTS

## 1. Long-term Experts

The following long-term experts will be dispatched.

	Assignment Title	Period	Duties and Job Description
(1)	Chief advisor / Environmental and Social Considerations	Two (2) years	To formulate detail activity plans of each year necessary to achieve the project purposes in the PDM. To hold necessary consultations for smooth implementation of the Project. To advise counterparts regarding environmental and social considerations.
(2)	Participatory Planning and Development	Two (2) years	To analyze legal frameworks and regulations on road construction. To provide lectures on lessons from experience in Japan. To advise counterparts regarding participatory planning and development.
(3)	Training Management / Project Coordinator	Two (2) years	To formulate training program. To support Chief advisor / Environmental and Social Considerations for smooth implementation of the Project. To coordinate among stakeholders such as counterparts, JICA Cambodia Office, and Japanese experts as well as development partners, etc. Accounting and general affairs of the Project.

## 2. Short-term Experts

The following short-term experts will be dispatched.

	Assignment Title	Period	Duties and Job Description
(1)	Social Consideration Approach	Twelve (12) months within two years	To advise counterparts regarding Social Consideration Approach.
(2)	Participatory Approach	Six (6) months within two years	To advise counterparts regarding Participatory Approach.

Additional short-term experts will be determined through the discussion between both sides whenever the necessity arises and it will be reflected to the annual plan of the Project.

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## ANNEX III LIST OF MACHINERY AND EQUIPMENT

The following machinery and equipment, if necessary for the implementation of the project, will be provided.

	Name	Quantity	Specification
(1)	Desktop PC for data analyses	3 sets	
(2)	Laptop PC	2 sets	
(3)	LCD projector	1 set	
(4)	Color printer	1 set	for A3 and A4 size
(5)	Scanner with sorter	1 set	
(6)	Photo copy machine	1 set	
(7)	Video camera	2 sets	With a hard disk & DVD
(8)	Monitor	1 set	
(9)	DVD player	1 set	
(10)	Laptop PC for data analyses (for the Working Group)	2 sets	
(11)	Software for PC (for the Working Group)	2 sets	"Civil-CAD", "Land Development"
(12)	Total Station (for the Working Group)	1 set	Equipments for land measurements

Additional machineries and equipments will be determined through the discussion between both sides whenever the necessity arises and it will be reflected to the annual plan of the Project.

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**ANNEX IV LIST OF CAMBODIAN COUNTERPART AND ADMINISTRATIVE PERSONNEL**

The Cambodian side will assign the following officials as counterpart personnel of the Project.

**1. Cambodian Counterpart**

<MEF>

- (1) Project Director (Under Secretary of State, MEF)
- (2) Project Manager (Director of Resettlement Department, MEF)
- (3) Deputy Project Managers (Deputy Directors of Resettlement Department, MEF)
- (4) A full-time staff for the Project (Resettlement Department, MEF)
- (5) Necessary personnel from relevant bureaus of RD as request of the Japanese experts.

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- (1) Technical officials from IRC-WG

**2. Administrative Personnel**

The Cambodian side will assign a sufficient number of following administrative personnel to ensure effective operation of the Project.

- (1) A Secretary

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**ANNEX V LIST OF LAND, BUILDINGS AND FACILITIES**

The following will be prepared by the RGC for the implementation of the Project.

1. Land, buildings, facilities and office space for the Project and Japanese experts inside the MEF main building.
2. Space for the machinery and equipments provided
3. Electricity and communication facilities
4. Other land, buildings and facilities necessary for implementation of the Project will be decided based upon agreement of both sides.

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## ANNEX VI JOINT COORDINATING COMMITTEE

The Joint Coordinating Committee (hereinafter referred to as "JCC") will facilitate communication among related dept., offices in MEF and related ministries. The Chairperson and Vice-chairperson of JCC will bear overall responsibility for the administration and implementation of the Project.

### 1. Function

The JCC meeting will be held when necessity arises and at least once a year in order to fulfill the following functions:

- (1) To review the overall progress and achievement of the Project activities.
- (2) To advise the Project's annual work plan in line with the Plan of Operation which will be formulated based on the Record of Discussions.
- (3) To discuss appropriate ways and means for the solution of major issues arising from or in connection with Project's management.

### 2. JCC members

#### (1) Chairperson

- a. Under Secretary of State, MEF (Project Director)

#### (2) Vice-chairperson

- a. Secretary of State in charge of the project with Japan, MPWT

#### (3) Members

##### a. Cambodian side

- (a) Director of the Resettlement Department, MEF (Project Manager)
- (b) Deputy Directors of the Resettlement Department, MEF (Deputy Project Managers)
- (c) Representatives from the Public Works Research Center (as members of Working Group, IRC)
- (d) Inspector, MPWT
- (e) Representative from the Ministry of Land Management, Urban Planning & Construction
- (f) Representative from other relevant Ministries (if necessary)

##### b. Japanese side

1. Senior Representative of JICA Cambodia Office
2. JICA experts



c. Observer

Official(s) of the Embassy of Japan may attend JCC meetings as observer(s).

Note: In case that the JCC members described above can not attend the meeting, a representative(s) shall attend the meeting in place of the member(s). Persons who are nominated by the Chairperson may attend the JCC.

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**ANNEX VII EXECUTIVE COMMITTEE**

The Executive Committee (hereinafter referred to as "EC") will be the administrative core of the Project implementation, and will be positioned under the JCC. The Chairperson will be responsible for managerial and technical matters of the Project, as well as reporting overall progress and achievement of the Project activities to the JCC.

**1. Function**

The EC meeting will be held when necessity arises and at least forth (4) a year in order to fulfill the following functions:

- (1) To formulate the quarterly work plan of the Project in line with the annual work plan of the Project
- (2) To review the progress of the Project as well as the quarterly work plan on a monthly basis.
- (3) To analyze the causes of obstacles for the Project implementation and to propose its solutions.

**2. EC members**

**(1) Chairperson**

- a. Director of the Resettlement Department, MEF (Project Manager)

**(2) Members**

a. Cambodian side

- (a) Deputy Directors of the Resettlement Department, MEF (Deputy Project Managers)
- (b) Representatives from other related departments, MEF
- (c) Representatives from the Public Works Research Center, MPWT
- (d) Inspector, MPWT
- (e) Representatives from related departments and offices in MEF as well as local authorities will be appointed by the Chairperson according to the topics.

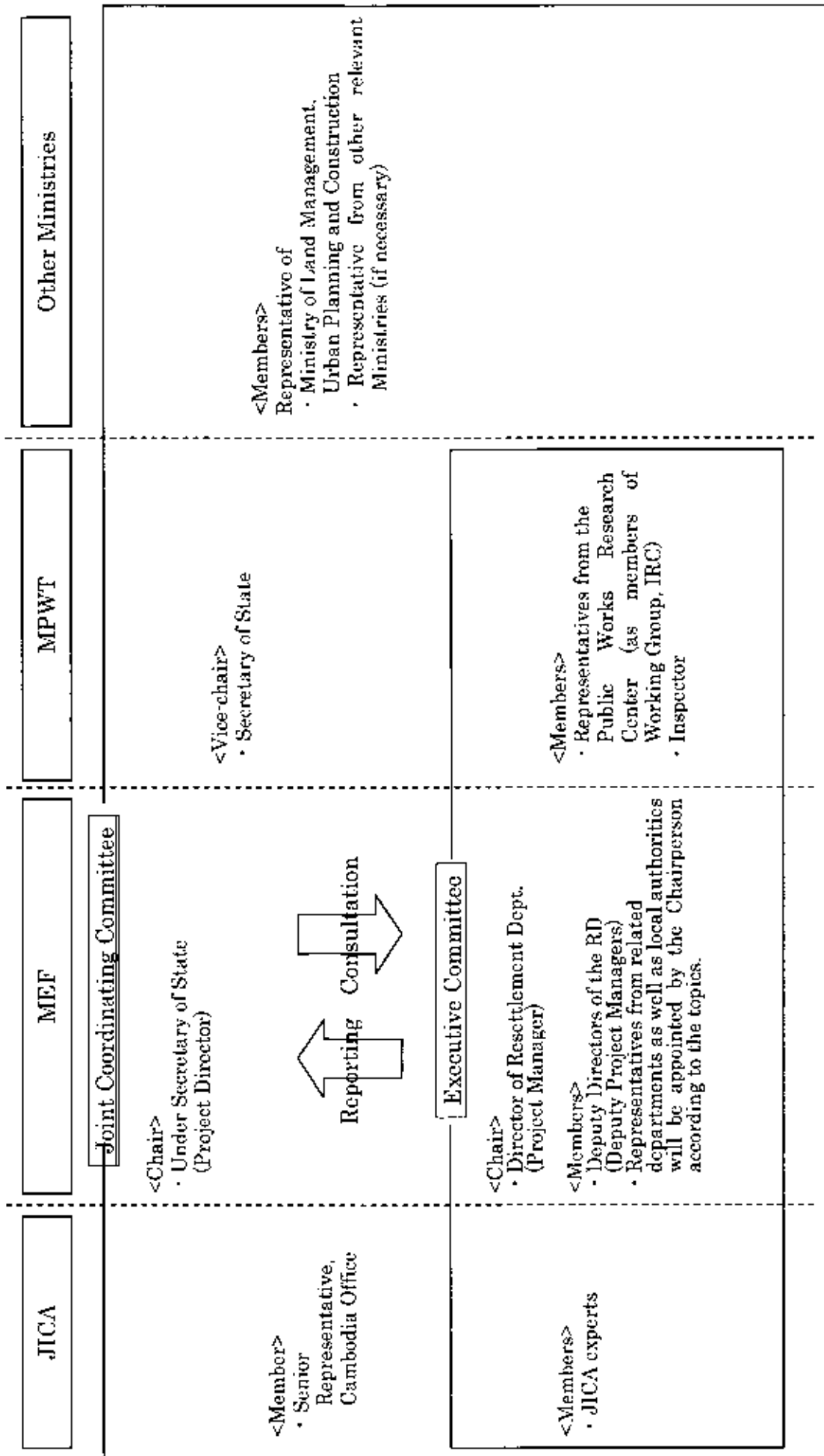
b. Japanese side

- (a) JICA experts

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ANNEX VIII ADMINISTRATIVE STRUCTURE OF THE PROJECT



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ANNEX C DRAFT MINUTES OF MEETINGS

MINUTES OF MEETINGS BETWEEN  
JAPAN INTERNATIONAL COOPERATION AGENCY AND  
AUTHORITIES CONCERNED OF  
THE ROYAL GOVERNMENT OF CAMBODIA ON  
THE PROJECT ON CAPACITY ENHANCEMENT OF ENVIRONMENTAL AND  
SOCIAL CONSIDERATIONS FOR RESETTLEMENT

The Chief Representative of Japan International Cooperation Agency (hereinafter referred to as "JICA") Cambodia Office and Cambodian authorities concerned (hereinafter referred to as "the Cambodian side") had a series of discussions for the purpose of working out the details of the technical cooperation project concerning the Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement (hereinafter referred to as "the Project").

As a result of the discussions, JICA and the Cambodian side agreed to recommend to their respective Governments the matters referred to in the Record of Discussions signed on \*\* January, 2010.

Both JICA and the Cambodian side also agreed to make Minutes of Meetings in order to confirm the mutual understandings reached through the discussions as attached hereto.

Phnom Penh, \*\* January, 2010

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Mr. Yukiharu Kobayashi  
Team Leader,  
Senior Representative,  
Japan International Cooperation Agency,  
Cambodia Office

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H.E. Nhean Leng  
Chairman of Inter-ministerial  
Resettlement Committee (IRC),  
Under Secretary of State,  
Ministry of Economy and Finance,  
The Royal Government of Cambodia

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H. E. Tauch Chankosal  
Secretary of State,  
Ministry of Public Works and Transport  
The Royal Government of Cambodia

**ATTACHED DOCUMENT**

**1. Future plans of activities**

Both sides had a series of discussions and have agreed on the tentative Project Design Matrix (PDM), tentative Plan of Operation (PO) and tentative Schedule of Implementation (TSI) for the Project as shown in ANNEX I, II and III, respectively. The PDM, PO and TSI are to be flexibly revised by the discussion and agreement between JICA and MEF in the form of Minutes of Meeting, reference to the Record of Discussion.

**2. Cost for Activities of the Project**

**(1) Budgetary allocations by JICA**

- a. Expenses for dispatching Japanese experts
- b. Provision of machinery and equipments
  - (a) Supplemental office equipments for RD, MEF (such as PCs, printers)
  - (b) Equipments for site survey (such as video cameras etc.)
- c. Training in Japan and third countries for counterparts (if necessary)
- d. Necessary budget for project activities (except the budget that was originally confirmed as RGC's responsibilities, such as compensation for Project Affected Persons (PAPs) by the road construction projects, etc.)

**(2) Budgetary allocations by RGC**

- a. Expenses for personnel assignment (counterparts)
  - <MEF>
  - (a) Project director
  - (b) Project manager
  - (c) Deputy Project managers
  - (d) A full-time counterpart staff for the Project
  - (e) Necessary personnel from relevant bureaus of RD as request of the Japanese experts.

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- (f) Technical officials from IRC-WG

- b. Provision of office spaces and facilities for Japanese experts in the MEF building



c. Adequate budgetary allocation for the projects (including the budget that was originally confirmed as RGC's responsibilities).

ANNEX I TENTATIVE PROJECT DESIGN MATRIX

ANNEX II TENTATIVE PLAN OF OPERATIONS

ANNEX III TENTATIVE SCHEDULE OF IMPLEMENTATION

ANNEX IV PROJECT DOCUMENT *(This will be attached by the time of signing R/D)*

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ANNEX I TENTATIVE PROJECT DESIGN MATRIX

Name of Project: The Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement

Version 1.0

Target Area: Whole country of Cambodia / Target Sector: Road

Target Group: Resettlement Department (RD) of Ministry of Economy and Finance (MEF) and Inter-ministerial Resettlement Committee (IRC) members

Duration of the Project: From April 2010 to March 2012 (2 years)

October, 2009

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p><b>Overall Goal</b> The Royal Government of Cambodia (RGC) will be able to implement resettlement policy for the public works by consistent measures complying with the laws and regulations of Cambodia</p>	<p>(1) Institutional arrangements of national and sub-national (Provincial Resettlement Sub-committee (PRS)) levels regarding resettlement in development projects are revised in course of decentralization. (2) Training programs for PRS-Working Group (PRS-WG) by the trainers who are trained by the Project are implemented. (3) Manuals for resettlement in development projects are applied to public work projects other than road sector. (4) All grievances are properly dealt with based on the grievance guideline of RGC.</p>	<p>(1) Organizational charts and TOR of national and sub-national relevant authorities such as RD, IRC, IRC-WG, PRS and PRS-WG in relevant provinces (2) Record of Training programs implemented (3) Manuals for other sectors authorized by MEF (4) Record of cases filed at grievance committees</p>	<p>There is no significant change in RGC's resettlement policy in development projects. Expropriation law and Sub-decree on Addressing Socio-Economic Impact Caused by Development Projects will be enforced.</p>
<p><b>Project Purpose</b> The resettlement capacity of the Resettlement Department (RD) of the MEF and IRC will be enhanced</p>	<p><b>By the end of the project,</b> (1) RD accomplish resettlement planning based on Cambodian laws, government ordinance, and other regulations and manuals. (2) RD and IRC implement resettlement activities based on Cambodian laws, government ordinance, and other regulations and manuals.</p>	<p>(1-1) Observation by Japanese experts (1-2) Interview by Japanese experts (1-3) Grievance records, RAP (2-1) Observation by Japanese experts (2-2) Interview by Japanese experts (2-3) SS, DMS and RCS reports</p>	<p>IRC is willing to disseminate the outcomes of the project across the activities other than the road sector. Residents will submit grievance according to the relevant manuals.</p>
<p><b>Output</b> 1. Organizational arrangement for the technical cooperation project is completed</p>	<p>1.1 Committees for the Project monitoring are organized periodically  1.2 The baseline data (current conditions and practices of resettlement activities demonstrated by RD) collected, reviewed and assessed 1.3 The indicators of PDM and PO revised based on findings from the assessment and baseline data 1.4 Work plans prepared for submission and approval to the EC 1.5 Machinery and equipments necessary for the Project activities procured and maintained</p>	<p>1.1.1 Annual work plan and reports submitted to EC and JCC 1.1.2 Member list of Executive Committee (EC), Minutes of EC 1.1.3 Member list of JCC, Minutes of JCC 1.2.1 Collected baseline data 1.2.2 Assessment Reports 1.3.1 Revised PDM 1.3.2 Revised PO 1.4 Work plans approved by the EC 1.5.1 Procurement Plan of machinery and equipments 1.5.2 Lists of machinery and equipments procured 1.5.3 Maintenance Records of machinery and equipments</p>	



ANNEX I TENTATIVE PROJECT DESIGN MATRIX

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p>1.6 A training plan of TOT prepared and training programs (including Training in Japan, seminars and workshops in Cambodia) are implemented based on training needs</p> <p>1.7 Monitoring progress of technology transfer activities carried out according to the PDM and PO</p> <p>1.8 IRC-Donors meeting (e.g. IRC-JICA Meeting, etc.) participated regularly</p> <p>2. Appropriate resettlement procedures for planning are established</p>	<p>1.6 A training plan of TOT prepared and training programs (including Training in Japan, seminars and workshops in Cambodia) are implemented based on training needs</p> <p>1.7 Monitoring progress of technology transfer activities carried out according to the PDM and PO</p> <p>1.8 IRC-Donors meeting (e.g. IRC-JICA Meeting, etc.) participated regularly</p> <p>2.1 The existing policies and guidelines on resettlements owned by donors and information on resettlement cases in Cambodia and third countries collected, reviewed and analyzed</p> <p>2.2 Manuals for Planning stage prepared</p> <p>2.3 Training of Trainers (TOT) for planning procedures carried out</p> <p>2.4 Manuals are modified based on a set of recommendations for resettlement based on the field practices listed</p> <p>3.1 Manuals for implementation stage prepared</p> <p>3.2 TOT for implementation procedures carried out</p> <p>3.3 Technology exchange on resettlement by visiting other countries (neighboring countries, etc.)</p> <p>3.4 Prepare a training plan for Provincial Resettlement PRS-WG</p>	<p>1.6.1 Results of need assessment</p> <p>1.6.2 Training plans and programs</p> <p>1.6.3 Records of training programs</p> <p>1.6.4 Evaluation reports on training programs</p> <p>1.7 Records of monitoring</p> <p>1.8 Record and minutes of IRC-Donors meeting</p> <p>2.1.1 Collected information on existing policies and guidelines on resettlements owned by donors and information on resettlement cases in Cambodia</p> <p>2.1.2 The result of analysis on the collected information</p> <p>2.1.3 Record of the technology exchange with third countries</p> <p>2.1.4 The result of analysis on the resettlement policies and practices of third countries</p> <p>2.2.1 Public Involvement (PI) manual</p> <p>2.2.2 GRS manual</p> <p>2.2.3 RAP manual</p> <p>2.2.4 Assessment for relocation site manual</p> <p>2.2.5 standard specification for Replacement Cost Survey (RCS)</p> <p>2.3.1 Record of the training on Pt</p> <p>2.3.2 Record of the training on GRS</p> <p>2.3.3 Record of the training on RAP</p> <p>2.3.4 Record of the training on Assessment for relocation site manual</p> <p>2.4.1 Recommendations listed and reported</p> <p>2.4.2 Modified manuals</p> <p>3.1.1 Detailed Measurement Survey (DMS) manual</p> <p>3.1.2 SS manual</p> <p>3.2.1 Record of the training on SS</p> <p>3.2.2 Record of the training on DMS</p> <p>3.3 Record of the technology exchange, monitoring record</p> <p>3.4 Prepare a training plan for PRS-WG</p>	
<p>3. Appropriate survey procedures regarding resettlement are established</p>			

ANNEX I TENTATIVE PROJECT DESIGN MATRIX

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p><b>Activities</b></p> <p><b>Activities for the Output 1. Organizational arrangement for the technical cooperation project is completed :</b></p> <p>1.1.1 Formulate draft annual and quarterly work plans</p> <p>1.1.2 Organize the Executive Committee quarterly and submitted annual and quarterly work plans</p> <p>1.1.3 Organize the JCC annually and submitted annual work plans</p> <p>1.2.1 Collect baseline data (current conditions and practices of resettlement activities demonstrated by the RD)</p> <p>1.2.2 Review and assess the baseline data</p> <p>1.3.1 Define and revise the indicators of PDM based on the finding from of the baseline data</p> <p>1.3.2 Revise and modify PO based on the revision of PDM</p> <p>1.4 Prepare the draft work plan for submission and approval to the JCC</p> <p>1.5.1 Prepare the procurement plans for machinery and equipments necessary for the Project activities</p> <p>1.5.2 Procure the machinery and equipments</p> <p>1.5.3 Maintain the procured machinery and equipments</p> <p>1.6.1 Conduct training needs assessment</p> <p>1.6.2 Formulate training plans and programs (including seminars and workshops)</p> <p>1.6.3 Implement training programs</p> <p>1.6.4 Evaluate and modify the training program</p> <p>1.7 Carry out monitoring activities according to the PDM and PO</p> <p>1.8 Participate in IRC-Donor meeting (e.g. IRC-JICA Meeting, etc.)</p> <p><b>Activities for the Output 2. Appropriate resettlement procedures for planning are established:</b></p> <p>2.1.1 Collect existing policies and guidelines on resettlements owned by donors and information on resettlement cases in Cambodia by interviewing donors and joining infrastructure Regional Integration Technical Working Group (IRITWG)</p> <p>2.1.2 Analyze collected information</p> <p>2.1.3 Collect resettlement policies and practices in third countries (technology exchange)</p> <p>2.1.4 Analyze the result of technology exchange</p>	<p><b>Input from Cambodia</b></p> <p>1. Counterpart Personnel (1) Ministry of Economy and Finance a. Project Director b. Project Manager c. Deputy Project Managers d. A full time staff for the Project e. Necessary personnel from relevant bureaus of RD as request of the Japanese experts.</p> <p>(2) Ministry of Public Works and Transport a. Technical officials from IRC-WG</p> <p>2. Land, Buildings and Facilities (1) Office Space for Japanese experts in MEF (2) Space for the machinery and equipments provided (3) Electricity and communication facilities a. Electricity for equipments provided b. Internet Connections for Japanese experts c. Office furniture (Desks and shelves, etc.) d. Means of Communication (Domestic Telephone cost) e. Other land, building and facilities necessary for the project implementation</p>	<p><b>Input from Japan</b></p> <p>1. Dispatch of Japanese Experts (1) Long-Term Expert (24MM each) a. Chief Advisor/ Environmental and Social Considerations b. Participatory Planning and Development c. Training Management/ Project Coordinator (2) Short-Term Experts a. Social Consideration Approach (12 MM) b. Participatory Approach (6 MM)</p> <p>2. Training and Technology Exchange (1) Training in Japan (2) Technology Exchange a. Third countries (e.g. Bangladesh, Vietnam)</p> <p>3. Machinery and Equipments (1) (For the RD) PCs, LCD projector, Color printer, Scanner with sorter, Photo copy machine, Video camera, Monitor, and DVD player (2) (For the WG) Laptop PCs for data analyses, Software for PC, and Total Station</p>	

ANNEX I TENTATIVE PROJECT DESIGN MATRIX

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p>2.2.1 Prepare a manual for Public Involvement (PI)                      2.2.2 Revise the existing manual for Grievance Redress System (GRS)                      2.2.3 Prepare a manual for Resettlement Action Plan (RAP)                      2.2.4 Prepare a manual for assessment of Relocation Sites                      2.2.5 Prepare a standard specification for Replacement Cost Survey (RCS)                      2.3.1 Carry out Training of Trainers (TOT) on PI                      2.3.2 Carry out TOT on GRS                      2.3.3 Carry out TOT on drafting RAP                      2.3.4 Carry out TOT on assessment for relocation                      2.4.1 List a set of recommendations to modify manuals for resettlement based on the field                      2.4.2 Modify manuals</p>			
<p><b>Activities for the Output 3. Appropriate survey procedures regarding resettlement are established:</b>                      3.1.1 Prepare a manual for Detailed Measurement Survey (DMS)                      3.1.2 Prepare a manual for Simple Survey (SS)                      3.2.1 Carry out TOT on DMS                      3.2.2 Carry out TOT on SS                      3.3 Carry out technology exchange on resettlement by visiting other countries (third countries, etc.)                      3.4 Prepare a training plan for PRS-WG</p>			<p><b>Preconditions</b>  None</p>



ANNEX III TENTATIVE SCHEDULE OF IMPLEMENTATION

	0	Year 1	Year 2	3
<b>&lt;Japanese side&gt;</b>				
1. Experts				
(1) Long-term expert				
a. Chief Advisor / Environmental and Social Consideration	Recruit	←→		
b. Participatory Planning and Development	Recruit	←→		
c. Training Management / Project Coordinator	Recruit	←→		
(2) Short-term experts		←→ JICA shall dispatch short-term experts as necessary.		
2. Equipments		←→ JICA shall provide equipments as necessary.		
3. Cost for activities		←→		
4. C/P training in Japan, and third countries		↔ JICA shall provide short-term training as necessary.		
5. Formulation of the Project	→			
6. Monitoring of the Activities		▼	▼	▼
7. Evaluation of the Project			▼	▼
		Once every half year		
			Terminal Evaluation	
<b>&lt;Cambodian side&gt;</b>				
1. Provision of office space and facilities		←→		
2. Assignment of counterparts		←→		
3. Budgetary allocations for recurrent cost		←→		
4. Formulation of the Project	→			
5. Monitoring of the Activities		▼	▼	▼
6. Evaluation of the Project			▼	▼
		Once every half year		
			Terminal Evaluation	

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ANNEX D LIST OF WORKSHOP PARTICIPANTS

Workshop for Project Design Formulation

"The Project on Capacity Enhancement of Environmental and Social Consideration for Resettlement"  
 22nd October 2009, Lotus Room, 01st Floor, Phnom Penh Hotel (8:00-17:00)

Attendance List

No.	Name of Participant	Position & Organization	Phone Number	Signature
1	SIM SANNARATH	Staff of INE NEF	012 824 307	
2	Pol Chhan	Deputy Chief of Bilateral Office	012 913116	
3	LITHPOLYN	Assistant Director Office Chief / IOD / MPST	012 824 301	
4	GREAWAT HALLAK		012 322 230	
5	KHIEUR VITHYEA	Office Dep. MPST	012 915335	
6	Phou Chhannin	Staff of MOE	012 722883	
7	Chin Rattmany	Staff of Director	812 858 202	
8	CHANN THOEN		012 224 078	
9	Pich Sacketh		012 828664	
10	DUONG SAKKEAD	Deputy Director of MOE	012 822 240	
11	SOLE ORA	Officer MOE	911 791 670	
12	ONTS HUN	Office Chief MPST	012 828 988	
13	Ly Sakthong	Deputy Chief of MOE	099 991616	

14	CHH NUOK	Deputy Director of NED	NONE	016 681936	<i>[Signature]</i>
15	Kim Seavith	Deputy Chief of Cabinet	City Hall	018 541 805	<i>[Signature]</i>
16	W. N. S. S. S. S.	Chief of RD		012 231999	<i>[Signature]</i>
17	YEN YOUNGKONG	Deputy Director of NED	Phnom Penh	012 249848	<i>[Signature]</i>
18	Kerry Sophie	Chief of Group / MPWT		099 881 800	<i>[Signature]</i>
19	CHHA SOUMSAM	Chief officer	MPWT	089 529299	<i>[Signature]</i>
20	Sreang Limroy	Chief officer	MEF	018 940 83	<i>[Signature]</i>
21	Ro Ann	Director of ICI	Tel: 090 600 0000	018 888 888	<i>[Signature]</i>
22	SENSKITHAY	Project officer	HIN (w/m) 092 840 000	02 281 58	<i>[Signature]</i>
23	IM SETHYRA	DEPUTY DIRECTOR OF RESETTLEMENT DEPT/MEF		012 890012	<i>[Signature]</i>
24	PHILIM PHALLA	MPWT counterpart		012 942013	<i>[Signature]</i>
25	BEN DREANARY	Chief of Investment Project Office	RD/MEF	012 880306	<i>[Signature]</i>
26	Sou Samvany	Deputy Director of RD	MEF		<i>[Signature]</i>
27	Yamshita Akira	JICA HRs			<i>[Signature]</i>
28	Alisa MITAZAKI	"			<i>[Signature]</i>
29	Kozumi Yukihiko	"			<i>[Signature]</i>
30	CHH PHANHATH	Chief of Admin of Phnom RD		02 623202	<i>[Signature]</i>

3114	GENG BONG LIN	MEF/RD	012 200061	
3215	YEN SOPHAN	IRC/MGF	012 286666	
3318	D. N. S. KHANO	MLM/PC		
3419	CHEN SOPHONNA	EDC	072 884115	
3518	THAN PHALAP	IRC/NOIRAN	099 908 985	
3619	SIMPO NARITATA	JICA Cambodia office	012 909 602	
3720	VASILO DRIZAWA	Premier Resort		
3821	SOAK BONGKONG	JICA Cambodia office	012 601 551	CONS.
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RECORD OF DISCUSSIONS BETWEEN  
JAPAN INTERNATIONAL COOPERATION AGENCY AND  
AUTHORITIES CONCERNED OF THE ROYAL GOVERNMENT OF  
CAMBODIA  
ON JAPANESE TECHNICAL COOPERATION  
FOR THE PROJECT ON CAPACITY ENHANCEMENT OF ENVIRONMENTAL  
AND SOCIAL CONSIDERATIONS FOR RESETTLEMENT

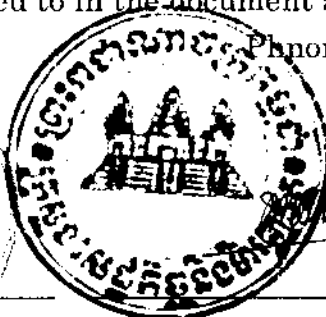
Japan International Cooperation Agency (hereinafter referred to as "JICA") Cambodia Office led by the Chief Representative had a series of discussions with the Cambodian authorities concerned with respect to desirable measures to be taken by JICA and the Royal Government of Cambodia (hereinafter referred to as "RGC") for the successful implementation of the above-mentioned Project.

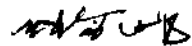
As a result of the discussions, and in accordance with the provisions of the Agreement on Technical Cooperation between the Government of Japan and the RGC (hereinafter referred to as "the Agreement"), JICA and Cambodian authorities concerned agreed on the matters referred to in the document attached hereto.

Phnom Penh, 12 March 2010




Mr. Yasujiro Suzuki  
Chief Representative,  
Japan International Cooperation Agency,  
Cambodia Office



H.E. Nhean Leng   
Chairman of Inter-ministerial  
Resettlement Committee (IRC),  
Under Secretary of State,  
Ministry of Economy and Finance,  
The Royal Government of Cambodia



H.E. Tauch Chankosal   
Secretary of State,  
Ministry of Public Works and Transport  
The Royal Government of Cambodia

## THE ATTACHED DOCUMENT

### I. COOPERATION BETWEEN JICA AND THE RGC

1. The RGC will implement the Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement (hereinafter referred to as "the Project") in cooperation with JICA.
2. The Project will be implemented in accordance with the Master Plan which is given in Annex I.

### II. MEASURES TO BE TAKEN BY JICA

In accordance with the laws and regulations in force in Japan and the provisions of Article III of the Agreement, JICA, as the executing agency for technical cooperation by the Government of Japan, will take, at its own expense, the following measures according to the normal procedures of its technical cooperation scheme.

#### 1. DISPATCH OF JAPANESE EXPERTS

JICA will provide the services of the Japanese experts as listed in Annex II. The provision of Article V of the Agreement will be applied to the above mentioned experts.

#### 2. PROVISION OF MACHINERY AND EQUIPMENT

JICA will provide such machinery, equipment and other materials (hereinafter referred to as "the Equipment") necessary for the implementation of the Project as listed in Annex III. The provision of Article VII of the Agreement will be applied to the Equipment.

#### 3. TRAINING OF CAMBODIAN PERSONNEL

JICA will receive the Cambodian personnel connected with the Project for technical training in Japan and third countries.

### III. MEASURES TO BE TAKEN BY THE RGC

1. The RGC will take necessary measures to ensure that the self-reliant operation

of the Project will be sustained during and after the period of Japanese technical cooperation, through full and active involvement in the Project by all related authorities, beneficiary groups and institutions.

2. The RGC will ensure that the technologies and knowledge acquired by the Cambodian nationals as a result of the Japanese technical cooperation will contribute to the economic and social development of Cambodia.
3. In accordance with the provisions of Article V of the Agreement, the RGC will grant in the Kingdom of Cambodia privileges, exemptions and benefits to the Japanese experts referred to in II-1 above and their families.
4. In accordance with the provisions of Article VII of the Agreement, the RGC will take the measures necessary to receive and use the Equipment provided by JICA under II-2 above and equipment, machinery and materials carried in by the Japanese experts referred to in II-1 above.
5. The RGC will take necessary measures to ensure that the knowledge and experiences acquired by the Cambodian personnel from technical training in Japan and the third countries will be utilized effectively in the implementation of the Project.
6. In accordance with laws and regulations in force in the Kingdom of Cambodia, the RGC will provide the services of Cambodian counterpart personnel and administrative personnel as listed in Annex IV.
7. In accordance with laws and regulations in force in the Kingdom of Cambodia, the RGC will provide the buildings and facilities as listed in Annex V.
8. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the RGC will take necessary measures to supply or replace at its own expense machinery, equipment, instruments, vehicles, tools, spare parts and any other materials necessary for the implementation of the Project other than the Equipment provided by JICA under II-2 above.
9. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the RGC will take necessary measures to meet the expenses necessary for the Project activities.

#### IV. ADMINISTRATION OF THE PROJECT

1. The Under Secretary of State, Ministry of Economy and Finance (hereinafter referred to as "MEF") as the Project Director will bear overall responsibility for the administration and implementation of the Project.
2. The Director of the Resettlement Department, MEF as the Project Manager, will be responsible for the managerial and technical matters of the Project.
3. The Japanese Team Leader will provide necessary recommendations and advice to the Project Director and the Project Manager on any matters pertaining to the implementation of the Project.
4. The Japanese experts will give necessary technical guidance and advice to Cambodian counterpart personnel on technical matters pertaining to the implementation of the Project.
5. For the effective and successful implementation of technical cooperation for the Project, a Joint Coordinating Committee will be established before the project start whose functions and composition are described in Annex VI.

#### V. JOINT MONITORING AND EVALUATION

Monitoring will be conducted jointly by JICA and the Cambodian authorities concerned every six months during the Project period, and final evaluation of the Project will be conducted jointly at the last six months of the Project period in order to examine the level of achievement.

#### VI. CLAIMS AGAINST JAPANESE EXPERTS

In accordance with the provision of Article VI of the Agreement, the RGC undertakes to bear claims, if any arises, against the Japanese experts engaged in technical cooperation for the Project resulting from, occurring in the course of, or otherwise connected with the discharge of their official functions in the Kingdom of Cambodia except for those arising from the willful misconduct or gross negligence of the Japanese experts.

## VII. MUTUAL CONSULTATION

There will be mutual consultation between JICA and RGC on any major issues arising from, or in connection with this Attached Document.

## VIII. MEASURES TO PROMOTE UNDERSTANDING OF AND SUPPORT FOR THE PROJECT

For the purpose of promoting support for the Project among the people of the Kingdom of Cambodia, the RGC will take appropriate measures to make the Project widely known to the people of Kingdom of Cambodia.

## IX. TERM OF COOPERATION

The duration of the technical cooperation for the Project under this Attached Document will be two (2) years from April 2010.

ANNEX I	MASTER PLAN
ANNEX II	LIST OF JAPANESE EXPERTS
ANNEX III	LIST OF MACHINERY AND EQUIPMENT
ANNEX IV	LIST OF CAMBODIAN COUNTERPART AND ADMINISTRATIVE PERSONNEL
ANNEX V	LIST OF LAND, BUILDINGS AND FACILITIES
ANNEX VI	JOINT COORDINATING COMMITTEE
ANNEX VII	EXECUTIVE COMMITTEE
ANNEX VIII	ADMINISTRATIVE STRUCTURE OF THE PROJECT

## ANNEX I MASTER PLAN

### 1. OVERALL GOAL

The RGC is able to implement resettlement policy for the public works by consistent measures complying with the laws and regulations of Cambodia.

### 2. PROJECT PURPOSE

The resettlement capacity of the RD, MEF and IRC is enhanced.

### 3. OUTPUTS

#### (Output 0)

The baseline data (current conditions and practices of resettlement activities demonstrated by RD) is collected, reviewed and assessed.

#### (Output 1)

Capacity of trainers is enhanced through the implementation of the Training of Trainers.

#### (Output 2)

Appropriate resettlement procedures for planning are established.

#### (Output 3)

Appropriate survey procedures regarding resettlement are established.

## ANNEX II LIST OF JAPANESE EXPERTS

### 1. Long-term Experts

The following long-term experts will be dispatched.

	Assignment Title	Period	Duties and Job Description
(1)	Chief advisor / Environmental and Social Considerations	Two (2) years	To formulate detail activity plans of each year necessary to achieve the project purposes in the PDM. To hold necessary consultations for smooth implementation of the Project. To advise counterparts regarding environmental and social considerations.
(2)	Participatory Planning and Development	Two (2) years	To analyze legal frameworks and regulations on road construction. To provide lectures on lessons from experience in Japan. To advise counterparts regarding participatory planning and development.
(3)	Project Coordinator	Two (2) years	To support Chief advisor / Environmental and Social Considerations for smooth implementation of the Project. To coordinate among stakeholders such as counterparts, JICA Cambodia Office, and Japanese experts as well as development partners, etc. Accounting and general affairs of the Project.

### 2. Short-term Experts

The following short-term experts will be dispatched.

	Assignment Title	Period	Duties and Job Description
(1)	Social Consideration Approach	Twelve (12) months within two years	To advise counterparts regarding Social Consideration Approach.
(2)	Participatory Approach	Six (6) months within two years	To advise counterparts regarding Participatory Approach.
(3)	Training Management	Two (2) months	To formulate training program.

Additional short-term experts will be determined through the discussion between both sides whenever the necessity arises and it will be reflected to the annual plan of the Project.

### ANNEX III LIST OF MACHINERY AND EQUIPMENT

The following machinery and equipment, if necessary for the implementation of the project, will be provided.

	Name	Quantity	Specification
(1)	Desktop PC for data analyses	3 sets	
(2)	Laptop PC	3 sets	
(3)	LCD projector	1 set	
(4)	Color printer	1 set	for A3 and A4 size
(5)	Scanner with sorter	1 set	
(6)	Photo copy machine	1 set	
(7)	Video camera	2 sets	With a hard disk & DVD
(8)	Monitor	1 set	
(9)	DVD player	1 set	
(10)	Laptop PC for data analyses (for the Working Group)	2 sets	
(11)	Software for PC (for the Working Group)	2 sets	"Civil-CAD", "Land-Development"
(12)	Total Station (for the Working Group)	1 set	Equipments for land measurements
(13)	Mobile printers (for the RD and the Working Group)	2 sets	Printable A4 size

Additional machineries and equipments will be determined through the discussion between both sides whenever the necessity arises and it will be reflected to the annual plan of the Project.



## ANNEX IV LIST OF CAMBODIAN COUNTERPART AND ADMINISTRATIVE PERSONNEL

The Cambodian side will assign the following officials as counterpart personnel of the Project.

### 1. Cambodian Counterpart

<MEF>

- (1) Project Director (Under Secretary of State, MEF)
- (2) Project Manager (Director of Resettlement Department, MEF)
- (3) Deputy Project Managers (Deputy Directors of Resettlement Department, MEF)
- (4) full-time staff for the Project (Resettlement Department, MEF)
- (5) Necessary personnel from relevant bureaus of the RD as request of the Japanese experts.

<MPWT>

- (1) Technical officials from IRC-WG

### 2. Administrative Personnel

The Cambodian side will assign a following administrative personnel to ensure effective operation of the Project.

- (1) A Secretary

## ANNEX V LIST OF LAND, BUILDINGS AND FACILITIES

The following will be prepared by the RGC for the implementation of the Project.

1. Office spaces and facilities for the Project and Japanese experts inside the MEF main building.
2. Space for the machinery and equipments provided
3. Electricity and communication facilities
4. Other facilities necessary for implementation of the Project will be decided based upon agreement of both sides.

## ANNEX VI JOINT COORDINATING COMMITTEE

The Joint Coordinating Committee (hereinafter referred to as "JCC") will facilitate communication among related dept., offices in MEF and other related ministries. The Chairperson and Vice-chairperson of JCC will bear overall responsibility for the administration and implementation of the Project.

### 1. Function

The JCC meeting will be held when necessity arises and at least once a year in order to fulfill the following functions:

- (1) To review the overall progress and achievement of the Project activities.
- (2) To advise the Project's annual work plan in line with the Plan of Operation which will be formulated based on the Record of Discussions.
- (3) To discuss appropriate ways and means for the solution of major issues arising from or in connection with Project's management.

### 2. JCC members

#### (1) Chairperson

- a. Chairman of the IRC, Under Secretary of State, MEF (Project Director)

#### (2) Vice-chairperson

- a. Secretary of State in charge of the projects with Japan, MPWT

#### (3) Members

##### a. Cambodian side

- (a) Director of the Resettlement Department, MEF (Project Manager)
- (b) Deputy Directors of the Resettlement Department, MEF (Deputy Project Managers)
- (c) Representatives from the Public Works Research Center (as members of Working Group, IRC)
- (d) Inspector, MPWT
- (e) Representative from the Ministry of Land Management, Urban Planning & Construction
- (f) Representative from other relevant Ministries (if necessary)

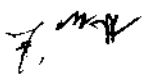
##### b. Japanese side

1. Senior Representative of JICA Cambodia Office
2. JICA experts

c. Observer

Official(s) of the Embassy of Japan may attend JCC meetings as observer(s).

Note: In case that the JCC members described above can not attend the meeting, a representative(s) shall attend the meeting in place of the member(s). Persons who are nominated by the Chairperson may attend the JCC.



## ANNEX VII EXECUTIVE COMMITTEE

The Executive Committee (hereinafter referred to as "EC") will be the administrative core of the Project implementation, and will be positioned under the JCC. The Chairperson will be responsible for managerial and technical matters of the Project, as well as reporting overall progress and achievement of the Project activities to the JCC.

### 1. Function

The EC meeting will be held when necessity arises and at least forth (4) a year in order to fulfill the following functions:

- (1) To formulate the quarterly work plan of the Project in line with the annual work plan of the Project
- (2) To review the progress of the Project as well as the quarterly work plan on a monthly basis.
- (3) To analyze the causes of obstacles for the Project implementation and to propose its solutions.

### 2. EC members

#### (1) Chairperson

- a. Director of the Resettlement Department, MEF (Project Manager)

#### (2) Members

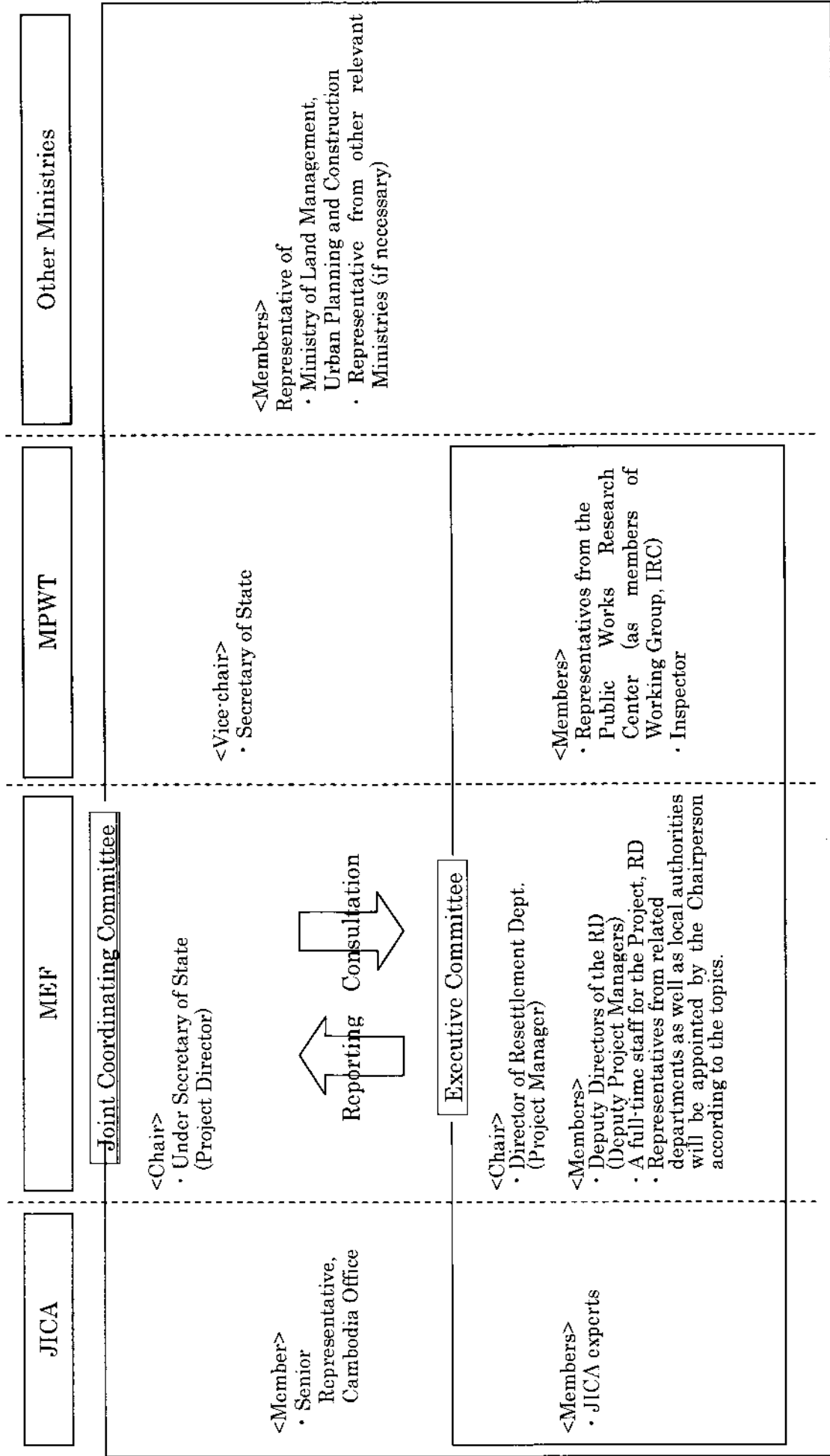
##### a. Cambodian side

- (a) Deputy Directors of the Resettlement Department, MEF (Deputy Project Managers)
- (b) A full-time staff for the Project, RD, MEF
- (c) Representatives from other related departments, MEF
- (d) Representatives from the Public Works Research Center, MPWT
- (e) Inspector, MPWT
- (f) Representatives from related departments and offices in MEF as well as local authorities will be appointed by the Chairperson according to the topics.

##### b. Japanese side

- (a) JICA experts

ANNEX VIII ADMINISTRATIVE STRUCTURE OF THE PROJECT



MINUTES OF MEETINGS BETWEEN  
JAPAN INTERNATIONAL COOPERATION AGENCY AND  
AUTHORITIES CONCERNED OF  
THE ROYAL GOVERNMENT OF CAMBODIA ON  
THE PROJECT ON CAPACITY ENHANCEMENT OF ENVIRONMENTAL AND  
SOCIAL CONSIDERATIONS FOR RESETTLEMENT

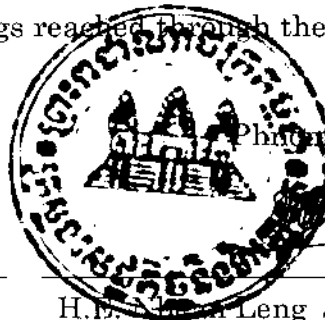
Japan International Cooperation Agency (hereinafter referred to as "JICA") Cambodia Office led by the Chief Representative and Cambodian authorities concerned (hereinafter referred to as "the Cambodian side") had a series of discussions for the purpose of working out the details of the technical cooperation project concerning the Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement (hereinafter referred to as "the Project").

As a result of the discussions, JICA and the Cambodian side agreed to recommend to their respective Governments the matters referred to in the Record of Discussions signed on 12 March, 2010.

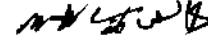
Both JICA and the Cambodian side also agreed to make Minutes of Meetings in order to confirm the mutual understandings reached through the discussions as attached hereto.

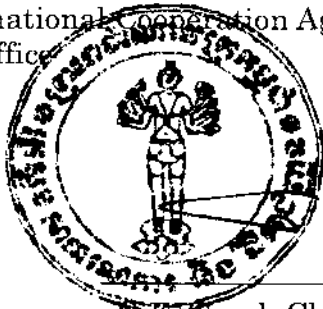



Mr. Yasujiro Suzuki  
Chief Representative,  
Japan International Cooperation Agency,  
Cambodia Office



Phnom Penh, 12 March, 2010

H.E.  Leng  
Chairman of Inter-ministerial  
Resettlement Committee (IRC),  
Under Secretary of State,  
Ministry of Economy and Finance,  
The Royal Government of Cambodia



  
H.E. Tauch Chankosal  
Secretary of State,  
Ministry of Public Works and Transport  
The Royal Government of Cambodia

## ATTACHED DOCUMENT

### 1. Future plans of activities

Both sides had a series of discussions and have agreed on the tentative Project Design Matrix (PDM), tentative Plan of Operation (PO) and tentative Schedule of Implementation (TSI) for the Project as shown in ANNEX I, II and III, respectively. The PDM, PO and TSI are to be flexibly revised by the discussion and agreement between JICA and MEF in the form of Minutes of Meetings, reference to the Record of Discussion.

### 2. Cost for Activities of the Project

#### (1) Budgetary allocations by JICA

- a. Expenses for dispatching Japanese experts
- b. Provision of machinery and equipments
  - (a) Supplemental office equipments for RD, MEF (such as PCs, printers)
  - (b) Equipments for site survey (such as video cameras etc.)
- c. Training in Japan and third countries for counterparts (if necessary)
- d. Necessary budget for project activities (except the budget that was originally confirmed as RGC's responsibilities.)

#### (2) Budgetary allocations by RGC

In terms of technical transfer from Japanese experts to Cambodian personnel, both sides are deeply aware the importance of personnel assignment from the Ministry as project counterparts in appropriate timing and manner. The budget allocation of necessary allowances for the counterpart personnel shall be secured by the RGC.

- a. Expenses for personnel assignment (counterparts)

<MEF>

- (a) Project director
- (b) Project manager
- (c) Deputy Project managers
- (d) A full-time counterpart staff for the Project
- (e) Necessary personnel from relevant bureaus of RD as request of the Japanese experts.



<MPWT>

(f) Technical officials from IRC-WG

b. Provision of office spaces and facilities for Japanese experts in the MEF building

c. Adequate budgetary allocation for the projects which is initially projected as below table:

Items	Descriptions	Cost (USD)
1	Communications – Fax/Phone ( 24 months @ 100 )	2,400
2	Allowance for Task Force RD/MEF ( 24 months * 3 staff @ 200 )	14,400
3	Allowance for RD/MEF/MPWT Working Group ( 24 months * 8 staff @ 150 )	28,800
Total		45,600

ANNEX I TENTATIVE PROJECT DESIGN MATRIX

ANNEX II TENTATIVE PLAN OF OPERATIONS

ANNEX III TENTATIVE SCHEDULE OF IMPLEMENTATION

ANNEX IV PROJECT DOCUMENT

ANNEX I: TENTATIVE: PROJECT DESIGN MATRIX (PDM)

Name of Project: The Project on Capacity Enhancement of Environmental and Social Considerations for Resettlement  
 Target Area: Whole country of Cambodia / Target Sector: Road  
 Target Group: Resettlement Department (RD) of Ministry of Economy and Finance (MEF) and Inter-ministerial Resettlement Committee (IRC) members  
 Duration of the Project: From April 2010 to March 2012 (2 years)

Version 1.0

February, 2010

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p><b>Overall Goal</b>                      The Royal Government of Cambodia (RGC) is able to implement resettlement policy for the public works by consistent measures complying with the laws and regulations of Cambodia</p>	<p>(1) Manuals for resettlement in development projects are applied to over 50% of public work projects other than road sector                      (2) All grievances submitted to the Grievance Committee are properly dealt with based on the grievance guideline of the RGC</p>	<p>(1-1) Record of Training programs implemented                      (1-2) Manuals for other sectors authorized by MEF                      (2) Record of cases filed at grievance committees</p>	
<p><b>Project Purpose</b>                      The resettlement capacity of the RD, MEF and IRC is enhanced</p>	<p>* <b>By the end of the project</b>                      (1) RD accomplish over 50% of new resettlement planning in road sector based on Cambodian laws, government ordinance, and other regulations and manuals                      (2) RD and IRC implement over 50% of on-going and new resettlement activities in road sector based on Cambodian laws, government ordinance, and other regulations and manuals produced by the Project</p>	<p>(1-1) Observation by Japanese experts                      (1-2) Interview by Japanese experts                      (1-3) Grievance records, RAP                      (2-1) Observation by Japanese experts                      (2-2) Interview by Japanese experts                      (2-3) SS, DMS and RCS reports</p>	<p>- Expropriation law will be enforced                      - IRC is willing to disseminate the outcomes of the project across the activities other than the road sector                      - Residents who are explained on the grievance system by the IRC, will submit grievance according to the system</p>
<p><b>Output</b>                      0. The baseline data (current conditions and practices of resettlement activities demonstrated by RD) is collected, reviewed and assessed</p>	<p>0.1 The baseline data (current conditions and practices of resettlement activities demonstrated by RD) collected, reviewed and assessed                      0.2 The indicators of PDM and PO revised based on findings from the assessment and baseline data                      0.3 Work plans prepared for submission and approval to the EC                      0.4 Machinery and equipments necessary for the Project activities procured and maintained                      0.5 Committees for the Project monitoring are organized periodically                      0.6 IRC-Donors meeting (e.g. IRC-JICA Meeting, etc.) participated regularly</p>	<p>0.1.1 Collected baseline data                      0.1.2 Assessment Reports                      0.2.1 Revised PDM                      0.2.2 Revised PO                      0.3 Work plans approved by the EC                      0.4.1 Procurement Plan of machinery and equipments                      0.4.2 Lists of machinery and equipments procured                      0.4.3 Maintenance Records of machinery and EC and JCC                      0.5.1 Annual work plan and reports submitted to Executive Committee (EC), Minutes of EC                      0.5.2 Member list of JCC, Minutes of JCC                      0.5.3 Member list of JCC, Minutes of JCC                      0.6 Record and minutes of IRC-Donors meeting</p>	<p>- There is no significant change in RGC's resettlement policy in development projects                      - Most of RD staff will not resign from their job.</p>
<p>1. Capacity of trainers is enhanced through the implementation of the Training of Trainers (TOT).</p>	<p>1.1 A training plan of TOT prepared and training programs (including Training in Japan, seminars and workshops in Cambodia) are implemented based on training needs, and 80% of participants passed the final examination.                      1.2 Monitoring progress of technology transfer activities carried out according to the PDM and PO</p>	<p>1.1.1 Results of need assessment                      1.1.2 Training plans and programs                      1.1.3 Records of training programs                      1.1.4 Evaluation reports on training programs                      1.2 Records of monitoring</p>	

ANNEX I: TENTATIVE PROJECT DESIGN MATRIX (PDM)

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p>2. Appropriate resettlement procedures for planning are established</p>	<p>2.1 The existing policies and guidelines on resettlements owned by donors and information on resettlement cases in Cambodia and third countries collected, reviewed and analyzed</p> <p>2.2 Manuals for Planning stage prepared</p> <p>2.3 TOT for planning procedures carried out, and 80% of participants passed the final examination</p> <p>2.4 Manuals are modified based on a set of recommendations for resettlement based on the field practices listed</p>	<p>2.1.1 Collected information on existing policies and guidelines on resettlements owned by donors and information on resettlement cases in Cambodia</p> <p>2.1.2 The result of analysis on the collected information</p> <p>2.1.3 Record of the technology exchange with third countries</p> <p>2.1.4 The result of analysis on the resettlement policies and practices of third countries</p> <p>2.2.1 Public Involvement (PI) manual</p> <p>2.2.2 GRP manual</p> <p>2.2.3 RAP manual</p> <p>2.2.4 Assessment for relocation site manual</p> <p>2.2.5 standard specification for Replacement Cost Survey (RCS)</p> <p>2.3.1 Record of the training on PI</p> <p>2.3.2 Record of the training on GRS</p> <p>2.3.3 Record of the training on RAP</p> <p>2.3.4 Record of the training on Assessment for relocation site manual</p> <p>2.4.1 Recommendations listed and reported</p> <p>2.4.2 Modified manuals</p>	
<p>3. Appropriate survey procedures regarding resettlement are established</p>	<p>3.1 Manuals for implementation stage prepared</p> <p>3.2 TOT for implementation procedures carried out, and 80% of participants passed the final examination.</p> <p>3.3 Technology exchange on resettlement by visiting other countries (neighboring countries, etc.) carried</p> <p>3.4 Prepare a training plan for Provincial Resettlement PRS-WG</p>	<p>3.1.1 Detailed Measurement Survey (DMS) manual</p> <p>3.1.2 SS manual</p> <p>3.2.1 Record of the training on SS</p> <p>3.2.2 Record of the training on DMS</p> <p>3.3 Record of the technology exchange, monitoring record</p> <p>3.4 Prepare a training plan for PRS-WG</p>	
<p><b>Activities for the Output 0: Baseline Data</b></p> <p>0.1.1 Collect baseline data (current conditions and practices of resettlement activities demonstrated by the RD)</p> <p>0.1.2 Review and assess the baseline data</p> <p>0.2.1 Define and revise the indicators of PDM based on the finding from of the baseline data assessment</p> <p>0.2.2 Revise and modify PO based on the revision of PDM</p> <p>0.3.1 Formulate draft annual and quarterly work plans</p> <p>0.3.2 Organize the Executive Committee (EC) quarterly and submitted annual and quarterly work plans</p> <p>0.4.1 Prepare the procurement plans for machinery and equipments necessary for the Project activities</p> <p>0.4.2 Procure the machinery and equipments</p> <p>0.4.3 Maintain the procured machinery and equipments</p>	<p><b>Input from Cambodia</b></p> <p>1. Counterpart Personnel</p> <p>(1) Ministry of Economy and Finance</p> <p>a. Project Director</p> <p>b. Project Manager</p> <p>c. Deputy Project Managers</p> <p>d. A full time staff for the Project</p> <p>e. Necessary personnel from relevant bureaus of RD as request of the Japanese experts.</p> <p>(2) Ministry of Public Works and Transport</p> <p>a. Technical officials from IRC-WG</p>	<p><b>Input from Japan</b></p> <p>1. Dispatch of Japanese Experts</p> <p>(1) Long-Term Expert (24M/M each)</p> <p>a. Chief Advisor/ Environmental and Social Considerations</p> <p>b. Participatory Planning and Development</p> <p>c. Project Coordinator</p> <p>(2) Short-Term Experts</p> <p>a. Social Consideration Approach (12 M/M)</p> <p>b. Participatory Approach (6 M/M)</p> <p>c. Training Management (2 M/M)</p>	

ANNEX I: TENTATIVE PROJECT DESIGN MATRIX (PDM)

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption
<p>0.5.1 Prepare the progress report and draft work plan for submission and approval to the JCC</p> <p>0.5.2 Organize the JCC annually and submitted progress report and annual work plans</p> <p>0.5.3 Carry out monitoring activities according to the PDM and PO</p> <p>0.6 Participate in IRC-Donor meeting (e.g. IRC-JICA Meeting)</p> <p><b>Activities for the Output 1: Training of Trainers</b></p> <p>1.1.1 Conduct training needs assessment</p> <p>1.1.2 Formulate training plans and programs (including seminars and workshops)</p> <p>1.1.3 Implement training programs</p> <p>1.2 Evaluate and modify the training program</p> <p><b>Activities for the Output 2: Resettlement Planning</b></p> <p>2.1.1 Collect existing policies and guidelines on resettlements owned by donors and information on resettlement cases in Cambodia by interviewing donors and joining infrastructure Regional Integration Technical Working Group (IRITWG), etc.</p> <p>2.1.2 Analyze collected information</p> <p>2.1.3 Collect resettlement policies and practices in third countries (technology exchange)</p> <p>2.1.4 Analyze the result of technology exchange</p> <p>2.2.1 Prepare a manual for Public Involvement (PI)</p> <p>2.2.2 Revise the existing manual for Grievance Redress System</p> <p>2.2.3 Prepare a manual for Resettlement Action Plan (RAP)</p> <p>2.2.4 Prepare a manual for assessment of Relocation Sites</p> <p>2.2.5 Prepare a standard specification for Replacement Cost</p> <p>2.3.1 Carry out Training of Trainers (TOT) on PI</p> <p>2.3.2 Carry out TOT on GRS</p> <p>2.3.3 Carry out TOT on drafting RAP</p> <p>2.3.4 Carry out TOT on assessment for relocation site</p> <p>2.4.1 List a set of recommendations to modify manuals for resettlement based on the field practices</p> <p>2.4.2 Modify manuals</p> <p><b>Activities for the Output 3: Resettlement Survey</b></p> <p>3.1.1 Prepare a manual for Detailed Measurement Survey (DMS)</p> <p>3.1.2 Prepare a manual for Simple Survey (SS)</p> <p>3.2.1 Carry out TOT on DMS</p> <p>3.2.2 Carry out TOT on SS</p> <p>3.3 Carry out technology exchange on resettlement by visiting other countries (third countries, etc.)</p> <p>3.4 Prepare a training plan for PRS-WG</p>	<p>2. Land, Buildings and Facilities</p> <p>(1) Office Space for Japanese experts in MEF</p> <p>(2) Space for the machinery and equipments provided</p> <p>(3) Electricity and communication facilities</p> <p>a. Electricity for equipments provided</p> <p>b. Internet Connections for Japanese experts</p> <p>c. Office furniture (Desks and shelves, etc.)</p> <p>d. Means of Communication (Domestic Telephone cost)</p> <p>e. Other land, building and facilities necessary for the project implementation</p>	<p>2. Training and Technology Exchange</p> <p>(1) Training in Japan</p> <p>(2) Technology Exchange</p> <p>a. Third countries (e.g. Bangladesh, Vietnam)</p> <p>3. Machinery and Equipments</p> <p>(1) (For the RD) PCs, LCD projector, Color printer, Scanner with sorter, Photo copy machine, Video camera, Monitor, DVD player and Mobile printer</p> <p>(2) (For the WG) Laptop PCs for data analyses, Software for PC, Total Station and Mobile printer</p>	<p><b>Preconditions</b></p> <p>None</p>

*Handwritten initials/signature*

Activities	2010												2011												2012					
	JFY 2010												JFY2011												JFY2012					
	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	
0. The baseline data (current conditions and practices of resettlement activities demonstrated by RD) is collected, reviewed and assessed																														
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3.2.2 Carry out TOT on SS																														
3.3 Carry out technology exchange on resettlement by visiting other countries (third countries, etc.)																														
3.4 Prepare a training plan for PRS-WG																														
Reporting																														

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ANNEX III TENTATIVE SCHEDULE OF IMPLEMENTATION

	0	Year 1	Year 2	3
<b>&lt;Japanese side&gt;</b>				
1. Experts				
(1) Long-term expert				
a. Chief Advisor / Environmental and Social Consideration	Recruit →	←		
b. Participatory Planning and Development	Recruit →	←		
c. Training Management / Project Coordinator	Recruit →	←		
(2) Short-term experts		← JICA shall dispatch short-term experts as necessary. →		
2. Equipments		← JICA shall provide equipments as necessary. →		
3. Cost for activities		←		
4. C/P training in Japan, and third countries			↔ JICA shall provide short-term training as necessary.	
5. Formulation of the Project	→			
6. Monitoring of the Activities		▼	▼	▼
		Once every	half year	
7. Evaluation of the Project			▼	
			Terminal Evaluation	
<b>&lt;Cambodian side&gt;</b>				
1. Provision of office space and facilities		←		
2. Assignment of counterparts		←		
3. Budgetary allocations for recurrent cost		←		
4. Formulation of the Project	→			
5. Monitoring of the Activities		▼	▼	▼
		Once every	half year	
6. Evaluation of the Project			▼	
			Terminal Evaluation	

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## ANNEX IV PROJECT DOCUMENT

### 1. Background of the Project Implementation

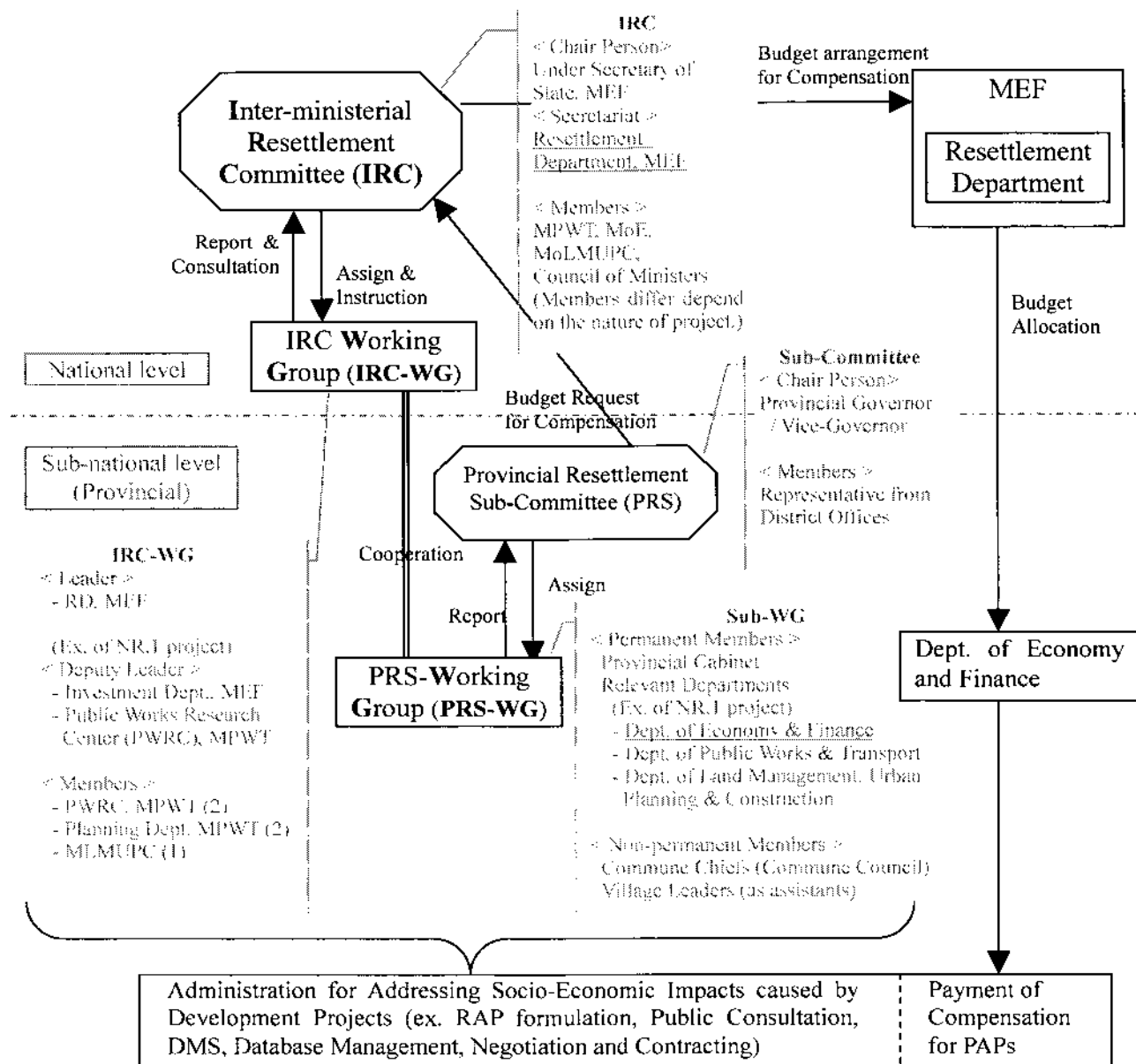
- Rapid economic development in Cambodia has led to strong demand for development of the distribution and transportation networks within the country. The RGC emphasizes the importance of intensive development of land transport network. For instance, in the National Strategic Development Plan (NSDP) 2006 – 2010, the RGC mentioned that “(t)ransportation networks and facilities that connect all corners of the country are the arteries that transform the country into an integrated economy and are vitally critical for distributed economic growth.” It also mentioned that “(b)y facilitating trade, movement of goods and services, by fostering integration of domestic markets as well as enabling integration with the region and the world, they [*transportation networks such as roads, ports, inland waterways, railways and airports*] play a pivotal role in contributing to poverty reduction”.
- Environmental and Social Considerations (hereinafter referred to as “ESC”) is the foundation for the proper and effective implementation of infrastructure construction projects. The RGC, especially Ministry of Economy and Finance (hereinafter referred to as “MEF”) has made effort for the establishment of legal basis for resettlement action in Cambodia, such as the “Expropriation Law”. The Resettlement Department (hereinafter referred to as “RD”) is the one of the departments in the MEF and has dealt with resettlement issues in Cambodia. The RGC organized Inter-ministerial Resettlement Committee (hereinafter referred to as “IRC”) led by the MEF with representatives participation from Ministry of Public Works and Transport (hereinafter referred to as “MPWT”), Ministry of Land Management, Urban Planning and Construction (hereinafter referred to as “MLMUPC”) and other relevant governmental organizations in the RGC. The RD of the MEF which is a secretariat of the IRC consists of 5 Bureaus, (1) Bilateral Project Bureau, (2) the Government Project Bureau, (3) Multilateral Project Bureau (ADB, WB, Multi Donors), (4) the Administration and Finance Bureau and (5) Planning and Data Management Bureau. The roads and bridges construction projects financed by the Government of Japan have been in charged by the Bilateral Project Bureau for instance.
- Since the Expropriation Law was confirmed by the Council of Ministers (CoM) at Oct. 9, 2009, and approved by the National Assembly at Dec. 28, 2009, and the next step will be the re-examination of the “Sub-decree on Addressing Socio-Economic Impact Caused by Development Projects” (hereinafter referred to as “the Sub-decree”) assisted by the Asian Development Bank. Therefore, it is an urgent matter to enhance capabilities of RD staff and IRC members, and to prepare unified and logical manuals for the implementation of resettlement processes according to the Sub-decree after it becomes effective.
- Based on the above mentioned backgrounds, the RGC requested the implementation of the Technical Cooperation Project to the Government of Japan in order to enhance capacity of RD staff and thus to strengthen the function of IRC. In response to the request from the RGC, the Government of Japan dispatched the Team organized by JICA to Cambodia to conduct a preparatory survey for the Project. Both side had series of discussions and workshops, and had reached agreement on the provisional framework of the Project. The Minutes of Meeting has been signed and exchanged at Oct. 28, 2009 at the Ministry of Economy and Finance.

## 2. Resettlement Issues in Cambodia

### (1) Institutional Arrangement for Resettlement

- Currently, the Inter-ministerial Resettlement Committee (IRC) which is established ad-hoc bases for each development project, covered only national level projects such as the projects implemented by line-ministries except the Ministry of Rural Development (MRD), but not covered sub-national level projects such as the projects implemented by provincial governments. The institutional arrangement for addressing socio-economic impacts caused by development projects can be summarized as below.

#### Institutional Arrangement for Addressing Socio-Economic Impacts caused by Development Projects



### (2) Legal Bases for Resettlement

- As mentioned above, the Expropriation Law was approved by the National Assembly at Dec. 28, 2009. The "sub-decree on Addressing Socio-Economic Impacts caused by Development Projects" (the Sub-decree) drafted by the Resettlement Department (RD) of Ministry of Economy and Finance (MEF) through several consultation committees among



line-ministries as well as public consultation workshops. The RD is going to set up a committee for revising the drafted Sub-decree based on the Expropriation Law.

- It is also observed some cases among projects at sub-national level that were funded by the development partners, for instance, “the Flood Protection and Drainage Improvement” funded by the Government of Japan, the RD established the IRC together with MPP as same as national development projects.
- Since the Expropriation Law has just been approved by the National Assembly, thus there had been no clear legal bases regarding involuntary resettlement procedures for the Government except comprehensive guidelines for environmental and social considerations provided by development partners, it has tended to depend on each sub-national committee how they deal with Project Affected Persons (PAPs), whereas the knowledge, experiences and know-how on the resettlements have been accumulated and actively applied to the actual procedures in the national level through the function of IRC chaired by the Ministry of Economy and Finance (MEF).
- Once the Sub-decree will be enforced, it will cover almost all development projects under the national administration as well as sub-national administrations that require the short term, long term or permanent involuntary acquisition of, causes barriers or restrictions to the exercise of, rights or interests to, private, collective, state or public legal entity’s land or property, and causes adverse socio-economic impacts, whether:
  - the project is implemented by a civil agency, armed-forces, staff of sub-national administration or a private entity who enters into an agreement with national or sub-national authority to implement the project under any arrangement.
  - the development project is financed partially or fully by the national budget or sub-national budget or external funding assistance (cooperative or concessional finance) either in the form of grants or loans or funding sources from private institutions, NGOs, political parties or charitable persons. (*quoted from draft Sub-decree, Article 2 “Scope”*)
- Ministry of Land Management, Urban Planning and Construction (MLMUPC) has been drafting the Circular on resolution<sup>1</sup> for illegal temporary settlements in city and urban areas. The demarcation between MEF and MoLMUPC on the resettlement policy can be interpreted as bellow.

Ministry	MEF	MoLMUPC
Dept.	Resettlement Dept.	General Dept.
Titles	“Sub-decree on Addressing Socio-Economic Impacts caused by Development Projects”	“Circular on Resolution for Illegal Temporary Settlements in City and Urban Areas”
Status	Drafting	Drafting
Target	Project Affected Parsons (PAPs)	Illegal temporary settlements in the urban areas
Activities	1) Project nature determination 2) Consultation 3) Planning to address impacts 4) Land acquisition 5) Compensation 6) Rehabilitation assistance 7) Monitoring & Evaluation	1) Collection of specific data on illegal temporary settlements 2) Identification, mapping and classification of land categorizations (public & private) 3) Census of households 4) Implementation of resolutions

<sup>1</sup> The resolution will not be applied for the development projects.

Remarks	<p>&lt;Current Coverage&gt; National projects which implemented by line-ministries.</p> <p>&lt;Under new regulations&gt; 1) National projects 2) Sub-national projects 3) Military force projects 4) Private entity's projects implemented under agreements with national or sub-national authority to implement the project under any arrangement</p>	This "Circular" would be the first attempt to address the issues on urban illegal temporary settlements, squatters by the RGC.
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- In order to comply with the Expropriation Law, the IRC has a plan to revise the drafted Sub-decree as follow;

2009	2010											
Dec	Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sep	Oct	Nov	Dec

Revision of the Sub-decree  
by the Resettlement Dept, MEF

Examination at the  
Council of Ministers

### 3 Project Evaluation

#### (1) Relevance

It can be concluded that the Project has a high relevance for the following reasons:

- The Expropriation Law, which is a legal basis for expropriation of lands or building structures under public works, was approved by the National Assembly at December 28, 2009. The RD is about to revise the Sub-decree and is in need of preparation of comprehensive procedures for relocation process to be used in the expropriation activities. The Project will meet the RD's needs by assisting them to prepare related manuals and guidelines for resettlement implementation under the development projects.
- The RGC identifies that the infrastructure development for the transportation sector one of the priorities in the above-mentioned the Rectangular Strategy (July 2004) and NSDP 2006-2010 (May 2006). The Rectangular Strategy II (September 2008) also list "continuation of rehabilitation and development of the infrastructure".
- Japanese Ministry of Foreign Affairs specifies that "there is a needs to support Cambodia's initiatives in the transportation sector with a view that covers whole road system" in it's the Aid Assistance Policy for Cambodia (February, 2002). In addition, JICA stipulates that "(JICA) will assist the rehabilitation of road network as soon as possible by collaborating with other donors, and contribute its economic growth through institutional development for maintaining and assuring effective use of the traffic network", in its Country-specific Implementation Plan (2007). The Project, contributing the acceleration of development of the socio-economic infrastructure by strengthening capacity for ensuring efficient resettlement activities, is high in priority because it is in line with development policies of Cambodia and Japan.
- It is expected that the Expropriation Law followed by the related sub-decree are enacted.

When these legislations are in effect, RD will be responsible for resettlement activities resulting from various public works carried out by sub-national levels, in addition to conventional development projects implemented by the RGC. It is considered appropriate for the Project to designate RD as primary counterpart because it is the primal target group of the Project.

- The Project aims at providing training of trainers for the officers of RD to support planning and delivery of training for local-level resettlement-related activities by provincial officers. The contents of the trainer training include how to implement the sub-decree in actual resettlement nature. The training is expected to extend to various groups other than the primary target groups.
- In addition, Japan has a vast experience in expropriation processes related to public works such as road and bridge construction. It is, therefore, considered that Japan has know-how to carry out the technical cooperation project.

## (2) Effectiveness

The effectiveness of the project may be admitted from the following reasons:

- The Project Purpose, "The resettlement capacity of the Resettlement Department (RD) of the MEF and IRC will be enhanced" was developed and defined through a series of discussion among stakeholders from the RGC. The Project is to improve the RD's organizational capacity in implementing projects utilizing project cycle consisting of planning, implementation, monitoring and evaluation based on annual plan. The target group will plan and implant appropriate resettlement procedure through activities. In addition, through attaining appropriate resettlement planning methodologies, adopting the new study and survey methodology will improve the implementation procedures. Furthermore, in response to the requests from the counterpart personnel, the Project will utilize some training and technology exchange program carried out in Cambodia, to train the counterparts. By combining above activities, it is expected that the Project Purpose will be achieved when the Project will be completed.

## (3) Efficiency

The efficiencies of the Project are analyzed as follows:

- The Project will be implemented with minimum inputs, consisting of three long-term experts, necessary for capacity development of resettlement officers of RD. The duration of the Project is limited to 2 years.
- The contents of the Project will be derived from the experiences and lessons learned from previous resettlement activities carried out by Japan and other donors. In addition, it includes contents necessary for capacity development complying with the on-going draft of the Expropriation Law and its sub-decree. The goal of the training is to establish institutional arrangement that can provide fair and effective services of resettlement activities on the ground. The training is well designed based on provision of On the Job Training (OJT) and is able to transfer technology efficiently.
- The core members of the counterparts assigned to the Project from the RGC are mostly those of the previous grant aid project by Japan. It is, therefore, expected to start up the new project without significant difficulty because of their previous experience with Japanese aid programs. The counterparts will remain in the proposed Project for entire project duration of two years because the RD is not willing to change them from the current assignment.

## (4) Impact

The following impacts from the Project are forecasted:

- It is expected that the probability of achieving the Overall Goal of the Project, "The Royal Government of Cambodia (RGC) will be able to implement resettlement policy for the public works by consistent measures complying with the laws and regulations of Cambodia" is high when the Project Purpose is achieved. The reasons are that the various stakeholders other than the representatives from the road and transportation sector expressed their expectations on the project when a workshop for preparing the master plan of the project was held. It was expected that the result of the technology transfer will lead to utilization of the knowledge attained from the project by various sectors other than the transportation sector. Some provincial government also expressed interest from the project. To meet such interest, some OJT carried out within the Project will be taken place at provincial-level so officers of selected provinces may be provided the same training. The results of the project are expected to be disseminated when the Project is completed.

#### (5) Sustainability

From the following reasons, the sustainable activities and effectiveness will continue:

- According to the Expropriation Law and its Sub-decree under deliberation at the National Assembly, the RD will be the only department in the RGC to oversee all resettlement activities in Cambodia. When the legislative framework is fully in effect, the RD is expected to play significant role in the resettlement process of all public works in Cambodia. Currently, RD is responsible for only the resettlement works associated with the public works, not only road and bridge project but also others carried out by the central government. The resettlement procedures of these projects, however, are not logically prepared and defined. When these procedures are completed, the procedures developed and promoted for resettlement by the Project will be adopted by various sectors (such as development of irrigation and power lines). The probability of the output from the Project used for a long time after the Project, therefore, is considered high.
- At the time of the preparatory survey, the RD could not assure the Team that the articles of sub-decree will be fully applied to public works implemented by provincial governments. It is however, highly probable that the outcomes from the technical cooperation will be disseminated when the Expropriation Law and the related regulations are in effect, the role of RD is strengthened, and the RD provides technical training to the stakeholders of other sectors and officers of the provincial government.

END







打合せ議事録

1. 日時	2009年10月14日 10:00-12:00
2. 場所	プノンペン
3. 機関名	公共事業運輸省
4. 面会相手 ・同席者	MPWT: Chhim Phalla (Inspector General Inspectorate for RN1 & 2 <sup>nd</sup> Mekong Bridge), Kong Sophal (Public Works Research Center) カンボジア事務所: 森畑、SEAK Pengkeang ピオニエ・リサーチ: 小野澤
5. 面談内容	<p>1. 概要説明</p> <p>事前調査を実施(10月13日~29日)東京からの調査団員を加えてIRC対象の技術協力プロジェクトの内容を固める。</p> <p>OJTの対象として国道1号線の第四期の移転を対象とする。</p> <p>《技術協力とこれまでの援助との違い》 無償援助(橋・道路がアウトプット=建設すれば終わり) 技術協力プロジェクト(TCP)「人の能力の向上=人がアウトプット」</p> <p>事前調査の目的は、プロジェクトの枠組みを決める。 MEFから2年間のプロジェクトの要請が出ている。プロジェクトの設計を固める調査の実施(プロジェクト目標、成果、投入、活動の決定) 合意すれば2010年4月から実施可能(最短で)</p> <p>《プロジェクトの内容に関する議論のポイント》</p> <ul style="list-style-type: none"> <li>● 2年という期間が妥当かどうか?</li> <li>● 次のフェーズの有無=2年間の到達点をどこに置くか?</li> <li>● 実施計画を作成(PO&amp;PDM)</li> </ul> <p>《日程の確認》</p> <ul style="list-style-type: none"> <li>● 10月22日に終日PCMワークショップ実施する</li> <li>● 10月29日まで活動する。今日午後のWG会議において日程の確認をする。</li> <li>● 調査期間中、移転先の視察を実施予定</li> <li>● 10月16日PM200-IRC会議</li> <li>● また、10月20日PCMを準備するための打ち合わせ開催予定。</li> <li>● 21日終日ワークショップ開催予定</li> <li>● その後22日からM/MおよびR/D案の作成+合意形成</li> <li>● 翌週文書案の説明および会議複数回開催で最終合意形成を行う。</li> <li>● 28日(水)に署名予定</li> </ul>



	<p>《ワークショップの進め方》</p> <p>8:00 参加者受付</p> <p>8:30 開始（午前の部）</p> <p>12:00～13:30 昼食・休憩</p> <p>13:30～ 開始（午後の部）</p> <p>17:00 終了（15時前後までにあらあらの内容を報告し、議論を深める）</p> <p>15時前後から、チャンコサール氏他責任者にも議論に加わってもらう</p> <ul style="list-style-type: none"> <li>● （参加者に地方政府関係者を加える必要があるか）＝加えたい。（交通費支給の必要があるのでは）参加可能かどうか確認する：カンダール州、プライベン州</li> <li>● そのほかの参加者IRC, W/G, 地方政府関係者、水資源省(ダム), Min of Land Management : IRCから 参加者についてコメントあるはず。（要確認）</li> <li>● 環境省→重要</li> <li>● 関係省庁との関係の整理が必要。各省庁にとって「土地問題は共通の課題」</li> </ul> <p>この分野の技協は初めて。</p> <p>岡田外相訪カ予定。</p> <p>11月上旬フンセン首相・鳩山首相会談予定もある。</p> <p style="text-align: right;">以上</p>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月14日 15:00-17:00
2. 場所	プノンペン
3. 機関名	MEF (IRC)
4. 面会相手 ・同席者	MEF: Dr. Chhorn Sopheap, Director of RD, Mr. Sim Samnang, Deputy Director of RD, Mr. Ben Daramony, Chief of Bilateral Project, Mr. Pich Socheata, Working Group NR-1, Mr. Hiv Panhavuth, Chief of Administration & Finance Office of RD, Mr. Heng Hong Lim, Deputy Chief of Bilateral Cooperation, Mr. Pal Chhan, Deputy Chief of Bilateral Cooperation MPWT: Mr. Kong Sophal, Working Group NR-1 カンボジア事務所: 森畑、野中、SEAK Pengkeang 桑野 忠生、建設の品質管理強化プロジェクト チーフアドバイザー/道路建設・維持管理 ピオニエ・リサーチ: 小野澤
5. 面談内容	IRC-JICA 定例会議 (第96回)  1. 議事 (本調査関係のみ) (1) 国道1号線の移転 (2) 第2メコン架橋関係 補償金をうけとらない人も。「不在地主のあつかい方が問題になる。」一定の期間をかけて、公告する。6件ある。  《苦情処理のしくみ》 苦情処理委員会は機能している。日本のMOFAは、この辺を評価している。 (不法占有者: 多くが一旦移転して、補償費等を受領後 (道路幅の内側の土地に) もとの場所にもどる可能性高い。  《水道接続の課題》 接続費安くない。貧困層には負担。 提示した代替案2つのうち (最低一ヶ所の井戸掘削に加え各戸への水道接続を行う。) 井戸=浅井戸掘削: 洗濯等の目的に使用 (水道は飲用)  《第3期道路の入札手続の現状》 11/18プロポーサル期限 (3ヶ月選定手続に必要) 2010年3月に契約締結および支払い (着手金) 開始 次回会合の際により詳しい日程を示す (JICA)  《土地評価・買取価格》 基本的な考え方: 土地買取価格は道路計画の影響を受けてはいけない。第三者による査定が必要。再取得価格による。用地価格の決定が基本である。  《第2メコン架橋プロジェクトの技術協力の件 (報告)》 10/14~調査団 (コンサルタントのみ) プノンペン入りする 10月15日-23日 (金) プノンペンで作業: 報告書説明。 10月15日: 第2架橋プロ打合わせと、TCP 関係のWG ヒアリングの日程が重なる。同時進行でお願いしたい。

	<p>2. TCP 関係概要説明</p> <p>事前調査を実施（10月13日～29日）東京からの調査団派遣。（別紙日程を参照）</p> <p>C/Pとして公共事業省とMEFを考えている。実施期間：2年または3年で実施予定。 OJTの対象として国道1号線の第四期の移転を対象とするOJTを行う内容としたい 移転に関するマニュアルとガイドライン（M&amp;G/L）の作成を通じてC/Pの能力向上を図る。</p> <p>《技術協力とこれまでの援助との違い》 無償援助（橋・道路がアウトプット＝建設すれば終わり） 技術協力プロジェクト（TCP）「人の能力の向上＝人がアウトプット」 「メインアクターはカンボジア側」専門家は手助けをする。</p> <p>《ワークショップ》 プロジェクト目標、成果の定義明らかにする：PCMワークショップを通じてカンボジア側の「Need」をとらえる。それに基づきプロジェクト設計する。 10月21日午前8:00からプノンペンホテルで開催したい。 協議スケジュールの確認：最終的には10月29日までにM/Mを締結する。（PDM・POに詳細を記載、合意する。）協議議事録作成。詳細議論するためのワークショップは10/22に変更（出張のため）</p> <p>10月21日14:30～ワークショップアジェンダ確認のための会合を持つ。 26日 表敬（他の調査団と一緒に）</p> <p>次回打ち合わせ：11月6日午後3時から</p>
6. 入手資料	<p>会議アジェンダ 国道一号線移転にともなう水道供給にからむ補償の検討資料</p>

打合せ議事録

1. 日時	2009年10月15日(木) 10:00-12:00												
2. 場所	プノンペン												
3. 機関名	IRC Working Group												
4. 面会相手 ・同席者	Working Group Members: MEF: Mr. Pich Socheata, Working Group NR-1 Team Leader MPWT: Mr. Kong Sophal, Working Group NR-1 カンボジア事務所: 森畑, Seak Pengkeang 桑野専門家(建設の品質管理強化プロジェクト) ピオニエ・リサーチ: 小野澤												
5. 面談内容	<p>IRC WG との会合</p> <p>1. 計画中のプロジェクト概要の説明(略)</p> <p>2. W/G の組織の概要</p> <p>(1) 人員その他</p> <p>現在8名の体制</p> <table border="1"> <thead> <tr> <th>所属</th> <th>人数</th> <th>備考</th> </tr> </thead> <tbody> <tr> <td>MEF</td> <td>2</td> <td>WG チームリーダー(Pich Socheata 氏) 副チームリーダー(Investment Dept.)</td> </tr> <tr> <td>MPWT</td> <td>5</td> <td>副チームリーダー(Kong Sophal 氏) Research Center から2名(地形図作成) Planning Dept. から2名(情報収集、社会調査)</td> </tr> <tr> <td>MoLM</td> <td>1</td> <td></td> </tr> </tbody> </table> <p>日本関係のプロジェクト(国道1号線第3期~4期)および第2メコン架橋の用地担当である。</p> <p>(2) C/P の勤務の仕方(W/G メンバー)</p> <p>Q どのような勤務形態で仕事をしているか?</p> <p>それぞれが自分の所属先に仕事を持っていて、アドホックに集まって業務をする。MEFから特別の予算が組まれていて、夫々のメンバーに対してW/Gでの業務に応じて給与補填など行われている。</p> <p>仕事の優先順位: W/Gの仕事は高い。理由: ペイが良い。出張手当が出るなど、比較的個人的な理由。他の業務との関係は、それぞれのメンバーが判断して行う。実際にはW/Gの仕事が優先となるケースが多い。(一般的には、日常の仕事の上におかれている。)判断材料: プロジェクトの重要性、所属期間: 長いほうが優先、日当がでるかどうかなど。</p> <p>Q 複数の省庁から人が集まっている。命令系統はどうなっているか?</p> <p>組織面では、全員がIRCに所属している省庁から来ているので、本件の優先度が高い。(とはいえ、業務上の指示・命令系統などがどうなっているかという質問には、直接的な回答を得なかった点に留意必要か: 小野澤注)</p> <p>(3) 組織の組成</p> <p>Q. 中央のWGと地方のSub-WGの役割の違いはなにか?</p> <p>それぞれのCommitteeの下部機関で実務を行う。一緒に活動することが多いが、実際には、地域に近いSub-WGの役割は大きい。最も大きな差は、RAPを作成後、移転補償費を、Sub-Committeeに申請して、補償費を獲得・支払いすること。WGはRAPを作成、データベースの入力管理をするが、お金にはタッチしない。</p>	所属	人数	備考	MEF	2	WG チームリーダー(Pich Socheata 氏) 副チームリーダー(Investment Dept.)	MPWT	5	副チームリーダー(Kong Sophal 氏) Research Center から2名(地形図作成) Planning Dept. から2名(情報収集、社会調査)	MoLM	1	
所属	人数	備考											
MEF	2	WG チームリーダー(Pich Socheata 氏) 副チームリーダー(Investment Dept.)											
MPWT	5	副チームリーダー(Kong Sophal 氏) Research Center から2名(地形図作成) Planning Dept. から2名(情報収集、社会調査)											
MoLM	1												

	<p>Q. 技術協力プロジェクト：ニーズの存在？</p> <ul style="list-style-type: none"> <li>● 現在は、移転補償に関して技術的に明文化されたガイドライン・手引き（マニュアル）はない。プロジェクトごとに異なる補償の仕組み</li> <li>● 補償費の内容がドナーごとに異なる（ADB, JICA の算定基準）</li> <li>● 補償対象の物権のカテゴリーが異なる</li> <li>● 国内プロジェクトでは、多くが補償がない。</li> </ul> <p>Q. 収用法・ガイドラインの現状・問題点など</p> <ul style="list-style-type: none"> <li>● 収用法は閣議を経て、議会で可決予定（時期？）</li> <li>● 施行規則（Sub Decree）は、難解＝定義あいまい、どうにも解釈可能。</li> <li>● ガイドラインがない。ドナーのガイドラインを適用する。国内案件の場合は、ガイドラインなし。</li> <li>● ガイドラインには、条文の解釈が必要。</li> <li>● 移転補償のないプロジェクトがある（たとえば、国軍、コンセッションによる開発権など） これらをどうするか扱いの議論が必要。</li> <li>● 小規模なプロジェクトにも移転補償がない。（多数の公共事業にも移転補償がない）</li> </ul> <p>Q. 技術協力の進め方：ガイドラインの作成は誰が？</p> <p>地元コンサルタントを雇用して、ガイドライン案を作成させる。これを、たたき台として、専門家+WG+IRC で協議して、国内事業にも適用可能な GL を作成する。</p> <p>Q. 機材測量機器（トータルステーション、GPS 正確なもの）</p> <p>ラップトップ PC ソフトウェア Land Development (土木 CAD ソフト) アクセス (D/B ソフト) など。</p> <p>10 月 22 日にワークショップ実施予定</p>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月15日(木) 15:00-16:00
2. 場所	プノンペン
3. 機関名	Ministry of Land Management, Urban Planning and Construction
4. 面会相手 ・同席者	Ministry of Land Management, Urban Planning and Construction Dr. Ou Vuddy, Permanent Deputy Director General of General Secretariat of Council of Land Policy  Ministry of Land Management, Urban Planning and Construction Dr. Beng Hang Socheat Khemro, Deputy Director General, General Dept.  カンボジア事務所：森畑, Seak Pengkeang ピオニエ・リサーチ：小野澤
5. 面談内容	<p>IRC WGとの会合</p> <p>1. 計画中のプロジェクト概要の説明(略) 一義的には二つの日本の事業(第2メコン架橋と国道1号線第四期計画)を中心としたOJTによって、カンボジア側の住民移転能力の強化を考えたい。</p> <p>土地収用法、それにとまなう施行規則の整備が行われる。こういった時期を背景に2年間の技術協力を実施することを検討している。</p> <p>2. JICAプロジェクトに関するコメント等 不法占拠者を対象とした住民移転手続は、環境社会配慮に関して、決議が出ている。</p> <p>収用法の補償をきちんとすること ADBプロジェクトから生まれた。 East-West Management Instituteのコンサルタントと長期にわたって一緒に仕事している。当該プロジェクトは、対象地から不法居住者はずしている。</p> <p><b>【土地収用法規則制定】</b> 制定後使用するガイドライン・マニュアルの整備が必要。施行規則に促して具体的にどのように住民に接するかを明文化したい。</p> <p>通常の(国家予算で行われる)プロジェクトでは、規則の制定化後は、地区/Provincial/Municipalレベルでそれぞれ、補償関係の業務が行われる。</p> <p>外国ドナー資金による特定のプロジェクトには、TWGが結成されて別な行き方。</p> <p><b>【TCPへの貢献・関与の依頼】</b> Q. 合同調整委員会への参画の可能性は? A/MEFから正式なレターの送付されれば参加できる。(大臣宛?)</p> <p>現在ADBの鉄道改修事業のW/Gメンバーとなっている。 パトリシア(East West Management Institute)のチームリーダー。国家用地管理担当。</p> <p><b>【土地収用手続きの課題】</b> 現在は、カンボジアに多数の援助機関が入ってそれぞれ方針や、基準が異なる。</p>

	<p>社会環境では、それぞれのドナーが持つ基準が異なる。 世銀のセーフガードポリシーが最上位。それぞれのドナーが自分の基準を持っている。</p> <p>現在カ国でも、都市の土地なし貧困層を対象としたLand Policyを策定した。また、前述のように、不法居住者を対象として対応についてサーキュラーが出ている。(これらは土地なしの人たちの権利を認めるわけではない＝人道的な見地から支援する＝福祉政策として実施している)</p> <p>カンボジアでは、78年～89年に取得した土地は、国有地としてのあつかい。89年以降に取得した土地は、私有化可能。いつ占有したのかによって権利の所在が異なる。しかし、現在は誰も証拠を出せない。</p> <p>(道路の場合、中心線から30メートルがROWで、30m以内はすべて不法占有となる。→実態と相容れない制度となっている。) いずれにしても、法制化・制度化されて一律に移転補償などが適用されることが望ましい。</p>
6. 入手資料	<p>Declaration of the Royal Government on Land Policy (Unofficial Translation) Circular on Resolution for illegal temporary settlements in city and urban areas (draft)</p>

打合せ議事録

1. 日時	2009年10月16日（金） 8:30-9:30
2. 場所	プノンペン
3. 機関名	世界銀行 カンボジアオフィス
4. 面会相手 ・同席者	Ms. Nil Vanna, Social Development Specialist カンボジア事務所：森畑, Seak Pengkeang ピオニエ・リサーチ：小野澤
5. 面談内容	<p>世銀との情報交換</p> <p>1. 計画中のプロジェクト概要の説明（略）</p> <ul style="list-style-type: none"> <li>● 準備調査3億円程度の技術協力プロジェクト詳細設計を行う。</li> <li>● 国道1号線と第二メコン架橋プロジェクトをOJTの場として考慮する。</li> <li>● 土地収用法の成立にあわせて実施したい。</li> <li>● 規則に基づきGL・Mの作成や運用される。無償案件と異なり、成果品は「人」である。</li> <li>● 政府としての継続性は低い＝能力低い上に明文化された規則が不在なので、社会環境が優先されない。</li> <li>● （JICAとしても世銀のセーフガードポリシーは、他ドナーへの影響が大きい）</li> <li>● 統合後のJICAの新しい環境社会配慮ガイドラインでは、「世銀のセーフガードポリシー」をリファアーすることになるだろう。</li> <li>● JICAの実施した国道一号での成功例：これらはADBのプロジェクトを含んで、成功例：知見のドナー間での共有が大切。</li> <li>● ADB/JICAそれぞれのガイドラインや、WBセーフガードポリシーに従う。</li> <li>● カンボジア政府は、国道一号線の日本工区の約56KMのうち、第三期区間の補償支払いを終えたところであるが、極少数のスタッフがその全てのプロセスを承知している。この経験を組織の知として、Institutionalizeする必要がある。</li> <li>● ガイドラインの整備を含む、技術協力の実施。</li> <li>● 得られた知見を最終ワークショップで他ドナーや、関係省庁と共有することも検討する。TAの結果をインフラ関係のWGにおいて発表させることを考慮している。施行規則が成立すると、将来にわたりRDが国全体の土地収用問題を扱うことになる。規則制定後のMEFの課題も取り込みたい。</li> </ul> <p>2. 世銀（コメント）</p> <ul style="list-style-type: none"> <li>● 環境社会配慮はこれまで、借入国の責任という立場。とは言え、問題はどのように実施されているか？</li> <li>● カンボジアには、現在移転補償を定めた法令がない。土地収用法が審議されていることは大きな前進である。</li> <li>● カンボジアに国内基準ができることは、大きな前進。国際的な基準に比べると水準は低いかもしれないが、一度でそういった水準に達するわけではないはず。</li> <li>● 世銀のセーフガードポリシーやJICAのガイドラインなどは国際スタンダードで、カンボジアの国内基準の上に行くもの。</li> <li>● 現在は国内事業に関しては、補償に対する考え方が省庁ごとに異なる。</li> <li>● 昨年実施されたADBのワークショップにおいて、収用法・規則・技術協力という方向性が明らかになった。</li> <li>● RDはMEFの下にあり、土地収用の責任を負っている。IRCは省庁横断的な役割を果たしている。（時間・資源）。</li> <li>● 土木技術者が必要：MPWTから借りている。W/G-IRCが実務・技術的分野を担当している</li> <li>● 日本の2案件のために、2週ごとに定例会を開催している。</li> <li>● JICAの環境担当コンタクトは？</li> </ul>



	<ul style="list-style-type: none"> <li>● 環境社会セーフガードに関する、カ国政府の受け皿が不在。土地法も最近できたように、政府に補償制度に関する考え方が限定されている。そもそも、公共事業費の中に、移転補償費が計上されていない。予算化しておく必要がある。(工事が始まる前に、移転費が払われることが必要)</li> <li>● 世銀のエルマでのプロジェクトの経験から：「苦情は解決のため」、「そもそも苦情0というのは信じない」。住民から苦情を吸上げるシステムが機能しているかどうか？</li> <li>● コミュニのレベルで、苦情を吸い上げてそれぞれについて対応することが必要。そういった分権化が進めばよい。コミュニティのレベルでどれくらい苦情を処理したか?こういったことが問題になればよい方向。</li> </ul>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月16日(金) 10:30-11:30
2. 場所	プノンペン
3. 機関名	環境省 国際協力局
4. 面会相手 ・同席者	環境省国際協力局 氏名要確認 カンボジア事務所: 森畑, Seak Pengkeang ピオニエ・リサーチ: 小野澤
5. 面談内容	<p>世銀との情報交換</p> <p>1. 計画中のプロジェクト概要の説明(略)</p> <p>EIA 百万リアル以上のプロジェクトに EIA の実施が課されている(国内公共事業についても同様)。</p> <ul style="list-style-type: none"> <li>● 国際協力局副局長の代理で面会する</li> <li>● MEF のプロジェクト要請書でている。住民移転能力強化技術協力プロジェクトを実施する予定。</li> <li>● 建設プロジェクト EIA が義務化されている。公共事業に関して不法居住者を対象とした移転時に、移転補償が行われている。→国道1号線、第2メコン架橋を OJT として実施したい。</li> <li>● 日本人専門家を派遣する予定(期間:2年間)</li> <li>● ガイドライン, Manual の整備をする。</li> <li>● MOE の実施する EIA と、住民移転との関係を明らかにする。</li> </ul> <p>2. MOE との関係など</p> <p>国際局とは直接関係がない。EIA を実施する、EIA 局において対応すべき。来週は、気候変動会議のため、ほとんど出払っている。再来週の面会で国際局で、日程調整する。(JICA に連絡する)</p> <ul style="list-style-type: none"> <li>● プロジェクト開始後コンサルテーション会議(JCC) 会議を開く(年1~2回)。参加依頼。</li> </ul>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月16日(金) 14:30-17:00
2. 場所	プノンペン
3. 機関名	経済財務省住民移転局 (R/D-MEF)
4. 面会相手 ・同席者	住民移転局 Mr. Sim Samnang, Deputy Director of RD, Mr. Ben Daramony, Chief of Bilateral Project, カンボジア事務所: 森畑, Seak Pengkeang ピオニエ・リサーチ: 小野澤

5. 面談内容	<p>日程等の説明 MM 署名する 署名文書の例として、PDM (サンプル)、PO など提示。詳細は、ワークショップを経て協議で内容を固める。 土地収用法: 閣議決定先週だった。議会にかかる。並行して施行規則の協議行われている。ADB 支援。法律家など入っている。</p> <p>Q. RD の役割?</p> <ul style="list-style-type: none"> <li>● RD は IRC の事務局: 約 30 名が勤務している。組織: ①Bilateral プロジェクト局, ②Multilateral プロジェクト局, ③政府プロジェクト、④Admin and Finance の 4 部局である。各 5 名~6 名の体制。将来、計画局と D/B 管理局の②部局を増やす予定で検討中。</li> <li>● 開発プロジェクトにおける住民移転にかかる副法令 (サブデグリー: S/D) において、住民移転局 (RD) の役割が定義されることになる。コミュニケーションレベルの事業を除く以外の全ての事業の土地補償問題を担当することになる。新土地収用法で、土地は国家のみが収用することできると規定された。</li> <li>● これに続き、地方への権限委譲が行われる。しかし、地方にはその力が無い。S/D が制定された後、地方政府が収用手続きを適正に行わないと、問題が大きくなる。</li> <li>● そのために、DMS、など、オペレーショナルマニュアルの整備、ガイドラインの整備などが必要。</li> <li>● プロジェクト実施後、3 回のワークショップを開催する必要がある。(南部、中部、北部において)</li> <li>● SD、G/L、マニュアルなどは全て道具にしかすぎない。RD で使える、技術的な内容の技術移転が必要。たとえば、DMS のやり方、Public Consultation の方法など。内容はすでに JICA が何度か実施しているものを深める。自分でできるように。</li> <li>● 地方プロビンス、コミュニケーションの各レベルで権限委譲が必要である。S/D が認定された後、地方への権限委譲が明らかになる。</li> <li>● 技術協力プロジェクトの開始時期: 2010 年 4 月 (最短)</li> <li>● 収用法の実施細則の内容は、そのままでは実施が困難である。パブリックの概念の定義: 公共性とは何かが明らかになっていない。決定が難しい。「公共の利益」の定義が難しい。たとえば、地元の開発業者: ソニーヴィラ・プロジェクト (不動産開発案件)、地方の委員会を通じて、「事業の公共性とはなにか?」という質問が繰り返されて、疑問視された。</li> <li>● 民間企業のプロジェクトだけではない。道路、送電線、灌漑など多くのプロジェクトに及ぶ。</li> <li>● 私企業の建設事業の場合「公共性の定義」が困難: (e.g. 4 軒の家屋所有者)</li> <li>● 収用法 12 月に可決される可能性あり? 反腐敗法の審議と重なる。その他可決を待っている法律が大量に順番待ちをしている。</li> <li>● プロジェクトは、2010 年 4 月から開始する予定 (最短)</li> <li>● S/D の承認を待つ。S/D に修正があっても大きなものにならないのでは? S/D の整備は 2-4 ヶ月かかる。</li> <li>● 2 年間のプロジェクト、フェーズ 1 としてガイドライン作成、マニュアル整備などを</li> </ul>
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	<p>中心として当初、プノンペン周辺に限って実施する予定。パイロットプロジェクトとして、JICAの2プロジェクト：国道一号線、第2メコン架橋。他のプロビンスも加えたい。</p> <p>Q. 必要機材は？</p> <ul style="list-style-type: none"> <li>● プロジェクト用の車両が必要。</li> <li>● Desktop PC(データベース用)</li> </ul> <p>Q. プロジェクト案への意見？</p> <p>【第一期：IRCのポリシーを作成する】必要性が高い。</p> <ul style="list-style-type: none"> <li>● RD=MEFを対象とする。</li> </ul> <p>【第2期：公式ポリシーとして権限委譲を行う】</p> <ul style="list-style-type: none"> <li>● 地方展開</li> </ul> <p>【専門家への期待】</p> <p>①IRCのポリシーを整備する（特に社会環境に関するもの） 政策立案、Policyを、新しいS/Dにあったものにする必要がある。そのために、WGと一緒に現場に出る。</p> <p>例</p> <ul style="list-style-type: none"> <li>● 耕作地。PAPとの関係においてWGの仕事として、補償を行う。そのために、WGの仕事は：DQS、DB/インベントリの作成、Public Consultation。</li> <li>● 例えば、過去にコンポンスク州で砂糖ヤシ、コンポンチャム州でゴム園の移転があった。収入補償の仕組みをどうするかについて、ポリシーが明確ではなかった。</li> <li>● 生産農地の補償+収入補てんのしくみづくりが必要。</li> </ul> <p>② D/Bのモニタリング</p> <ul style="list-style-type: none"> <li>● RAPの内容について。コンサルテーションが必要。例えば、「分析の程度」「記載内容」「RAPの精度」「土地・建物に対する評価(収入)」、「移転先」など。</li> <li>● RAPを実施するのは、社会調査専門家</li> </ul> <p>Q. RDからC/P必要であるが、準備できるか？</p> <ul style="list-style-type: none"> <li>● 専門家とコンサルタント(無償)は異なる。</li> <li>● C/Pと専門家の関係：TA開始後、仕事をするのは、C/P。専門家の役割は支援することに限定される。C/P不可欠。</li> </ul> <p>【第2期の展望】</p> <p>第一期でTOT実施する。</p> <ul style="list-style-type: none"> <li>● これらを地方レベルのコミティや、WGに技術移転する。当然スタッフ強化の必要性がある。R/Dの職員がトレーナーとなる。</li> <li>● 専門家が中心となって、分権化の支援をする。権限強化にともない、RDが講師となって地方レベルでの、スタッフトレーニングのためのTOTを実施する。</li> </ul>
6. 入手資料	

打合せ議事録

1. 日時	2009年10月19日(月) 16:00-17:20
2. 場所	プノンペン
3. 機関名	水資源気象省
4. 面会相手 ・同席者	Mr. Than Phalleap, MOWRAM Resettlement Unit Mr. Tauch Ang, MOWRAM Resettlement Unit カンボジア事務所: 森畑, Seak Pengkeang ピオニエ・リサーチ: 小野澤
5. 面談内容	<p>水資源省との情報交換</p> <p>1. 計画中のプロジェクト概要の説明(一部略)</p> <ul style="list-style-type: none"> <li>● TA実施。2年間の予定。土地収用法の制定手続きが進行中。それに伴ってADBがSDを策定・協力した。SDに基づくガイドラインの作成支援と、RDの能力向上を目指した技術協力を形成したい。</li> <li>● SDには、若干の修正が必要と思われる?SDが成立することを前提として様々な協力をしていく。内容は、かなり高度という印象を持つ。国内のプロジェクトでは適用できるのか、できないのか?その辺を協議してガイドラインを策定するように、支援する。</li> </ul> <p>2. 住民移転に関する(MOWRAM関連プロジェクト関連の)最近の動き</p> <ul style="list-style-type: none"> <li>● 住民移転ユニットは、現在、North West Irrigagation Systemn Project (NWISP) を実施している。住民移転に関してADBガイドラインを適用している。コンポンチャム州、バタンバン、シュムリアップなど、4プロビンスを対象としているプロジェクト。主に水路建設、貯水池などの建設。昨年、工事が始まる前に全ての関連補償金を支払った。補償内容は、農地のみ4軒が移転対象だった(いずれも貯水池内の住居の移転)。3軒は移転、一軒は、かさ上げをして同じ土地で移転はなかった。小水路の拡張では移転は無かった。</li> <li>● 本ユニットは主にADBプロジェクトを対象とした移転をやってきた。他のドナーとして、韓国のKOICA無償も手がけたことがある。クランポンレイ(Krang Ponley?)プロジェクト。コンポンチャム州。多目的ダム建設=灌漑貯水池+3発電所+灌漑水路建設。計画上は、5貯水池が当初計画された。うち、3つのみ建設された(予算不足)。米作地帯で土地に対する補償を行った。</li> <li>● 補償のしかた①地形改変(栽培条件の変更の有無などが判断材料)、②IRCが補償範囲を決めた。例えば、近傍で貯水池の中で完全に水没する土地(BM=69.5mラインの下の土地)には補償金を支払う。水没する土地は完全に耕作不能なので補償の対象となった。一方同コンタの上の土地は、時々水没するので、例えば浮稲などへの作柄転換か、従前と変わらずに耕作が可能。ということで、計画ラインの上下で補償の内容が異なる。これらは、ADBのポリシーにのっとって、現状回復規定は、厳しい内容となっている。</li> <li>● 原状回復プログラムの内容は、回復プログラムを実施するNGOを雇用。住民対象のDrainageをどう使うか、農業普及員を通じた、機械修理、収入向上活動の実施。コンポントム州でのプロジェクトでは、NGO:Emvisioning?を雇用した。現在トレーニング実施中:2009年末に終了予定。上記プログラムは、IRC=RDが組織して実施。メンバーにはADBも入っている。クメール語で実施される場合が多い。</li> <li>● SDはよくできている。NGOにはまだ若干の不満もあるようだが。SDには若干補償面で重すぎる部分も。多くのプロジェクトでキャッシュが不足しているときに他のプロジェクトや事業からの借用もあると聞いている。州レベルでのプロジェクトの実施には、多少の困難も伴うのでは。ADBのドラフト作成には、4回のコンサルテーションを経ている。NGOも参加している。補償内容は、MLMが決める。現在は、SDは、国家プロジェクトのみに適用しているはず。今後の影響として、コストが上がることから、実質的には(特に国内資金で行うプロジェクトについては)プロジェクト期間が延びる、総工費が増える可能性があるのでは。</li> </ul>

6. 入手資料	なし
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打合せ議事録

1. 日時	2009年10月20日(火) 09:00-10:00
2. 場所	プノンペン
3. 機関名	プノンペン市公共事業部
4. 面会相手 ・同席者	Mr. Moeung Sophan カンボジア事務所：森畑, Seak Pengkeang ピオニエ・リサーチ：小野澤
5. 面談内容	<p>プノンペン市公共事業部との情報交換</p> <p>1. 計画中の技術協力プロジェクト概要の説明(一部略)</p> <ul style="list-style-type: none"> <li>● 現在 ADB のコンサルタントが作成した SD が準備されている。また、土地収用法も整備方針。閣議を通ったが、議会での承認が待たれる。SD に基づくマニュアル作成を考えている。実際には標準的な実施要領 (Standard of the Procedures : SOP) の作成、運用の支援をする。(実施期間：2 年間)</li> <li>● MEF 洪水防止プロジェクト実施してきたのを承知している。</li> </ul> <p>2. 最近のプノンペン市での土地収用を伴う公共事業の状況など (ソファン氏)</p> <p>プノンペン市は、IRC 設立し、Sub Committee に Vice Gvernor がチェアマンで土地収用を実施してきた。</p> <ul style="list-style-type: none"> <li>● 第一段階は詳細設計など技術的内容が多い。その後、土地収用のための準備に入る。実際には、航空写真をもとに作図し、用地買収の範囲が最適化するように、土地利用計画を何度も策定しなおす。最終的に、影響範囲を確定した。収用の方法は、補償対象の構築物のみを対象として補償した(土地は含まず)。</li> <li>● 移転手続きは代替地の提供などを含む。MEF が行った。当初井戸など基本的なインフラ整備をして、その後移転実施。最終的には4~5年後になって水道を導入した。移転先の代替地は2箇所建設した。食料の配布・トタン屋根の材料なども配布した。</li> <li>● 当時の補償基準では建物の仕様に関わらず同一価格であったのでレンガ造の住戸には補償金額が不足(移築するのに金額が足りないという苦情が多い)。結局最終的に後で増額をした。</li> <li>● ADB が実施した洪水防止プロジェクトは1999年(フェーズ II)までを ADB が実施し、その後 JICA が引き継ぐ形で事業実施した。その土地収用も MEF が担当した。JICA、ADB それぞれに環境社会配慮ガイドライン基準がある。(現在検討中の SD は全国の省・市など地方レベルで用いる「最低限の基準」として作られたものである。)</li> <li>● 以前実施した国内プロジットでの経験では、代替地の移転先が現場からかなり遠い場所で、10km 離れていた。JICA プロジェクトの場合、実施区域内(バンメンポンポンプ場?)の区域内に移転先確保することができた。そのため、問題なく移転することができた。遠い代替地にしても、その後スプロールが進んでその場所も大幅に利便性が向上した。その結果、地価が上がって、移転した人の満足度は高いはず。</li> <li>● 一方で、移転先の面積を地価に応じて調整することも必要。近い場所には狭い土地、地価の安い場所に移転する人には、広い土地といったように、それぞれの交換条件が公平になるように配慮が必要ではないか。現在は地価が高騰しているので、移転にかかる費用が非常に大きい。補償費が本体価格を上回るケースも増えている。だから、最適化が必要。</li> <li>● 代替地の確保、建設は、移転前に全て完成していなければならない。</li> <li>● 苦情処理のしくみは、完成前完成後とも機能している必要がある：完成後も苦情申し立てをすることができる仕組み。</li> </ul> <div style="text-align: center; margin-top: 20px;"> <pre> graph LR     A[住民] --&gt; B[ビレッジ・チーフ]     B --&gt; C[カーン 又は サブ・カーン]     C --&gt; D[委員会]     </pre> </div>

	<ul style="list-style-type: none"> <li>● 補償費が 3000 ドル～15,000 ドルにも（5 倍にも）広がった場合もある。MPP レベルでも同様な委員会つくって実施している。</li> <li>● 短期的には、移転の従前・事後の差が問題になっている。また、現在の世銀・ADR 等の国際基準のガイドラインを適用すると、実質的には（都市プロジェクトの場合は）域内移転しか選択肢がない。極端な例かもしれないが、MPP のプロジェクトでは副市長の指示でバスによる送迎をしている例もある（市内～移転先）。また、生計向上プログラムとして PDF 基金を利用してソフトローンを提供（低金利、元本 3 年間据え置き）</li> <li>● 生計向上は非常に大切。PDF は、現在 MPP のプロジェクトのみで運用されている。移転後の職の問題は非常に大きな問題になる。（PDF：基金 2 億リアル）</li> <li>● 併せて、EIA の実施は大切。社会環境も含めて、予備的環境影響評価 IEA～EIA という流れ必要。</li> </ul>
6. 入手資料	なし



打合せ議事録

1. 日時	2009年10月20日(火) 14:30-15:30
2. 場所	プノンペン
3. 機関名	カンボジア開発評議会(Council for the Development of Cambodia)
4. 面会相手 ・同席者	Ms. Heng Sokun, Director, Bilateral Aid Coordination Dept, CDC 正木幹生(CDC 援助調整アドバイザー) カンボジア事務所: 森畑, Seak Pengkeang ピオニエ・リサーチ: 小野澤
5. 面談内容	<p>カンボジア開発評議会との情報交換</p> <p>1. 計画中の技術協力プロジェクト概要の説明(一部略)</p> <ul style="list-style-type: none"> <li>● 技術協力プロジェクトの準備調査を実施している。TCP 準備調査実施中。主な投入内容として、参加型開発を中心とする専門家の派遣を考えている。活動内容の確定のために、10/22 終日 PCMWksp を予定している。ここで現状を把握・議論して来週、内容についての協議をしたい。収用法の施行細則(SD)案は、ADBの支援で完成しているが、現在は収用法の可決待ち。非常に細かいSDになっている。TCPでは、右SDに基づくマニュアル(Standard of Procedures: SOP)のようなものを作成し、これらが使えるようにするのが目的とする。</li> <li>● 無償協力に関して、IRC-JICA 会議の定例会議を開催している。その経験では、各ドナーが住民移転の基準を持っている。例えば世銀/ADBの基準、JICAの基準など、夫々が異なる。最終的にTCPの成果をワークショップにおいて、他ドナーと共有する予定。TCPとしては、移転に関する国内基準の整備を目的とする。移転業務を実施するMEFのRDのキャパシティ向上を狙う。</li> <li>● SDは非常に詳細なものを、ADBと、NGOなどが公開の場で議論して作成されてきた。作業は、ADBのコンサルタントが担当した。TCPでは、収用法の動き、当該SDが最終的にどのような形になるかを横目で見ながら、将来公布されたSDに基づく「マニュアル」の作成を考えている。実際には標準的な実施要領(Standard of the Procedures: SOP)の作成と、その運用の支援をする。(実施期間:2年間)中央政府(RD)をC/Pとした技術協力を実施する。</li> <li>● 国内基準として、最低限の基準として「新興ドナー」や民間企業の開発で使われるマニュアルにする。国内はインフラ開発の優先度高い。住民問題は常にあと追いになっている。</li> <li>● MEFの関与は、財政に関わることから。一方で、都市の不法居住者の対策は、MLMが土地問題として、あるいは「政策上のプリンシパル=考え方」の整合性という観点から関わっている。地方レベルでは比較的問題は小さいのではないかと。地方行政のレベルでは各地の条件がすぐ整備されるのでは。</li> <li>● インフラ事業のT/WGへの参加する。事務所として取り組む。</li> </ul>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月20日(火) 17:00-18:00
2. 場所	プノンペン
3. 機関名	カンボジア電力公社
4. 面会相手 ・同席者	Mr. Mao Visal (社会環境配慮、広報) カンボジア事務所：森畑, Seak Pengkeang ピオニエ・リサーチ：小野澤
5. 面談内容	<p>カンボジア電力公社との情報交換</p> <p>1. 計画中の技術協力プロジェクト概要の説明(一部略)</p> <ul style="list-style-type: none"> <li>● EDCもIRCメンバー。用地買収(電力線・施設用地、架線下の土地の確保・権利設定など)をRDに。</li> <li>● R/Dは現在約30名の体制で業務を行っている。</li> <li>● 第1次2010年4月から2年間実施予定。2次2012年なら20/1に要請上げる必要がある。技術移転の内容：収用法及びその施行規則にもとづくマニュアルの整備を行う。</li> <li>● SDは公布後、民間の事業にも適用される可能性あり。ただし準備期間として1年程度おくことも考えているようだ。</li> <li>● 現在NINRATANAのプロジェクトの移転業務には、5名がEDCからIRCのW/Gに参加している。環境省1名、MLMから1名。Sub W/Gには地方から1名参加。タケオのプロジェクトではもっと多数の人員で業務をおこなっている。</li> <li>● 対象プロジェクトの、買い上げ価格の基準：時に再取得価格。時に市場価格。そのために地元コンサルタントを雇用している。再取得価格調査は時に正確なデータの取得が難しい。安全確保のため警察力を時に使う場合も(但し銃は携帯しない)。</li> <li>● DMSはEDCの要請で、実際にはSub W/Gが実施する。RAPの作成も。現在はADBの事業であることから、RAPの作成はSubW/Gが行い。ADBに送付。確認後住民との契約業務を行う。契約後、政府から補償金が支払われる。住民対象の公聴会は、着工前に一度、DMSの前に一度実施した。</li> </ul> <p>2. SD案について</p> <ul style="list-style-type: none"> <li>● SDを起草するメンバーの一人として参加。作成に関わった。収用法が先行する。同法が發布されてから有効になる。RDがSDの修正を行う。</li> <li>● 現在の移転計画・移転方法の問題として承知しているのは、再取得価格の調査が実施の一年程度前になる。そのため、実際の補償実施時と補償価格との間に差が生じてしまうことがある。一般に、RCSを実施した後、相当の期間のインフレ等を勘案して、アジャストする。EDCが最近関わった事例でも、工期遅れが生じて建物補償の作業が一年遅れた事例があった。工期遅れの理由は、変電所の設計変更によるもの。近隣地主が計画実施後、変電所の隣接地の地形を大幅に改変したことにより、変電所の設計に変更がでた。建物補償に関して工期遅れで2008年7月までかかってしまった(ADBキリロン送電線)</li> <li>● IPPの場合は、収用には地方政府が絡むが、RAPは作成されなかった。コンポンチャム州で実施されたEDCのBOTでも同様。</li> <li>● ワークショップには、先約があり参加することができないが、Deputyを参加させる。</li> </ul>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月21日(水) 14:30-15:30
2. 場所	プノンペン
3. 機関名	経済財務省 (IRC_MEF)
4. 面会相手 ・同席者	Mr. Sim Samnang, Deputy Chief of RD カンボジア事務所: 森畑, Seak Pengkeang ピオニエ・リサーチ: 小野澤
5. 面談内容	<p>IRC との情報交換 (ワークショップの打合せ等)</p> <p>1. 計画中の技術協力プロジェクト概要の説明 (一部略)</p> <ul style="list-style-type: none"> <li>● 22日(金)朝からワークショップを実施・プノンペンホテルに宴会場を確保した。</li> <li>● 技術協力は2段階で実施する。1段階は中央政府を対象とした技術協力の実施。第2段階は、地方政府 Provinces を対象とした技術協力を実施する。</li> <li>● 技プロの2年間でRDを中心とした能力向上を行う。最終的には様々な公共事業に対応する。RDの役割は、SDによると長期的には、ほとんど全ての公共事業の用地を扱うことになる。第一期のスコープでは、ブライベン州、カンダル州での案件をOJTの対象として計画する。</li> <li>● 想定する専門家の能力・知識=法律、社会環境、公共事業実施。</li> <li>● 収用法をよく読んで欲しい。併せて社会環境案件への経験。土地基本法・憲法、収用の現場経験などが求められる。(収用法案の英訳はまだないので、翻訳が必要)。都市不法居住者に対する対応法方針なども資料として有用。</li> <li>● ワークショップ参加者</li> <li>● 7省が参加予定: MEF、MLM、MOE、MOWR、鉱物資源省、公共事業省、電力公社、カンダル州、ブライベン州、プノンペン市からも参加予定。</li> <li>● 参加者数は合計で19名予定している。グループ分けが必要かどうかを検討のこと。</li> <li>● プロジェクト実施を監理する機関として、JCCを組織する(1年に1回会議を開催する)併せて、3-4ヶ月に一回のペースでエクゼクティブ・コミティを立ち上げる予定。それぞれへの関与が必要。</li> <li>● 機材</li> <li>● 23日(金)朝、メコン架橋のコンサルタント小川氏と面会予定。</li> <li>● 収用法のスケジュール=来年議会を通過する予定。10月9日に行われた閣議に付議した。多数の法案が議会に上程・送付されていることから、どれくらいの優先度があるのか不明である。法案は最終的にはなんらかの修正があるかもしれない。SDの位置づけは微妙である。実際の流れとして、閣議決定のプロセスが一番不気味で難しい。閣議に先立って、社会経済部会で審議されて関係省庁間の調整が行われる。各省庁間の調整が終わらないと閣議をとおらない。</li> </ul>
6. 入手資料	なし

打合せ議事録

1. 日時	2009年10月26日(水) 10:30-11:30
2. 場所	プノンペン
3. 機関名	アジア開発銀行
4. 面会相手 ・同席者	Karen Social sector Specialist Sokha Ouk、Social Safeguard Officer、ADB カンボジア カンボジア事務所：小林、森畑、Seak Pengkeang 本部：小泉、宮崎、山下 首都高速：黒川 ピオニエ・リサーチ：小野澤
5. 面談内容	<p>アジア開発銀行との情報交換</p> <p>1. 計画中の技術協力プロジェクト概要の説明(一部略)</p> <ul style="list-style-type: none"> <li>● 来訪の目的：MEFとの技術協力プロジェクトの形成・準備を行う。収用法が整備されつつある。ADBが施行細則(SD)を準備された。MEFは収用法に基づいて、右が可決すればそれに基づいてSDを改訂する意向を持っている。承認プロセスには、現在からほぼ1年程度かかると説明を受けた。SDが公布された後は、恐らく、RDが全国の移転関係の主管部署となる可能性がある。</li> <li>● TAは、公共事業(特に道路)にともなう移転案件の支援を行うもの。SDにもとづく、現場で使用することのできるマニュアルの整備を行う。SDは最終的には国内の事業一般を対象とする(国内基準)。今回C/Pの協議では、上記のTAの詳細について先方政府との合意形成を図る。2年間の技術協力プロジェクト予定している。プロジェクト開始に伴い、情報交換を行いたい。実施の基本的な承認は日本政府が出している。</li> <li>● 来年4月開始予定</li> </ul> <p>2. ADB活動について</p> <ul style="list-style-type: none"> <li>● コンサルタントは、SD作成と合わせて技術協力を計画していたが、収用法の可決と時期が合わなかった。HQからSD案を検討した。ドラフトは、ADBの規定に比較して、若干の差異があった。</li> <li>● 10月1日付けで、ADBが生計向上プロジェクト案件を準備した。国道1号線案件関連の移転世帯に対する、収入補填。MEF対象。国道一号线沿線の30+世帯対象として、公式に定義された苦情に対する対応策を実施する予定。収入補填は住民移転を構成するプロジェクトの一部にしかすぎない。</li> <li>● 現在調達手続き中。年内あるいは2010年早々に開始したい。</li> <li>● NGO、国際NGOなどの衆人環視の元で行う予定。HQはSD公布に関連した能力向上プロジェクトを実施したいと考えている。</li> <li>● 世銀も同様なもの計画中和聞いている。最近インドのコンサルタントと面会した。MPWTと一緒にいうという話を聞いている。Lewis Bergerから。多少資料があるので、シェアしても良い。</li> <li>● 個別のプロジェクトとしては以上のような。政策レベルでは実施の予定はない。SDのカンボジア側の案はまだ見していない。</li> </ul> <p>(Q: ADB案は、現在カンボジアが準備しているものが国内基準になることを考慮すると、かなり高度な要求をしているのではないか?)</p> <ul style="list-style-type: none"> <li>● SD案ができたとき、約500件のコメントが出た。SD案とADBのセーフガード・ガイドラインとを比較した表を作成した。「移転前後での生計水準が下がらない」という考え方を貫いているはず。</li> </ul> <p>(Q: 国内資金で行われる、公共事業では、外国ドナーの基準と相当異なる基準で行われている。これについてのADBの考え方。国内基準のあり方について)</p> <ul style="list-style-type: none"> <li>● SD整備支援は、この点から整備が必要ということで始まった。マリーン・ワンディアが担当。詳細、後ほど送る。</li> </ul> <p>(Q: 収入向上プロの概要)</p>

	<ul style="list-style-type: none"> <li>● 一号線全体の世帯を対象にするものではない。移転先の状況は最低でも JICA 実施の移転先とインフラ整備など条件があまりにも差異があった。例えば、ADB セクションでは3つの共用トイレを建設したのみだった。実際に支払われた、補償費は JICA が払った金額よりも多かったが、支払い方に問題があったため、結局最終的な調整で支払った金額は多くなった。(回収した資材の価格の減額など、ADB ガイドラインを遵守しなかった事案が見受けられた。)</li> <li>● これらの問題解決のため、国際 NGO かコンサルタントを調達して、生計向上、コミュニティ開発案件を実施する予定。</li> </ul> <p>(Q:メコン・ウォッチの動き)</p> <ul style="list-style-type: none"> <li>● 日本基金が、通常の貸付の形式を出ないスキムで、例えば担保などの確保ができない小額貸付になじまないものだった。小額貸付を実施するため、コミュニティ主導のリボルビングファンドなどの実施が提案されている。メコンウォッチとこの点で協力している。コミュニティ開発。対象村落はこの案件には今のところ満足しているようだ。来年実施なので、お金も絡むのでどうなるか。メコンウォッチの動きはアドボカシーグループとして正当なものであったと思う。</li> </ul> <p>(Q:シュムリアップ～ Rt45 プロジェクトの現状など、カンボジアでの苦情処理システム)</p> <ul style="list-style-type: none"> <li>● 東南アジアのインフラ整備に関する住民移転案件は、本部でやっている。プロジェクト実施時に配布される情報が限定されている。識字率の問題もあるが、どのような権利を持つのか、きちんと説明されていないようだ。配布される資料で、必要な情報が適時提供されていない。コミュニケーションの方法など問題も見える。「戦闘態勢」と言ったマインドセットが、相手側の態度を効果させているのでは。視点の違い。</li> <li>● 国道1号線の苦情の多くは、情報提供が不足。ADB 案件のみで300件の苦情があった。ほとんどの案件では、情報が適時、適量提供することができていなかった。</li> <li>● 2件の投書、2コミュニティ合計63世帯からペティションが本部あてにきた。カンボジア事務所でも独自の調査を実施。63件中への対応を日本基金で対応しようと計画した。2008年時点でのハウスホールドサーベイのデータを持っていた。(政府が支払い補償金の一部を中抜きしていた?) それぞれのケースにおいて状況が異なるが、時期が経っていたので、それぞれの事案への対応に難しい側面もある。</li> </ul>
6. 入手資料	なし





