

**KINGDOM OF CAMBODIA
MINISTRY OF PUBLIC WORKS AND TRANSPORT
PHNOM PENH AUTONOMOUS PORT**

**THE PREPARATORY SURVEY
ON
PHNOM PENH AUTONOMOUS PORT
NEW CONTAINER TERMINAL'S SPECIAL
ECONOMIC ZONE AND ASSOCIATED FACILITIES
CONSTRUCTION PROJECT
IN
KINGDOM OF CAMBODIA**

**ABBREVIATED RESETTLEMENT
ACTION PLAN**

SEPTEMBER 2013

JAPAN INTERNATIONAL COOPERATION AGENCY

MITSUI & CO., LTD.

ORIENTAL CONSULTANTS CO., LTD.

IDES INC.

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Exchange Rates

This Report applied the following Exchange Rates:

1 USD = 91.14 JPY (Monthly average rate of The Bank of Tokyo Mitsubishi UFJ in January 2013)

1 USD = 4,002 Cambodian Riel (Average rate from 11 December 2012 to 10 January 2013)

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1. Introduction

1.1. Background

Cambodia's territory area is approximately 180 thousand km², with the population of 13 million (2009) and the GNI per capita of US\$ 650 (2009). There are two major logistics gateway ports in Cambodia. One is the Phnom Penh Autonomous Port (PPAP), a regional river port along Tonle Sap and Mekong Rivers, and the other is the Sihanoukville Autonomous Port (PAS) an international deep seaport. According to the study report "The Project for the Study on Strengthening Competitiveness and Development of Sihanoukville Port" (JICA, 2012), it was forecast that even if a proper share of roles between the ports of PPAP and PAS was made, the container cargo volume of PPAP would continue to grow, and the development of the port facilities for expansion of the port capacity and improvement of port operation and maintenance are urgent issues.

To deal with the growing container cargo, PPAP implemented the construction of New Container Terminal (NCT) 1 with a Chinese government soft loan fund beginning in 2010, along the right bank of Mekong River 26 km downstream of the existing Phnom Penh Port. The port operation of NCT1 commenced in January 2013. Subsequently, PPAP planned that NCT will account for 75% of container cargoes, and the existing Phnom Penh Port will handle 25% of container cargoes and agricultural bulk cargo such as rice which is highlighted for promotion of export as part of the national plan. Special cargoes, such as heavy cargo, and passengers will also be handled and utilize the existing Phnom Penh Port. NCT1 is, however, forecast to reach capacity in the forthcoming several years, and further expansion of the Terminal 2 will be needed. The NCT is expected not only to handle container cargoes but also to be a stronghold of logistics in the capital region together with the NCT's SEZ (Special Economic Zone) to be planned in the hinterland of the NCT.

In association with the new port development, it is further necessary for Cambodia to facilitate promotion and development of a strengthening of the basic industrial sector to widely enhance employment opportunities and high value added industries. To achieve this target, the promotion of FDI (Foreign Direct Investment) by means of an SEZ together with port development is indispensable.

Currently, SEZ in Cambodia are mainly located in the Bavet area near the Vietnam border along National Road No.1, Sihanoukville area along National Road No.4, and near the Thai border. In the Capital region, only one SEZ is operating in which tenants are currently conducting business but there is not enough room for late coming tenants. Considering the hike in workers' wages and land prices in neighboring countries the competitiveness of the new SEZ in Cambodia will be strengthened. The PPAP NCT's SEZ, which is located in the Phnom Penh City area as a core of production and consumers activities, and directly connecting to the inland waterway transport through NCT, will be, therefore, highly and urgently needed for development. In this situation PPAP is in the process of acquiring the land for SEZ development in the area directly connected to NCT.

1.2. Legal Basis of the Land Acquisition

Cambodia has legal basis for land expropriation for public purpose by "Law on Expropriation" issued in 2010. This law stipulates principles, mechanisms and procedures including compensation policy for public projects; however, it also states that the expropriation can be carried out only if it is for a project as set out in the law. Since SEZ development is not listed in the law, PPAP has proceeded with the land acquisition for this project by making voluntary sales agreements with the landowners as private transactions.

On the other hand, the Law on Expropriation also states that "this law does not govern any issues on expropriation in any agreement or memorandum on supporting investment between the Royal Government of Cambodia and partner countries." Therefore, for the project under the support of JICA, PPAP needs to comply with JICA's Guidelines for Environmental and Social Considerations.

1.3. Objectives of RAP

As described above, land acquisition and resettlement for this project has been carried out based on the voluntary agreements with the Project Affected Persons (PAPs). However, risks of social impacts are not deniable for example insufficient transaction prices and negative impacts on the livelihood even though they are consensual.

Considering the potential of social issues, this abbreviated Resettlement Action Plan (RAP) was prepared in order to ensure that the project does not make PAPs worse off in accordance with JICA's Guidelines for Environmental and Social Considerations.

1.4. Project Location and Impact Area

The project location is in Kien Svay District, Banteay Daek Commune, Kandal Province. The proposed development area of the SEZ is shown in Figure 1-1. The area to be acquired for this project is 205 ha for lot A, B and C of the SEZ and the area along the proposed access road connecting NCT to the SEZ.

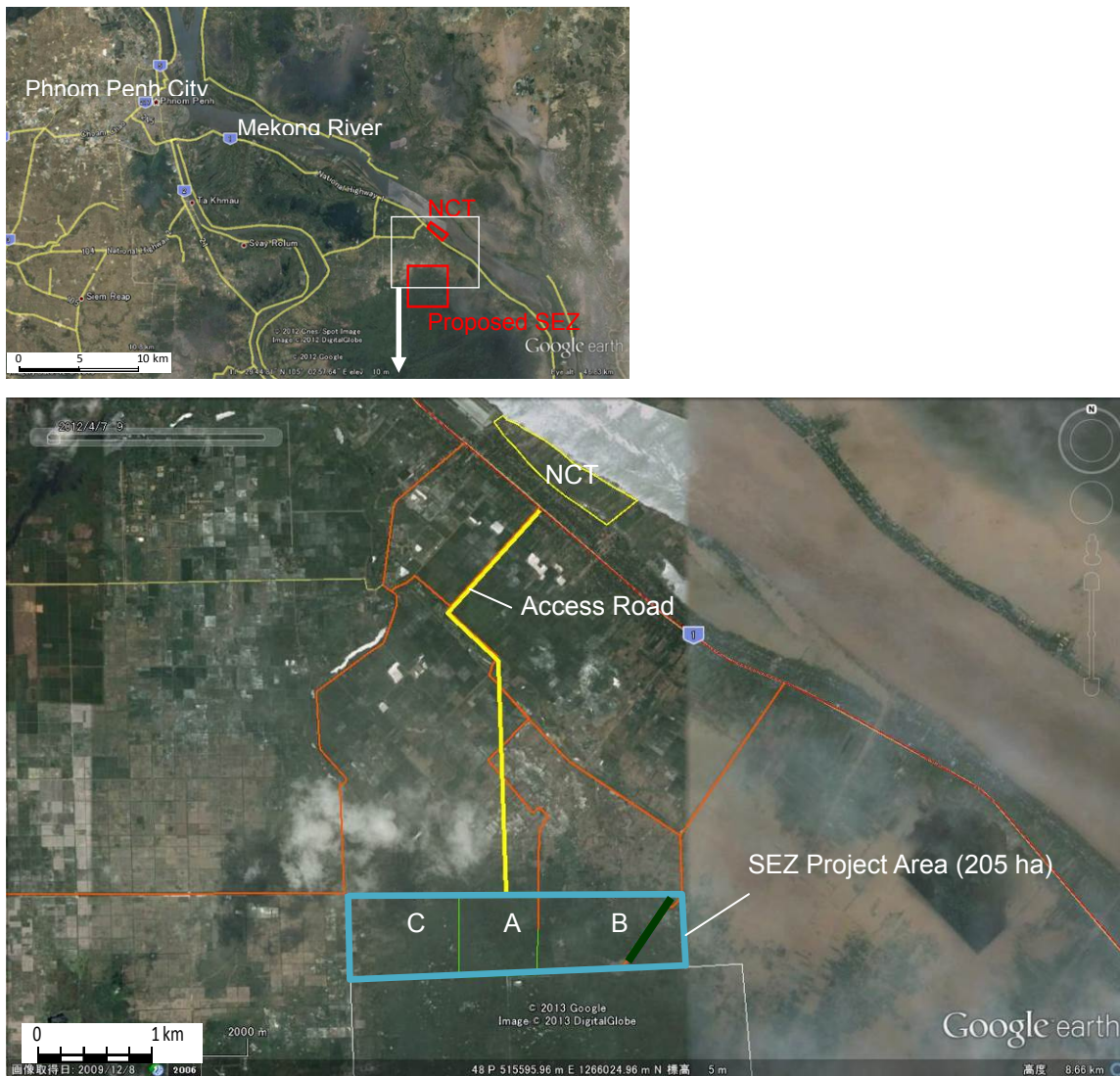


Figure 1-1 Project Location

1.5. Status of the Land Acquisition

Land acquisition for developing the PPAP NCT's SEZ has already initiated by PPAP since 2012 and has partly completed as of March 2013. The process is based on voluntary sales agreements with each landowner; the agreements are made through individual negotiation and the Project Affected Persons (PAPs) enable to refuse the agreement based on their own decision.

The process was executed by mediator committed by PPAP. The mediator negotiated with each landowner individually to make the agreement. As of March 2013, agreements between the mediator and the landowners are completed for 47.5 ha out of the 205 ha for SEZ. The agreed price is not documented because of verbal agreement.

Compensation policy of JICA's Guidelines is to compensate at full replacement cost for losses of assets. In order to secure the compliance with the Guideline, the agreed price needs to be compared with the replacement cost. The replacement cost is described in section 3.4.

Table 1-1 Status of the Land Acquisition as of March 2013

Area		ha	Status of transaction
SEZ	Lot A	47.5	Agreed by the landowners in April-October, 2012.
		1.5	Not yet
	Lot B and C	156	Not yet
	(Total)	(205)	-
Access road		15	Not yet

2. Census Survey Results

2.1. Affected Land Use and Landowners

The SEZ area is used as farm land (mostly paddy field) or used to be farm land with no houses or other structures. Some landowners are local villagers while the others are investors living in Phnom Penh who bought the land several years ago expecting future development. The areas along the proposed access road are rice field owned and cultivated by local villagers except the area adjacent to National Road No.1 (NR1). The area near NR1 is residential area with some houses.

Table 2-1 Number of the Affected Landowners

Project	Status of transaction	Area (ha)	Farm land		Residential area	
			Number of landowners		Number of landowners with house	Number of landowners without house
			Local villager	Others ⁽¹⁾	Local villager	Local villager
SEZ	Agreed	47.5	6	12	0	0
	Not yet	157.5	31	1	0	0
Access road	Not yet	15	47 ⁽²⁾	0	12 ⁽²⁾	6 ⁽²⁾

Notes 1: Inverters outside of the villages.

2: The numbers are showing maximum potential. The exact number shall be confirmed based on the detail design.

2.2. Farm Land

Questionnaire survey was conducted on 13- 14 February 2013 to the 40 affected local farmland owners including 5 who already agreed with transaction for SEZ. The results are described below.

2.2.1 Economic Condition of the Affected Landowners

Out of the 40 households who own the affected land, 34 households are farmer while the others are earning their livelihood mainly by the other occupation such as small-scale local business. Number of the household members is ranged from 3 to 10, the average is 5.5.

Vulnerable groups are also identified as 6 families are female head households, and 17 families are elderly households head with the age over 60 years old. On the median basis, their yearly income is 10,570,000 Riel (2,642.5 USD) per year per household.

Based on the Cambodia Socio-Economic Survey (CSES) in 2007, National Poverty Line in urban area other than Phnom Penh is defined as 0.66 USD/day/person (20USD/month/person). Comparing with the criteria, five 5 household out of the forty 40 interviewed landowners are categorized as the poor.

2.2.2 Renters and Workers

95% of the affected land is paddy fields while 5 % is the other farmlands. Almost all of the landowners cultivate by themselves, while 3 households lend their paddy field to others in the same village for cultivation. The renting fee is ranged from 200,000 to 950,000 Riel (50 – 237.5 USD).

35 of the 40 interviewed households hire workers for cultivation, ranging from 3 to 12 persons per year. Those workers are limited to the people living in the same village. The hiring period is quite limited: for 2-9 days in one year; there are no permanent employed workers for the farm land in this area. On the average basis, wage per person per day is 15,000 Riel (3.75USD).

2.2.3 Impacts on Livelihood

22 households out of 40 (55%) said that the affected land is one of the important income sources of the households, while the rest 18 families (45%) replied that the land acquisition would not affect their livelihoods strongly due to their alternative income sources (Table 2-2). Additional income sources were also identified such as family-scale business, remittance from children and other agricultural lands.

87% of the respondents answered that they have been planning to buy another land for cultivation in case that the land is acquired for the project.

Table 2-3 presents remaining land properties of each affected landowners. It indicates that there are 6 households who have only the residential land left after the acquisition and 1 household who has no land possession left.

Table 2-2 Alternative Income Source

Type of income sources	Number of respondents	Percentage
Family-scale business	6	33
Remittance from children	7	39
Another farm land	3	17
Others	2	11
Total	18	100

Table 2-3 List of Land Properties of the Affected Landowners

QID	Residential area (m ²)	Remaining Paddy field (m ²)	Remaining the other farmland (m ²)	Remaining the others	Remaining Total (m ²)	Total land property including affected land (m ²)
1	90				90	2,390
2	3,946.8	35,000	-	-	38,946.8	41,806.8
3	600	-	-	-	600	6,400
4	532.5	-	-	-	532.5	15,532.5

QID	Residential area (m ²)	Remaining Paddy field (m ²)	Remaining the other farmland (m ²)	Remaining the others	Remaining Total (m ²)	Total land property including affected land (m ²)
5	980	-	3,000	-	3,980	8,980
6	100	-	-	-	100	2,600
7	1,187.5	-	-	-	1,187.5	3,687.5
8	2256	24,300	-	1,247	27,803	33,603
9	-	1,500	-	-	1,500	4,300
10	840	25,000	1,547	-	27,387	29,387
11	1,800	2,000	-	5,500	9,300	32,700
12	255	-	-	-	255	2,755
13	-	11,000	-	-	11,000	32,020
14	1,500	20,000	-	-	21,500	24,000
15	975	1,000	-	-	1,975	8,625
16	-	-	-	-	0	3,900
17	3,304	-	3,600	-	6,904	13,564
18	7,200	5,000	-	-	12,200	13,700
19	182	2,800	-	-	2,982	7,982
20	1,170	2,500	-	-	3,670	4,710
21	897	2,415	-	-	3,312	5,328
22	2,250	5,000	-	-	7,250	8,850
23	700	10,000	-	-	10,700	12,500
24	850	20,000	-	-	20,850	24,180
25	585	-	-	-	585	3,085
26	169	-	1,300	-	1,469	3,469
27	1,955	5,000	-	-	6,955	11,755
28	2,000	3,300	-	-	5,300	7,800
29	255	4,000	8,400	-	12,655	16,655
30	1,040	1,600	-	-	2,640	3,940
31	420	32,500	-	-	32,920	35,010
32	345	1,500	-	-	1,845	5,845
33	780	7,000	1,500	-	9,280	24,280
34	845	8,262	-	-	9,107	14,107
35	1,445	10,900	-	-	12,345	18,345
36	910	4,700	7,000	-	12,610	31,410
37	675	6,900	-	-	7,575	9,975
38	1,275	5,000	-	-	6,275	12,275
39	2,180	13,000	280	-	15,460	26,460
40	1,840	-	-	-	1,840	6,440

2.2.4 Perspectives on the Project

30 out of the 40 respondents answered that they agree with the project, while remaining has no idea or concerning the price of the land transaction. They requested the price would be based on the current market price so that they were able to afford new land. They also proposed to get some vocational training related to businesses and agriculture in particular animal raisings in case they had to restore their livelihood.

2.3. Residential Area

Questionnaire survey was conducted on 2 March 2013 to the 18 local landowners of the affected residential area adjacent to National Road No.1 (NR1). The results are described below.

2.3.1 Economic Condition of the Affected Landowners

The main occupations of the landowners are farming (33%), running the small scale business (22%), and working in transportation service (17%). According to the survey results, most of the household heads have secondary occupation such as construction workers, worker at private companies/factories and small traders (Table 2-4).

As vulnerable groups, 4 household heads are identified as over 60 years old and 1 is widow. The average family member is 6 members in one household. On the median basis, their yearly income is 14,570,000 Riel (3,642.5 USD) per year per household. There are 3 households are identified as the poor whose income is below the National Poverty Line, 0.66 USD/day/person (20USD/month/person).

Table 2-4 Distribution of Occupations

Item	Number of respondents	Percentage (%)
Main Occupation		
Famer	6	33
Fisherman	1	6
Small business owner	4	22
Retired	3	17
Teacher	1	6
Motor Taxi Driver/Transportation service provider	3	17
Secondary Occupation ^(*)		
Farmer	7	32
Worker at private companies/factories	7	32
Construction worker	1	5
Motor taxi driver/Transportation provider	2	9
Small-scale business owner	5	23

Note: ^(*) Multiple answers for second occupation.

2.3.2 Type of the Affected Land

Although the exact affected area to be relocated has not been determined yet (it shall be determined based on the detail design), the survey results showed that 12 families (80 populations) out of the 18 might be affected on the residential land with houses. The others are fallow or farmland without houses or structures. Percentages of the land type which was surveyed as the potential affected area are shown in Table 2-5.

Table 2-6 presents the list of land properties of the affected landowners. Apart from the potential affected land, 78% of the owners possess the other lands while 22% (4 families) do not. There is 1 family who has only fallow land remained with small area, 75 m².

Table 2-5 Land Type Potentially Affected in the Residential Area

Type of land use	Area (m ²)	Percentage
Residential land	5,822	43.73
Fallow land*	5,991	45.00
Farm land	1,500	11.27
total	13,313	100.00

* Note: planted only in the Rainy season

Table 2-6 List of Land Properties of the Affected Landowners (Residential Area)

QID	Potential affected land (m ²)			Total land property including affected land (m ²)			Remaining Total (m ²)
	Residential	Fallow	Farm	Residential	Fallow	Farm	
1	392			392		5,000	5,000
2	1,050			1,050		27,500	27,500
3	420			420		2,000	2,000
4		861			861	3,600	3,600
5		420		420	75		75
6	240			240			0
7	1,485			1,485		27,000	27,000
8		330		840	330	7,500	8,340
9		80		480	80	3,000	3,480
10	690	1,800		2,490	1,800	40,000	41,800
11	102			102			0
12		2,500		650	2,500	1,300	1,950
13	343			343		2,000	2,000
14	150			150		2,500	2,500
15	150			150		2,500	2,500
16			1,500	700		21,500	20,700
17	100			100			0
18	700			700			0
Total	5,822	5,991	1,500	10,712	5,646	145,400	148,445

2.3.3 Structures in the Lot

Information of the structures in the affected lots was also obtained such as houses and the other fixed assets. According to the survey, the buildings observed in the potential affected area were 12 houses, 2 kitchens, 3 bathrooms, 1 stall and another structure (Table 2-7). Out of the 12 houses, the most common type was the two floors structure (6 houses), followed by the Khmer type (4 houses). List of the structures is presented in Table 2-8.

Table 2-7 Number of the Potential Affected Structures by Type

Structure Type	Numbers	Percentage
House	12	63%
Kitchen	2	11%
Bathroom	3	16%
Stall/Market Stall	1	5%
Other	1	5%
Total	19	100%

Table 2-8 List of the Potential Affected Structures

ID	Buildings				Other assets
	Structure Type	Floor	Construction material (code)*	Year when it was constructed	
1	House	Khmer style	3,4,8	N/A	Concrete Well, Concrete post with wire, Toilet
2	House	Khmer style	3,4	1979	Pump Well, Toilet
3	House	Khmer style	9,12,4,3	2013	Pump Well, Toilet
6	House	Khmer style	3,4	N/A	Concrete Well, Concrete post with wire, Toilet
7	House	Two Floors	3, 4, 7, 9	2000	Concrete Well
	Kitchen	One Floor	3, 8, 9	2000	Concrete post with wire
	Bathroom	One Floor	3,4	2000	Concrete Well
10	House	One Floor	3,4,8,9	2012	Timber post with wire
	Stall	One Floor	4,8,10		Brick Wall, 100mm
	Bathroom	One Floor	3,9		Toilet
11	House	Two Floors	3,4,8,9	2011	Pump Well
	Kitchen	One Floor	3,8,9		Concrete post with wire
	Bathroom		3,4		Toilet
	Other			2012	
13	House	Two Floors	9,12,4,3	2012	Pump Well, Mortar, Toilet
14	House	One Floor	9,3	2009	Concrete Well, Concrete post with wire, Toilet
15	House	Two Floors	9,4,3	2010	Pump Well, Toilet
17	House	Two Floors	9,3	2011	
18	House	Two Floors	9,4,3	2003	Pump Well

Note: * Construction Material Code: 1=Temporary Material, 2=Thatch, 3=Tin/Fibro/Plastic Sheet, 4=Wood, 5=Bamboo, 6=Roofing Tile, 7=Floor Tile, 8=Mortar, 9=Concrete, 10=Earth, 11=Metal, 12=Brick, 13=Other

2.3.4 Tree, Crops and Vegetables

Banana, coconut, bamboo, jackfruit, eucalyptus, mango, papaya, and the other non-fruit trees are identified in the lots. Most households rarely sell their fruit to the vendors, but keep for family usage and share among their neighbors. However, some households (4 families) earned 40,000 Riel to 600,000 Riel (US\$10- US\$150) from their fruit in 2012. In addition, there was a family earning from string bean 5,000,000 Riel (US\$1250) per season.

Table 2-9 List of the Potential Affected Trees

ID	Bamboo	Banana	Coconut	Kamping Reach	Kvet	Jack fruit	Toek Dos Kou	Acacia/Eucalyptus	Mango	Papaya	String bean	Lemond grass	Sugar palm	Ampil Toek	Annual income (Riel)
1															
2			2		5	5			2						
3		4													
4															
5		7	2					3	4	10		5			600,000
6		5													
7		2	1			1			80						
8						1			1						
9									1						
10		20	10			1		10	45				1		
11		6				2			1						
12														2	
13		3				1				10				6	
14						1			2						40,000
15	1			1	1	1	1		1						150,000
16											37 ridges				5,000,000
17						1		10	2						
18									3						200,000
Total	1	47	15	1	6	14	1	23	142	20	37 ridges	5	1	8	5,990,000

2.3.5 Perspectives on the Project

17 out of the 18 families answered that they would agree with the relocation if their living houses or land would be affected by the access road. There was only one family who did not feel happy due to the fact that they had just started to construct new house at the area. Most interviewees preferred to relocate in the same village as 78% (14 families), and another 17% (3 families) would like to be in the same commune. Regarding the possibility of continuing their job, 72% (13 families) said they were able to continue their job while 28% (5 families) might not able to do it because their shops would be affected by the project. They also proposed some vocational training related to businesses, mechanic and agriculture in particular animal raisings.

All of the respondents answered that they agreed with the project. They hoped to have a good and fair transaction for their affected land. They requested that the transaction should be made based on the current market price so that they were able to afford new land.

3. Policy of the Acquisition

3.1. Comparative Analysis with JICA's Guidelines

Current land acquisition procedure is compared with JICA's Guidelines for Environmental and Social Considerations. For the items which have disparities, the measures in Table 3-1 shall be applied to conform to the Guidelines.

Table 3-1 Comparative Analysis with JICA's Guidelines

	Item	JICA's Guidelines	Current procedure	Measures for correcting disparity
1	Approval for recipients of compensation	All affected people are approved as candidate recipients of compensation regardless of their status as legal/ illegal dwellers	Since the process is purchase and sales agreements, compensation has not been considered except payment to the landowners.	Renters and employed workers are eligible to request income restoration program if they are affected.
2	Support for illegal dwellers	People to be resettled involuntarily and people whose means of livelihood will be hindered or lost should be sufficiently compensated and supported by the project proponents in appropriate time.	Illegal dwellers are not identified. The ownerships of land and residence are authorized by local authorities (commune and village).	-
3	Support system for socially vulnerable groups	Socially vulnerable groups tend to be exposed to environmental and social impacts. In addition, they have limited access to a process of decision making. Thus, it is necessary to give appropriate consideration to them.	Special consideration for vulnerable groups has not been prepared.	Special consideration is applied depending on the situation in case that vulnerable groups such as the poor, elders and widows are affected.
4	Consideration on living standards and income opportunities of affected people	Living standards and income opportunities of affected people should be improved or at least restored to pre-project levels	Since the process is based on the individual purchase and sales agreements, comparison of living standards before and after acquisition has not been considered. On the other hand, the affected people can select the option not to sell the property if they don't agree with the price.	Grievance redress mechanism is prepared for affected people to request income restoration programs in case that the living standard and the income opportunities become worse.
5	Enhancement of public participation in planning and implementation of resettlement plans	Appropriate participation by the affected people and their communities should be promoted in planning, implementation and monitoring of involuntary resettlement plans and measures taken against the loss of their means of livelihood	Opportunities of public participation has not been prepared since the acquisition is based on the individual agreement.	Consultation meeting was held on February 2013 for the landowners including former landowners.
6	Grievance redress mechanism	Grievance redress system must be formulated and must function appropriately	Not been formed. Grievance has not been identified according to the village chief and the former landowners.	Grievance redress mechanism is prepared.
7	Compensation rate	Replacement cost should be applied.	Market price is applied based on the individual negotiations.	Standard price is proposed for applying replacement cost.

3.2. Entitlement Matrix

Entitlement for each type of loss of this project is tabulated in Table 3-2.

Table 3-2 Entitlement Matrix

No.	Type of loss	Eligible persons	Entitlements	Remarks
1	Loss of land	Land owners of the project site for the SEZ and the access road.	Cash payment based on the replacement cost.	-
2	Loss of structures	Owners of structures at the project site for the access road. (There is no structure at the SEZ site.)	Cash payment based on the replacement cost.	Payment shall be at the same time with the land transaction because owner of structure is the same as the landowner.
3	Loss of trees	Owners of trees at the project site for the SEZ and the access road.	Cash payment based on the replacement cost.	Payment shall be at the same time with the land transaction because owner of tree is the same as the landowner.
4	Loss of crops	Owners of crops at the project site for the SEZ and the access road.	Owners are allowed to harvest the crops prior to the construction.	Renewed planting/seeding is prohibited after the date of the agreement.
5	Loss of income source	Land owners, renters, employed workers for the land cultivation and shop owners at the project site for the SEZ and the access road who could not find alternative income source after the land acquisition and/or whose living standard became worse due to the land acquisition or the resettlement.	Provision of employment opportunities and job trainings for the SEZ and NCT if they request.	Request shall be sent to PPAP through the grievance redress mechanism.
6	All types of loss listed above, 1-5	The poor whose family income is lower than 20 USD/month/person, elders with the age over 60 and widows out of the affected owners, renters and workers mentioned above.	Provision of special assistance depending on the situation; for example providing employment opportunities and job trainings.	Request shall be sent to PPAP through the grievance redress mechanism. The content and the level of the assistance are determined through discussion between commune chief, village chief, PPAP and the PAP.

3.3. Cut-off Date

Cut-off date is set up for deciding the eligibility of the affected persons. According to the World Bank's safeguard policy, persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

For this project, the cut-off date is set up as 13 February 2013, the date of initiation of the census survey. After the cut-off date, persons who encroach on the area are not entitled to any assistance described in this RAP. Meanwhile, illegal dwellers have not been identified for this project: all of the ownerships of the land including houses have been authorized by local authorities.

3.4. Replacement Cost

Policy of JICA's Guidelines is to compensate at replacement cost. As the replacement cost needs to be based on fair market value, current market price of properties in this region is presented in Table 3-3. The price was estimated by chief of village and acknowledged by chief of commune; they are the authorities who witness local transaction of properties. The presented price shall be ensured for the transaction of this project in order to comply with JICA's Guidelines.

Table 3-3 Market Price of Properties in Banteay Daek Commune, Kien Svay District as of March 2013

Type		Unit	Unit Price (USD)
Farm Land	1. Rice field with three times cultivation per year	m ²	7-12
	2. Rice field with two times cultivation per year	m ²	1.5-3
	3. Rice field with one time cultivation per year	m ²	0.85-1.00
Residential land		m ²	16-25
Structure	1. Khmer Style house (less than 10 years)	set	500-600
	2. Khmer Style house (10 years or more)	set	300-400
	3. House with one floor (less than 10 years)	set	1500-2500
	4. House with one floor (10 years or more)	set	1000-1400
	5. House with two floors (less than 10 years)	set	3500-4500
	6. House with two floors (10 years or more)	set	3000-3500
	7. Livestock barn	set	100-150
Trees	1. Fruit tree, coconut tree	number	15
	2. Small tree	number	1-2
	3. Mango tree, small and big	number	10-30

Source: Estimation by chief of village, acknowledged by chief of commune.

4. Institutional Responsibility for Implementation

PPAP has overall responsibility for the implementation of the land acquisition and the resettlement as the executing agency of the project. Commune chief and village chief shall assist PPAP especially for communicating and consulting with PAPs. Kien Svay District Office shall help the procedure in case that grievance resolution is required.

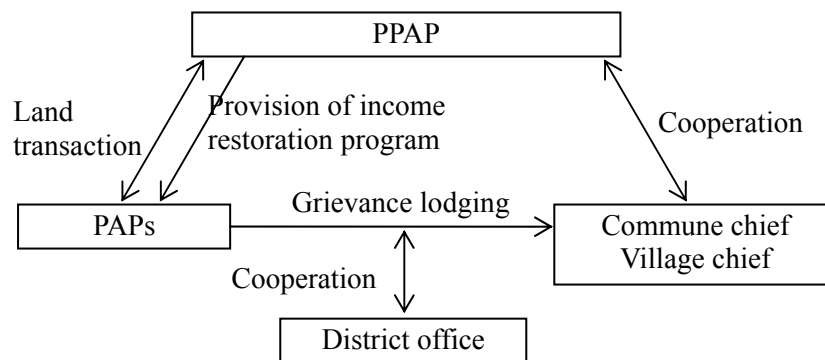


Figure 4-1 Roles and Relationships of the Relevant Agencies

5. Process for Grievance Redress

Grievance mechanism is prepared considering possible impacts on individual's living standards and vulnerable households in the mechanism.

In the grievance mechanism, PAPs can request assistance or lodge complaint in case of the followings.

- ✓ In case that the living standards become worse due to the land acquisition or the resettlement, PAPs can request PPAP to provide opportunities for restoring and improving their living standards; for example, providing employment opportunity and job training for the SEZ and NCT.
- ✓ In case that the PAPs are identified as socially vulnerable household such as the poor, elders and woman headed, the PAPs can request PPAP to provide special considerations appropriate to the situations to improve living standards altered due to the land acquisition and the resettlement.
- ✓ In case of any other issues related to the land acquisition and the resettlement, PAPs can lodge the complaint to PPAP to discuss the solution.

Three stages are prepared to discuss the submitted request and complaint including the last resort at court. PPAP will be liable for all administrative and legal fees that will be required through the resolution process.

1. First Stage: Village and Commune Level
2. Second Stage: District Level
3. Third Stage: Court Procedure

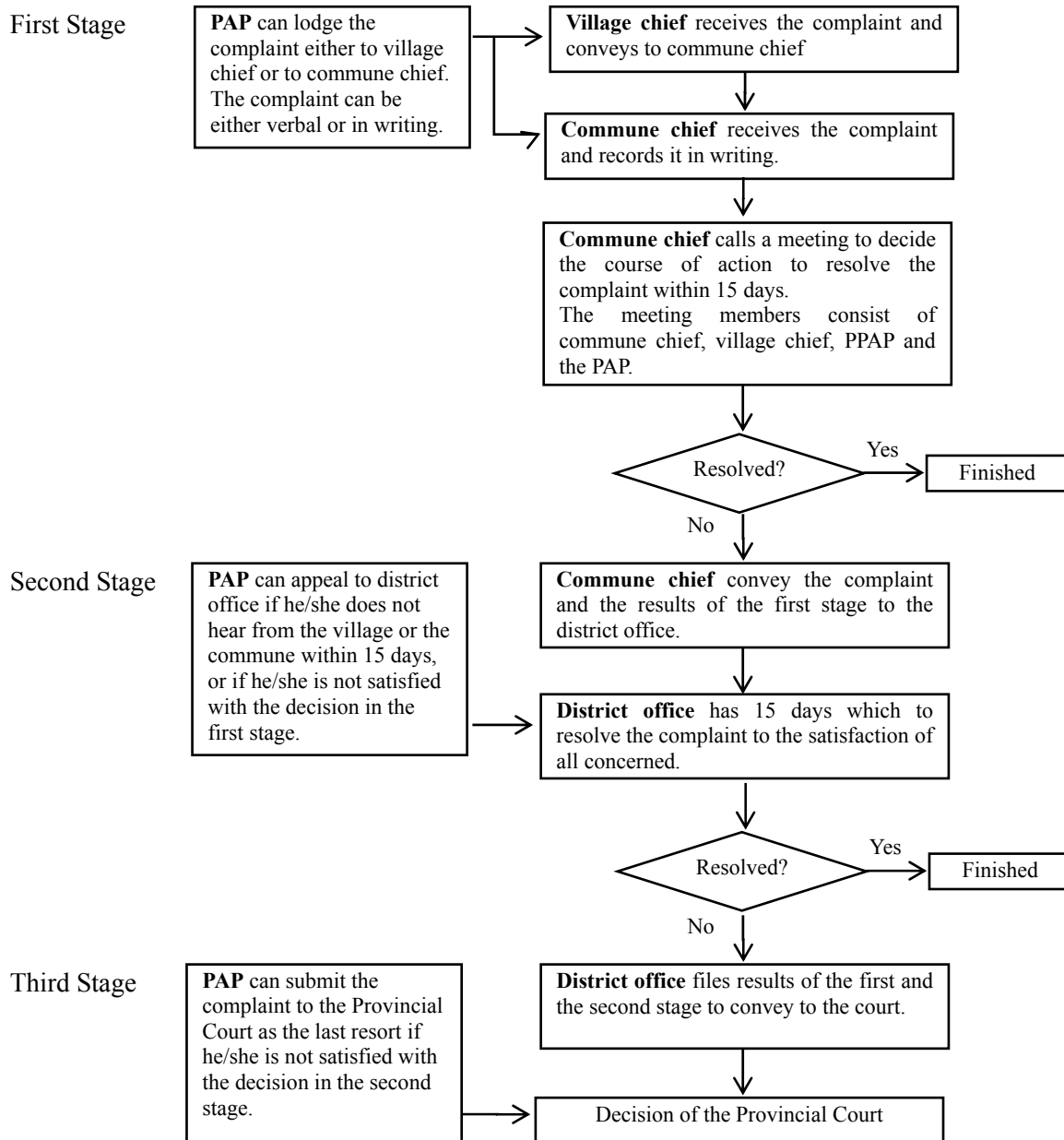


Figure 5-1 Flow Chart of the Grievance Resolution

6. Income Restoration Strategy

Assistance for income restoration needs to be provided in case that the means of livelihood of the PAPs are disturbed as the results of the acquisition of the properties and they request the assistance. In accordance with requests from PAPs through grievance redress mechanism, PPAP shall discuss following measures with local authorities such as village chiefs considering the skills and the experiences of PAPs.

- ✓ Provision of employment opportunities: Intercession for the PAPs to obtain prioritized employment opportunities in the project related facilities such as factories in the SEZ and the port.
- ✓ Job trainings: Provision of opportunities to the PAPs for obtaining necessary skills to adapt the said new jobs; for example, intercession of opportunities of 'on the job training' in the SEZ and the port.

7. Results of the Consultation with the Affected People

Consultation meeting with the affected people was held by PPAP on 20 February, 2013 at NCT. 36 affected local landowners including those who already agreed with the transaction and the village chief were participated.

In the meeting, PPAP presented the project outline and the location of the land to be acquired. Proposed grievance redress mechanism in case of any issue after the acquisition was also explained. After that, questions and answers were made. Participants requested proper compensation for the acquisition. Responding to the request, PPAP explained that the transaction would not be forced; therefore, owners can decide if they sell or not with the proposed price.

8. Monitoring and Evaluation

Monitoring is conducted for supervising following indicators:

- ✓ Progress of the acquisition,
- ✓ Grievances and requests from the PAPs and the solutions.

The results are summarized by PPAP and reported to JICA. The monitoring form is shown in Table 8-1 and 8-2.

Table 8-1 Monitoring Form (Progress of the Acquisition)

Activities	Planned Total	Unit	Progress in the Period (Date: from _____ to _____)			Progress in %		Expected Date of Completion
			During the Period	Till the Last Period	Up to the Period	Till the Last Period	Up to the Period	
Agreement for farm land acquisition		HHs						
Lot A		HHs						
Lot B		HHs						
Lot C		HHs						
Access Road								
Payment for farm land acquisition		HHs						
Lot A		HHs						
Lot B		HHs						
Lot C		HHs						
Access Road								
Payment for residential land / structure acquisition		ha						
Access Road		ha						

Table 8-2 Monitoring Form (Grievances and Requests from PAPs and the Solutions)

No.	Date of lodging	Description of the statement	Solution
1			
2			
3			

9. Time Schedule

Expected time schedule of implementation of RAP is presented in Table 9-1. The land transaction (acquisition by PPAP) will be started after RAP is approved by JICA. Since exact project site for the access road is decided based on the detailed design, the transaction and the house relocation will be completed after completion of the detailed design. The grievances redress mechanism and the frameworks for assisting income restoration shall be prepared by the time when the transaction is started. Monitoring will be implemented after the loan agreement quarterly.

The time schedule needs to be re-arranged in the next study phase after the preparatory survey.

Table 9-1 Tentative Schedule of Implementation of RAP

	2013												2014												2015												
	1	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	7	8	9	10	11	12	
Project Schedule																																					
Preparatory Survey (JICA)	■																																				
Loan Agreement													△																								
Detailed Design (determination of the exact project site)													■																								
Construction																									■												
Implementation of RAP																																					
Approval of RAP by JICA									△																												
Land transaction (including payment)													■																								
Relocation of houses													■																								
Grievance Redress Mechanism													■																								
Assistance for income restoration													■																								
Monitoring													■												■												

10. Cost and Budget

Approximate cost for the land acquisition and resettlement process is estimated in Table 10-1. Since the exact area to be acquired for the access road has not been decided yet, it shall be updated based on the detailed plan.

The budget will be prepared by the project proponent, PPAP.

Table 10-1 Cost Estimation for Implementing RAP

Item		Quantity	Unit	Unit Price (USD)	Amount (USD)	Sub-total (USD)
Acquisition of farm land	Lot A	490,000	m ²	1.5	735,000	
	Lot B and C	1,560,000	m ²	2	3,120,000	
	Access Road	147,000	m ²	10	1,470,000	
Acquisition of residential land	Access Road	3,000	m ²	30	90,000	
Acquisition of structures	Access Road	12	set	4,500	54,000	
Acquisition of trees	Access Road	200	trees	15	3,000	
Income restoration program	Training	12	man/month	200	2,400	5,472,000
	Administration	12	man/month	200	2,400	
Contingency cost		10	%	-	547,680	547,680
Ground Total						6,024,480

Appendix

Minutes of the Meeting of the Consultation Meeting with Affected Landowners

Date: 20 Feb 2013
Time: 9:00-10:00am
Venue: NCT Meeting Room, BanteayDek commune
Subject: Consultation Meeting for Phnom Penh Autonomous Port New Container Terminal's
SEZ and Associated Facilities

Briefings of Presentation:

First of all, Mr. Hike PHIRUN' of PPAP confirms to the participants that today's meeting is a type of consultation to discuss about social impacts and livelihood of those people who may be affected due to the construction of SEZ and the access road. Those villages are landowners in the affected area; they are invited to hear information in the meeting and express their ideas. He also addresses that the Project is currently under study of JICA team for producing results whether the development is feasible or not in terms of socio-economic and environmental impacts, construction and other related costs.

By using slide presentation, he says there 23 SEZs in Cambodia nationwide but only 2 in actions are Phnom Penh SEZ and PAS SEZ. SEZ is helpful since it is an industrial zone with factories, manufacturers and dry ports and which provides preferable logistics, low transportation costs and timing when it is located not far from the port. That's why the planned NCT SEZ is being studied for proposal in the future. Also, SEZ provides job opportunities for the people.

To reach a planned SEZ, an access road is to be built on the way [as shown in the slide presentation] across the residential village. However, the layout is just under feasibility study. So, some lands are necessarily to be acquired. The access road is planned to be built higher than the maximum flood level during rainy season, and some culvert pipes or box culvert tunnels at the crossing points with irrigation canals will be constructed. The residential villagers can also use the considered access road.

For land acquisition, when any villager seems to have a problem, he or she can request to the local village chief, who then records the request and forwards to the commune chief for arranging a discussion meeting with PPAP/NCT for solution. When no solution is reached, the problem can be brought up to the district level and then the provincial court.

Questions and Answers:

Q (Villager1): When the affected lands due to the construction of considered access road to the planned SEZ are acquired, what kind of policy will be applied for compensation?

A (PPAP Presenter): Any land acquisition must not be in the form of enforcing, but negotiation on purchasing those affected lands will be necessary. The negotiation will be based on an agreeable price between the buyer and the seller. In addition, the change of livelihood after losing the lands and/or houses will also be taken into account. If the living condition becomes worse, the affected villagers can request PPAP/NCT for restoring their living standard by providing job opportunities and/or job trainings.

Q (Villager2): In case that the acquisition price of the affected land and/or house is too small, the villagers cannot afford to buy another proper land and/or house for restoring their living condition. How to solve the problem?

Q (Villager1): Will the irrigation canals be maintained when the road is constructed?

A (PPAP Presenter): Yes. The water flow of the canals will be secured by constructing bridge or tunnel structures at the points where the access road cross with the canals.

Q (Villager 3): How big is the considered access road?

A (PPAP Presenter): The total width is 30m with 2.5m both side slopes. It has 4 lanes.

Q (Villager4): Proper compensation for the affected families is requested.

A (PPAP Presenter): Price of the land will be decided through negotiation. Owners can decide if they sell or not with the proposed price.

List of Participants of the Consultation Meeting with Affected Landowners

Date: 20 February 2013, Time: 09:00-10:00am, Venue: NCT Meeting Room

No	Name	Sex	Position	Village	Contact
01	PrumMeay	M	Villager	KandalLeu	012 505015
02	Saov Soy	M	Retired teacher	KandalLeu	0974909421
03	AungChreum	M	Villager	KandalLeu	
04	ChheumChheng	M	Villager	KandalLeu	0979830686
05	KrouchLis	M	Village Chief	KandalLeu	012351645
06	HengKuay	M	Villager	Khsom	012797290
07	SomTha	M	Villager	KandalLeu	077969980
08	In Chorn	M	Villager	KandalLeu	089507362
09	Mom Srouy	M	Villager	KandalLeu	092281479
10	RosHou	M	Villager	KandalLeu	
11	Heum Thong	M	Villager	KandalLeu	017276691
12	HouVy	F	Villager	KandalLeu	
13	HyChantha	F	Villager	KandalLeu	011976786
14	NuthPaov	F	Villager	KandalLeu	
15	KaovLis	F	Villager	KandalLeu	
16	Saur Vanna	F	Villager	KandalLeu	
17	Dy Lay	F	Villager	KandalLeu	
18	Nhounh Yung	F	Villager	KandalLeu	
19	CheaSokhun	M	Villager	KandalLeu	092788408
20	KorngMoun	M	Villager	KandalLeu	017598904
21	IemBei	M	Villager	KandalLeu	
22	YimBuntheuon	M	Villager	KandalLeu	
23	HounPheap	F	Villager	KandalLeu	
24	Yem Leap	F	Villager	KandalLeu	
25	Men Chinda	F	Villager	KandalLeu	
26	Ieng Sam ath	F	Villager	KandalLeu	092763132
27	PhoungSokheng	F	Villager	KandalLeu	
28	Ieng Chen	F	Villager	KandalLeu	
29	SaovSuong	M	Villager	KandalLeu	0973059724
30	SekChorn	M	Villager	KandalLeu	0974721038
31	Nuth Yen	M	Villager	KandalLeu	012465081
32	ChhukTeou	M	Villager	KandalLeu	
33	Houn Thy	M	Villager	KandalLeu	0246503042
34	Than Houv	M	Villager	KandalLeu	
35	KhlokHiev	M	Villager	Khsom	094732190
36	KrouchMoun	M	Villager	KandalLeu	017758132
37	MuthKheng	M	Villager	KandalLeu	092939080



Date: 20 February 2013, Time: 09:00-10:00am, Venue: NCT Meeting Room

Photos of the Consultation Meeting with Affected Landowners