

**KINGDOM OF CAMBODIA
MINISTRY OF PUBLIC WORKS AND TRANSPORT**

**THE PROJECT FOR
CAPACITY ENHANCEMENT
ON
ENVIRONMENTAL AND SOCIAL
CONSIDERATIONS
IN IMPLEMENTING AGENCY
IN ROAD SECTOR**

**PROJECT COMPLETION REPORT
(VOLUME 2)**

December 2019

**JAPAN INTERNATIONAL COOPERATION AGENCY
(JICA)**

**CTI ENGINEERING INTERNATIONAL CO., LTD.
ENVIRONMENTAL AND SOCIAL INFRASTRUCTURE
CONSULTANT CO., LTD.
HANSHIN EXPRESSWAY COMPANY LIMITED**

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JICA Expert Reports

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JICA Expert Reports

J1: General

J1-1. Institutional Analysis: Institution Framework and Responsibilities on the EIA/EMP

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Appendix 1: Record and Relevant Material on Seminar

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**J1-1. Institutional Analysis: Institution Framework and Responsibilities
on the EIA/EMP and ROW Management in MPWT**

JICA EXPERT REPORT

OF THE PROJECT
FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL
CONSIDERATIONS
IN IMPLEMENTING AGENCY
IN ROAD SECTOR
IN THE KINGDOM OF CAMBODIA

~EIA/EMP~

SEPTEMBER 2019

CTI Engineering International Co., Ltd. (CTI)
Environment and Social Infrastructure Consultant Co., Ltd. (ESIC)
Hanshin Expressway Company Limited (HEX)

SUMMARY

JICA Expert Report shows outputs of the following activity based on Output 1 of the Project for Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector in the Kingdom of Cambodia.

Output 1
Implementation framework for the project is strengthened based on past experiences and present situation on ESC and ROW management
Activity
1.1 Analyze past projects, current tackling issues on EIA/EMP and ROW management in terms of ESC-GL
Objectively Verifiable Indicator
1.1 Based on the JICA Guidelines for Environmental and Social Considerations (ESC-GL), lessons learned from past experiences are organized and current issues on ESC and ROW management are analyzed

Output 2
Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened
Activity
2.1 Conduct training on ESC of development partners (DPs)
2.2 Discuss documentation level of REG (EIA and EMP) and confirm process of authorization
2.3 Plan and conduct training in Japan and third countries
2.4 Develop REG
2.5 Monitor EIA/EMP related activities based on REG
Objectively Verifiable Indicator
2.1 Concept of EC and its implementation process are understood
2.2 Authorizing level of REG as an official document is confirmed
2.3 Lessons learned on EC in other countries are reflected to REG development
2.4 REG is developed and authorized
2.5 REG is monitored based on EIA/EMP related activities.

EIA/EMP: Environmental Social Consideration (ESC) Analyses, Development of REG (based on Activity 1.1, Activity 2.1 to 2.5)

In terms of past projects, current tackling issues on EIA/EMP, the following issues could be addressed:

- ◆ It is reported that the Environmental Monitoring Reports had not been sent to the Ministry of Environment (MOE) in Cambodia for Asian Development Bank (ADB) or World Bank (WB) funded projects in Cambodia;
- ◆ It is reported that submission of EIA/IEE Report in Khmer version for the MOE (officials in Cambodia) and English version as referent for the donors only;
- ◆ The majority of civil works contractors actually did not implement the mitigation measures, which were proposed on the EIA Report.
- ◆ It is observed that not realistic comments for the sampling numbers or methods had been provided to the local environmental consulting firms in Cambodia; and
- ◆ It is reported that approval of the EIA/IEIA Report will take a long time.

This CESCO Project is expected any contribution for improving the above EIA/EMP related implementation issues in Cambodia.

JICA EXPERT REPORT
OF THE PROJECT FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS IN IMPLEMENTING AGENCY
IN ROAD SECTOR IN THE KINGDOM OF CAMBODIA

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Chapter 1 Environmental Considerations Analysis: Lessons Learned on the EIA/EMP from Past Experiences Based on the JICA Guidelines for Environmental and Social Considerations (ESC-GL)

This Chapter shows an output of the following activity based on Output 1 of the Project.

Output 1
Implementation framework for the project is strengthened based on past experiences and present situation on ESC and ROW management
Activity
1.1 Analyze past projects, current tackling issues on EIA/EMP and ROW management in terms of ESC-GL
Objectively Verifiable Indicator
1.1 Based on the JICA Guidelines for Environmental and Social Considerations (ESC-GL), lessons learned from past experiences are organized and current issues on ESC and ROW management are analyzed

Output 2
Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened
Activity
2.1 Conduct training on ESC of development partners (DPs)
Objectively Verifiable Indicator
2.1 Concept of EC and its implementation process are understood

1.1 World Bank EIA Process and Environmental Management Plan

1.1.1 World Bank EIA General Process

The standard social and environmental impact assessment process by World Bank (WB) is illustrated in Figure 1.1.

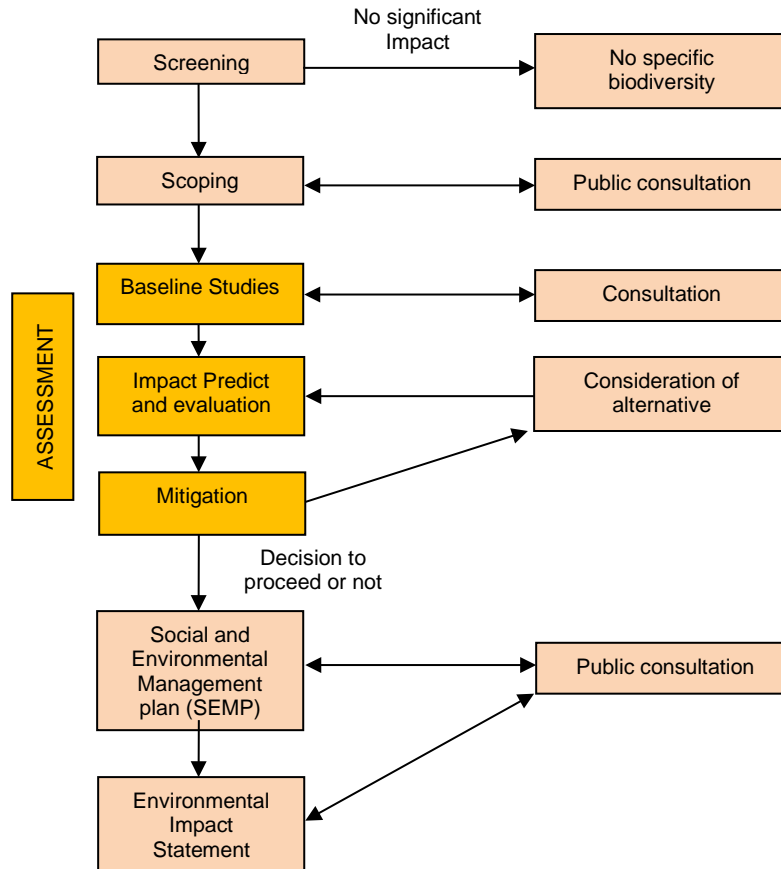


Figure 1-1 World Bank EIA General Process

1.1.2 WB’s Social and Environmental Management Plan

Social and Environmental Management Plan (SEMP), it is used for World Bank Project as general Environmental Management Plan (EMP), defines resources, roles and responsibilities required to manage biodiversity impacts and implement mitigation measures.

The central elements of a SEMP should include a prioritized description of the activities planned to mitigate impacts, a time line and identification of resources to ensure the SEMP can be delivered, and a communication plan that indicates how progress in the implementation of the SEMP will be disclosed.

The SEMP should also define monitoring requirements to determine whether mitigation is successful. Although monitoring is often overlooked since it occurs once the project has been approved and is underway, it is important for providing evidence that the company (project owner) is achieving compliance and allowing for any necessary remedial measures to be put in place.

According to Environmental Management Plans and Environmental Assessment Sourcebook Update, 1999, World Bank, EMPs should include the following main contents:

- Summary of Impacts
- Description of mitigation measures:
- Description of monitoring program
- Institutional arrangements
- Legal enforceability
- Implementation schedule and reporting procedures
- Cost estimates

1.2 ADB EIA and EMP Process

1.2.1 ADB's environmental assessment process

ADB's Environment Policy requires that environmental considerations be incorporated into ADB operations. Environmental assessment is the primary administrative tool to integrate environmental considerations into decision-making of all types of development initiatives such as formulating policies, programs, and development plans.

Environment is considered at all stages of the ADB's business processes from country strategy and program development through Project Preparation Technical Assistance and Loan (PPTA/Loan) processing to completion and post evaluation (see Figure 1.2).

ADB requires the use of Country Environmental Analysis (CEA) to integrate environmental concerns at the programming level. In PPTA/Loan Preparation, all loans are subject to environmental categorization, impact assessment, safeguard compliance, and preparation of loan covenants. During loan implementation and supervision, ADB review missions are undertaken to review the progress on implementation of the mitigation and monitoring requirements outlined the environmental management plan. During project completion and project evaluation, reports are prepared to document the actual environmental impacts, the degree of implementation of the environmental management plan, and to evaluate the overall effectiveness of the EMP in reducing and preventing adverse environmental impacts.

Business Process	Key Stage	Environmental Assessment Requirements
Country Strategy and Program	CSP	Country Environmental Analysis
PPTA/Loan Processing	Project Identification	Environmental Categorization Rapid Environmental Assessment Environmental Assessment Safeguard Compliance Formulation of Loan Covenants
	Pre Design	
	Project Design	
	Loan Processing	
Loan Implementation and Supervision	Loan Inception	Review of Environmental Management Plan Implementation
	Mid-term Loan Review	
Project Completion and Evaluation	Project Completion Report	Review of Actual Impacts and Environmental Management Plan Effectiveness
	Post Evaluation Report	

Note: CSP means Country Strategy and Program

Figure 1-2 Environmental Requirements in ADB's Business Processes

1.2.2 ADB's EMP

An important objective of environmental assessment is to develop procedures and plans to ensure that the mitigation measures and monitoring requirements approved during the environmental compliance review will actually be carried out in subsequent stages of the project. As a result, ADB places strong emphasis on the preparation of EMPs during project processing and on setting out conditions and targets to be met during project implementation. The Terms of Reference (TOR) for an EIA thus require the Borrower or their consultants to prepare an EMP as a major output of the environmental

assessment. Where appropriate, the key contents of EMPs are incorporated into the loan agreement, for implementation and monitoring by the Borrower.

ADB requires that an EMP be included as part of the EIAs and Initial Environmental Examinations (IEE) s. EMPs should include almost same main contents, which is described in the above section 1.1.2.

1.3 EIA and IEIA Process in Cambodia

The contents of EIA and Initial Environmental Impact Assessment (IEIA) general process in Cambodia is the same as the World Bank EIA General Process, which is illustrated in Figure 1.1. This report for EIA process in Cambodia is focused on reviewing parts of EIA Report and EMP.

1.3.1 EIA/IEIA review process

In reviewing and providing comment on IEIA or EIA Report shall be 30 working day counting from the date of official receipt of the Report. The meeting procedure consists of four stages for the Ministry and three stages for Provincial level.

Five stages for reviewing EIA/IEIA procedure for Ministry level as below:

Table 1.1 Ministry of Environment’s Reviewing Stage

Stages	Ministry or Department	Review period (working day)
1	Professional officers of Department of EIA do field evaluation at the project site	10
2	Inter-concerned department (MoE)	5
3	Senior official of MoE	5
4	Inter-ministerial (NGOs, Stakeholders)	5
5	Approval of EIA by MOE	5

Three stages for reviewing EIA/IEIA process for Provincial Level as below:

Table 1.2 Department of Environment of Provincial/municipality

Stages	Ministry or Department	Monitoring and Review period (working day)
1	Provincial Department of Environment	15
2	Senior official of the Municipal-Provincial	5
3	Inter-Department of the Municipal and Province	5
4	PDoE (approved or revised)	5

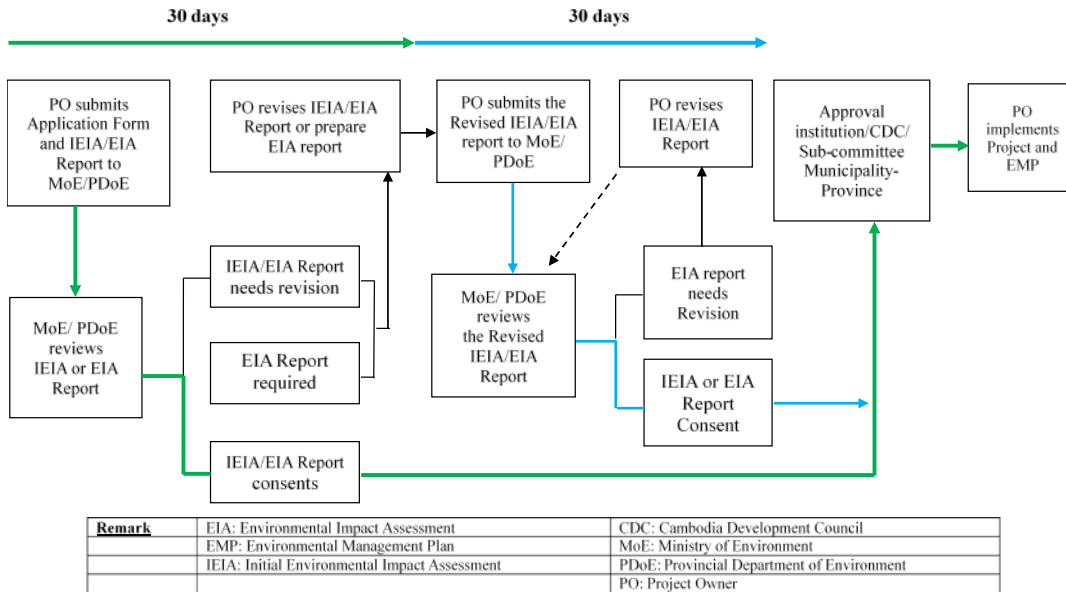
For both stages on reviewing process in the case of Ministry of Environment or Municipal/provincial department of Environment provide comment to the project’s owner to revision. Then, the Ministry of Environment or Municipal/provincial department of Environment makes revision within 30 days of working day after date of official receipt of the revised report (see detail Figure 1.3).

1.3.2 EMP in Cambodia

In this part, the project owner should have environmental fund and preparing a group of staffs who have specialize, tools, methods and judgment on environmental issues by cooperation with Ministry-department and related institutes to mitigate negative impact from the project on environmental, socio-economic. The EMP in Cambodia should include the following main contents, according to the MOE in Cambodia.

- Summary of main negative environmental impacts and mitigation measures
- Training to be provided

- Monitoring schedule during project construction, operation and closure phases that project owner shall clarify as below:
 - Monitoring institutes
 - Parameters to be monitor
 - Monitoring method
 - Environmental standards or any guidelines shall apply in monitoring stage
 - Schedule and cycle of monitoring and mitigation measures
 - Assessing the possibility of supervision by the project owner
 - Preparation of quarterly reports to be sent to the Ministry of Environment and the Ministry/Related Ministry.



Source: Prakas (Declaration) on General Guidelines for Developing Initial and Full Environmental Impact Assessment Report (English translated version), 2009, MOE

Note: The above figure is slightly revised from the above source for more easy to understand.

Figure 1-3 EIA Process for Proposed Project Approved by Project Owner as Ministry and Institution in Cambodia

1.4 Main Implementation Issues related to EIA and EMP

The present EIA process and EMP in Cambodia by donor's assistance projects have the following main implementation issues, based on this rapid findings:

1.4.1 ADB, World Bank, or JICA funding Project

- (1) Environmental Monitoring Report should send to the MOE for the donors such as ADB or World Bank

The MOE will follow the EMP of EIA/IEIA after approval from inter-ministry meeting so all the projects should be submitted the EMP to the MOE for monitoring the EMP. The EMP will prepare by project owner for example, road construction project is owned by MPWT so the report is submitted by MPWT.

On the other hand, during the construction period the Contractor has its own environmental expert and responsible on environmental monitoring and preparing the Environmental Monitoring Report to the project owner (MPWT). The project owner also has its own environmental expert and responsible to monitor the field work and report to the MOE. After submission the Environmental Monitoring Report, the MOE will go to the project field to check and provide comments on the Environmental Monitoring Report from project owner (MPWT) before improving the monitoring report.

There are many players to prepare and review the Environmental Monitoring Report. For example, if the project owner doesn't submit the Environmental Monitoring Report to the MOE on time, the project owner will get complaint from the MOE.

- (2) Submission of EIA/IEE Report in Khmer version for MOE (officials in Cambodia) and English version as referent for donors only.

The official language in Cambodia is Khmer so the English report is needed to be translated into Khmer Report and submit to the MOE. Because many officials need more time to understand the English report. On the other hand, the submission of Khmer report will take time for approval. There are the following past project examples:

- An EIA report need more than one year (study duration is one year) for final approval from the MOE
- An IEIA report for final approval from the MOE is still need about one year

- (3) The majority of civil works contractors actually did not implement the mitigation measures

The EIA/IEIA includes the environmental impacts arising from the project during construction and operation. The civil works contract documents included environmental impact mitigation measures that contractors have to implement during construction. The majority of civil works contractors did not implement these mitigation measures fully, although some improvements were observed by recommendations of local consultants from project owner, ADB reviewer, as well other donor.

1.4.2 ADB, World Bank, or JICA funding Project

At first, China and Korea has no own EIA/EMP guidelines for official development assistant projects. Therefore, EIA process of any development projects in Cambodia funded by China or Korea is necessary to follow the EIA process by MOE in Cambodia, which is illustrated in Figure 1.3. However, it is not clear that Chinese or Korean funded projects actually follow EIA process by MOE in Cambodia, as well as the World Bank EIA general process, which is illustrated in Figure 1.1.

Also, it is reported that Chinese or Korean funded project have the following implementation issues in terms of EIA/EMP process, based on relevant documents and information collections in Cambodia.

(1) Not realistic comments for the sampling numbers or methods

The MOE will review a TOR for EIA, which is described such as (i) sampling numbers of the study location; (ii) air quality method and sampling area; (iii) water quality method and sampling area; (iv) parameters of water quality and air quality; (v) samples sizes for social survey (vi) number of related department, NGOs and local authorities for public consultation. However, the following unrealistic comments by the MOE will provide to the local consulting firms:

Example: “Road Construction Number 5 Project funded by Korean”

- In general, we take three places for sampling but during meeting with DEIA of MoE, the DEIA comment on number of water sampling area as we should take in every main bridge due to there are many bridges along this road.
- For air quality DEIA comment that we should take where there is a plenty of resident as district center and market area which locate along the street
- For sample size of social survey, we should take at least 10 % of total household and villages along road.

After approving TOR, MOE will issue the letter for field work for consulting firm.

(2) Approval on EIA/IEIA Report will take a long time

The Inter-ministry meeting and defend will comment on monitoring schedule, monitoring budget, and other main issue as well monitoring report from project owner/contractor should be submit on time.

- Monitoring schedule: In each phase of implementation should have clear schedule as every six for water quality sampling, two times of Air quality etc...
- Monitoring budge: the budget should follow the Ministry of Economic Finance (MEF)

Monitoring report: the report should send to MOE every six month

Chapter 2 REG Development Plan

Output 2
Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened
Activity
2.2 Discuss documentation level of REG (EIA and EMP) and confirm process of authorization
Objectively Verifiable Indicator
2.2 Authorizing level of REG as an official document is confirmed

2.1 REG Development Plan

According to the analysis, REG development plan was prepared through TF meetings as the following,

Activities for Development of REG	Year 2017									Year 2018		
	Apr	May	June	July	Aug	Sep	Oct.	Nov.	Dec.	Jan	Feb.	Mar.
2.1 Understandings of Main Concepts on Environmental Social Considerations (ESC)	●—											
2.2 Understandings of Implementation Issues of MPWT to involve EIA/EMP in Road Sector		●—●										
2.3 Confirmation of documentation level/authorizing process, supporting for authorization of the REG		●—		●—●					●—●	●—●—●—●		
2.4 Concrete trainings and discussions for development of the REG, <u>revising the REG for authorization</u>		●—		●—				●—	●—	●—		
2.5 Training in Japan and third countries			●—					●—				

(Myanmar)													
2.6 Presentation to disclose the Draft REG on 2 nd Technical Seminar												▲	

Chapter 3 Meeting Record on EIA/EMP Taskforce

Output 2
Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened
Activity
2.3 Plan and conduct training in Japan and third countries
2.4 Develop REG
Objectively Verifiable Indicator
2.3 Lessons learned on EC in other countries are reflected to REG development
2.4 REG is developed and authorized

3.1 List of Taskforce Meetings

In order to develop REG including the development plan, Taskforce meetings of EIA/EMP Team were held in total 17 times as the followings,

No.	Date	Participants	Contents
1	31 Mar. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers 	<ul style="list-style-type: none"> ● Conducting a short quiz to understanding their technical knowledge related to EIA and EMP
2	6 Apr. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers 	<ul style="list-style-type: none"> ● Presenting JICA environmental and social consideration guideline and Questions and Answer
3	20 Apr. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers 	<ul style="list-style-type: none"> ● Presenting and discussing on draft tasks and implementation issues of MPWT for EIA road sector in Cambodia
4	26 Apr. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers ● EIA Department, MoE: Deputy Director 	<ul style="list-style-type: none"> ● Presenting and discussing on draft table contents of Road Environmental Guideline
5	14 Jul. 2017	<ul style="list-style-type: none"> ● DoP: Chief of Office, Officers ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● Discuss on future schedule for EIA/EMP team of TF members' activities ● Confirm on the draft table of contents of REG ● Inform and confirm technical meeting schedule for July and August 2017
6	20 Jul. 2017	<ul style="list-style-type: none"> ● DoP: Director, Deputy Chief of Office, Officers ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● Demonstrate how to use noise Measurement tool ● Present on noise measurement methods ● Inform about revised REG development schedule
7	27 Jul. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officer ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● Discussing on how to reflect involvement phases by MPWT for the REG ● Overviewing on the third country technical exchange with Myanmar
8	3 Aug. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers ● EIA Department, MoE: Chief of Office 	<ul style="list-style-type: none"> ● Finalize the table of contents and schedule of draft REG ● Confirm draft contents of third country technical exchange

No.	Date	Participants	Contents
9	14 Sep. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Officers ● EIA Department, MoE: Chief of Office, Officer ● JICA's Project team at MoE: Japanese Expert 	<ul style="list-style-type: none"> ● To confirm Outline of Third Country Technical Exchange Program ● To summarize preparations and activities for the program ● To follow up the EIA-TF members' contribution to the REG ● To set up the "10th taskforce meeting"
10	22 Nov. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Chief of Office, Officer 	<ul style="list-style-type: none"> ● Sharing knowledge and lesson learnt on EIA implementation in road sector in Myanmar ● Sharing the progress of REG development
11	30 Nov. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Chief of Office 	<ul style="list-style-type: none"> ● To discuss and finalize Chapter 1 and 2 of draft REG ● To get some opinion on important items in Chapter 3 of REG
12	11 Dec. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Chief of Office, Deputy Chief of Office ● PID: Chief of Office 	<ul style="list-style-type: none"> ● To discuss and finalize Chapter 3 and 4 of draft REG ● To set up the next taskforce meeting
13	14 Dec. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Deputy Chief of Office 	<ul style="list-style-type: none"> ● To discuss and finalize Appendices of draft REG ● To set up the next taskforce meeting
14	20 Dec. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Chief of Office, Deputy Chief of Office ● MoE: Chief of Office 	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To set up the next taskforce meeting
15	19 Jan. 2018	<ul style="list-style-type: none"> ● DoP: Director, Officers 	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To get confirmation on presentation in the 2nd JCC meeting and Technical ● To confirm on railway and port sector
16	26 Jan. 2018	<ul style="list-style-type: none"> ● DoP: Director, Officers 	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To get confirmation on presentation in the 2nd JCC meeting and 3rd Seminar ● To confirm proposing contents of the additional requests from DoP
17	1 Feb. 2018	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● To discuss and confirm on comments made by MoE for REG ● To get confirmation on presentation in the 2nd JCC meeting and 3rd Seminar

Chapter 4 Meeting Record of REG Authorization Process

4.1 List of Meeting with senior management to confirm the process

Output 2
Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened
Activity
2.4 Develop REG
Objectively Verifiable Indicator
2.4 REG is developed and authorized

In order to confirm document level of REG in MPWT and authorization process, the discussions with senior managements of MPWT were held as the followings,

No.	Date	Participants	Contents
1.	21 Jul. 2017	H.E. Soeung Sokong, Director General, GDPP	<ul style="list-style-type: none"> To introduce the CESCOr project To discuss about procedure of issuing the guideline as Prakas
2.	03 Aug. 2017	H.E. Tauch Chankosal, Secretary of State, MPWT	<ul style="list-style-type: none"> To report the progress of CESCOr project To inform the activity plan of the project till end of 2017 Getting confirmation on the process of issuing Prakas
3.	17 Jan. 2018	H.E. Vasim Sorya, Director General, GDAF	<ul style="list-style-type: none"> To present general contents of the draft REG To inform the procedure and schedule of REG consensus by 2nd JCC meeting To get general comments on the draft REG
4.	18 Jan. 2018	H.E. Nou Vaddhanak, Director General, GDT	<ul style="list-style-type: none"> To present on general contents of the draft REG and get general comments on the draft REG To inform the procedure and schedule of REG consensus by 2nd JCC meeting
5.	22 Jan. 2018	H.E. Soeung Sokong, Director General, GDPP	<ul style="list-style-type: none"> To present on general contents of the draft REG and get general comments on the draft REG To inform the procedure and schedule of REG consensus by 2nd JCC meeting
6.	30 Jan. 2018	H.E. Nou Vaddhanak, Director General, GDT	<ul style="list-style-type: none"> To inform about outline of the 2nd JCC meeting and 3rd Technical Seminar To inform the progress of draft REG
7.	28 Feb. 2018	H.E. Nou Vaddhanak, Director General, GDT	<ul style="list-style-type: none"> To inform the progress of project activities (JCC meeting minutes and Japan Training) To discuss on preparing content of Prakas for REG

4.2 REG Authorization Process

According to the discussions with senior managements of MPWT, REG has been updated REG Authorization process for the Prakas of MPWT has been confirmed as the following,

Authorization Process for Prakas	Year 2017							Year 2018				
	May	June	July	Aug	Sep	Oct.	Nov.	Dec.	Jan	Feb.	Mar.	Apr
Process for issuing Prakas (to be updated)	●	●	●									

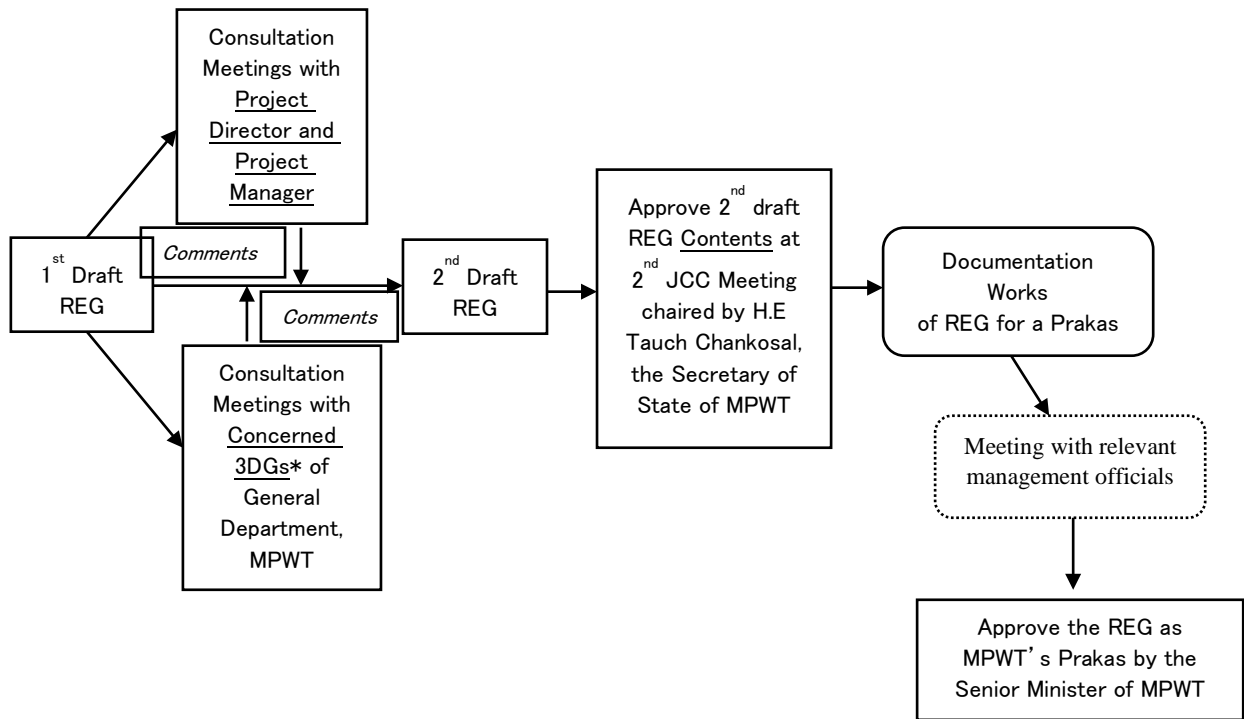


Figure 11-1: Authorization Procedure of the REG as MPWT's Prakas

Chapter 5 REG Monitoring Report

Output 2
Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened
Activity
2.5 Monitor EIA/EMP related activities based on REG
Objectively Verifiable Indicator
2.5 REG is monitored based on EIA/EMP related activities.

To be updated in 2018 and 2019.

JICA EXPERT REPORT ~EIA/EMP~

Annex

REG Development Plan

PDM Means of Verification 2.4.1 Road Environmental Guidelines (REG) Development Plan

1. Backgrounds of the development of REG

1.1 Implementation issues of MPWT for EIA/EMP process in Public Infrastructure Projects

MPWT staff, who are assigned for EIA/EMP involvement in Public Infrastructure Projects have authorized and actual duties for the involvement.

However, there are some implementation issues such as insufficient technical knowledge/skills for reviewing EIA/EMP through effective and integrated involvement by MPWT under cooperation with Ministry of Environment in Cambodia.

1.2 JICA CESoR Project

JICA CESoR Project has output 2 “Capacity of MPWT officials on Environmental Considerations (EC) is enhanced through applying REG)” The purpose of the Outputs 2 is to enhance capacities of the selected Task Force (TF) members of MPWT of this Project for EC (EIA and EMP) in Road Sector in Cambodia through collaborative activities of the selected TF members by assistances of the JICA Expert..

1.3 Purpose of Development of REG

For improving the above implementation issues of MPWT, a REG for MPWT staff will be developed through the following activities:

2. Planned Collaborative Activities and Overall Schedule

2.1 Understandings of Main Concepts on Environmental Social Considerations (ESC) by DPs (WB, ADB, and JICA)

The selected TF members could understand through an EIA/EMP related Technical Meeting on 6th April

2.2 Understandings of Implementation Issues of MPWT to involve EIA/EMP in Road Sector

(1) Weekly EIA/EMP related Technical Meeting on 20th April

(2) Presentation by a MPWT staff on 1st Technical Seminar on 4th May:

Presentation topic: Tasks (Duties) and the Implementation Issues of MPWT for EIA Road Sector

2.3 Confirmations of documentation level/authorizing, supporting for authorization of the REG

(1) Confirmations of documentation level and authorizing process of REG during April to July, 2017

(2) Supporting for authorizing by MPWT of the REG: during January to February, 2018

2.4 Concrete trainings and discussions for development of the REG

The selected TF members could develop the REG through the EIA/EMP related Technical Meetings from the end of April to the end of December 2017 through assistances by the JICA Expert.

2.5 Training in Japan and Third countries

The following are scheduled so that some of the selected TF members could get other EIA/EMP know-how.

(1) Training in Japan for the middle of June

ESC cases in Japan and East Asian Countries in Japan

(2) Training in Third countries (Myanmar) from 24th to 28th October, 2017

EIA Technical Assistance cases in Myanmar’s case

2.6 Presentation to disclose the draft REG on 2nd JCC and 3rd Seminar

Planned Development Schedule of the REG

Activities	Year 2017										Year 2018		
	April	May	June	July	Aug.	Sep	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	
2.1 Understandings of Main Concepts on Environmental Social Considerations (ESC)	●—												
2.2 Understandings of Implementation Issues of MPWT to involve EIA/EMP in Road Sector		●—											
2.3 Confirmation of documentation level/authorizing process, supporting for authorization of the REG		●—		●—					●—	●—	●—		
2.4 Concrete trainings and discussions for development of the REG, revising the REG for authorization		●—		—●					—●		—●		
2.5 <i>Training in Japan and third countries (Myanmar)</i>			●—					●—					
2.6 Presentation to disclose the Draft REG on 2 nd Technical Seminar										▲			

Note: Actual stays in Cambodia of the JICA Expert until the end of March 2018 are i) from the end of March to the end of April, ii) the beginning of July to the beginning of August, iii) the middle of November to the end of December, 2017, and iv) the middle of January to the beginning of February 2018.

3. Draft Table of Contents (TOC) of the REG

The JICA Expert is considering the followings are draft Table of Contents (TOC) of the REG, which REG will be a practical guidelines and easy to understand with necessary technical knowledge/skills as the appendices, and easy to applying to actual public transportation projects in Cambodia.

Main Parts

1. Backgrounds

1.1 Objectives, Users and Scope of the Guidelines

1.2 Road Development Project Cycle and the EIA/EMP

2. Essential Related Laws/Guidelines of EIA/EMP for Road Sector in Cambodia

3. Present EIA Process/Steps and Involvement Phases by MPWT in Cambodia

4. Practical Involvement Methods by MPWT for EIA Process of Road Sector in Cambodia

4.1 EIA Report Review Phase (Inter-Ministerial Meeting, etc.)

4.2 Project Monitoring Phase

(1) Reviewing (Verifying) Environmental Management Plan (EMP)

(2) Reviewing (Verifying) Environmental Monitoring Plan (EMoP)

(3) Reviewing (Verifying) Environmental Monitoring Report (EMoR)

Appendices

Appendix 1: Checklist for Reviewing EIA Report in Road Sector

Appendix 2: Checklist for Reviewing EMP in Road Sector

Appendix 3: Checklist for Reviewing EMoP in Road Sector

Appendix 4: Checklist for Reviewing EMoR in Road Sector

Appendix 5: Common Weakness and Good Practices in EIA Report/Reviewing

References

Reference 1: A Sample of Environmental Management Plan (EMP) in Road Sector

Reference 2: A Sample of Environmental Monitoring Plan (EMoP) in Road Sector

Reference 3: A Sample of Environmental Monitoring Report (EMoR) in Road Sector

Reference 4: A Sample of Environmental Monitoring Form in Road Sector

Reference 5: Essence of Environmental Sampling (Air, Water, Noise) Methods

Reference 6: Essence of Environmental Impacts Evaluation Methods in Road Sector

The above TOC of the REG will be revised through the discussions with the selected TF members.

Meeting Records of EIA/EMP TF Meeting

No.	Date	Participants	Contents
1	31 Mar. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers 	<ul style="list-style-type: none"> ● Conducting a short quiz to understanding their technical knowledge related to EIA and EMP
2	6 Apr. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers 	<ul style="list-style-type: none"> ● Presenting JICA environmental and social consideration guideline and Questions and Answer
3	20 Apr. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers 	<ul style="list-style-type: none"> ● Presenting and discussing on draft tasks and implementation issues of MPWT for EIA road sector in Cambodia
4	26 Apr. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers ● EIA Department, MoE: Deputy Director 	<ul style="list-style-type: none"> ● Presenting and discussing on draft table contents of Road Environmental Guideline
5	14 Jul. 2017	<ul style="list-style-type: none"> ● DoP: Chief of Office, Officers ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● Discuss on future schedule for EIA/EMP team of TF members' activities ● Confirm on the draft table of contents of REG ● Inform and confirm technical meeting schedule for July and August 2017
6	20 Jul. 2017	<ul style="list-style-type: none"> ● DoP: Director, Deputy Chief of Office, Officers ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● Demonstrate how to use noise Measurement tool ● Present on noise measurement methods ● Inform about revised REG development schedule
7	27 Jul. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officer ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● Discussing on how to reflect involvement phases by MPWT for the REG ● Overviewing on the third country technical exchange with Myanmar
8	3 Aug. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Officers ● EIA Department, MoE: Chief of Office 	<ul style="list-style-type: none"> ● Finalize the table of contents and schedule of draft REG ● Confirm draft contents of third country technical exchange
9	14 Sep. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Officers ● EIA Department, MoE: Chief of Office, Officer ● JICA's Project team at MoE: Japanese Expert 	<ul style="list-style-type: none"> ● To confirm Outline of Third Country Technical Exchange Program ● To summarize preparations and activities for the program ● To follow up the EIA-TF members' contribution to the REG ● To set up the "10th taskforce meeting"
10	22 Nov. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Chief of Office, Officer 	<ul style="list-style-type: none"> ● Sharing knowledge and lesson learnt on EIA implementation in road sector in Myanmar ● Sharing the progress of REG development
11	30 Nov. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Chief of Office 	<ul style="list-style-type: none"> ● To discuss and finalize Chapter 1 and 2 of draft REG ● To get some opinion on important items in Chapter 3 of REG
12	11 Dec. 2017	<ul style="list-style-type: none"> ● DoP: Director, Officers ● ICD: Chief of Office, Deputy Chief of Office ● PID: Chief of Office 	<ul style="list-style-type: none"> ● To discuss and finalize Chapter 3 and 4 of draft REG ● To set up the next taskforce meeting

No.	Date	Participants	Contents
13	14 Dec. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Deputy Chief of Office 	<ul style="list-style-type: none"> ● To discuss and finalize Appendices of draft REG ● To set up the next taskforce meeting
14	20 Dec. 2017	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Chief of Office, Deputy Chief of Office ● MoE: Chief of Office 	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To set up the next taskforce meeting
15	19 Jan. 2018	<ul style="list-style-type: none"> ● DoP: Director, Officers 	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To get confirmation on presentation in the 2nd JCC meeting and Technical ● To confirm on railway and port sector
16	26 Jan. 2018	<ul style="list-style-type: none"> ● DoP: Director, Officers 	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To get confirmation on presentation in the 2nd JCC meeting and 3rd Seminar ● To confirm proposing contents of the additional requests from DoP
17	1 Feb. 2018	<ul style="list-style-type: none"> ● DoP: Officers ● ICD: Deputy Chief of Office, Officer 	<ul style="list-style-type: none"> ● To discuss and confirm on comments made by MoE for REG ● To get confirmation on presentation in the 2nd JCC meeting and 3rd Seminar

Supporting Documents of EIA/EMP TF Meeting

No.	Date	Contents
1	31 Mar. 2017	<ul style="list-style-type: none"> ● Conducting a short quiz to understanding their technical knowledge related to EIA and EMP
2	6 Apr. 2017	<ul style="list-style-type: none"> ● Presenting JICA environmental and social consideration guideline and Questions and Answer
3	20 Apr. 2017	<ul style="list-style-type: none"> ● Presenting and discussing on draft tasks and implementation issues of MPWT for EIA road sector in Cambodia
4	26 Apr. 2017	<ul style="list-style-type: none"> ● Presenting and discussing on draft table contents of Road Environmental Guideline
5	14 Jul. 2017	<ul style="list-style-type: none"> ● Discuss on future schedule for EIA/EMP team of TF members' activities ● Confirm on the draft table of contents of REG ● Inform and confirm technical meeting schedule for July and August 2017
6	20 Jul. 2017	<ul style="list-style-type: none"> ● Demonstrate how to use noise Measurement tool ● Present on noise measurement methods ● Inform about revised REG development schedule
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8	3 Aug. 2017	<ul style="list-style-type: none"> ● Finalize the table of contents and schedule of draft REG ● Confirm draft contents of third country technical exchange
9	14 Sep. 2017	<ul style="list-style-type: none"> ● To confirm Outline of Third Country Technical Exchange Program ● To summarize preparations and activities for the program ● To follow up the EIA-TF members' contribution to the REG ● To set up the "10th taskforce meeting"
10	22 Nov. 2017	<ul style="list-style-type: none"> ● Sharing knowledge and lesson learnt on EIA implementation in road sector in Myanmar ● Sharing the progress of REG development
11	30 Nov. 2017	<ul style="list-style-type: none"> ● To discuss and finalize Chapter 1 and 2 of draft REG ● To get some opinion on important items in Chapter 3 of REG
12	11 Dec. 2017	<ul style="list-style-type: none"> ● To discuss and finalize Chapter 3 and 4 of draft REG ● To set up the next taskforce meeting
13	14 Dec. 2017	<ul style="list-style-type: none"> ● To discuss and finalize Appendices of draft REG ● To set up the next taskforce meeting
14	20 Dec. 2017	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To set up the next taskforce meeting
15	19 Jan. 2018	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To get confirmation on presentation in the 2nd JCC meeting and Technical ● To confirm on railway and port sector
16	26 Jan. 2018	<ul style="list-style-type: none"> ● To discuss and get general comments on draft REG ● To get confirmation on presentation in the 2nd JCC meeting and 3rd Seminar ● To confirm proposing contents of the additional requests from DoP
17	1 Feb. 2018	<ul style="list-style-type: none"> ● To discuss and confirm on comments made by MoE for REG ● To get confirmation on presentation in the 2nd JCC meeting and 3rd Seminar

**J1-2. Institutional Analysis: Institution Framework and Responsibilities on
ROW Management in MPWT**

Kingdom of Cambodia
Ministry of Public Works and Transport

JICA EXPERT REPORT

OF THE PROJECT
FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL
CONSIDERATIONS
IN IMPLEMENTING AGENCY
IN ROAD SECTOR
IN THE KINGDOM OF CAMBODIA

Institutional Analysis
Institution Framework and Responsibilities
on ROW Management in MPWT

November 2019

Japan International Cooperation Agency
CTI Engineering International Co., Ltd. (CTII)
Environment and Social Infrastructure Consultant Co., Ltd. (ESIC)
Hanshin Expressway Company Limited (HEX)

SUMMARY

This report shows outputs of the following activity based on Output 1 and Output4 of the Project for Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector in the Kingdom of Cambodia.

Output 1
Implementation framework for the project is strengthened based on past experiences and present situation on ESC and ROW management
Activity
1.3 Conduct institutional framework analysis for MPWT
1.5 Discuss the TF framework
Objectively Verifiable Indicator
1.3 Institutional framework and responsibilities in MPWT are examined
1.5 As an implementation structure of the project, TF is established

Output 4
Implementation framework of Social Considerations (SC) related to ROW management is strengthened
Activity
4.2 Conduct institutional framework analysis for DPWT
Objectively Verifiable Indicator
4.2 PTF is established

The composition of the framework was proposed by the JICA expert team based on the numerous interviews and discussions at the outset of the Project to decide how to establish a working relation with the MPWT and JICA Expert team. Finally, the institutional framework to implement the project, Task Force (TF) was agreed in the first Joint Coordinating Committee (JCC) meeting, held on 4th May 2017.

The report is a summary of these discussions and perusal of legal documents to identify the scale and structure of concerned departments in the Ministry of Public Works and Transport (MPWT) so as to formulate TF for the Project. Also, Pilot Project Task Force (PTF) is discussed and established in TF meetings to implement Pilot Project of ROM Management.

Chapter 1 first illustrates legal documents examined for this institutional analysis. Second, based on the documents as well as the interviews and discussions, current situation of institutional framework and responsibilities by each department was organized in MPWT in Chapter 2. Finally, Chapter 3 shows members of TF and PTF, which were agreed by the responsible officials.

Although some officials described in the report had been rotated due to personnel reshuffle during the project so their position and assigned offices have changed in accordance with that, there changes are reflected in the Right of Way Management Guidelines (RMG). Since the report aims to examine institutional framework and responsibilities, establishing TF and PTF with the result of the examination, the above changes of their position and offices are not reflected.

JICA EXPERT REPORT
 OF THE PROJECT FOR CAPACITY ENHANCEMENT
 ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS IN IMPLEMENTING AGENCY
 IN ROAD SECTOR IN THE KINGDOM OF CAMBODIA

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Chapter 1 Analysis Method

1.1 General

The concerned constituents of governmental institutions are regulated by the law. Through discussions with relevant officials and perusal of legal documents, legal document in Cambodia and documents related to ESC and ROW management are organized as shown in this chapter by law levels.

1.2 Types of Legal Documents

The following table summarizes the various legal documents in Cambodia. The legal documents that are explained in the following sections are based on this Table.

Table 1-1 The Levels of Different Legal Documents in Cambodia

Khmer	English	Nature
Rot Thorm Mor Nunh	The Constitution	The supreme law in Cambodia. All laws, legal documents and state body decisions must adhere to it.
Chbab	Law	A Law is adopted by the National Assembly (“NA”) and the Senate and promulgated by the King or the acting Head of State.
Preah Reach Kret	Royal Decree	A Royal Decree is an executive regulation issued by the King following a request from the Council of Ministers in order to organize the functioning of a public institution, create a new governmental body or appoint officials, ambassadors and judges.
Anu-Kret	Sub-Decree	A Sub-Decree is used to clarify provisions within existing laws, set out the functions and duties of RGC bodies and appoint senior RGC officials. It is the most common governmental decision.
Prakas	Ministerial Orders or Proclamations	Ministerial Orders or Proclamations are executive regulations made at the ministerial level to implement and clarify specific provisions within higher-level legislative documents and give instructions.
Sech Kdei Samrach	Decisions	Decisions are made by the Prime Minister or relevant ministers, and are used for a temporary purpose.
Sarachor	Circular	A Circular is issued by the Prime Minister or a Minister, and provides instructions relating to certain legal or regulatory measures, but is not legally binding.
Deika	Local Regulations or Bylaws	Local Regulations or Bylaws are approved by local Councils at sub-national level. They have force of law within the territorial authority of the local Councils, thereby cannot conflict with other regulations at the national level.

Source: Cambodia Center for Human Rights

1.3 Examined Document List

Examined documents are listed as the following table.

Table 1-2 Examined Document List

No.	Document Title	Document Type (Legal Level)
1	Law on Road (English)	Law
2	216SD_2016_Organizational Structure of MPWT	Sub-Decree

3	115SD_2016_Promoting department of resettlement	Sub-Decree
4	197SD_2009_ROW of National Road Channels and Railroads of the Kingdom of Cambodia (Kh)	Sub-Decree
5	197SD_2009_ROW of National Road Channels and Railroads of the Kingdom of Cambodia (En)	Sub-Decree
6	56SD_2007_The Creation of International Cooperation Department of MPWT (Kh)	Sub-Decree
7	56SD_2007_The Creation of International Cooperation Department of MPWT (En)	Sub-Decree
8	14SD_The Organization and Functioning of the Ministry of Public Works and Transport	Sub-Decree
9	PK_2017_Organization and Functions of Public Infrastructure Department (Final Draft)	Prakas
10	107PK_2016_Revision of Project Management Unit of Project Implementation to improve part of National Road No 5 (kh)	Prakas
11	107PK_2016_Revision of Project Management Unit of Project Implementation to improve part of National Road No 5 (En)	Prakas
12	352PK_2015_Office Change in the DoP of General Department of Administration	Prakas
13	461PK_2011_Organization and Functions of International Cooperation Department (Kh)	Prakas
14	461PK_2011_Organization and Functions of International Cooperation Department (Kh)	Prakas
15	302PK_2009_Establishment of New Offices Under Department of Planning of General Department of Administration	Prakas
16	076PK_2007_RID FUNCTIONS	Prakas
17	168PK_1999_Organization and Functions of Department of Planning	Prakas
18	206PK-Road Infrastructure Department	Prakas
19	007SR_2016_Management and ROW Use Strengthening Measures (Kh)	Circular
20	007SR_2016_Management and ROW Use Strengthening Measures (En)	Circular
21	03SR_2010_Settlement of the Illegal Construction on the State Land in Cities and Urban Areas	Circular
22	02SR_2007_Illegal State Land Occupation	Circular
23	007SR_MPWT Form	Circular
24	Report_2014_Report on dissemination of road law and legal regulation for managing ROW	Other
25	Report_2012_RAMP Baseline Benefit Monitoring Evaluation Report	Other
26	Report_2012_Environment Management Plan Monthly Report (August 2012)	Other
27	Report_2009_Enhanced Review Report (Cambodia Land Management and Administration Project)	Other
28	PN46293-004_2014_Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (ADB)	Other
29	PN46009_2014_Proposed Additional Financing to Flood Damage Emergency Reconstruction Project	Other
30	PN46009_2012_Environmental Management Plan - Environmental Monitoring Plan	Other
31	PN42334-013_2007_Asian Development Bank - Rural Roads Improvement Project	Other
32	2017_ICD Organizational Chart	Other
33	2016_Require-Documents-and-Service-Fee-Transport	Other
34	2014_CCHR Fact sheet - Hierarchy of laws in Cambodia	Other
35	2011_Key Performance Indicators in Public-Private Partnerships	Other
36	2010_Final Standard Guidelines for Implementation of Social Safeguards	Other
37	2009_Streamlining and Integrating Right-of-Way and Utility Processes With Planning, Environmental, and Design Processes in Australia and Canada	Other
38	2003_Environmental Assessment and Summary of Environment Management Plan (Kh)	Other
39	2002_European Right-of-Way and Utilities Best Practices	Other
40	RAMP Co-ordination Framework	Other
41	RAMP POC Structure	Other
42	RID Responsibilities, Organizational chart, Office of ROW Management	Other
43	Organizational Chart of Ministry of Public Works and Transport	Other
44	Organizational Chart of The General Department of Public Works	Other

Chapter 2 Current Situation of Institutional Framework and Responsibilities

2.1 General

In this section the roles and responsibilities and coordinating structure are reviewed by each department to identify needs and challenges in relation to ROW. Three concerned departments for the project are:

- International Cooperation Department (ICD)
- Roads Infrastructure Department (RID)
- Department of Planning (DOP)
- Public Infrastructure Department (PID)
- Department of Public works and Transport (DPWT)

The review focus is placed on ESC and ROW management. In terms of project management, RID is responsible for national/domestic project, while other departments are responsible for various donors-funded projects. Specifically, ICD is responsible for projects funded by JICA.

MRD (Rural Development) Digit 3.4 (Provincial road)

2.2 International Cooperation Department (ICD)

2.2.1 Organization

International Cooperation Department (ICD) was established under the supervision/management of General Department of Administration of MPWT by No. 56 Anukret (sub-degree). ICD has 32 officers in 2017 and divided into 5 offices.

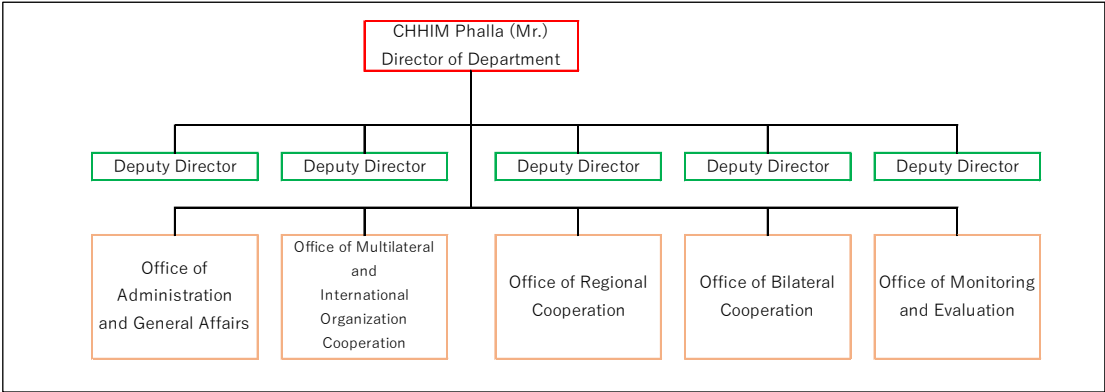


Figure 2-1 Organizational Structure of ICD

Table 2-1 Officers of ICD

No	Name	Position	Assigned Office
1	Mr. CHHIM Phalla	Director	Department of International Cooperation
2	Ms. PIN Vuthear	Deputy Director	Administration and General Affairs Office
3	Mr. KIT Chandararith	Deputy Director	Multilateral Cooperation and International Organization Office
4	Mr. NOU Vichet	Deputy Director	Regional Cooperation Office
5	Mr. DUK Narin	Deputy Director	Bilateral Cooperation Office
6	Mr. VASIM Sotevoin	Deputy Director	Investigation and Evaluation Office
7	Mr. VORN Sarum	Chief	Administration and General Affairs Office
8	Mr. PANG Som Oeurn	Deputy Chief	Administration and General Affairs Office
9	Mr. SEUN Kantrea	Deputy Chief	Administration and General Affairs Office
10	Ms. SRENG Sophea	Officer	Administration and General Affairs Office
11	Mr. HEAK Phearun	Officer	Administration and General Affairs Office
12	Mr. SONG Kimheng	Officer	Administration and General Affairs Office
13	Mr. Sok Ly	Chief	Multilateral Cooperation and International Organization Office
14	Miss. Um Sokvorsey	Deputy Chief	Multilateral Cooperation and International Organization Office
15	Mr. LOR Vichet	Deputy Chief	Multilateral Cooperation and International

			Organization Office
16	Mr. HOR Vuthy	Officer	Multilateral Cooperation and International Organization Office
17	Miss. LANG Sengkim	Officer	Multilateral Cooperation and International Organization Office
18	Mr. HENG Salpiseth	Chief	Regional Cooperation Office
19	Mr. SOR Yilin	Deputy Chief	Regional Cooperation Office
20	Miss. EAM Runthearin	Deputy Chief	Regional Cooperation Office
21	Mr. SOK Channaro	Officer	Regional Cooperation Office
22	Mr. SOURN Sokhom	Chief	Bilateral Cooperation Office
23	Mr. CHEA Sophanith	Deputy Chief	Bilateral Cooperation Office
24	Mr. MANH Vutha	Officer	Bilateral Cooperation Office
25	Miss. BROSEUR Monika	Officer	Bilateral Cooperation Office
26	Mr. NGEL Sovannarith	Officer	Bilateral Cooperation Office
27	Mr. DUN Vandyreagan	Chief	Investigation and Evaluation Office
28	Mr. OM Thol	Deputy Chief	Investigation and Evaluation Office
29	Mr. SHIN Rat	Deputy Chief	Investigation and Evaluation Office
30	Mr. MEAS Nara	Officer	Investigation and Evaluation Office
31	Mr. OL Sophanith	Officer	Investigation and Evaluation Office
32	Mr. TOUCH Chandara	Officer	Investigation and Evaluation Office

2.2.2 Roles and responsibilities

No. 56 Anukret (sub-degree) states the overall responsibilities as follows:

1. Coordinating with and communicating international cooperation works to the Ministry of Foreign Affairs and International Cooperation on the Public works and Transport sector;
2. Strengthening and coordinating the cooperation with international NGOs, and Civil Societies of other countries supporting on the public works and transport sector, based on the principals of the Royal Government;
3. Preparing the document related to international works to be submitted to leaders of Ministry for circulation, and signing on minutes, MOUs, protocols, and other agreements;
4. Coordinating all activities supported by the bilateral-multilateral assistance with the Royal Government or with other ministries or institutions;
5. Coordinating and managing data on aid information and foreign loans related to the public works and transport sector;
6. Following-up and evaluating the essences of the implementation of international cooperation related to public works and transport sector as mentioned in minutes, MOUs, protocols, and other agreements which were already signed;
7. Consolidating all international cooperation works with other institutions/departments based on the decided term;
8. Preparing the monthly, trimester, semester and 9-month and annual reports to be submitted to leading persons; and
9. Implementing/conducting other tasks assigned by leading persons of ministry.

No. 461 Prakas (ministerial ordinance) states the responsibilities as follows:

ICD is under the management and leadership of General Department of Administration of Ministry of Public Works and Transport. ICD has roles and duties as below:

- Facilitating and communicating work regarding the international cooperation with Ministry of Foreign Affairs and international cooperation and relevant ministries and agencies on the public works and transport sector
- Strengthening cooperation and coordination with international organization, regional organization, NGOs of other countries which support public works and transport aligned with policies of the government
- Preparing relevant documents related to international affairs and submitting to management of the Ministry for negotiation and signing on the meet notes, MoU, agreement and international conventions

- Co-coordinating all entities, which is under bilateral or multilateral loan process with the government or the Ministry or other
- Coordinating and managing information and data about foreign grant, loan related to public works and transport sector
- Monitoring and evaluating the implementation of international cooperation related to public works and transport which stated in the official meeting notes, MoU, agreement and international conventions, and implementation is aligned with legal procedure of Royal Government of Cambodia
- Preparing action plan and budget plan for organizing meetings related international cooperation of the Ministry
- Preparing action plan and budget plan to delegation and relevant officials attending in the meetings outside the country
- Other tasks assigned by General Director of Administration and the Ministry

Office of administration and general affair

- Documentation and managing all daily in-out letters and relevant documents
- Managing staff presence, statistics and updating officials in the ICD
- Preparing promotion and titles form for out-standing officials in the department
- Preparing and proposing capacity building for officials of the department inside and outside of the country
- Planning, budget planning and managing lists of expense, especially expense on organizing meetings related to international coordination of the ministry and expense on delegation and relevant officials attending inside and outside the country
- Preparing and taking a role as a Master of Ceremony in any event related to international coordination
- Coordinating and communicating regarding international coordination with Ministry of Foreign Affair and international coordination and Ministries related to public works and transport
- Summarizing monthly, quarterly, six-month, nine-month and annual report to the management of the Ministry
- Other tasks assigned by the Director of Department

Office of multi- cooperation and international organizations

- Cooperating works with ADB, WB and other international banks
- Cooperating with other international organizations
- Summarizing monthly, quarterly, six-month, nine-month and annual reports of the office
- Other tasks assigned by the Director of Department

Office of regional cooperation

- Cooperating with regional organizations such as ASEAN, cooperation among ASEAN and other countries and relevant development partners, Great Mekong Sub-region (GMS), Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS) and Cambodia, Laos, Viet Nam Development Triangle Area (CLV-DTA).
- Cooperating with other regional commissions such as Mekong River Commission, United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and European Union etc.
- Summarizing monthly, quarterly, six-month, nine-month and annual reports of the office
- Other tasks assigned by the Director of Department

Office of bilateral cooperation

- Bilateral communication with countries in Asia and Pacific
- Bilateral coordination with countries in EU, America and Africa
- Summarizing monthly, quarterly, six-month, nine-month and annual report
- Other tasks assigned by Director of Department

Office of monitoring and evaluation

- Monitoring and evaluation on MoU, agreement and other international conventions
- Coordinating and managing data/information about foreign grant and loan related to public works and transport sector
- Managing library and international documents center of the Ministry
- Summarizing monthly, quarterly, six-month, nine-month and annual report
- Other tasks assigned by Director of Department

2.2.3 Project Management Mechanism

Besides the administrative duties as a focal point for international cooperation, ICD coordinates infrastructure projects funded by Japan. There are two types of project management coordination structures.

- Project Management Unit
- Coordination by Focal Officers

PMU has been established for loan projects so far, while a grant aid project does not have PMU. PMU functions for a whole project cycle of loan project implementation (including procurements, bidding, EIA, ROW, resettlement and so on).

In terms of EIA and ROW Management processes, each PMU encounters different requirements and contexts thus there is no uniform procedures to comply.

Project Management Unit in ICD

A Project Management Unit was set up in 2012 for the National Road No.5 Improvement Project. The Project is divided into three sections:

- North Section: Battambang-Sri Sophorn (83.5km)
- Middle Section: Thlea Ma'am-Battambang (130km)
- South Section: Prek Kdam-Thlea Ma'am (139km)

The PMU is in charge of coordination of the project implementation and is an ad-hoc coordination structure to facilitate the smooth implementation of the project activities. The officers selected from relevant departments in MPWT are assigned to work for PMU. In 2017, 33 officers are assigned to PMU of which 15 officers are selected from ICD and other officers are assigned from other concerned departments. The recruitment of officers for PMU is conducted within MPWT, based on the experience and skills that they have learnt; hence there is no public job announcement. Then, the selected officers will have opportunities to build up their capacity through conducting their duties and attending training programs.

The organizational structure of PMU is shown below. To handle the issues of Right of Way (ROW), a working group is temporarily formed. This working group is an ad-hoc structure and is not permanent. Officers are assigned according to the necessity. Therefore, some officers attached to the working group are not selected from PMU.

Inter-Ministerial Resettlement Committee

As to the resettlement issue, an Inter-Ministerial Resettlement Committee is formed and convened once a month to monitor the situation on the ROW management. Local authorities are also a member of this committee and in charge to communicate directly with the affected households, and play a key role to handle the ROW management vis-à-vis the local communities. To address the prevention of ROW encroachment, raising awareness of relevant stakeholders is necessary, especially through local authorities.

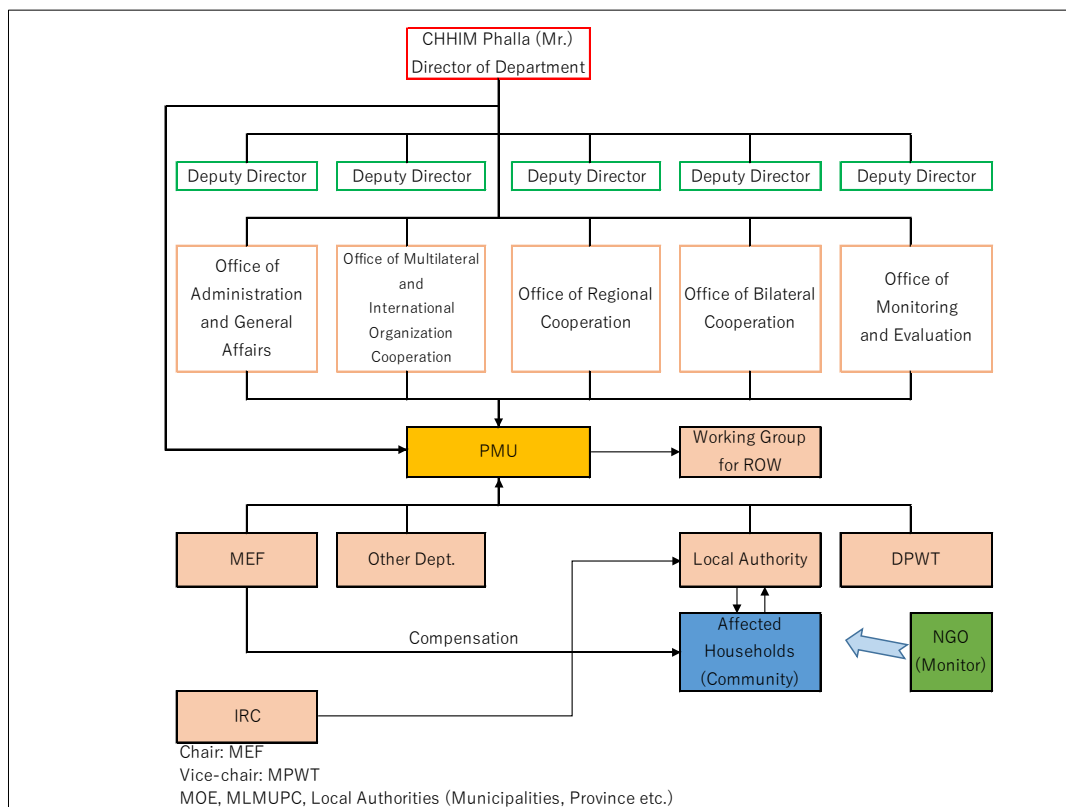


Figure 2-2 PMU for NR.5 and other Stakeholders

Table 2-2 Officers of PMU for National Road No 5

No	Name	Position at MPWT	Position at PMU
1	H.E Touch Chankosal	Secretary of State	Chairman of Project Management and Coordination
2	H.E Kuy Sodany	Under Secretary of State	Vice-Chair of Project Management and Coordinator
3	H.E Py Sophat	Director General of Public Works	Project Director
4	Mr. Suon Phearith	Deputy Director General of Public Work	Deputy Project Director
5	Mr. Chhim Phalla	Director of Department	Project Manager
6	Ms. Pin Vuthea	Deputy Director of Department	Administration, Accounting and Finance Officer
7	Miss Oum Sokvansy	Vice-Chief of Office	Accounting and Finance Assistant
8	Ms. Sreng Souphea	Officer	Accounting and Finance Assistant
9	Mr. Hern Somneang	Bureau Officer	Administration Officer
10	Mr. Kheang Yanat	Deputy Director of Department	Administrative Assistant
11	Mr. Manh Vutha	Vice-Chief of Office	Administrative Assistant
12	Mr. Ket Chandarith	Deputy Director of Department	Procurement Office
13	Mr. Lour Vicheth	Vice-Chief of Office	Procurement Assistant
14	Mr. Sor Yilin	Vice-Chief of Office	Procurement Assistant
15	Mr. Svay Promroth	Technical Officer	Procurement Assistant
16	Mr. Ken Ratha	Bureau Officer	Monitoring and Evaluation Officer
17	Mr. Vorn Sarom	Chief of Office	Monitoring and Evaluation Assistant
18	Mr. Peang Somoeun	Vice-Chief of Office	Monitoring and Evaluation Assistant
19	Ms. Eam Ronthearin	Vice-Chief of Office	Monitoring and Evaluation Assistant
20	Mr. Brak Vanna	Deputy Director of Department	Road Technical Officer
21	Mr. Kry Thong	Deputy Director of Department	Vehicle Technical Officer
22	Mr. Suon Sokhom	Chief of Office	Bridge Technical Officer
23	Mr. Eam Sovisoth	Vice-Chief of Office	Technical Assistant
24	Mr. Nguon Simeth	Technical Officer	Technical Assistant

25	Mr. Dun Vanyrgan	Chief of Office	Resettlement and Environmental Officer
26	Mr. Sok Ly	Chief of Office	Resettlement and Environmental Assistant
27	Mr. Chea Sophanith	Vice-Chief of Office	Resettlement and Environmental Assistant
28	Mr. Hea Sotheyayuth	Bureau Officer	Resettlement and Environmental Assistant
29	Director of Provincial Department of PWT	Kandal Province	Provincial Coordinating Counterpart
30	Director of Provincial Department of PWT	Kompong Chhnang Province	Provincial Coordinating Counterpart
31	Director of Provincial Department of PWT	Porsat Province	Provincial Coordinating Counterpart
32	Director of Provincial Department of PWT	Battam Bang Province	Provincial Coordinating Counterpart
33	Director of Provincial Department of PWT	Banteaymean Chey Province	Provincial Coordinating Counterpart

Roles and responsibilities of PMU

Prakas No. 107 states the responsibilities of PMU as follows:

The PMU has responsibilities to prepare an action plan for project implementation and managing the project including: Administration, Finance, Technique, Procurement and works related to social and environmental impacts by collaborating with technical advisors and coordinating with authorities, relevant agencies and donors. Also preparing report on results of project implementation and submitting to the management of the Ministry of Public Works and Transport.

Coordination by Focal Officer

Projects that are grant or under other cooperation schemes are managed by focal officers. The Project for Improvement of National Road No.1 is managed through focal officers. Four focal officers are assigned and these officers coordinate the activities necessary for the project management.

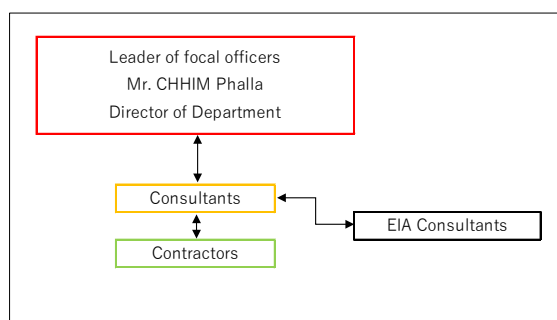


Figure 2-3 Project Management by Focal Officers

2.2.4 Situation Analysis of EIA Process in PMU

Three officers are assigned to the EIA process in PMU. For project implementation, the project documents are prepared by a consultant and submitted to the PMU. The PMU receives the EIA documents as well as report and submits to MOE for approval. In terms of the actual involvement by ICD in the EIA/EMP process in Cambodia, the ICD actually involves in only the JICA funded projects through PMU, although the formal duties and functions of the ICD do not include the EIA/EMP reviewing process. For the JICA Project, the ICD officers have responsibility to receive and speedily review a draft EIA report submitted by a local EIA consulting firm and forward the EIA Report further to MoE for a technical or detailed review as well as an approval of the report. A local EIA consulting firm prepares an AFE. The actual involvement by ICD is indicated in the following schema in the red color (*the italic character*).

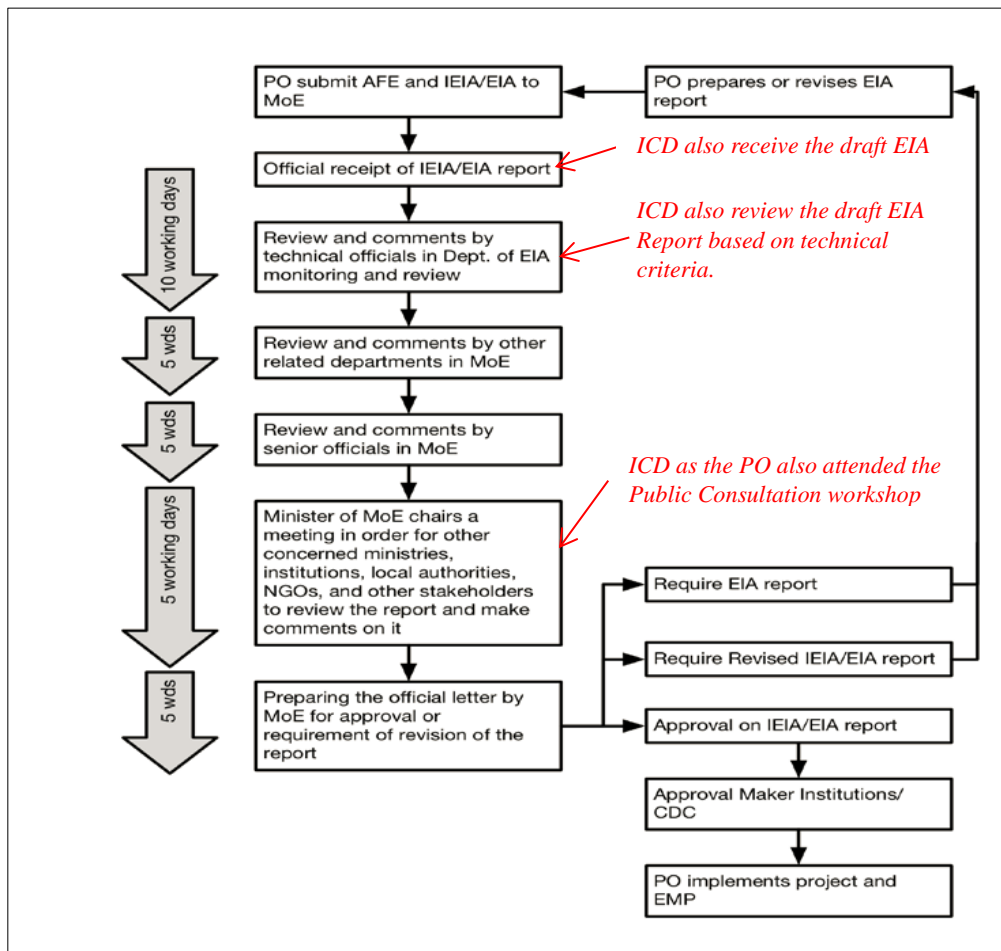


Figure 2-4 Flowchart of the IEIA/EIA Process for National-level Projects by MoE

Notes: IEIA: Initial Environmental Impact Assessment; EIA: Full Environmental Impact Assessment; CDC: Council for the Development of Cambodia; EMP: Environmental Management Plan; MoE: Ministry of Environment; PO: Project Owner; AFE: Application Form of Environment Sources: Prakas (Declaration) on General Guideline for Conducting Initial and Full Environmental Impact Assessment Reports MoE (2009)

The EIA related documents that are processed under time pressure stagnate in the communication line among stakeholders and are not expeditiously processed. Also there are limited numbers of officers who have ample knowledge of EIA process to review EIA documents. Therefore it is useful for the officers in charge of PMU to learn about EIA process and have general guidelines for a standard operation of the EIA approval process.

5) Situation Analysis of ROW Management for PMU

PMU is set up to manage a project and therefore ROW Management is not its mandate. It is however closely related to resettlement process. Therefore it is important that the officers have knowledge about ROW and are able to have access to the information about the ROW, such as the ROW map or other data that show the situation of the concerned road. The resettlement procedures also need to abide by the legal stipulations of ROW and make a Resettlement Action Plan to decide where to setback, who are concerned and whom to compensate. Therefore, the Project plans to make 1) guidelines how to measure, and manage the ROW, 2) data collection and database about ROW area and 3) ROW map. Also the training also invites PMU officers to learn about ROW.

2.3 Road Infrastructure Department (RID)

2.3.1 Organization

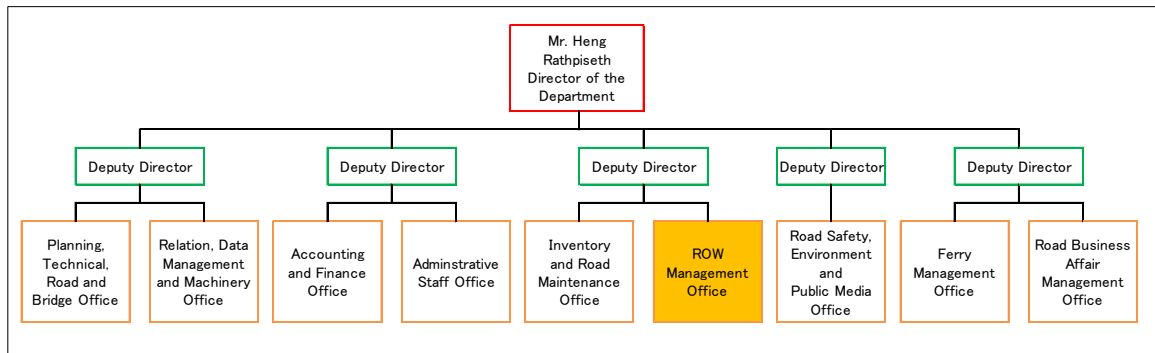


Figure 2-5 Organizational Structure of RID

2.3.2 Roles and responsibilities

Duties and responsibilities of Road Infrastructure Department (RID) under the direct supervision of Department of Public Works are stated in the Article 12 of Sub-Degree No 14 dated on 3rd March 1998. RID is responsible for the organizations, maintenance and enforcement of the regulations on the infrastructure such as road, bridge, public and private ferry.

Responsibilities of RID are stated as following:

1. Road Maintenance and Management

- Manage the road and ROW by creating the relevant legal regulations such as road and bridge consumption, ROW protection, road equipment and structural design.
- Update road data by collecting and manage the road inventory list such as national road and provincial road and also doing research on economic, social and technical information in purpose to plan the new road or leveling the existing road or construct the new road.
- Manage the technical documents of road project and the road-related information by managing and collecting the documents from previous projects, current projects or planned projects; and also the location information of the frequent traffic accidents in purpose to file for improvement and maintenance projects.
- Yearly planning through the implementation of construction, improvement project and the need of budget for the maintenance of road and ferry in short and long term.
- Monitor and follow up the budget management for road project and financial report.

2. Manage and inspect the construction site of road, bridge and ferry

- Study and implement the maintenance activities for roads and bridges by managing the regular and periodic budgets and seeking the problems causing the damage of road as well as its structure and recommend the method for repair and maintenance.
- Prepare the budget and manage the ways of inspection on the construction site of road and bridge by allocating the budget via the inspection and audit on the annual plan or 5 years plan of main construction for roads and bridges.
- Evaluate the ongoing or complete construction work of project.
- Manage the public and private ferry by planning about the need of new ferry or improving the old ferry; and implement the project management plan and maintenance.
- Manage the administration and staffs by keeping the documents with proper care and implement the training program to support human resources to study both local and international on the technical sector and be the technical assistant and secretary.

3. Manage the DPWT both capital and provincial on public works and technical construction and maintenance of the road

4. Sum up the quarterly, semester, 9-month and annual report.

5. Carry out the duties assigned by the General Department of Public Works and Ministry.

According to ‘Overview of the Transport Infrastructure Sector in the Kingdom of Cambodia (5th Edition), 2015’, RID is in charge of road maintenance. In practice, road maintenance is implemented by the Department of Public Works and Transport (DPWT) in the provinces, and by private enterprises and construction units from police and Engineer Corps. MPWT and Ministry of Economy and Finance (MoEF) play a role in technical supervision and budget auditing of works.

Table 2-3 Types of Road Maintenance for RID in 2012

Department	Maintenance Type	Source of Budget
Road Infrastructure Dept.	Routine (Civilian Contractor)	National Budget
	Periodic maintenance (Civilian Contractor)	National Budget, DPs
	Emergency maintenance (Civilian Contractor)	DPs

Source: Overview of the Transport Infrastructure Sector in the Kingdom of Cambodia (5th Edition), 2015

Office of Right of Way Management

The office of Right of Way Management is established in 2014 with 4 core officers and 2 temporal officers. The incumbent list of the office is as follows in 2017.

Table 2-4 Officers of Office of Right of Way Management

No	Name	Position
1	Mr. Chea Samnang,	Chief of Office
2	Mr. Khai Saray	Vice-chief of Office
3	Mr. Hay Chandara	Vice-chief of Office

The office started its activities in 2014 and is working to establish a management system of right of way. The office is in charge of national projects and takes over the responsibility after construction in case a construction project is funded by foreign funding agencies. Therefore, the office does not collaborate with PMUs during construction funded by foreign funding agencies. The ROW management is included in the work of routine management.

Office of Right of Way Management under the supervision of Department of Roads Infrastructure (RID) in the General Department of Public Works has duties and responsibilities as stated in the Article 12 of Sub-Degree No 14 dated on 3rd March 1998 on the organizations and functions of MPWT. Responsibilities of Office of Right of Way Management are stated as following:

1. Managing Right of Way of national and provincial roads, which are under authorization of the Ministry.
2. Collecting information, education planning, and disseminating ROW-related regulation and legal documents to ministries, line agencies, sub-national administration, road users and local people widely.
3. Developing a strategic plan to prevent illegal ROW use and encroachment.
4. Reporting to the Departments to request for approval from management team of the Ministry or Urban-provincial hall to take legal actions on those who encroaches the ROW.
5. Proposing a budget plan for managing, producing and ROW boundary poles and equipping/installing facilities on ROW to the Department to request for approval from the Ministry.
6. Controlling, monitoring and evaluating the implementation of regulation and all activities related to ROW uses by collaborating with Urban-provincial department of public works and transport
7. Preparing quarterly, six month, nine month and annual reports on activities of the office to the management team of the department accordingly
8. Carrying out the duties assigned by the Director of the Department of Public Works and the ministry

The role of DPWT in ROW Management

DPWT plays a key role to coordinate and implement road maintenance works in each province. The work on the ground is internally contracted to DPWT as an extensive arm of activity implementing

agency at the provincial level. Therefore they do not hire private contractors to conduct activities. An annual budget request is submitted in September from DPWT to MPWT.

2.3.3 Legal base of Right of Way Management

The article 8 of Sub-Decree No 197 issued on 23rd November 2009 on ROW Management of National Road and Railway and the line number 3 in point number 8 of Prakas Nr. 06 issued on 27 September 1999 of the Royal Government on anarchy elimination measures for land encroachment states the dimensions of ROW as summarized in the Table below.

Table 2-5 Definitions of Right of Way

Road level	ROW Dimensions under Prakas No. 06, 1999	ROW Dimensions under Sub-decree No. 197, 2009
NR1, 4 and 5	30 m length from the centerline	30 m length from the centerline
Other national roads: 1-digit number	30 m length from the centerline	30 m length from the centerline
National roads: 2-digits number	25 m length from the centerline	25 m length from the centerline
Provincial roads	25 m length from the centerline	Not specified
Commune Roads	15m	Not specified

General Principals for Right of Way

2001 revised Land Law stipulates that the land for ROW State public land. Other supporting legal documents as well as Road Law also support this statement. In short, ROW is a state public land for which no land title or possession is permitted. A list of relevant laws is summarized below.

Table 2-6 Legal Basis on ROW in Cambodia

Date	Documents	Authorization	Contents
1992 OCT13	Land Law	Prime Minister	Article 1: All the land in Cambodia belongs to the State and shall be governed and protected in agreement by the State. The State does not recognize the land property right existing before 1979... Article 5: Private right is not given in land reserved for roads construction and road maintenance... Article 217: Roads, tracks, national roads ... can never be considered as a land lot, but are all considered as public property
1993 SEP21	Constitution	Prime Minister	Article 44: All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall have the right to own land.
1999 SEP27	No. 06 Prakas on the measurement of illegal occupant of land	Prime Minister	1. Not allow to possess an owner right of the government land such as ... main national road right of way and ... 8. Designate the right of way for the road and railways for the development of Infrastructure as below: - National Road (NR) with one digit number like NR 2,3,6,7 the ROW is 25 meters both sides from the centerline, except NR 1,4,5 the ROW is 30 meters from the centerline. - National Road with two digit numbers like NR 11,22,64,78 the ROW is 25 meters from the centerline. - Provincial Road is 20 meters from the centerline. - Communal Road is 15 meters from the centerline.
2000 APR06	No. 961 Letter on Regarding the Implementation of Right of Way policy on National Roads, Provincial Roads, Communal	MEF Minister	MEF issued the letter to Governors of Phnom Penh City and other provinces to disseminate area of ROW regulated by No.06 Prakas (1999). To implement Prakas No. 06 Pr. K with high effectiveness, the Ministry of Economy and Finance would like to inform that the Government will not use National Budget to compensate for all the things on the ROW of Roads and Railways.

	Roads, and Railways in Cambodia		
2001 AUG30 revised in 2011 due to Civil Code	Land Law [NS/RKM/0801 /14]	King, Prime Minister	<p>Article 15: Any property that is made available, either in its natural state or after development, for public use, such as roads, tracks, oxcart ways, pathways, gardens and public parks, and reserved land;</p> <p>Article 19: Persons that illegally occupy, possess or claim title to State public land cannot claim any compensation. This includes land established by the Government as public ROWs for roads and railways. Moreover, failure to vacate illegally occupied land in a timely manner is subject to fines and/or imprisonment.</p> <p>... The penalties shall be doubled where any acquisition of land from the public properties causes damage or delay to works undertaken in the general interest, in particular any acquisition of roadway reserves*...</p> <p><i>* Explanatory note: The roadway reserves referred in the third paragraph are defined in Declaration of the Council of Ministers No. 6 on the eradication of anarchy related to encroachment on occupied land, dated 2 September 1999, paragraph 8.</i></p> <p><i>Article 148 (Lawful cases): Land demarcation and ownership of property situated along public roads shall be determined by the competent authorities based on actual needs of common interests, especially based on the traffic needs.</i></p> <p><i>Before building a fence or constructing any kind of building next to a public road, the owner shall check the conformance of the proposed construction with the setback map, if any. Every construction permit shall follow the existing setback line. The competent authorities can decide to change the size of roads according to the necessary needs for the public interests. If the authorities decide to extend a road size, all constructions situated along the setback line shall be moved back. If it is a simple fence or an easy-to-remove building, the authorities shall require the owner to move it. If it is an immovable property that cannot be subject to change or easily moved away, it shall remain in the same location until the competent authorities decide whether to extend as projected. The deprivation of partial or whole of ownership may be done according to the implementation of the proper procedures determined by law.</i></p> <p><i>Regarding legally possessed/occupied land, as well as fences and buildings legally built according to legal provisions, the owners shall be entitled to the compensation for their losses.</i></p>
2014 MAY4	Road Law	2014 MAY4	<p>Article 12: Any construction on the land for road construction development, in particularly area for right of way which is permanently established shall be prohibited, except for the construction in some special projects such as of the equipment used in the national defense, security and in road management or road construction and construction for other public services which require the approval of the Royal Government in accordance with request of the competent authorities of road management. <u>Right of way may be utilized for various temporary purposes without affecting the equipment and structures for safe road traffic.</u></p> <p>Article 14: In the construction of new roads, right of way and land for construction of important road infrastructures shall be set aside. Nonetheless, the construction of roads within towns, <i>Boreys</i> (residential communities) and new development areas shall include the construction of roads for pedestrians, the handicapped and construction of other road infrastructures to</p>

			<p>assure safe traffic. The earmarked right of way and land for construction of road infrastructures above shall be publicized and the draft plan for such right's right of way and land for construction of those road infrastructures shall be put forward to the Ministry of Land Management, Urban Planning and Construction and the Ministry of Interior to cooperate in launching appropriate measures.</p> <p>Article 37: All competent authorities shall launch legal measures to prevent any destruction to the road infrastructures and encroachment on the right of way.</p> <p>Annex:</p> <p>14- ROAD INFRASTRUCTURE referred to right of way, road construction, vehicle terminal, vehicle parking yard, parking lots, roadside service station and rest area.</p> <p>15- RIGHT OF WAY referred to land strips along both sides of the middle point of road included seized of right of way, reserving for the management, developing and protection road to ensure traffic safety and used for another road infrastructure affair which determined in linear of right of way.</p> <p>16- LINEAR OF RIGHT OF WAY referred to linear of right of way boundary that have distance limited from the middle point of road.</p>
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Sarachor (Circular) No 007 SR SK states the following principals based on the Law on Road and Sub-Decree.

'ROW management is a responsibility of authorities at all levels as stated in the first paragraph of article 37 of Law on Road that "Authorities at all levels have to take actions legally to forbid all destructions of road infrastructures and violating the ROW" and in article 11 of Sub-Decree No 197 issued on 23rd November 2009 on ROW Management of National Roads and Railway of Kingdom of Cambodia stated that "all relevant ministries and line agencies do not permit any construction or cropping along ROW of national roads and railway". Any fruits/products-crops have to be approved in principle from the government and have to make a contract with relevant line agencies. There is no compensation for all state-roads development'.

Use of Right of Way and its vicinity

In case any activities need to use the ROW, those who are concerned need to apply for permission. Different activities are summarized in the table below.

Table 2-7 Use of Right of Way

Types of Activities	Activity examples	Authority for permission	Applicable Law
Public works	Installing electric pillars, preparing sewage or drainage or any activities on road, any parts of road or remaining piece of land in ROW	Permission from Road Control Authorities of MPWT	Article 31 of Law on Road
Business	Digging, drilling or any activities related to business that may cause damages or impacts on road, any parts of road and ROW, and business banner or any advertisement banners along the road and ROW	Permission from Road Control Authorities of MPWT	Article 32 of Law on Road
Agricultural activities	Any growing fruits/products crops. There is no compensation for any state-road development.	Permission in principle from the government to make a contract with relevant line agencies	Article 11 of Sub-Decree number 197 issued on 23 rd November 2009 on ROW Management
Prohibited	Concrete construction or temporary	Without permission	No 007 SR SK,

Activities	construction in ROW, removing side drainage, filling land fill or any activities on ROW for enter/exit from house, company, factory, enterprise or any places	from Road Control Authority of MPWT	Article 3
	Any constructions such as petroleum station, gas station, car washing shop, garage or any similar construction where many people gathering in at least 15 meters from ROW line	Relevant technical officials, who issue ownership or properties letters and permission letter	1, 2, and 3 in article 30 of Law on Road

Table 2-8 Regulations on Construction in the Vicinity of ROW

Types of Activities	Distance	Authority for permission	Applicable Law
Any constructions such as petroleum station, gas station, car washing shop, garage or any similar construction where many people gathering	At least 15 meters from ROW line	Relevant technical officials, who issue ownership or properties letters and permission letter	1, 2, and 3 in article 30 of Law on Road
Constructing business center, stadium, pitch, cinema, hospital, academic institution, market, mart, products fairs or any activity that have many people gathering	At least 50 meters from ROW line		

Rights and duties of stakeholders are stated in the following table including local people, governmental bodies, especially the local authorities and MPWT.

Table 2-9 Governmental Bodies in collaboration

Stakeholders	Measures	Applicable Law
Technical General Department, Technical Department and Municipal and Provincial Department of Public Works and Transport	<ul style="list-style-type: none"> - Assign technical officials to monitor, review and take further action or measure for emergency case: <ul style="list-style-type: none"> • Find-out any illegal activities as stated in point 3 in article 30 of Law on Road, then issue an informing letter to a natural person and legal entities, who violate ROW, have to stop their activities immediately and have to request to Road Control Authority. • In case, a natural person and legal entities still continues their activities, technical officials have to request for collaborative assistance with relevant agencies in order to postpone or stop any activity violating on ROW. 	Ministry of Public Works and Transport No 007 SR SK (Circular) Point 3 in article 30 of Law on Road
	<ul style="list-style-type: none"> - Assign technical officials to disseminate to the public widely about ROW management, uses, maintaining and protection, participating in review and monitoring technical aspect of removing side drainage, filling land or any activities in ROW for enter/exit way in order to ensure sustainable road infrastructure development and sustainability as well as safety, public order, and environmental protection. 	No 007 SR SK (Circular)
Local authority and sub-national administration (village, commune, district and province)	<ul style="list-style-type: none"> - Forbid and participate in collaboration and intervention to against any illegal land encroachment or ROW uses. - In case, a location of road networks where inter-ministerial committee has solved the compensation and finishing the construction, local authority and sub-national administration kindly forbid and against with any illegal encroachment and uses to ensure that the illegal activities will not happen again. - In case, occupation, construction and use are already occur before issued date of Law on Road (04 May 2014), 	1, and 2 in article 30 of Law on Road

	local authority and sub-national administration kindly help to maintain/secure any additional/new occupation or use without permission.	
Local people	<ul style="list-style-type: none"> - For existing building or fruits/products-crops in area of ROW before approving the Law on Road (04th May 2014) have to wait for solutions with inter-ministerial committee solving the impacts before taking any further action. - For any building or fruits/products-corps not yet exist or exists in ROW area after approving the Law on Road (04th May 2014), Ministry of Public Works and Transport is not responsible for solving any problem and it will be a violating case on the Road Law. 	Law on Road (04th May 2014)
	- A natural person or legal entity has right to request to remove side drainage, filling land, or any activities on ROW for entering/exiting from house, company, factory, enterprise or any places nearby the road to Road Control Authority.	No 007 SR SK (Circular)

Other relevant legal basis for Right of Way is listed in the following table.

Table 2-10 Other Legal Documents on ROW in Cambodia

Date	Documents	Authorization	Contents
2007 FEB26	No.02.SR Sarachor on Illegal State Land Occupation	Prime Minister	Administrative measures for illegal occupation on state land
2009 Nov23	Sub Decree on Right of Way of National Road Channels and Railroads of the Kingdom of Cambodia [No.197 S.E]	Prime Minister	<p>Article 3: The scope of the Sub decree covers any national roads with 1 (one) digit and 2 (two) digits and railroads in the Kingdom of Cambodia...</p> <p>Article 7: ROWs on national roads and railroads are the state properties in compliance with article 15 of the land law.</p> <p>Article 8: ROWs shall be determined to serve physical infrastructure development as follows:</p> <ul style="list-style-type: none"> - National road grade 1: Symbolized by a number with 1 (one) digit for the ROW located 30 (thirty) meters from both sides of the road; - National road grade 2: Symbolized by a number with 2 (two) digits for the ROW located 25 (twenty-five) meters from both sides of the road. <p>ROWs on the above 2 (two) kinds of national roads which cross the capital or city of a province or an urban area will be determined separately on the ROWs on national roads of the capital and city of a province or an urban area.</p> <p>Article 10: The determination of the above ROWs shall be undertaken only once and remain the same in spite of further road development.</p> <p>Article 11: All line competent ministries-institutions shall not authorize any construction or cultivation along the ROWs on national roads and railroads. Some subsistence cultivation shall be authorized in principle by the Royal Government and shall be under contract with line ministries-institutions. In the event of road development, the state is not responsible for paying the compensation.</p> <p>Article 12: The Ministry of Public Work and Transports shall issue a Prakas or a notification to determine the use of the ROWs on national roads and railroads to serve the public and private</p>

			<p>interest such as burying optical cable network, pure water pipe, setting up electrical poles, optical poles, and billboard pole, and other uses related to national roads and railroads. The Ministry of Public Work and Transports shall conduct a study to display the illustration board on the determination of the ROWs on national roads and railroads instead of setting up ROW poles.</p> <p>Article 13: The state shall pay the compensation in compliance with the policy of new resettlement and in accordance with article 148 of the law on land management to the lawful owner of the land which is re-determined as stipulated in article 8 and 9 of the Sub decree for physical infrastructure development more than the determination prior to the Sub decree as well as in accordance with the law and regulations in force.</p>
2010 MAY31	No.03 SR. SARACHOR (Circular) on Solutions for Temporary Constructions/B uildings on Illegally Encroached State Land in Capital, Cities/Municipa lities and Urban Areas	Prime Minister	<p>2-Identification, Mapping and Classification of the location of temporary constructions/buildings:</p> <p>After recording the numbers of locations of temporary constructions, state land working groups at cities and districts/Khan level, working groups at communes/Sangkat level, community representatives of local people and civil societies must hold a joint meeting and discuss on the accuracy of each location in order to input those locations into commune map which has big scale. State land working groups at cities and districts/Khan level, community representatives of local people, civil societies must identify each location based on the physical/real condition as below: ...</p> <ul style="list-style-type: none"> · Dangerous/harmful locations to residential people such as locations near dumping areas, on the road shoulder, near sewage, on the Right of Way (ROW), on railways, on flood dams, on embankment of rivers and streams, and on the terrace, etc. <p>Locations of temporary constructions/buildings on the map must be marked by different technical colors or symbols based on the physical conditions as mentioned above. Importantly, that map must be recognized or approved by the thumbprints of state land working groups at cities and districts/Khan level, community representatives of local people, and civil societies. Besides using this map as solution discussion, authorizes should publicize it to local people in order to avoid any illegal state land encroachment in future...</p>
	No 007 SR SK Sarachor on sub-decree on ROW management along National Roads and Railways of Cambodia	MPWT Minister	Sarachor strengthens implementation of past Law, Sub Decree and related document for protection from illegal occupation and clarifies procedures for applying use of ROW. The Sarachor has separated forms.

2.3.4 ROW Management activities

ROW office initiated and implemented workshops to inform about ROW and ask to abide by the law in provinces. In 2015, information dissemination workshops were organized in Kandal Province for 8 communes. The workshops were held along National Road No 1, 14 (provincial road no 118) and provincial road no 110 between 05-09 January 2015. The disseminating group of Road Infrastructure Department of General Department of Public Works of MPWT has implemented their activities. In

2016, RID did not organize the workshop due to lack of money and limited staff. Other provinces such as Porsat, Kompong Chhnang provinces were also covered for all national roads at commune level, also some parts in Takeo and Kompong Speu provinces.

Table 2-11 Distrcets Dissemination Workshops in 2015 (partial)

Road	Province	Districts
National Road No 1, 14 (provincial road no 118) and provincial road no 110	Kandal	Phaum Thom, KorKi, Dey Et, Banteay Dek, Somrourng Thom, KorKi Thom communes in Kien Svay district and, -- Kompong Phnom, Prek Tonloub in Leuk Dek district
National Roads	Porsat, Kompong Chhnang, Takeo and Kompong Speu	

The meeting focused on ROW, Law on Road and duties of competent authorities or local people participating in ROW management, protecting and maintaining roads for long-term use which is illustrated in laws and legal regulations as below:

- Sub-decree on managing ROW of National Roads and Railways: mainly focus on Chapter 3 talking about size of ROW for one-digit road (30m from the central alignment) and two-digit road (25m from the central alignment)
- Joint instruction between MPWT and Kandal Provincial Hall on managing ROW of National Roads and Railways in Cambodia
- Law on Road related to responsibilities of competent authorities to manage, use, protect roads and punishment as below:
 - Chapter 1 Article 2
 - Chapter 2 Article 5
 - Chapter 4 Article 12 and Article 14
 - Chapter 6 Article 28 till Article 34
 - Chapter 7 Article 35 till Article 38
 - Chapter 11 Article 62 till Article 77

Table 2-12 Questions from Local People

Questions	Contents
Question 1	Regarding the determining 30m-ROW and previous resettlement of 25m-ROW, how is state going to address for remaining 5m?
Question 2	Regarding the determining 30m-ROW, does it apply for rural area and urban area?
Question 3	As local people's house is located in between 25m and 30m-ROW (5m), is there any compensation for future resettlement?
Question 4	As local people's house remains only 5m in between 25m and 30m-ROW, if there is road expansion next time, is there any resettlement area for them?
Question 5	As local concrete house, in urban area at KorKi market, is next to the pavement road already, will the house be destructed if there is road expansion next time?

Comments from local authorities

After question-answer session was finished, commune authority suggested to local people to pay more attention and comply with law and any legal instruction as disseminated in the meeting in order to keep security, social order and safety for all both travelers and people living along the road.

Meeting evaluation

- Local authorities such as village chief and commune committee have been aware and understood about advantages of participating in road protection and maintenance for long-term use and proper ROW management for the sake of traveling safety and harmony.
- Local people have paid attention, but some are not sure about impacts on their house and concerning about their illegal house.
 - Local people have chances to clear and ask questions and local authorities and experts are able to respond precisely as well.
 - Disseminating meeting is a good opportunity for authority to inform and advise any matters which are helpful for local people.
 - Through the meeting, local authorities could also be aware of issues raised by local people and be able to address on time.

Suggestions from disseminating group

- Please continue supports both financials support and other supports in order to be able to continue dissemination to all local levels in a whole country
- Local NGOS, international NGOs and local authorities at all levels please continue to share and disseminate further
- Local authority at all levels please take actions to keep order along public roads in their territory because part of roads and ROW in urban areas has been occupied and encroached disorderly. These activities are violating the law on road as stated in Chapter 6 and 7 on using road and protecting all road infrastructures.
- Please determine the ROW in province and urban areas as soon as possible because local people asked many times on this issue.
- Traffic law stated that there must be people to control the domestic animals when they across the road, please determine clearly, how many animals can be managed by single person. Then a competent authority is easy to handle an accident if it occurs.
- Please install drainage system in urban area of the province complying with standard
- Please install road-crossed animals sign properly
- Application and procurement should be properly prepared for local people requesting any activities related road. For example, installing drainage system at the front gate of the house before filling land.
- Installing traffic sign to determine about truck weight for rural roads
- Preparing technical standard based on the request of local people, who is running small business and want to install business banner, and complying with law on road

2.3.5 Situation Analysis of Right of Way Management

The management of ROW is a complicated issue and the office of Right of Way Management set up in RID is a new office so that its capacity needs to be improved to administrate the right of way. Two main work components for management are: a systematic data collection on the current status of Right of Way, and prevention of illegal encroachment are necessary measures. The needs are identified as follows.

Table 2-13 Challenges of Right of Way Management in Practice

No	Request	Comments and suggestions
Current Situation Analysis		
1	Develop Guidelines (1) ROW Management Guidelines (2) Accessibility and management method (3) Cooperation among MPWT, MLMUPC and Local Authorities (4) Dealing to problems for appropriate solution	There are several reasons why conducting capacity/collaboration enhancement is needed: <ul style="list-style-type: none"> • In fact, local people have very limited knowledge of ROW as well as Law on Road • Local authorities are actually aware of laws related to ROW, but they still permit local people to use ROW and even issuing soft title of land ownership in the ROW to the local people because commune and district levels attempt to please local people for voting as well. • When local people requests to construct a concrete structure inside of ROW to the MLMUPC or provincial department of MLMUPC, there was no checking or monitoring done by MLMUPC after local people got a constructing license from MLMUPC • Thus, collaboration between MPWT and MLMUPC is needed at ministerial level and provincial level. For example: during the workshop on ROW and Law on Road in 2015, relevant line agencies and local authorities have been invited to join and inform to the participants about ROW issues and regulations.
2	Develop standards for the drawings for utilities in ROW	<ul style="list-style-type: none"> • Drawing of surface and underground utilities in ROW and ROW in urban are just draft, they are not official design standard yet. Thus, MPWT needs to have an official design

		<p>standard for utilities, relaxing stations (rest room, marts parking lot and so on) in ROW and ROW in urban cross-section.</p> <ul style="list-style-type: none"> Also, the design standards for entrance/exit access to premises next to the ROW are not standardized.
3	Develop the mapping system for managing road, utilities and encroached facilities	<p>There are some challenges and reasons of creating database for mapping:</p> <ul style="list-style-type: none"> When the road is expanded, some section of road will have new alignment due to technical design, the new alignment is different from the old alignment and it causes a problem with ROW boundary. Mapping at MPWT needs to be compatible with MoLMUPC's map, otherwise the database will not work because land use planning map is at MoLMUPC (similar to urban planning map), also road map (1/50,000), commercial map need to be shared and exchanged with MoLMUPC. MPWT has only excel file about number of ROW poles and it is not enough to prevent encroachment in the future, so map/database needs to include other types of information, such as already compensated settlers, areas, land registration etc. It is very important as a baseline or evidence to ban or deal with encroachment MPWT solely could not manage ROW sustainably, there is a need of strong collaboration among relevant ministries and line agencies, especially steering committee should be established at policy level, then information/data can be fully shared/exchanged at technical levels. Steering committee can be at Secretary level and the meeting should be held in every 3 or 6 months upon the urgent issues. <p>Note: RID suggested that due to period of the project and there are many complicated issues need to be addressed, the project should focus on existing roads or urgent issues.</p>

No	Request	Comments and suggestions
Illegal Encroachment Prevention		
1	Public Relation: (1) (2) (3)	<ul style="list-style-type: none"> There are several effective tools for public dissemination such as: Video / debating program for university students to discuss about ROW issues and management and broadcast. There are similar programs that are successful. Making easy brochure for the general public.
2	Use of database and map information for the public campaign	<ul style="list-style-type: none"> Local authorities are the key for ROW management. The workshop can be organized at regional levels (several provinces together) to engage provincial and commune officials to participate in the workshop. <p>Note: types of database will be discussed next time in detail.</p>
3	Conduct Pilot project in 2018 for ROW Management System: Suggest NR 1-3 or 4	<ul style="list-style-type: none"> RID suggests NR4 can be a good example to start working for the trial/test flight, but either NR 4 or 1 is okay for trial. Regarding ROW management in Thailand and Vietnam is very good because Thai local authorities is very strict with the regulation. <p>Future plan: The drone will be tested in July 2017 led by project team with support from ROW 3 Officials from RID and some officials from DPWT, in the next year (the second year of the project) there will be a pilot led by ROW officials with support from project team. After that the RID and DPWT officials will take your own lead to expand for a whole country.</p>

For ROW management, public awareness is a key issue. In order to raise awareness, collaboration is indispensable among MPWT and local authorities: 1) Commune, 2) District, and 3) Province to raise awareness about ROW. A notable finding for discussion is that the legal definitions of ROW and the actual reality are far complicated. It needs guidelines to clarify a standard procedure to implement of the concept of ROW to clarify 1) where it is, 2) how to manage to prevent illegal encroachment. The following proposals for interventions are made from the perspective of institutional analysis.

Table*** Recommendations for interventions for Right of Way Management

Tasks	Recommendations
Current Status Identification	Database improvement Guidelines for piling Mapping Supervision guidelines of the works by DPWT
Illegal Encroachment Prevention	Public awareness program such as workshops, Public Awareness campaigns through media, event, sign board, video for TV, radio program (similar to road safety campaign) School program to educate about right of way (similar to road safety campaign)

2.4 Department of Planning (DOP)

2.4.1 Organization

No. 168 Prakas (ministerial ordinance) on the organization and functions of Department of Planning (DOP) states the duties and responsibilities of Social and Environmental Office. Further the office of ASEAN affairs was changed to Office of Logistics Plan and Urban according to No. 352 Prakas in 2015. In 2017, the planning department consist of 7 offices and 45 officers as follows.

- Office of Administration and Public Relation
- Environmental and Social Office
- Office of Public Investment Planning
- Office of Project Monitoring, Evaluation and Selection
- Office of Data Management, Statistic and Information
- Office of Policy and International Affair
- Office of Logistics Planning and Urban Transport (Formerly Office of ASEAN affairs)

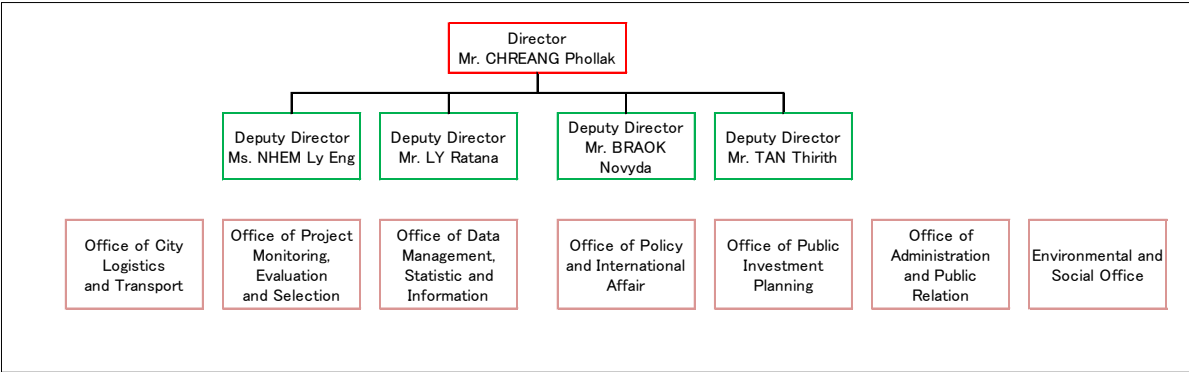


Figure 2-6 Organizational Structure of DOP

Table 2-14 Officers of DOP

No	Name	Position	Assigned Office
1	Mr. CHREANG Phollak	Director	
2	Ms. NHEM Ly Eng	Deputy Director	
3	Mr. LY Ratana	Deputy Director	
4	Mr. PROK Novida	Deputy Director	
5	Mr. TAN Thirith	Deputy Director	

6	Mr. NOV Ratanak	Chief	Office of Logistics Planning and Urban Transport
7	Ms. SORN Sopheavatey	Deputy Chief	Office of Logistics Planning and Urban Transport
8	Mr. SEM Sokunthy	Deputy Chief	Office of Logistics Planning and Urban Transport
9	Mr. SUY Pich	Officer	Office of Logistics Planning and Urban Transport
10	Ms. PROEUNG Kunthea	Officer	Office of Logistics Planning and Urban Transport
11	Mr. HEUR Dara	Officer	Office of Logistics Planning and Urban Transport
12	Ms. CHEA Soveasna	Chief	Office of Project Monitoring, Evaluation and Selection
13	Ms. MORK Savon	Deputy Chief	Office of Project Monitoring, Evaluation and Selection
14	Ms. TRY Sournaiy	Deputy Chief	Office of Project Monitoring, Evaluation and Selection
15	Mr. ARB Ngongheng	Officer	Office of Project Monitoring, Evaluation and Selection
16	Mr. HENG Phirum	Officer	Office of Project Monitoring, Evaluation and Selection
17	Mr. LONG Hun	Chief	Office of Data Management, Statistic and Information
18	Mr. CHEA Sophanet	Deputy Chief	Office of Data Management, Statistic and Information
19	Ms. LENG Chanbopha	Deputy Chief	Office of Data Management, Statistic and Information
20	Mr. VAN Sen	Deputy Chief	Office of Data Management, Statistic and Information
21	Mr. YOU Thach	Officer	Office of Data Management, Statistic and Information
22	Mr. TRY Channy	Officer	Office of Data Management, Statistic and Information
23	Mr. TRY Yorn	Chief	Office of Policy and International Affair
24	Mr. KHEAV Vityea	Deputy Chief	Office of Policy and International Affair
25	Miss SARUN Chantry	Deputy Chief	Office of Policy and International Affair
26	Miss MET Sreyleak	Officer	Office of Policy and International Affair
27	Miss SOT Pheary	Officer	Office of Policy and International Affair
28	Mr. PE Peng Ei	Officer	Office of Policy and International Affair
29	Mr. LY Sokthong	Chief	Office of Public Investment Planning
30	Mr. THA Sithen	Deputy Chief	Office of Public Investment Planning
31	Mr. VONG Lytet	Deputy Chief	Office of Public Investment Planning
32	Mr. EANG Nyla	Officer	Office of Public Investment Planning
33	Mr. SOM Sophalin	Officer	Office of Public Investment Planning
34	Mr. LUN Heng	Officer	Office of Public Investment Planning
35	Mr. SDEUNG Sokea	Chief	Office of Administration and Public Relation
36	Mr. SROS Sitharith	Deputy Chief	Office of Administration and Public Relation
37	Mr. HUN Bronit	Deputy Chief	Office of Administration and Public Relation
38	Mr. SOK Puthi	Officer	Office of Administration and Public Relation
39	Mr. BOU Sereyepsith	Officer	Office of Administration and Public Relation
40	Mr. UK Reaksmey	Chief	Environmental and Social Office
41	Mr. HENG Vanna	Deputy Chief	Environmental and Social Office
42	Mr. UY Sambath	Deputy Chief	Environmental and Social Office
43	Mr. SREY Vireak	Officer	Environmental and Social Office
44	Mr. MEAK Rachna	Officer	Environmental and Social Office
45	Mr. BOU Chhay Ya	Officer	Environmental and Social Office

2.4.2 Roles and responsibilities

Social and Environmental Office

Social and Environmental Office under the Department of Planning is in charge of environmental and social affairs in the road sector. As listed above, there are 6 officers in charge including one Director, two Deputy Chiefs and three Officers.

No. 302 Prakas (ministerial ordinance) on the Establishment of new offices under Department of Planning of General Department of Administration states the duties and responsibilities of Social and Environmental Office as follows:

Duties on environmental aspect

1. Assessing all impacts on natural resources, historical heritage site, local people living in transport infrastructure construction, rehabilitation and maintaining projects.
2. Involving in review documents of construction, rehabilitation and maintaining projects to ensure that environmental safety plan will be integrated into framework and environmental management plan.
3. Monitoring environmental impacts caused by activities of transport infrastructure construction, rehabilitation and maintaining projects.
4. Reviewing, monitoring and reporting about implementation of framework of environmental management or environmental management plan on transport infrastructure construction, rehabilitation and maintaining project to ensure that implementation of all these projects comply with existing principles of environmental management.
5. Collaborating with Ministry of Environment and other relevant agencies to review other legal documents to enhance sustainability of environmental management.

Duties on social aspects

1. Involving in study and implementation planning of addressing all impacts caused by transport infrastructure construction, rehabilitation and maintaining projects
2. Involving in study and impacts assessment on properties, land and house of local people caused by transport infrastructure construction, rehabilitation and maintaining projects
3. Involving preparing a report on detail mitigation measures (DMS) and results of solving transport infrastructure construction, rehabilitation and maintaining projects-related impacts.
4. Conducting a study on economic benefits return when transport infrastructure construction, rehabilitation and maintaining projects are ended.
5. Other tasks/duties assigned by the Director of department.

2.4.3 Situation Analysis of EIA process at DoP

DoP is in charge of EIA monitoring for all public infrastructure projects. EIA reports for the public construction projects are sent from PMUs to DoP for review before PMUs send them to the Ministry of Environment (MOE). The review of the EIA reports focuses on the overall formalities and the technical aspects are left to MOE. Due to budgetary constraints, site visits are often not possible to conduct for the reviews of EIA reports from PMUs that DoP is mandated. It is helpful to have technical EIA checkpoints for practical work.

2.5 Public Infrastructure Department (PID)

2.5.1 Organization

Public Infrastructure Department (PID) has 6 offices and is responsible for roads in cities and urban areas. The main mandate is to administrate the urban infrastructure in the built-up areas and to assist Sub-national entities such as local authorities for public infrastructure management.

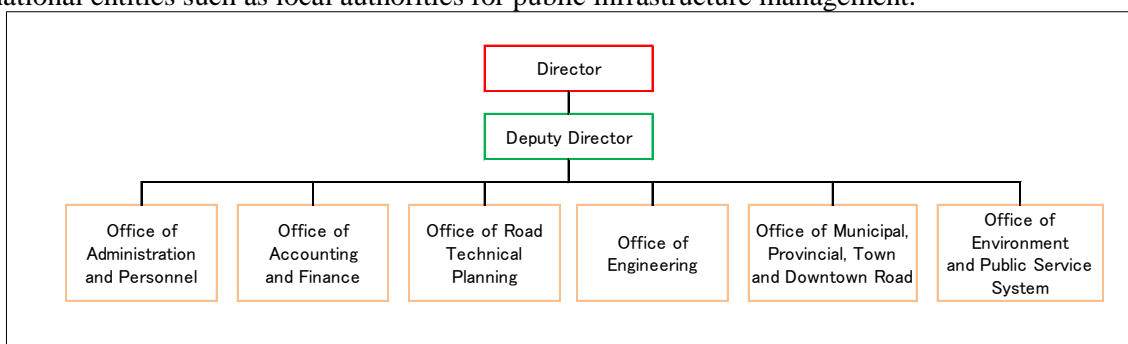


Figure 2-7 Organizational Structure of PID

2.5.2 Roles and Responsibilities

With these functions, ROW in cities, urban and built-up areas are under the responsibilities of PID. According to Sub-decree 216, PID is responsible for controlling, managing, assessing, advising, evaluating for all projects implemented by Engineer Corps from the army, including National Roads and Provincial Roads. Phnom Penh Municipality has sufficient budget to conduct its duties and therefore the assistance to Phnom Pehn city is not responsible of PID. It means that PID is responsible for urban and cities of 24 provinces in the country. The Environment and Public Service Office in PID is responsible for environment-related issues and public services which also includes ROW. There are 7 officials working in this office. The government wishes to delegate more power and responsibilities to sub-national levels, including DPWT. However, due to technical and budgetary constraints, MPWT continues to assist sub-nationals for guidance, supervision and technical support. PID plays a role as a supervisor or consultative adviser to advise, assess and manage the road and bridge construction in urban areas or cities. Currently, there is no regulation to mention about ROW in urban areas or cities, but according to the Prime Minister of Cambodia decision, 15m from the central line of roads should be regarded as ROW in urban areas and cities, therefore commonly so regulated. Another responsibility related to ROW as stated in Prakas is to study on cost estimation list and technical monitoring on ROW, rehabilitation and development of pedestrian road, motorcycle road, engineering design, parking space, service station along roads, station for relaxing, garden and plantation, lighting system, equipment for traffic safety and commercial advertising banners along public roads in capital city and provinces. In terms of environment, the legal guidance from MOE is applied for daily operation also in urban and city areas. National Roads crossing the urban or cities is still under management of RID. However, if a national road or a provincial road is constructed by the Engineer Corps from the army, PID is responsible for monitoring, managing, advising them.

Involvement in the project

The project targets the national road primarily, therefore the city and urban areas that PID is mandated are out of the scope of the project. However, issues are related and the MPWT wishes to relate the department in the project. Therefore, a suggestion was made to include PID in the project as an observer member in the Taskforce. Two (2) officials are suggested to join weekly technical meetings, seminars and JCC meetings. The purpose of such arrangement is to make opportunities available for PID to gain knowledge from the project, to share experience and to facilitate efficient and effective coordination and implementation of activities.

2.6 Department of Public Works and Transport (DPWTs)

2.6.1 Organization

There are twenty-five Departments of Public Works and Transport (DPWTs). In this analysis, five DPWTs are focused and examined, interviewed by TF and JICA experts.

- Banteay Mean Cheay DPWT
- Battambang DPWT
- Pursat DPWT
- Kompong Chnang DPWT
- Prey Veng DPWT

Patrol on ROW management is implemented by yellow-painted offices in the following Figure (refer **Figure 2-8 to Figure 2-12**). Relatively-large DPWTs have two main offices, Office of Public Works and Office of Techniques for patrol. Some officials in the offices are dispatched as Patrol teams, collaborating with District Officers. In contrast, Relatively-minor DPWTs such as Prey Veng DPWT has only one office, Office of Public Works for patrol. Some officials of the office are dispatched in the manner same as the Relatively large DPWTs such as Beateay Mean Cheay DPWT, Battambang DPWT, Pursat DPWT and Komopong Chnang DPWT.

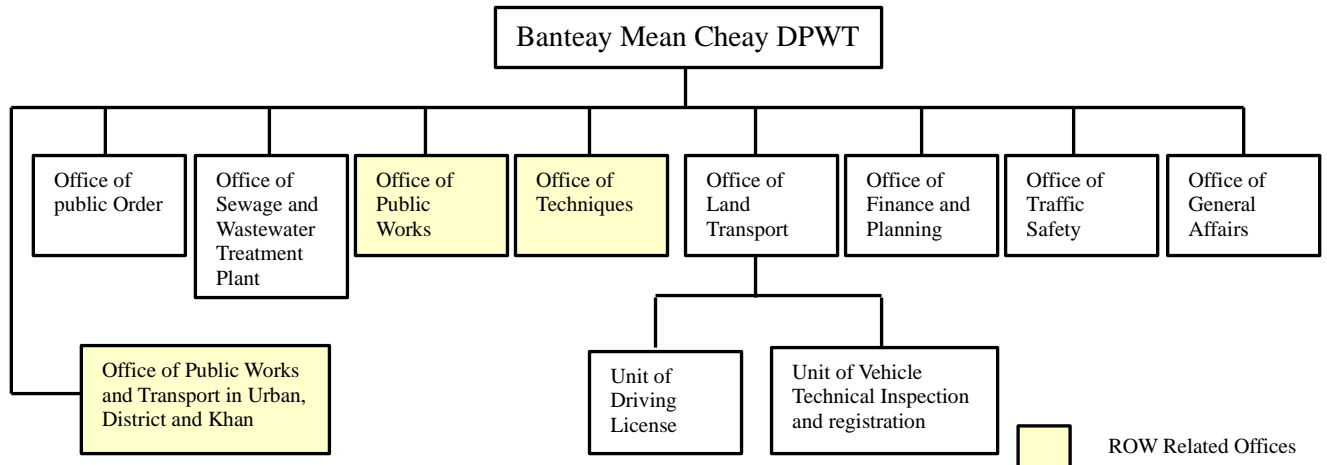


Figure 2-8 Organizational Structure of Banteay Mean Cheay DPWT

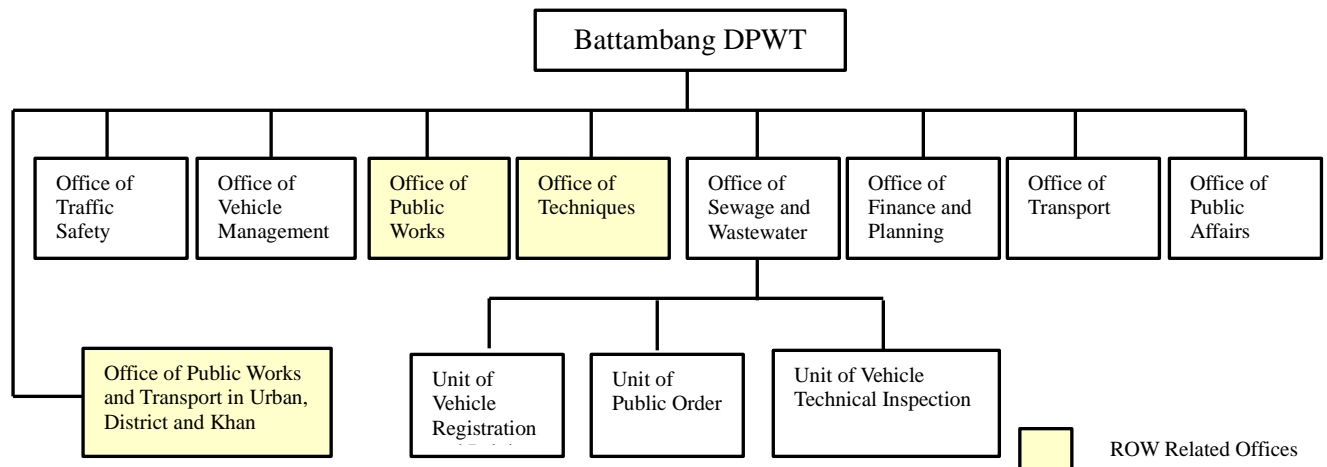


Figure 2-9 Organizational Structure of Battambang DPWT

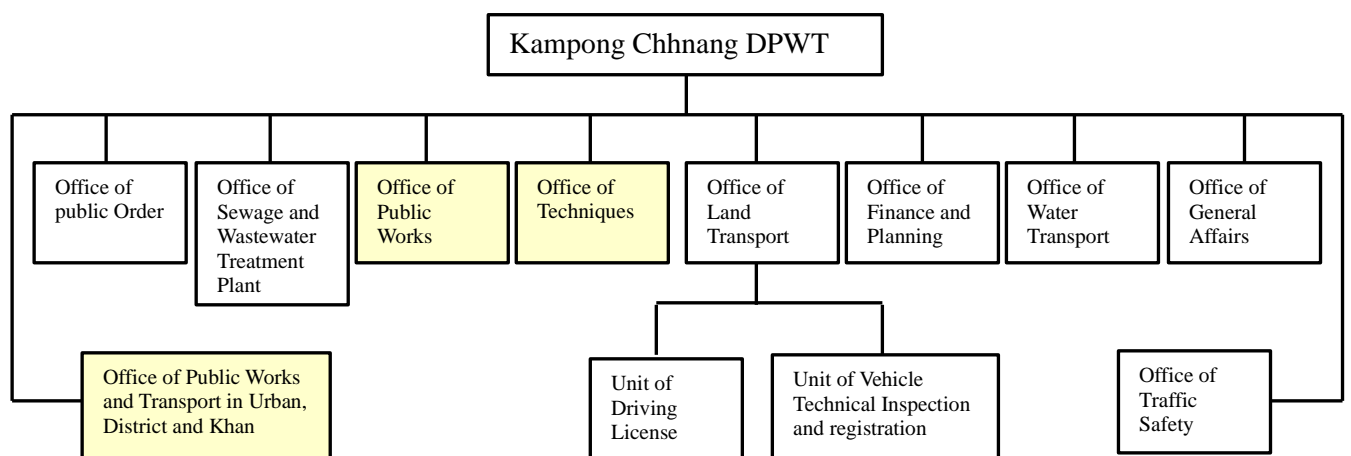


Figure 2-10 Organizational Structure of Kampong Chhnang DPWT

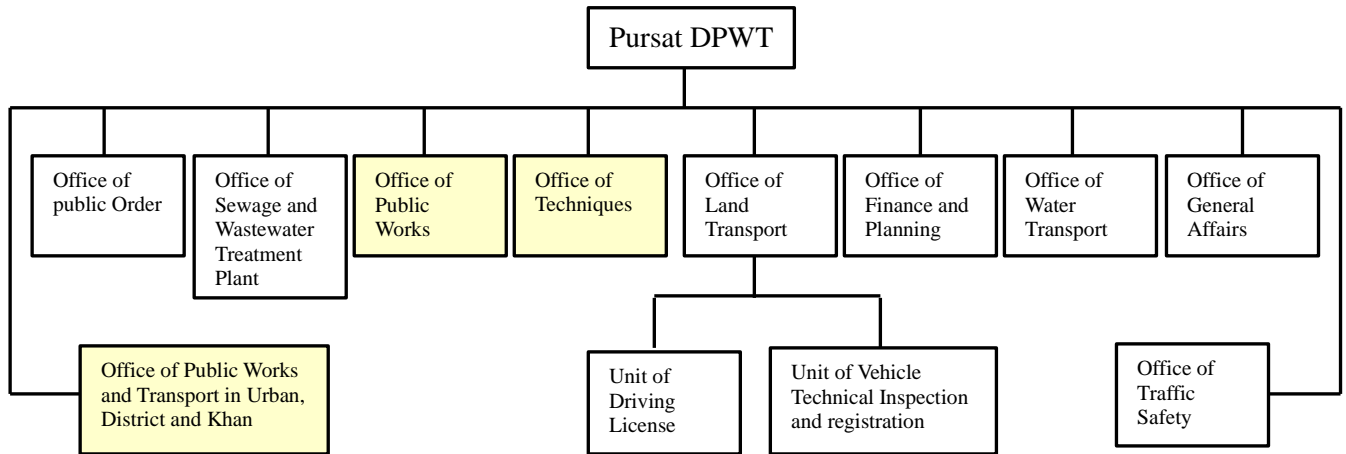


Figure 2-11 Organizational Structure of Pursat DPWT

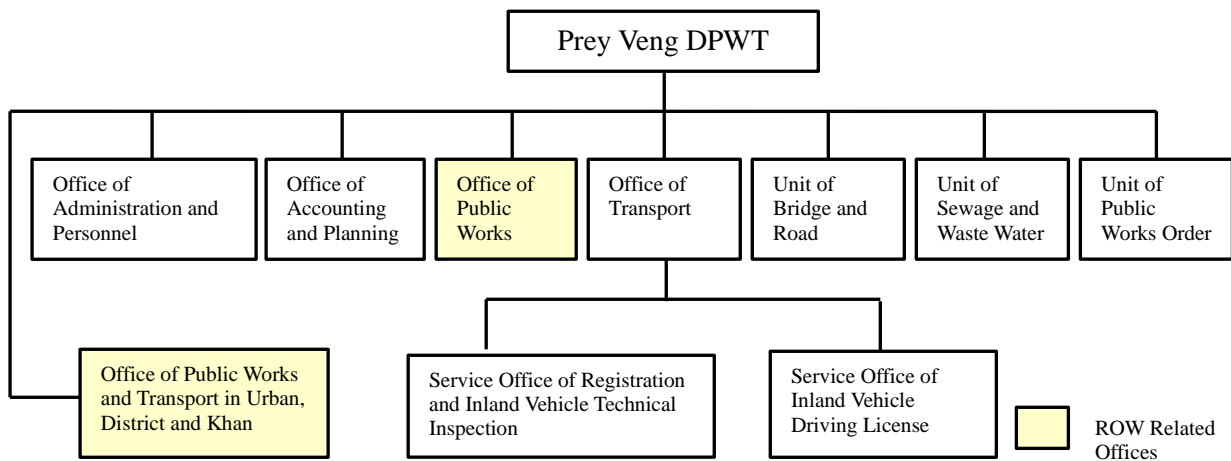


Figure 2-12 Organizational Structure of Prey Veng DPWT

2.6.2 Roles and responsibilities

All DPWTs have similar roles and responsibilities as below:

Department of Public Works and Transport of each province is a sub-national specialized unit under the Ministry of Public Works and Transport responsible for coordinating and implementing the Public Works and Transport sector in the province with the mission and duties as below:

- Manage administration, staff, planning and financial work within the domain of the department
- Prepare development strategic plan of public works and transport in its territory for the short, medium and longer term
- Manage, monitor, inspect, and evaluate technical work on construction project, repairing and road maintenance, and infrastructure construction within the domain of the department
- Manage, monitor, inspect, and evaluate on transport and logistic such as bus, taxi, parking, roadside station, setting the running line, harbor, ferry, and network that connects the public transport system and other means within the domain of the department

- Manage registration, providing plate number, driving license for road vehicle, driving license for water vehicle, and granting a permit to all kind of business transport within the domain of the department
- Manage registration, granting a permit for opening garage for repairing, modifying, and setting up all kinds of road and water vehicle according to the prescribed standards within the domain of the department
- Implement and intervene immediately on construction, maintenance transport infrastructure such as road, bridge, ferry, drainage, wastewater treatment plant, right of way, sign board, road marker, traffic light as well as the beauty along the road and laboratory construction lab within the domain of the department
- Prepare government officer plan, human resource development, salary, and manage government officer and contracted officers' attendance using database system
- Propose a request to promote class, rank, and request letter of praise, medal of honor for officers with outstanding achievements
- Propose a request to the governor of the board of governors for the appointment, replacement, termination of officer's duties in the previous position from below director or organization of similar classes in accordance with the legal documents in force
- Organize an internal library to gather and store both soft and hard files, and save in database system in date and alphabetical order and codename to ensure ordering and ease of use as necessary
- Write reports on work performance and achievement set by the Ministry of Public Works and Transport
- Take other responsibilities of the Ministry of Public Works and Transport and the provincial hall assign.

2.6.3 Legal base of Right of Way Management

DPWTs follows all policies and legal documents prepared by MPWT such as Law on Road, sub-decree on 197 on the right of way management, Sarachor 007 and so on.

2.6.4 Procedures to Cooperate with Local Authority

Each DPWT has almost same methods to cooperate with local authority as below: The procedures of Bantambang DPWT, Pursat DPWT and Prey Veng DPWT are shown as major example.

Bantambang DPWT in:

- The patrol team keeps monitoring inside ROW, while they are doing road maintenance.
- First, District official informs local people directly about their illegal encroachment.
- Second, if it does not work, district official will collaborate with district police to give a warning.
- Third, if it does not work, district official will collaborate with district governor/authority to give a warning.
- So far, there is no case to request for intervention from provincial governor.

Pursat DPWT in:

- Patrol team performs their work on road maintenance two-time per month in their authorized district. When they found any illegal encroachment, they report to local authorities to take further action and they also report to MPWT through monthly report as well.
- Most of the case, local authorities could not do any further intervention effectively. Additionally, there are a few cases that local authorities make agreements with encroacher that they have to return the land inside of ROW back for road improvement project in the future without any condition.

Prey Veng DPWT in:

- After the District Offices under DPWT report to DPWT about the new encroachment or land filling or other illegal activities inside ROW, DPWT will send the technical staff to work with Local Authorities (District office or commune office) to solve the problems.
- In case, the problems cannot be solved, DPWT will send the letter to Provincial Office to ask for their intervention. At the provincial office, there is committee under the chair of Deputy Governor to solve the problems related to land management, ROW, or other sectors. The members of committee consist of Provincial Department of Water Resources and Meteorology (if the case relates to irrigation or water systems), PDLMUPCC, DPWT, and local authorities and other relevant institutions.
- After the internal meeting among the committee members, encroacher(s) is also invited to the meeting to discuss and seek for solution. All committee and Deputy Governor will sign the minute of meeting and make the decision.
- DPWT will also send the letter attached with minute of meeting to MPWT for their information.
- Minute of meeting mostly are kept at the Local Authority Offices of Provincial Office.
- Normally, we do not need the police. In case there is a big group of local people against us then we need the local authorities (police) to help. However, there is no violence.

2.6.5 Current Activities on ROW Management

Activities implemented by DPWTs on ROW management are described as below:

- Road maintenance team always do patrol periodically from every week to twice a month and they also monitor the ROW encroachment as well. The team are made up of one or two offices, such as Office of Public Works and Office of Technique in general.
- Communication tool is mostly done through Telegram.

2.6.6 Issues for ROW Management

Issues or challenges for ROW management are described as below:

- There are limited officials and skill to manage ROW effectively.
- DPWTs could not do any further intervention on a case of encroachment and they can only inform encroacher.
- Budget for ROW management is limited due to increasing number of works in every year: length of road for maintenance increases every year but budget for road maintenance and ROW management slightly increases or dose not increase.
- There are lacking commitment and effort of local authority in ROW encroachment prevention, especially commitment of management levels, especially provincial governor to address the issues.
- There is inequality between new encroachers and old encroachers who keeps encroaching inside ROW.

Chapter 3 Establishment of TF and PTF

3.1 Task Force (TF)

For the effective conduct of the project activities a task force (TF) is formed with two focal teams, which was agreed in the first Joint Coordinating Committee (JCC) meeting, held on 4th May 2017.. One team works on EIA and the other works on ROW. These members will be involved in the Project in the following ways.

1. Attend and learn through the capacity enhancement programs such as seminars, training courses that the Project implements
2. Attend training courses in Japan and other neighboring countries
3. Create practical guidelines, plans, maps, database etc. for EIA, EMP on the road sector and ROW management
4. Coordinate seminars, training courses within governmental bodies (MPWT, MOE, MEF, local authorities and others)
5. Coordinate and implement a pilot project through which officers learn and improve the ROW management

The following TF members are assigned to the Project.

Table 3-1 Task Force (TF) Members from MPWT

	Assignment	Name	Position
	Project Director	H.E. Tauch Chankosal	Secretary of State, Ministry of Public Works and Transport
	Project Manager	H.E. Nou Vaddhanak	Director General of General Department of Technique
Task Force	Deputy Manager	Mr. Chhim Phalla	Director of International Cooperation Department (ICD)
	EIA/EMP Team		
	Deputy Manager: Mr. Chreang Phollack Director of Planning Department		
	Name		Position
	1. Mr. Prok Novida		Deputy Director, Planning Department
	2. Mr. Uk Raksmeay		Chief of Social and Environmental Office, Planning Department
	3. Mr. Uy Sambath		Deputy Chief of Social and Environmental Office, Planning Department
	4. Mr. Srey Vireak		Officer, Social and Environmental Office
	5. Mr. Manh Vutha		Deputy Chief of Bilateral Cooperation Office, International Cooperation Department
	6. Mr. Song Kimheng		Officer, Administrative Office, International Cooperation Department
	7. Mr. Ngel Sovanarith		Officer, Bilateral Cooperation Office, International Cooperation Department
	8. (Observer)		Participants from MOWRAM, EDC, etc.
	ROW Management Team		
	Deputy Manager: Mr. Heng Rathpiseth Director of Road Infrastructure Department		
	Name		Position
	1. Mr. You Dara		Deputy Director, Road Infrastructure Department
	2. Mr. Chea Samnang		Chief of ROW Management Office, Road Infrastructure Department
	3. Mr. Khai Saray		Deputy Chief of ROW Management Office, Road Infrastructure Department
	4. Mr. Hay Chandara		Deputy Chief of ROW Management Office, Road Infrastructure Department
	5. Mr. Sor Yilin		Deputy Chief of Regional Cooperation Office, International Cooperation Department
6. Mr. Peang Samoeun		Deputy Chief of Administrative Office, International Cooperation Department	
7. Ms. Laing Sengkim		Officer, Multilateral and International Organization Cooperation Office, International Cooperation Department	
8. (Observer)		Participants from MOWRAM, EDC, etc.	

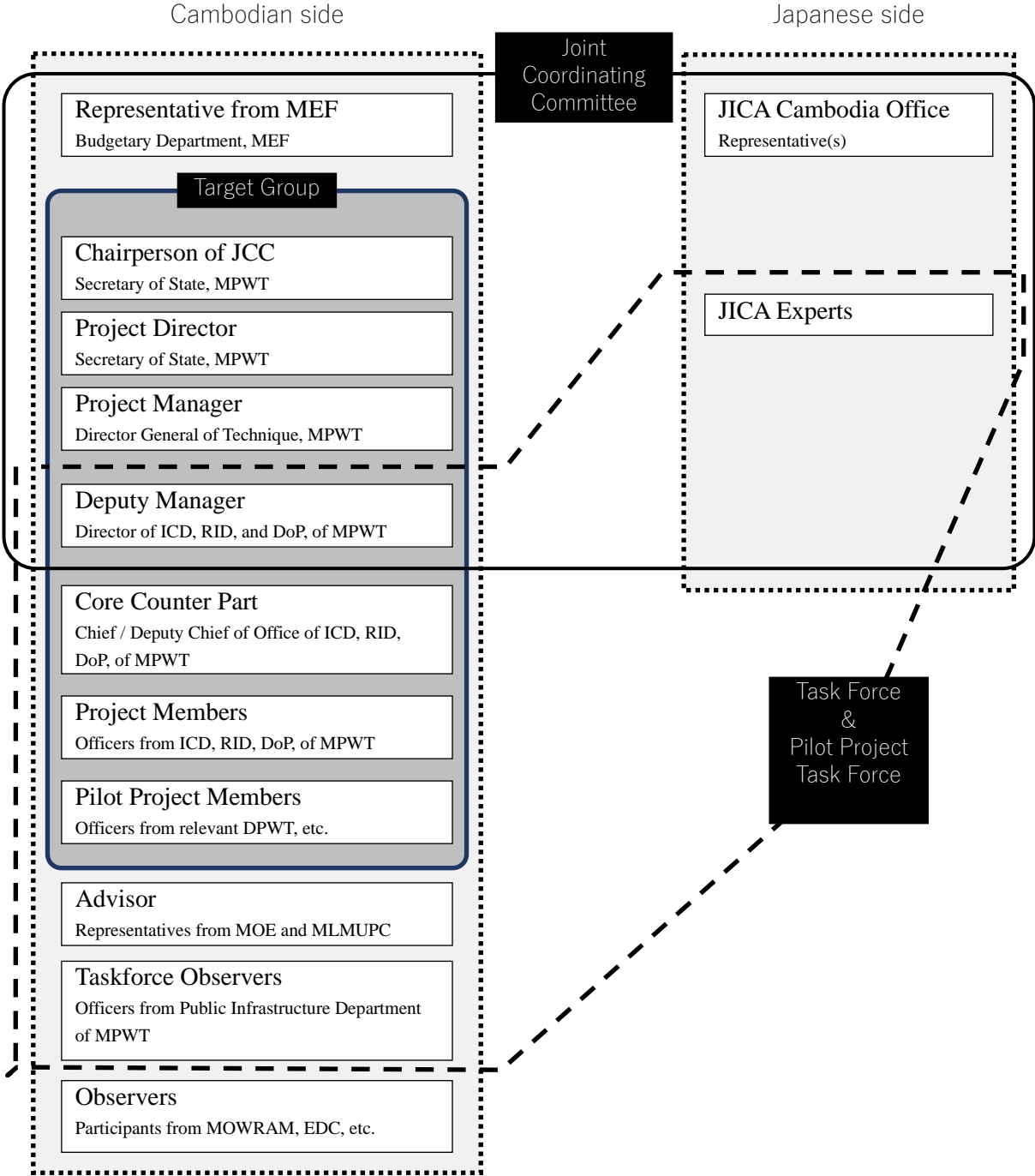
3.2 Pilot Project Task Force (PTF)

Pilot Project Task Force (PTF) is discussed in several TF meetings and established so as to implement Pilot Project on ROM Management. The following PTF members are assigned to the Pilot Project in the following table.

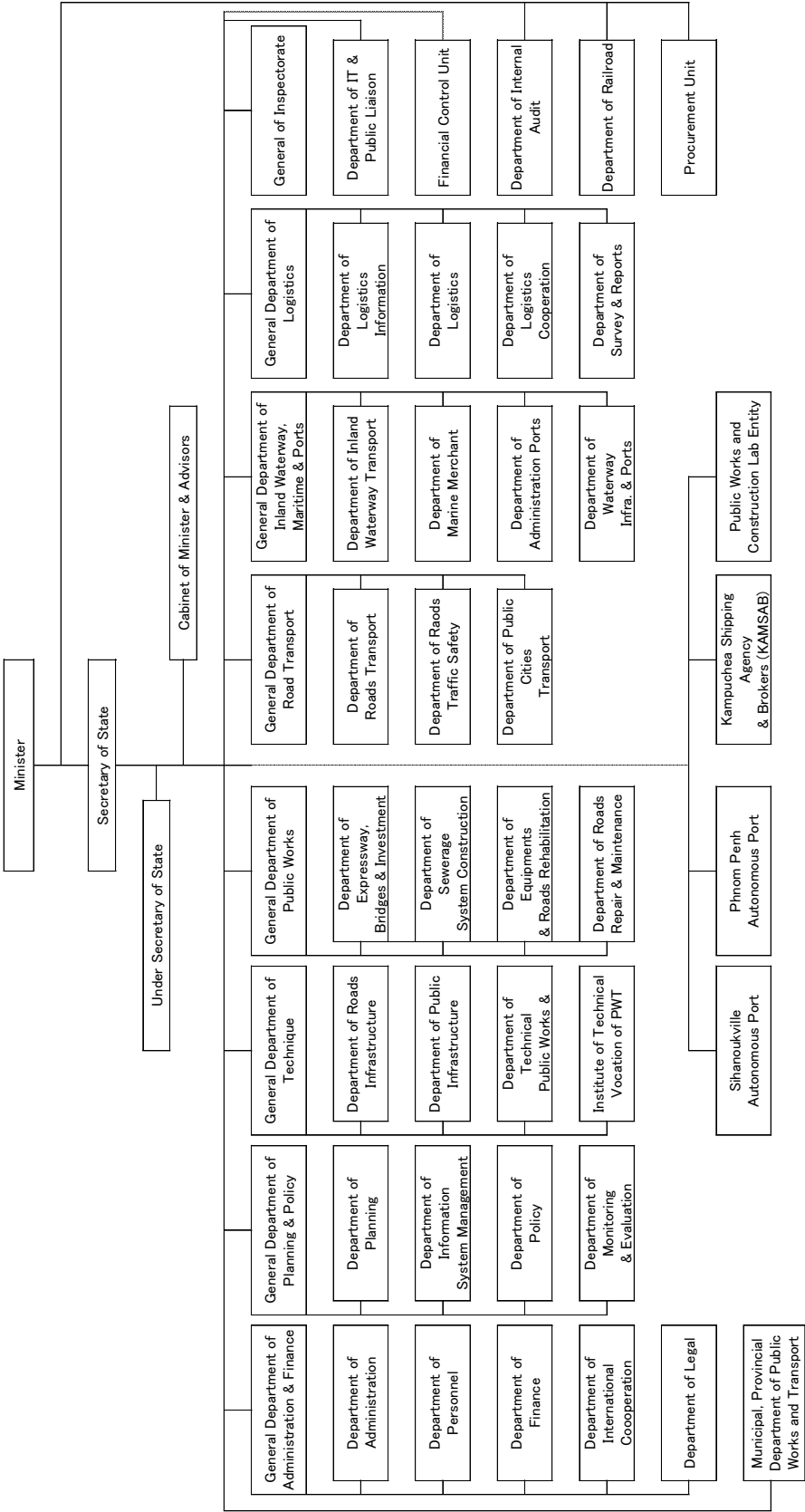
Table 3-2 Pilot Project Task Force (PTF) Members

1- MPWT Pilot Project Taskforce Members			
	Assignment	Name	Position
Group A	Team Leader	Mr. Hay Chandara	Deputy Chief, ROW Management Office, Road Infrastructure Department (RID), MPWT
	Members	Mr. Sok Chandy	Officer, RID, MPWT
		Mr. Kaing Theara	Officer, RID, MPWT
		Mr. Peang Samoeun	Deputy Chief of General Administrative Office, International Cooperation Department (ICD), MPWT
Group B	Team Leader	Mr. Chea Samnang	Chief of ROW Management Office, RID, MPWT
	Members	Mr. Sao Pramarak	Technical Officer, RID, MPWT
		Mr. Chhouk Sochea	Officer, RID, MPWT
		Mr. Ob Socharidith	Officer, RID, MPWT
		Mr. An Menghour	Officer, ICD, MPWT
Group C	Team Leader	Mr. Khuon Kompheak	Deputy Director, RID, MPWT
	Members	Mr. Penh Oddum	Officer, RID, MPWT
		Mr. Keat Sarun	Officer, RID, MPWT
		Mr. Long Davuth	Officer, RID, MPWT
		Mr. Oum Sokvasey	Deputy Chief of Multilateral Cooperation Office, ICD, MPWT
2- DPWT Pilot Project Taskforce Members			
Kampong Chhnang (KPC)	Members	Mr. Lao Prosit	Officer, DPWT
		Mr. Khut Khemra	Officer, DPWT
Pursat (PST)	Members	Mr. Kang Kimchhun	Deputy Chief Officer, DPWT
		Mr. Tang Sovanna	District Chief Officer, DPWT
		Mr. Bun Soupheng	Officer, DPWT
Battam Bang (BTB)	Members	Mr. Pheng Chanchhaya	Head of Unit, DPWT
		Mr. San Sereisith	Deputy Chief Officer, DPWT
		Mr. Thouch Raksa	Officer, DPWT
Banteay Meanchey (BMC)	Members	Mr. Phang Dollar	Deputy Chief Officer, DPWT
		Mr. Lang Sophaek	Officer, DPWT

Project Organization Chart



Project Organization Chart



J1-3. Capacity Enhancement Plan (Work Breakdown Structure: WBS) and
Procurement Plan

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	1.2 Collect and analyze information on land management framework of land management system in Cambodia		Purpose of Capacity Enhancement												
	Related Output	Indicator	- Enhance analytical thinking on ROW definition through analyzing basic knowledge and past experiences on ROW - Compare laws of Cambodia, Japan and other countries to extract tasks for Cambodia - Create a method of land management system based on the actual situation												
Means of Verification	1.2.1 JICA Expert Report (ROW management analysis) 1.2.2 Relevant materials of TF members in charge		- JICA Expert Report - Activity Record (Interview, Meeting)												
Persons in Charge	Japanese Expert	Nara	Major Products by the activity												
	Local Staff Cambodian Side	Socheat TF-Members													
Works as Steps of Activity			2017	2018	2019										
No.	Work	Person in Charge	1	2	3	4	5	6	7	8	9	10	11	12	
1.2(a)	Collect and analyze information on land management framework in Cambodia	Nara TF-Member	F	S	F	F	S	F	S	F	F	S	F	S	F
1.2(b)	Collect and analyze information on land management framework in other Countries	Nara TF-Member													
1.3(c)	Draft JICA Expert Report	Nara													
1.4(d)	Give a presentation at the 1st Seminar	Nara													

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	1.2 Collect and analyze information on land management framework of land management system in Cambodia	Recorder
No.	Record/Note of Observation on Capacity Enhancement	Nara
1.2(a)	Collect and analyze information on land management framework in Cambodia - Collected official legal documents on land management framework in Cambodia - Analyzed road width and local life in Cambodia (with survey of ROW management, illegal encroachment and permission for temporary use of ROW, based on the results of site visit of national roads)	
1.2(b)	Collect and analyze information on land management framework in other Countries - Collected analysed official legal documents on land management framework in Japan and other countries	
1.3(c)	Draft JICA Expert Report - Report was drafted	
1.4(d)	Give a presentation at the 1st Seminar - Collect Japanese cases of ROW management and create materials	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	1.3 Conduct institutional framework analysis for MPWT		Purpose of Capacity Enhancement																							
Related Output	1. Implementation framework for the project is strengthened based on past experiences and present situation on ESC and ROW management		The purpose of the activity is to find out suitable interventions in the project therefore N/A.																							
Indicator	1.3 Institutional framework and responsibilities in MPWT are examined																									
Means of Verification	1.3.1 JICA Expert Report (Institutional analysis) 1.3.2 Relevant materials of TF members in charge																									
Persons in Charge	Japanese Expert	Mizuyori	Major Products by the activity																							
	Local Staff	Socheat	- JICA Expert Report																							
	Cambodian Side	TF-Members	- Activity Record (Interview, Meeting)																							
Works as Steps of Activity		Person in Charge	2018					2019																		
No.	Work		1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
1.3(a)	Interview to relevant departments	Mizuyori																								
1.3(b)	Collect official documents on institutional framework	Mizuyori																								
1.3(c)	Draft JICA Expert Report	Mizuyori																								

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	1.3 Conduct institutional framework analysis for MPWT		Recorder	Mizuyori
No.	Work	Record/Note of Observation on Capacity Enhancement		
1.3(a)	Interview to relevant departments	Interviews were conducted with ICD, RID and DoP officials		
1.3(b)	Collect official documents on institutional framework	Legal documents as to the mandates and the scope of duties are gathered and analyzed		
1.3(c)	Draft JICA Expert Report	Draft JICA Expert Report is prepared and submitted to the Team Leader (April and August 2017)		

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	1.4 Conduct a needs assessment for training and develop capacity enhancement plan and procurement plan	Purpose of Capacity Enhancement																							
	1. Implementation framework for the project is strengthened based on past experiences and present situation on ESC and ROW management	2017												2018											
Related Output	1.4 Capacity enhancement plan and procurement plan are developed through training needs assessment (analysis) of target group	Major Products by the activity																							
Indicator	1.4.1 JICA Expert Report (Needs analysis)	- JICA Expert Report																							
Means of Verification	1.4.2 Capacity enhancement plan	- Capacity Enhancement Plan																							
	1.4.3 Procurement plan	- Procurement Plan																							
	Persons in Charge	Tsuchida, Nakayama, Nishio, Kumagai, Kiyota																							
Works as Steps of Activity	Local Staff	Socheat																							
	Cambodian Side	TF-Members																							
No.	Work	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
1.4(a)	Prepare Capacity Enhancement Plan	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
1.4(b)	Prepare Training Plan (Training in Japan, 3rd Country Technical Exchange)																								
1.4(c)	Prepare procurement plan																								
1.4(d)	Give a presentation at the 1st Seminar																								

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	1.4 Conduct a needs assessment for training and develop capacity enhancement plan and procurement plan	Recorder
No.	Record/Note of Observation on Capacity Enhancement	Nakayama
1.4(a)	Prepare Capacity Enhancement Plan	WBS was prepared for capacity enhancement
1.4(b)	Prepare Training Plan (Training in Japan, 3rd Country Technical Exchange)	Overseas training plan was prepared for 3 times of Training in Japan and 3rd Country Technical Exchange
1.4(c)	Prepare procurement plan	Procurement plan was prepared in accordance to the activity planning and some items such as drone are added to the initial planning.
1.4(d)	Give a presentation at the 1st Seminar	The TF members gave presentation at the 1st seminar.

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	1.5 Discuss the TF framework		Purpose of Capacity Enhancement																							
	Related Output	Indicator	- Strengthen the implementation framework and structure for the Project based on past experiences and present situation on ESC and ROW management																							
Means of Verification	1.5 As an implementation structure of the project, TF is established																									
Persons in Charge	Japanese Expert		Major Products by the activity																							
	Local Staff		- Activity Record (Interview, Meeting)																							
	Cambodian Side		- TF Member List																							
Works as Steps of Activity			2017		2018		2019																			
No.	Work	Person in Charge	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
1.5(a)	Propose ideal TF structure	Tsuchida TF-Member	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
1.5(b)	Coordinate relevant departments in MPWT for nominating and selecting TF Members	Kumagai TF-Member																								
1.5(c)	Coordinate relevant ministries and departments for nominating and selecting TF Advisors and	Kumagai TF-Member																								
1.5(d)	Confirm TF Framework at JCC	Tsuchida TF-Member																								

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

1.5 Discuss the TF framework		Record/Note of Observation on Capacity Enhancement	
No.	Work	Record/Note of Observation on Capacity Enhancement	Recorder
1.5(a)	Propose ideal TF structure	- TF Member learnt principle structure of REG based on current needs on road environment in Cambodia - Members from MOE, as observers, provided the latest situation on EIA at a meeting of TF	Tsuchida
1.5(b)	Coordinate relevant departments in MPWT for nominating and selecting TF Members	-Members to be included in the project were nominated	
1.5(c)	Coordinate relevant ministries and departments for nominating and selecting TF Advisors and	-Members to be included in the project were nominated	
1.5(d)	Confirm TF Framework at JCC	-Members to be included in the project were confirmed and approved	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	2.1 Conduct training on ESC of development partners (DPs)		Purpose of Capacity Enhancement																							
Related Output	2. Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened		- Enhance understandings of Key Concepts of EC by DPs through the Regular Technical Meetings with EIA.EMP Team of the TF.																							
Indicator	2.1 Concept of EC and its implementation process are understood		- Enhance understandings for EIA/EMP Process and the Implementation Issues in Road Sector through the series of the Regular Technical Meetings with EIA.EMP Team of the TF.																							
Means of Verification	2.1.1 Training records 2.1.2 Capacity Assessment check list																									
Persons in Charge	Japanese Expert	Ito	Major Products by the activity																							
	Local Staff Cambodian Side	Socheat TF-Members	- Training materials and records - Capacity assessment results																							
Works as Steps of Activity			2017					2018					2019													
No.	Work	Person in Charge	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
2.1(a)	Confirm the EIA/EMP Process and the Implementaion Issues for Road Sector in Cambodia	Ito	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
	Conduct the Regular Technical Meetings with EIA/EMP Team of TF for understandings of the Concepts of EC.by DPs	Ito																								
2.1(b)	Give a presentation on Tasks and the issues of MPWT for EIA Process in Road Sector at 1st Seminar	Ito (support) TF-Member																								
2.1(c)		Ito (support) TF-Member																								

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	2.1 Conduct training on ESC of development partners (DPs)		Recorder	Ito
No.	Work	Record/Note of Observation on Capacity Enhancement		
2.1(a)	Confirm the EIA/EMP Process the Issues for Road Sector in Cambodia	- TF Member (especially Mr. Srey Vireak, Mr. Vandy Reagan) learned principle structure of REG based on current needs on road environment in Cambodia. - Members from MOE, as observers, provided the latest situation on EIA at a meeting of TF		
2.1(b)	Conduct the Regular Technical Meetings with EIA/EMP Team of TF for understandings of the Concepts of EC by DPs	- TF Members are conducted a Capacity Assessment on 31 March, 2017, which Ito prepared, for the TF members for EIA/EMP related technical and management knowledge/skills. - It has been conducted two Regular EIA-EMP TF technical meetings from the middle to end of April, 2017 to understand the concepts of EC by DPs.		
2.1(c)	Give a presentation on Tasks and the issues of MPWT for EIA Process in Road Sector at 1st Seminar	- Mr. Srey Vireak presented on Tasks and the implementation issues of MPWT for EIA Process in Road Sector in 1st Seminar		

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	2.2 Discuss documentation level of REG (EIA and EMP) and confirm process of authorization		Purpose of Capacity Enhancement		
	2. Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened		- Enhance implementation knowledge/skills for the REG authorization through the meetings with relevant key persons.		
	2.2 Authorizing level of REG as an official document is confirmed				
Means of Verification	2.2.1 Minutes of JCC 2.2.2 Meeting record of REG authorization process		Major Products by the activity - Activity Record (Interview, Meeting)		
Persons in Charge	Ito				
	Socheat				
Works as Steps of Activity		Person in Charge		2018	
No.		Work		2017	
2.2(a)		Confirm document level and the period of REG for authorization		Ito	
2.2(b)		Prepare REG authorization schedule		Ito	
2.2(c)		Confirm authorization process of the REG as MPWT's prakas or decision		Ito	

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	2.2 Discuss documentation level of REG (EIA and EMP) and confirm process of authorization	Record/Note of Observation on Capacity Enhancement
2.2(a)	Confirm document level and the period of REG for authorization	Recorded Ito
2.2(b)	Prepared authorization schedule	- Ito prepared authorization schedule.
2.2(c)	Confirm authorization process of the REG as MPWT's prakas or decision	- Ito conducted meetings with the Project Director, Project Manager, and realted 3DGs of General Department of MPWT

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	2.3 Plan and conduct training in Japan and third countries	Purpose of Capacity Enhancement		
Related Output	2. Implementation framework of EC related to Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) is strengthened	- Enhance general capacity for implementing EIA and EMP procedures by discussing with the advance project in Myanmar		
Indicator	2.3 Lessons learned on EC in other countries are reflected to REG development			
Means of Verification	2.3.1 Relevant materials of training courses in Japan 2.3.2 Relevant materials of third country technical exchanges 2.3.3 Records of Training and seminar in Cambodia			
Persons in Charge	Japanese Expert	Major Products by the activity		
	Local Staff	- Activity Record (Interview, Meeting)		
	Cambodian Side	- Training Report		
Works as Steps of Activity				
No.	Work	Person in Charge		
2.3(a)	Plan Training Course in Japan	2017	2018	2019
		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
		Nakayama		
		Nishio		
		TF-Member		
2.3(b)	Plan 3rd Country Technical Exchange	Nakayama		
		Yamashita		
		TF-Member		
2.3(c)	Conduct Trainings	Nishio, Ito		
		Tsuchida		
		Yamashita		
2.3(d)	Give a presentation at the 3rd Seminar	Ito		
		TF-Member		

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	2.3 Plan and conduct training in Japan and third countries	Recorder
No.	Record/Note of Observation on Capacity Enhancement	Nakayama
2.3(a)	Plan Training Course in Japan	- Program of the Training in Japan was planned
		- Logistics for the Training in Japan was conducted
2.3(b)	Plan 3rd Country Technical Exchange	- Program of the 3rd Country Technical Exchange was planned
		- Logistics for the 3rd Country Technical Exchange was conducted
2.3(c)	Conduct Trainings	- Training in Japan was implemented (June 13-22, 2017)
		- 3rd Country Technical Exchange was implemented in Myanmar (October 24-28, 2017)
2.3(d)	Give a presentation at the 3rd Seminar	Presentation about Training in Japan was given by Mr. Vireak, DOP

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	Purpose of Capacity Enhancement	2017												2018												2019											
		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
3.1 Discuss Development Plan of draft RMS (consists of draft RMG, draft RMS-TP, tentative RMM, tentative RMD)	- Enhance planning and proposal capacity on ROW management through discussions on CSI and IEP	Person In Charge																																			
3.1.1 Development Plan of draft RMS		Tsuchida																																			
3.1.2 Meeting record of draft RMS development		Yamashita																																			
		Kiyota																																			
3.1 Current situation of ROW management is confirmed and Development Plan of draft RMS is prepared	- Activity Record (Interview, Meeting) - RMS Development Plan	Nara																																			
3.1.1 Development Plan of draft RMS		TF-Member																																			
3.1.2 Meeting record of draft RMS development		Tsuchida																																			
		Yamashita																																			
Japanese Expert Local Staff	Kiyota																																				
Cambodian Side	Nara																																				
	TF-Member																																				
	Tsuchida																																				
	Yamashita																																				
	Kiyota																																				
	Nara																																				
	TF-Member																																				
	Tsuchida																																				
	Yamashita																																				
	Kiyota																																				
	Nara																																				
	TF-Member																																				

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	Record/Note of Observation on Capacity Enhancement
3.1 Discuss Development Plan of draft RMS (consists of draft RMG, draft RMS-TP, tentative RMM, tentative RMD)	Record Nara
3.1(a) Discuss CSI Procedures / Methodology	- TF Member (especially Mr. Samnang) learned principle structure of CSI based on current needs on ROW management
3.1(b) Discuss IEP Procedures / Methodology	- TF member discussed multi-approaches including land registration, construction regulation, etc. through TF meeting, training in Japan, and etc.
3.1(c) Prepare Development Plan of draft RMS	- TF member discussed rough schedule of RMS preparation - Examined current ROW management for national roads and proposed ideas about specification of road planned areas for ROW management in the future
3.1(d) Discuss Table of Contents of RMG	- TF member discussed table of contents based on both Japanese experts recommendation and MPWT's needs

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	3.2 Discuss documentation level of RMG and process of authorization	Purpose of Capacity Enhancement																								
		- Enhance coordination capacity on documentation regarding ROW management																								
Related Output	3. Implementation framework of Social Considerations (SC) related to ROW management is strengthened																									
Indicator	3.2 Authorizing level of ROW Management Guidelines (RMG) of RMS as an official document is confirmed																									
Means of Verification	3.2.1 Minutes of JCC																									
	3.2.2 Meeting record of RMG authorization process																									
Persons in Charge	Japanese Expert	Major Products by the activity																								
	Local Staff	- Activity Record (Interview, Meeting)																								
	Cambodian Side																									
Works as Steps of Activity		2017					2018					2019														
No.	Work	Person in Charge	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
3.2(a)	Confirm document level of RMG for authorization	Yamashita Tsuchida TF-Member	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
3.2(b)	Prepare RMG authorization schedule	Yamashita Tsuchida TF-Member																								

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	3.2 Discuss documentation level of RMG and process of authorization	Recorder
No.	Record/Note of Observation on Capacity Enhancement	Yamashita
3.2(a)	Confirm document level of RMG for authorization - TF Member discussed suitable level of document and temporary set as Prakas (or Decision)	
3.2(b)	Prepare RMG authorization schedule - TF Member discussed authorization process of Praks and Decision based on past cases preparing guidelines in MPWT (without concrete schedule)	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	3.4 Prepare draft RMS-TP	Purpose of Capacity Enhancement																								
Related Output	3. Implementation framework of Social Considerations (SC) related to ROW management is strengthened	Discuss and formulate a training program and decide on logistics how to conduct the implementation of training. This is enhance capacity of coordination capacity among the MPWT and provincial and/or DPWT to conduct field works.																								
Indicator	3.4 Draft RMS Training Plan (RMS-TP) is prepared																									
Means of Verification	3.4.1 Meeting Record of draft RMS-TP preparation 3.4.2 Draft RMS-TP																									
Persons in Charge	Japanese Expert		Major Products by the activity																							
	Local Staff Cambodian Side																									
Works as Steps of Activity		2018												2019												
No.	Work	Person in Charge	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
3.4(a)	Discuss contents of training	Tsuchida Yamashita Kiyota Mizuyori RF-Member Tsuchida Yamashita Kiyota Mizuyori RF-Member Tsuchida Yamashita Kiyota Mizuyori RF-Member																								
3.4(b)	Discuss the logistics of training																									
3.4(c)	Prepare Draft RMS-TP																									

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	3.4 Prepare draft RMS-TP	Record/Note of Observation on Capacity Enhancement
No.	Work	Recorded Kiyota
3.4(a)	Discuss the contents of training	- TF Members discussed about the contents of the training based on current needs on road environment in Cambodia
3.4(b)	Discuss the logistics of training	- Japanese experts prepared for the logistics of training. TF members arranged necessary documents from the MPWT and coordinated an approval process for the ministry.
3.4(c)	Prepare Draft RMS-TP	- the plan was documented and a draft was discussed. The plan would be adjusted in the course of implementation.

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	3.5 Prepare tentative RMM and tentative RMD	Purpose of Capacity Enhancement																							
Related Output	3. Implementation framework of Social Considerations (SC) related to ROW management is strengthened	To enhance the capacity of current situation identification through developing and learning about RMM and MMD																							
Indicator	3.5 Tentative ROW Management Map (RMM) and tentative ROW Management Database (RMD) are prepared																								
Means of Verification	3.5.1 Meeting Record of tentative RMM preparation 3.5.2 Meeting Record of tentative RMD preparation 3.5.3 Tentative RMM and RMD																								
Persons in Charge	Japanese Expert	Major Products by the activity																							
	Local Staff	- Activity Record (Interview, Meeting)																							
Works as Steps of Activity	Cambodian Side	- Draft RMM and RMD																							
	Person in Charge																								
No.	Work	2018												2019											
		1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
		F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
3.5(a)	Prepare Tentative RMM																								
3.5(b)	Prepare Tentative RMD																								
3.5(c)	Give a presentation at the 3rd Seminar																								

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	3.5 Prepare tentative RMM and tentative RMD	Recorder	Kiyota
No.	Work	Record/Note of Observation on Capacity Enhancement	
3.5(a)	Prepare Tentative RMM	- Concepts of RMM and RMD were discussed and planned. Extensive discussions as to conceptualisation of type of mapping technologies, how to use the information and so on were held as well as technical possibilities that are feasible and affordable.	
3.5(b)	Prepare Tentative RMD	- Concepts of RMM and RMD were discussed and planned. Extensive discussions as to conceptualisation of mapping, database needs, how to use the information and so on were held as well as technical possibilities that are feasible and affordable.	
3.5(c)	Give a presentation at the 3rd Seminar	- A final product was presented and explained about the specifications by the TF members	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	3.6 Plan and conduct training in Japan and third countries	Purpose of Capacity Enhancement																																				
	3. Implementation framework of Social Considerations (SC) related to ROW management is strengthened		- Enhance general capacity and specific themes for ROW management through good practices in other countries																																			
	3.6 Lessons learned on SC through training in other countries and Cambodia are reflected to RMS discussion																																					
Related Output	3.6.1 Relevant materials of training courses in Japan	Major Products by the activity																																				
Indicator	3.6.2 Relevant materials of third country technical exchanges																																					
Means of Verification	3.6.3 Records of Training and seminar in Cambodia																																					
Persons in Charge	Japanese Expert	- Activity Record (Interview, Meeting) - Training Report																																				
	Local Staff																																					
	Cambodian Side																																					
Works as Steps of Activity		Person in Charge																																				
No.	Work	2017												2018												2019												
3.6(a)	Plan Training Course in Japan	Nakayama	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
3.6(b)	Plan 3rd Country Technical Exchange	Nishio	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
3.6(c)	Conduct Trainings	TF-Member																																				

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	3.6 Plan and conduct training in Japan and third countries	Recorder	Nakayama
No.	Work	Record/Note of Observation on Capacity Enhancement	
3.6(a)	Plan Training Course in Japan	Program of the Training in Japan was planned	
3.6(b)	Plan 3rd Country Technical Exchange	1st technical exchange in Myanmar completed 2nd technical exchange in Laos/Thailand completed 3rd technical exchange in Australia completed	
3.6(c)	Conduct Trainings	Training in Japan were conducted and members made presentations about the learning during the training	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity		4.1 Discuss the implementation plan of the pilot project by using draft RMS		Purpose of Capacity Enhancement																								
Related Output		4. Capacity of SC required for ROW management is strengthened		- Enhance management capacity for ROW management systems by using RMS																								
Indicator		4.1 Pilot Project Implementation Plan is established		Major Products by the activity																								
Means of Verification		4.1.1 Meeting record of establishment of pilot project implementation plan 4.1.2 Pilot project implementation plan		- Activity Record (Interview, Meeting) - Pilot Project Implementation Plan																								
Persons in Charge		Japanese Expert	Kiyota, Tsuchida, Yamashita	2018																								
		Local Staff	Soheat	2019																								
		Cambodian Side	TF-Members																									
Works as Steps of Activity		Person in Charge																										
No.	Work			1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
4.1(a)	Confirm the pilot project site and PTF structure	Kiyota Tsuchida Yamashita TF-Member		F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F
4.1(b)	Discuss Pilot Project Plan	Kumagai Tsuchida Ochi TF-Member																										
4.1(c)	Prepare Pilot Project Implementation Plan	Kumagai Tsuchida Ochi TF-Member																										

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity		4.1 Discuss the implementation plan of the pilot project by using draft RMS												Recorder	
No.		Work												Kiyota	
4.1(a)	Confirm the pilot project site and PTF structure	A project site was proposed and discussed at the TF meetings. Various aspects were involved in selection of the project site and those aspects were carefully examined.													
4.1(b)	Discuss Pilot Project Plan	Together with the TF members discussions were held as to the selection of the pilot site, a plan was also outlined for its implementation including logistics and contractual work.													
4.1(c)	Prepare Pilot Project Implementation Plan	A project implementation plan was agreed among TF members. Logistics and processes, community involvement were planned by the TF members.													

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	4.2 Discuss the framework of the Pilot Project Task Force (PTF)	Purpose of Capacity Enhancement																																			
		- Enhance capacity of ROW management through discussion on formulating PTF																																			
		- Enhance capacity of ROW management through discussion on formulating PTF																																			
Related Output	4. Capacity of SC required for ROW management is strengthened																																				
Indicator	4.2 PTF is established																																				
Means of Verification	4.2.1 PTF organizing meeting record																																				
	4.2.2 Documents related to PTF establishment																																				
Persons in Charge	Japanese Expert	Tsuchida, Yamashita, Mizuyori																																			
	Local Staff	Socheat																																			
	Cambodian Side	TF-Members																																			
Works as Steps of Activity		Person in Charge			2017						2018						2019																				
No.	Work	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
4.2(a)	Discuss Temporal PTF with site selection of pilot project	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S
4.2(b)	Fix framework of PTF																																				

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	4.2 Discuss the framework of the Pilot Project Task Force (PTF)	Recorder	Kiyota
No.	Work	Record/Note of Observation on Capacity Enhancement	
4.2(a)	Discuss Temporal PTF with site selection of pilot project	TF members proposed PTF members with consideration of project site and activities.	
4.2(b)	Fix framework of PTF	The PTF members were agreed	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	4.4 Implement the Pilot Project of IEP												Purpose of Capacity Enhancement																											
	4. Capacity of SC required for ROW management is strengthened																																							
	4.4.1 PTF activity record 4.4.2 Progress on RMM and RMD updating 4.4.3 Training records																																							
Means of Verification	4.4.1 PTF activity record 4.4.2 Progress on RMM and RMD updating 4.4.3 Training records																																							
	Persons in Charge	Japanese Expert			Local Staff			Cambodian Side			Major Products by the activity																													
		Ochi, Watson, Kiyota, Tsuchida, Yamashita, Nara			Socheat			TF-Members			- Activity Record (Interview, Meeting) - Training Record																													
Works as Steps of Activity		Person in Charge		2017												2018												2019												
No.	Work			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	
4.4(a)	Install ROW poles	Ochi		F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	F	S	
		Watson																																						
		Kumagai																																						
		TF-Member																																						
		Ochi																																						
		Watson																																						
		Kumagai																																						
		TF-Member																																						

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	4.4 Implement the Pilot Project of IEP												Recorder	Ochi
No.	Work												Record/Note of Observation on Capacity Enhancement	
4.4(a)	Install ROW poles												- TF members and PTF members discussed and decided the location of ROW pole installation, consulted with the Japanese expert team about the design and terms of reference to the DPWT to install the ROW poles.	
4.4(b)	Organise Public Consultation Meetings (PCM)												- TF members and PTF members planned and coordinated to organise public consultation meetings and made presentation for the general public to explain about ROW regulations and management.	

Capacity Enhancement Plan (A): Work Breakdown Structure (WBS)

Activity	4.5 Conduct TOT based on draft RMS-TP	Purpose of Capacity Enhancement																											
Related Output	4. Capacity of SC required for ROW management is strengthened	- Enhance human development capacity for ROW management systems by using RMS-TP																											
Indicator	4.5 At least 10 qualified trainers are trained																												
Means of Verification	4.5.1 TOT implementation record																												
	4.5.2 Record of the dissemination seminar																												
	4.5.3 Observation and interview by JICA Experts																												
Persons in Charge	Japanese Expert	Ochi, Watson, Kiyota, Tsuchida, Yamashita, Nara																											
	Local Staff	Socheat																											
	Cambodian Side	TF-Members																											
Works as Steps of Activity	Person in Charge	2017	2018	2019																									
No.	Work	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12				
4.5(a)	Conduct TOT	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS	FS
4.5(b)	Organise a dissemination seminar	Ochi																											

Capacity Enhancement Plan (B): Observation and Evaluation of Capacity Enhancement

Activity	4.5 Conduct TOT based on draft RMS-TP	Record/Note of Observation on Capacity Enhancement
No.	Work	Record/Note of Observation on Capacity Enhancement
4.5(a)	Conduct TOT	- Training of trainer (TOT) for road land management was implemented. Task Force members took the lead on July 31, August 29 (National highway 6), and August 30 (National highway 4) to organise a TOT workshop. In October TOT in November for DPWTs in the remaining 11 states (along NH 1 and NH 7).
4.5(b)	Organise a dissemination seminar	- Organised in December 2019 in Phnom Penh

J1-4. Procurement Plan

General: 3. Procurement Plan

Following items are procured according to the specifications and agreement.

Nr.	Procured Items	Specifications	Date	Quantity	Location	Final Status
1	Laptop PC	Acer Aspire F5-573G	2017/03/03	2	MPWT	Donated
2	Desktop PC	Customized PC	2017/03/28	1	MPWT	Donated
3	Laptop PC	ASUS ROG Strix GL503	2017/07/10	1	MPWT	Donated
4	A3 Multifunction Machine	DocuCentre VIC3371 CPS	2017/08/07	1	MPWT	Donated
5	Unmanned Aerial Vehicle (UAV, Drone)	Phantom 4 Pro	2017/08/07	2	MPWT	Donated
6	Desktop PC	Customized PC	2017/08/08	1	MPWT	Donated
7	CAD Application	Auto CAD LT (3years License)	2018/02/01	1	MPWT	Donated
8	Total Station	TOPCON OS-101	2018/06/06	1	MPWT	Donated
9	Server PC	Dell Power Edge T130 Server, UPS, Fortinet Hardware Firewall FG60E-BDL	2018/06/06	1	MPWT	Donated
11	Image Processing Application	Pix4D Mapper (Perpetual License)	2018/06/22	1	MPWT	Donated

J1-5. Training Records

Training Records of Taskforce members

Nr	Name	EIA Taskforce Meeting	ROW Taskforce Meeting	Seminar 1	Seminar 2	Seminar 3	Seminar 4	Seminar 5	Seminar 6	Workshop1 for ROW practice	Workshop2 for ROW practice	Workshop3 for ROW practice	Workshop4 for ROW practice	Workshop5 for ROW practice	Site Seminar Phnom Penh (PCMI_NRI1)	Site seminar Phnom Penh (PCMI_NRI1)	Site seminar Pilot project (PCMI_RPC)	Site seminar Pilot project (PCMI_RPC High School)	1st Technical Exchange	2nd Technical Exchange	3rd Technical Exchange	Technical exchange Japan1	Technical exchange Japan2	Technical exchange Japan3	
1	Mr. Prok Novida	15		1	1	1													1						
2	1. Mr. Ly Sambath	8																							
3	2. Mr. Stev Vireak	17		1	1	1													1						
4	3. Mr. Boun Chhoy Ya	29		1	1	1													1						
5	4. Mr. Manh Vutha	12		1	1	1													1						
6	5. Mr. Song Kimheng	3		1	1	1													1						
7	6. Mr. Ngel Sovannarith	8	4	1	1	1													1						
8	8. Mr. UK Baksonee (DoP)	1			1																				
9	9. Mr. Yong Lyet (DoP)	2																							
10	10. Mr. Lay Nana (DoP)	6																							
11	11. Mr. Eab Ngunberg (DoP)	5																							
12	12. Mr. Chhim Phalla																								
13	13. Heng Bahpseth (Former RID Director)		2																						
14	14. Mr. You Dara		5																						
15	15.2. Mr. Chea Samnang		45	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
16	16.3. Mr. Khoun Komphack		29	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
17	17.4. Mr. Khar Sary		27	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
18	18.5. Mr. Hay Chandara		34	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
19	19.6. Mr. Kaing Theara		21	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
20	20.7. Mr. Long Davuth		7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
21	21.8. Mr. Sok Chandy		8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
22	22.9. Mr. Sikon Peuth		12	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
23	23.10. Mr. Sao Penarak		11	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
24	24. Mr. Prak Yanna (RID)		1																						
25	25. Mr. Long Mady (RID)		1																						
26	26. Mr. Si Svutha (RID)		1																						
27	27. Mr. Oup Soelareth (RID)		1																						
28	28. Mr. Chhok Sochea (RID)		1																						
29	29. Mr. Tauch Solhanth (RID)		2																						
30	30. Mr. Chak Boreth (RID)		2																						
31	31. Mr. Eam Banhorn (RID)		2																						
32	32. Mrs. Lon Vrakimhoua (RID)																								
33	33. Mr. Sour Keathising (RID)																								
34	34. Mr. Nob Keilarth (RID)																								
35	35. Ms. Chhay Chakreya (RID)																								
36	36. Ms. Thou Savary (RID)																								
37	37. Ms. Touch Kimsan (RID)																								
38	38.11. Mr. Keat Sunan																								
39	39. Mrs. Pin Vutha (Director of LCD)																								
40	40.12. Mr. Sor Ylin		8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
41	41.13. Mr. Sok Ly																								
42	42.14. Mr. Von Sarem																								
43	43.15. Mr. Peang Samseum		6	15	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
44	44.16. Mr. Seng Sophea		3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
45	45.17. Mrs. Eam Runthearn																								
46	46.18. Mr. An Menghour																								
47	47.19. Mr. Chea Sopharith																								
48	48.20. Mrs. Oum Sokvasey		6																						
49	49.21. Mr. Lor Vicheith																								
50	50.22. Ms. Lating Sengkim		7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
51	51.23. Mr. Ouch Phetnom (CD)		3																						
52	52. Mr. Daa Vandeyvean		1	3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
53	53. Ms. Brossour Matska																								
54	54. Mr. Kheang Yanath (DOAMPWT)																								
55	55. Mr. Sun Sokumheavy																								
56	56. Mr. Boun Boussanth																								
57	57. Mr. Chhap Aphavath																								
58	58. Mr. Ouk Ouk																								
59	59. Mr. Hok Angkornhongs		1																						
60	60. Mr. Bay Rom																								
61	61. Mr. Kleng Sometha																								

Nr	Name	EIA Taskforce Meeting	ROW Taskforce Meeting	Seminar 1	Seminar 2	Seminar 3	Seminar 4	Seminar 5	Seminar 6	Workshop1 for ROW practice	Workshop2 for ROW practice	Workshop3 for ROW practice	Workshop4 for ROW practice	Workshop5 for ROW practice	Site Seminar Phnom Penh (PCMI_NRI1)	Site Seminar Phnom Penh (PCMI_NRI1)	Site seminar Pilot project (PCMI_RPC)	Site seminar Pilot project (PCMI_RPC High School)	1st Technical Exchange	2nd Technical Exchange	3rd Technical Exchange	Technical exchange Japan1	Technical exchange Japan2	Technical exchange Japan3	
62	Mr. Hinson Oudom																								
63	Mr. Touch Chentra																								
64	Mr. Buth Nengkak (DOF)																								
65	Mr. Uk Chantharat (DOF)																								
66	Mr. Khim Saneit (DOF)																								
67	Mr. Eath Ngeun Hang (DOP)																								
68	Mr. Boret Wong samth (PID)																								
69	Mr. Kong Yoneath (TF Observer, PID)																								
70	Mrs. En Sochea (TF Observer, PID)	3/9																							
71	Mr. Phenth Vannithy (PID)																								
72	Mr. Yem Yeana (PID)																								
73	Mr. Ly Kamngorn (PID)																								
74	Mr. Chheng Meina (PID)																								
75	Mr. Ong Kimhak (PID)																								
76	Mr. Yong Lyket (ICD)																								
77	Mrs. Pin Vutha (JCC Member, ICD)																								
78	Mr. Hor Vuthy (ICD)																								
79	Mr. Lor Kim Teng (RMD)																								
80	Mr. Lon Virakvichetra (RMD)																								
81	Mr. Rosorn Sina (RMD)																								
82	Mr. Sam Rithy (Railway Department)																								
83	Mr. Sok, Son (Railway Department)																								
84	Mr. Sak Sothirith (TF Advisor, MLMUPC)																								
85	Mr. Pat Sok (TF Advisor, MLMUPC)																								
86	Mr. Sao Vary (TF Advisor, MLMUPC)																								
87	Mr. Lim Is (MLMUPC)																								
88	Mr. Mow Vandana (MLMUPC)																								
89	Mr. Vin Pros (MoE)																								
90	Mr. Hong Chansokha (Director of Kampong Spea DPWT)																								
91	Mr. Chea Leng (TF Advisor, MoE)																								
92	Mr. Choung Svutha (MoE)																								
93	Mr. Yin Sothain (MoE)																								
94	Mr. Sok Oror (MoE)																								
95	Mr. Yong Sy (JCC Member, MEF)																								
96	Mr. Khunor Davith (MEF)																								
97	Mr. Kim Chamrithol (MEF)																								
98	Mrs. Vy Theary (MEF)																								
99	Mr. Por Tola (MEF)																								
100	Mr. Kem Chamdecin (MEF)																								
101	Mr. Ron Vitha (MEF)																								
102	Mr. Bin Sopleaka (EDC)																								
103	Miss Visal (EDC)																								
104	Mr. Ean Prasit (KPC)																								
105	Mr. Khun Khemma (KPC)																								
106	Mr. Chhlay Lea Phat (KPC)																								
107	Mr. Jeng Huo (KPC)																								
108	Mr. Kso Voth (KPC)																								
109	Mr. Jeng Ratha (KPC)																								
110	Mr. Kang Kimchhlin (PST)																								
111	Mr. Tang Sovanna (PST)																								
112	Mr. Ban Soupheng (PST)																								
113	Mr. Phan Nairin (PST)																								
114	Mr. Sy Sereyvuth (PST)																								
115	Mr. Chhang Hav (PST)																								
116	Mr. Pheng Chanchhaya (BTB)																								
117	Mr. Sim Srearith (BTB)																								
118	Mr. Theuth Raksa (BTB)																								
119	Mr. Phang Ra (BTB)																								
120	Mr. Cham Sumbro (BTB)																								
121	Mr. Eap Visoth (BTB)																								
122	Mr. Phang Dattar (BMC)																								

Nr	Name	EIA Taskforce Meeting	ROW Taskforce Meeting	Seminar 1	Seminar 2	Seminar 3	Seminar 4	Seminar 5	Seminar 6	Workshop1 for ROW practice	Workshop2 for ROW practice	Workshop3 for ROW practice	Workshop4 for ROW practice	Workshop5 for ROW practice	Site Seminar Phnom Penh (PCM1_NRI1)	Site seminar Phnom Penh (PCM2_NRI1)	Site seminar Pilot project (PCM1_KPC)	Site seminar Pilot project (PCM2_KPC High School)	1st Technical Exchange	2nd Technical Exchange	3rd Technical Exchange	Technical exchange Japan1	Technical exchange Japan2	Technical exchange Japan3	
123	10. Mr. Lang Sophaek (BMC)																								
124	Mr. Ou Smith (BMC)	1						1		1															
125	Mr. Hout Sambor (BMC)	1						1		1															
126	Mr. Chea Daparth (BMC)	1								1															
127	Mr. Kim Sovanncherna (BMC)	1								1														1	
128	Mr. Yong Vandy (BMC)	1								1															
129	Sub Total	113	340	20	21	28	8	43	30	27	17	12	0	0	0	0	0	0	0	6	6	2	10	10	8
	Grand Total																								700

DOA: Department of Administration
DOF: Department of Finance
KPC: Kampong Chhnang
PST: Pursat
BTE: Battan Bang
BMC: Banteay Meanchey

Training Records of Taskforce members

Nr	Name	EIA Taskforce Meeting	ROW Taskforce Meeting	Seminar 1	Seminar 2	Seminar 3	Seminar 4	Seminar 5	Seminar 6	Workshop 1 for ROW practice	Workshop 2 for ROW practice	Workshop 3 for ROW practice	Workshop 4 for ROW practice	Workshop 5 for ROW practice	Seminar Phnom Penh (PCM1 - NRU)	Site seminar Phnom Penh (PCM2 - NRU)	Site seminar Pilot project (PCM1 - KPC)	Site seminar Pilot project (PCM2 - KPC High School)	1st Technical Exchange	2nd Technical Exchange	3rd Technical Exchange	Technical exchange Japan1	Technical exchange Japan2	Technical exchange Japan3	Policy and Concept	Implementation	Total			
1	Mr. Prok Novida	15		1	1	1													1						5	15	20			
2	1. Mr. Uy Sambath	8																									1	8	9	
3	2. Mr. Srey Vireak	17		1	1	1																					5	17	22	
4	3. Mr. Bour Chhay Ya	29		1	1	1																					5	29	34	
5	4. Mr. Manh Vutha	12		1	1	1																					6	14	20	
6	5. Mr. Song Kimheng	3		1	1	1																					6	4	10	
7	6. Mr. Ngol Sovanarith	8	4																								6	12	18	
12	Mr. Chhim Phalla			1																							2	1	3	
14	1. Mr. You Dara		5																								0	5	5	
15	2. Mr. Chea Samnang		45	1	1	1																					9	48	57	
16	3. Mr. Khoun Komphack		29																								6	32	38	
17	4. Mr. Khai Saray		27	1	1	1																					5	30	35	
18	5. Mr. Hay Chandra		34	1	1	1																					8	37	45	
19	6. Mr. Kaing Theara		21	1	1	1																					3	24	27	
20	7. Mr. Long Davuth		7																								0	9	9	
21	8. Mr. Sok Chandy		8																								0	9	9	
22	9. Mr. Sokun Piseth		12																								0	15	15	
23	10. Mr. Sao Premaruk		11																								3	14	17	
38	11. Mr. Keat Sarun		1																								0	1	1	
40	12. Mr. Sor Yilin		8																								2	8	10	
41	13. Mr. Sok Ly																										0	1	1	
42	14. Mr. Von Sarom																										0	0	0	
43	15. Mr. Peng Samoeun		6	15	1	1																					5	23	28	
44	16. Mrs. Steng Sorphea		3																								5	3	8	
45	17. Mrs. Eam Runthearin																										3	0	3	
46	18. Mr. An Menghour		12																								1	2	13	15
47	19. Mr. Chea Sophanth																										0	0	0	
48	20. Mrs. Oum Sokvasey		6																								1	7	8	
49	21. Mr. Lor Vicheth																										0	0	0	
50	22. Ms. Lang Sangkim		7																								2	7	9	
51	23. Mr. Ouch Pheatom (ICD)		3																								0	3	3	
DPWT Pilot Project Taskforce Members																														
104	1. Mr. Lao Prost (KPC)																										0	0	0	
105	2. Mr. Khut Khenna (KPC)		2																								2	3	5	
110	3. Mr. Kang Kimchhun (PST)		2																								1	3	6	
111	4. Mr. Tang Sovanna (PST)																										0	0	0	
112	5. Mr. Bun Soupheng (PST)																										0	1	1	
116	6. Mr. Pheng Chanthalya (BTB)																										1	1	1	
117	7. Mr. San Sereisith (BTB)																										0	1	1	
118	8. Mr. Thouch Raksa (BTB)																										0	0	0	
122	9. Mr. Phang Dollar (BMC)																										0	0	0	
123	10. Mr. Lang Sophaek (BMC)																										0	0	0	
129	SubTotal	98	264	11	12	18	6	13	9	14	11	8	0	0	0	0	0	0	5	5	2	8	5	3	0	0	0	0		
Grand Total																														
DOA: Department of Administration PST: Pursat																														
DOF: Department of Finance BTB: Battam Bang																														
KPC: Kampong Chhnang BMC: Banteay Meanchey																														

J1-6. Capacity Assessment Check List

**Correct Answer Short Quiz of Capacity Assessment of
Environmental and Social Considerations for Road Sector
Draft**

Name: _____

Position: _____

Organization (Office/Department): _____

**These evaluation results are used for only this JICA Project. Any evaluation results will not be reported to your organization and the outsides.*

Please Choose a right answer from 1-4 and Fill out the Number on the Pre-Test Column

Capacity	Item	Evaluation ¹	Answer	
			Pre-Test	
1. Understandings of Environmental and Social Considerations (ESC) Concepts/Policies/ Guidelines by DPs ²	1.1 What subject is “NOT” included in “Common Important Principles” by DPs?	1. Avoid or minimize adverse impacts 2. Gender Equity 3. Compliance with Laws in the country of the Project 4. Information Disclosure		
	1.2 What is “NOT” the criteria for the Environmental Categorization?	1. Sensitive Sectors (road, power, etc.) of the Project 2. Sensitive Characteristics (large-scale resettlement, etc.) of the Project 3. Sensitive Areas (natural parks, etc.) of the Project 4. Sensitive Stakeholders (Residents, etc.) of the Project		
	1.3 What subject is “NOT” included Scoping Elements?	1. Identify a range of significance of possible impacts 2. Setting the boundaries for the EIA Study 3. Setting the Terms of Reference (Methods) of the EIA Study 4. Impact Evaluation		
	<i>Average Index</i>			
2. Understandings of Technical Contents of IEE/EIA	2.1 What is the First Step for EIA Process within the right answers in general?	1. Scoping 2. Screening 3. Impact identification/evaluation/prediction 4. Consider mitigation measures for possible impacts		
	2.2 What is the main Criteria for requiring EIA for the Project?	1. Possible Adverse Impacts Level of the Project 2. By Ministry of Environmental (MOE) Decision 3. Size/Capacity of the Project 4. No clear criteria		
	2.3 What is “NOT” included Screening Elements?	1. Project site 2. Scale and overall contents of the Project, 3. Relevant possible adverse impacts 4. Environmental study methods		
	2.4 What Environmental Item is “NOT” usually Take Sample in the Project site as a base line data?	1. Air quality 2. Water quality 3. Solid Waste Volume 4. Noise level		
	2.5 What Parameter is “NOT” included as Essential Impact Characteristics?	1. Type (Favorable or Adverse) 2. Magnitude or Severity (Low, Moderate, High) 3. Duration (Temporary or Long-term) 4. Reversibility (Reversible or Irreversible)		
	2.6 What Environmental Item is “NOT” usually Predicted by a Quantitative Method?	1. Air quality 2. Water quality 3. Noise 4. Ecosystem		
	2.7 What is “NOT” considered as Effective Mitigation Measures for Adverse impacts in Road Development Project?	1. Water sprinkling for air pollution 2. Install traffic signal for noise nuisances 3. Setting a buffer zone for ecosystem conservation 4. Replanting slopes for reducing erosion		
	<i>Average index</i>			

¹ Evaluation: Four capacity levels are set up for the evaluation.

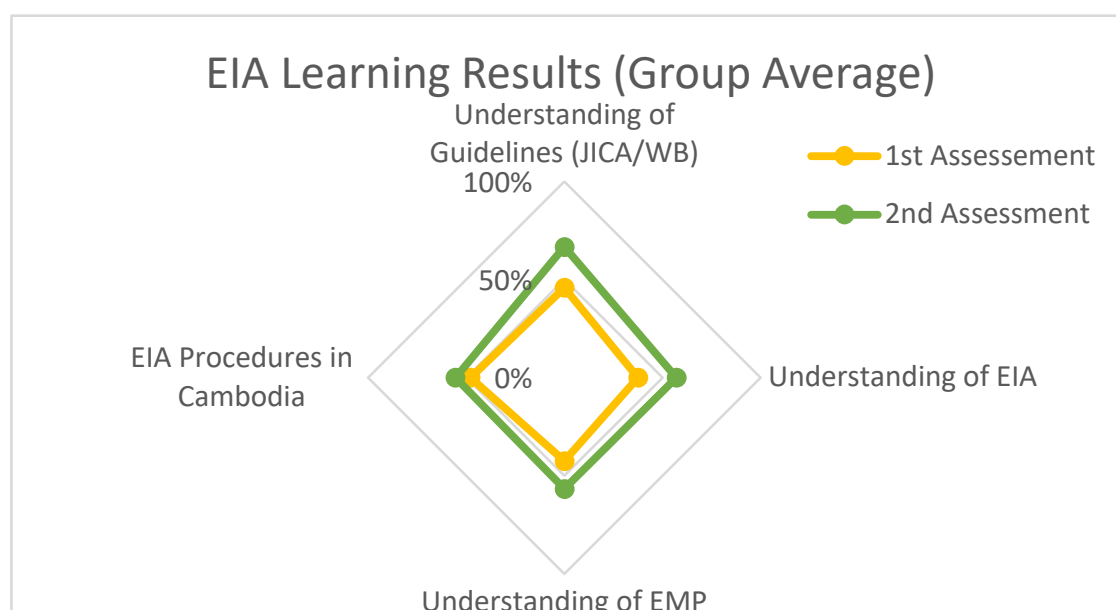
² DPs: Development Partners (World Bank, Asian Development Bank, Japan International Cooperation Agency: JICA).

Capacity	Item	Evaluation ¹	Answer	
			Pre-Test	
3. Understanding of Technical Contents of EMP	3.1 What is “NOT” included the Main Purpose of the Environmental Management Plan (EMP)	<ol style="list-style-type: none"> To ensure mitigation measures are implemented. To establish systems and procedures for conducting mitigation measures To monitor the efficiency of mitigation measures To take any necessary action when unforeseen impact occur 		
	3.2 What is “NOT” included Essential contents of the EMP?	<ol style="list-style-type: none"> Administrative Framework for conducting EMP Impact evaluation Work Plan (Monitoring Schedule) Cost estimation of the Monitoring 		
	3.3 What is “NOT” included Phases of the Environmental Monitoring?	<ol style="list-style-type: none"> Pre Planning Phase Pre Construction Phase Project Construction Phase Operation and Maintenance Phase 		
	3.4 What subject is NOT included in “Environmental Monitoring Form”?	<ol style="list-style-type: none"> Monitoring Item Environmental Standards Monitoring Results Monitoring(Measurement) Points/Frequencies/Methods 		
	3.5 What is NOT included Essential contents of the Environmental Monitoring Report?	<ol style="list-style-type: none"> Monitoring Parameters Monitoring Location Points/Frequencies/Methods Monitoring Results compared to Environmental Standards Monitoring Cost 		
	Average index			
4. Understandings of EIA/EMP Implementation Process	4.1 How many months after approval of the EIA Report could be spent for implementing the EMP in Cambodia?	<ol style="list-style-type: none"> 1 month 2 months 3 months 6 months 		
	4.2 How many days could be spent for reviewing/commenting from the date of the official receipt of the EIA Report in Cambodia?	<ol style="list-style-type: none"> 15 working days 20 working days 25 working days 30 working days 		
	4.3 For road development projects, When MPWT could review the EIA Report?	<ol style="list-style-type: none"> When receive the 1st version of the EIA Report Before the MoE review the EIA Report After the MoE review the EIA Report When receive the Revised EIA Report 		
	4.4 What is “NOT” Appropriate Aspects for Comments on the EIA Report for Road Sector?	<ol style="list-style-type: none"> Baseline Data Collection/Sampling Methods Methods for Impact Evaluation/Prediction Reasons of the Proposed Mitigation Measures Budget Issues for the proposed mitigation measures for the impacts (air, noise, etc.) 		
	4.5 For the road development projects, which subject is “NOT” Key Aspects for Reviewing EIA?	<ol style="list-style-type: none"> Unavoidable adverse impacts Proposed mitigation measures Monitoring Parameters Traffic safety 		
	4.6 For the road development projects, which subject is “NOT” Key Aspects for Reviewing Environmental Monitoring Report?	<ol style="list-style-type: none"> Monitoring Implementation Organization Each Monitoring Parameter itself Monitoring Results compared to Environmental Standards Considering any unforeseen impacts 		
	Average index			

EIA Capacity Assessment Sheet

No.	Name	Position	Department
1	Ngel Sovanarith	Officer	ICD
2	Bur Chhayya	Officer	ESO/DOP
3	Srey Vireak	Officer	ESO/DOP
4	Manh Vutha	Officer	ICD
5	Dun Vandyregan	Chief Officer	ICD
6	Prok Novida	Dupty Director	DOP
7	Song Kimheng	Officer	ICD
8	Uy Sambath	Dupty Chief	DOP

Average		
Occasion	1st Assessement	2nd Assessment
Understanding of Guideline	46%	67%
Understanding of EIA	38%	57%
Understanding of EMP	43%	57%
EIA Procedures in Cambodia	48%	56%
total	43%	59%



J1-Appendix 1: Record and Relevant Material on Seminar

Summary List of Seminars_CESCoR

Seminar	Objectives	Results
<p>1st Seminar</p> <p>Date: 4th May 2017 Place: Himawari Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - Present and discuss EIA procedures in Road Sector in Cambodia; and - Present and discuss ROW management in Cambodia and reserved land for road development in Japan. 	<ul style="list-style-type: none"> - Legal frameworks, principles of EIA, EIA process and challenges were explained and discussed; - MPWT's implementation issues to EIA/EMP Process in Road sector were explained and discussed; - Legal frameworks related to ROW management in Cambodia, current ROW management, challenges were shared and discussed in the seminar; and - Land management along the road in Japan were explained and discussed.
<p>2nd Seminar</p> <p>Date: 6th July, 2017 Place: SUNWAY Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - Share knowledge and lesson learned from the training in Japan; - Confirm the progress and schedule of each taskforce (TF); and - Discuss the issues on ROW management in Cambodia. 	<ul style="list-style-type: none"> - Knowledge and lesson learned from the training in Japan were shared and discussed among the participants; - Progress and schedule of both ROW and EIA Taskforce were confirmed; and - ROW management in Cambodia and Road management in Japan were actively and fruitfully discussed.
<p>3rd Seminar</p> <p>Date: 6th February, 2018 Place: SUNWAY Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - Share and explain the draft of Road Environmental Guidebook (REG); - Share lesson learnt from 3rd country technical exchange; and - Share and discuss on experience of conducting PCM in Japan. 	<ul style="list-style-type: none"> - The draft of REG was shared and discussed among the participants; - Lesson learned from 3rd country technical exchange in Myanmar was shared to all participants; and - The experience of conducting PCM in Japan was actively discussed in the seminar.
<p>4th Seminar</p> <p>Date: 27th September, 2018 Place: SUNWAY Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - Acquire basic knowledge about each country's experiences on ROW Management by sharing presentations; and - Visit Site of Pilot Project. 	<ul style="list-style-type: none"> - ROW TF members of MPWT shared the presentations on Seminar Objectives and Topic, and CESCoR; - ROW TF member also presented the ROW Management in Cambodia; - Guest Speaker from Laos MPWT shared the presentation on ROW Management in Laos; - Guest Speaker from Thailand DoH shared the presentation on Property Expropriation; - Participants involved actively in discussion sessions; and

Seminar	Objectives	Results
		<ul style="list-style-type: none"> - Seminar was successfully finished followed by the site visit at Kampong Chhnang Province (at National Road No.5).
<p>5th Seminar</p> <p>Date: 13th November, 2018</p> <p>Place: PHNOM PENH Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - Share the lesson-learns on ROW Management in Third Country; - Report the progress of Pilot Project of CESCO R Project; and - Share the activities of Illegal Encroachment Prevention (IEP). 	<ul style="list-style-type: none"> - ROW Taskforce Member who had attended the Third Country Technical Exchange in Laos and Thailand presented and shared the lesson-learns and experiences to all participants; - other ROW TF members also explained the progress of Pilot Project and IEP; and - Throughout the seminar, all participants involved actively in the discussion.
<p>6th Seminar</p> <p>Date: 15th March, 2019</p> <p>Place: SUNWAY Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - Consult the typical roadway cross section (Stage Construction and ROW Management); - Report the training in Japan; and - Discuss the IEP approaches. 	<ul style="list-style-type: none"> - ROW Taskforce members presented outline of “CESCOR”, typical roadway cross section, the report on the training in Japan and Pilot Project for Illegal Encroachment Prevention (IEP); - There were constructive questions and comments on the typical roadway cross section and IEP; and - Throughout the seminar, all participants involved actively in the discussion.
<p>7th Seminar</p> <p>On ToT Workshop for Practice of ROW Management System</p> <p>Date: 31st July, 2019</p> <p>Place: SUNWAY Hotel, Phnom Penh</p>	<ul style="list-style-type: none"> - To train the DPWTs’ officials on ROW Management System through the presentations from ROW TF members (MPWTs’ Officials); and - To conduct the field practice for field survey and patrol. <p><i>(Target DPWTs were invited from 5 provinces: Kandal, Kampong Chhnang, Pursat, Battambang, and Banteay Meanchey)</i></p>	<ul style="list-style-type: none"> - ROW Taskforce Members presented several topics on Outline of ROW Management Methods, Field Survey for Current Status Identification (CSI), Type of Illegal Encroachment Prevention (IEP) Approaches and ROW Management Activity and Plan; - After the presentation, all participants were asked to do the comprehensive test; - JICA Project Team also presented Implementation of Field Survey (CSI) and Patrol (IEP) via the RMD System Application; - There was also a field practices on CSI and IEP using the Tablet; and - Throughout the workshop and field practices, all participants involved actively in the discussion.

Seminar	Objectives	Results
<p>8th Seminar</p> <p>On ToT Workshop for Practice of ROW Management System</p> <p>Date: 29th August, 2019</p> <p>Place: PHNOM PENH Hotel</p>	<ul style="list-style-type: none"> - To train the DPWTs' officials on ROW Management System through the presentations from ROW TF members (MPWTs' Officials); and - To conduct the field practice for field survey and patrol. <p><i>(Target DPWTs were invited from 5 provinces: Kampong Cham, Kampong Thom, Siem Reap, Oddor Meanchey and Preah Vihear)</i></p>	<ul style="list-style-type: none"> - ROW Taskforce Members presented several topics on Outline of ROW Management Methods, Field Survey for Current Status Identification (CSI), Type of Illegal Encroachment Prevention (IEP) Approaches and ROW Management Activity and Plan; - After the presentation, all participants were asked to do the comprehensive test; - JICA Project Team also presented Implementation of Field Survey (CSI) and Patrol (IEP) via the RMD System Application; - There was also a field practices and demonstration on CSI and IEP using the Tablet; and - Throughout the workshop and field practices, all participants involved actively in the discussion and demonstration.
<p>9th Seminar</p> <p>On ToT Workshop for Practice of ROW Management System</p> <p>Date: 29th August, 2019</p> <p>Place: PHNOM PENH Hotel</p>	<ul style="list-style-type: none"> - To train the DPWTs' officials on ROW Management System through the presentations from ROW TF members (MPWTs' Officials); and - To conduct the field practice for field survey and patrol. <p><i>(Target DPWTs were invited from 6 provinces: Kampong Speu, Takeo, Kep, Sihanoukville, Koh Kong, and Kampot)</i></p>	<ul style="list-style-type: none"> - ROW Taskforce Members presented several topics on Outline of ROW Management Methods, Field Survey for Current Status Identification (CSI), Type of Illegal Encroachment Prevention (IEP) Approaches and ROW Management Activity and Plan; - After the presentation, all participants were asked to do the comprehensive test; - JICA Project Team also presented Implementation of Field Survey (CSI) and Patrol (IEP) via the RMD System Application; - There was also a field practices and demonstration on CSI and IEP using the Tablet; and - Throughout the workshop and field practices, all participants involved actively in the discussion and demonstration.

Seminar	Objectives	Results
<p>10th Seminar</p> <p>Technical Seminar on Standard Drawings and Pilot Project Hard Approaches</p> <p>Date: 2nd October, 2019</p> <p>Place: SUNWAY Hotel</p>	<ul style="list-style-type: none"> - To Present the standard drawings on specification on Road Design and cross-section for future development; and - To report the Pilot Project Hard Approaches. 	<ul style="list-style-type: none"> - ROW TF members presented the topic on Standard drawings and Pilot Project Hard Approaches; - Two Japanese companies, IKEE and Omura also provided the presentation on DBST materials and Inter-locking Block; respectively; - Those material have been applied to IEP Hard Approaches construction at Pilot Project area (Chrey Bak Commune, Kampong Chhnang); - Throughout the seminar, all participants involved actively in the discussion.
<p>11th Seminar</p> <p>Final Seminar</p> <p>Date: 6th December 2019</p> <p>Place: SUNWAY Hotel</p>	<ul style="list-style-type: none"> - To disseminate relevant departments of MPWT and Ministries the project's Final Completion Report and Outputs such as REG and RMS (including RMG and Database) 	<ul style="list-style-type: none"> - In the Morning Session, JICA Project Team presented the Final Completion Report; followed by the presentations from EIA and ROW Taskforce members on REG, ROW Management System (RMS), ROW Management Structure, and ROW Management Activity and Plan; - There were fruitful discussions among the relevant ministries and officials from other DPWTs; - JICA Project Team leader handed over the copies of REG and RMG to MPWT (H.E. Nou Vaddhanak); - In the afternoon session, ROW Taskforce members presented DPWTs' officials other several topics such as CSI, IEP and implementation of CSI and IEP; followed by two presentations from IKEE and Omura Companies on DBST Materials and Inter-locking Block; respectively; - There were also the active discussions among the ROW Taskforce members and DPWTs' officials; and - JICA Project Team leader and Representatives of MPWT handed-over the copies of REG and RMG to each DPWT.



**THE 1ST SEMINAR
OF
THE PROJECT FOR CAPACITY
ENHANCEMENT ON ENVIRONMENTAL
AND SOCIAL CONSIDERATIONS IN
IMPLEMENTING AGENCY IN ROAD
SECTOR IN CAMBODIA**

4TH MAY, 2017

HIMAWARI HOTEL, PHNOM PENH



FOR MORE INFORMATION CONTACT: OFFICE +855(0)61-960-213

AGENDA

The 1st Seminar
of
The Project for Capacity Enhancement on Environmental and Social
Considerations in Implementing Agency in Road Sector in Cambodia
(CESCoR)

Himawari Hotel, Phnom Penh, 4th May 2017

Time	Program
13:15-13:30	Registration
13:30-13:40	Cambodian National Anthem
13:40-13:50	Opening Remarks H.E. Nou Vaddhanak, Project Manager, Director General of General Department of Technique, MPWT
13:50-14:30	Theme I: Environmental Considerations (1) Procedures for Environmental and Social Impact Assessment in Cambodia Mr. Chea Leng, Deputy Director of EIA Department, Ministry of Environment (2) Tasks and Implementation Issues of MPWT for the EIA Road Sector Mr. Srey Vireak, Department of Planning, MPWT
14:20-15:00	Theme II: ROW Management (1) ROW Management Activities in Cambodia Mr. Chea Samnang, Road Infrastructure Department, MPWT (2) ROW Management for the Japanese Projects in Cambodia Mr. Dun Vandyreagan, International Cooperation Department, MPWT
15:00-15:20	Coffee Break
15:20-15:40	(3) Management of Reserved Land for Road Construction in Japan Dr. TSUCHIDA Takayuki, JICA Project Team
15:40-16:00	Q&A Session and Fill up Questionnaire
16:00-16:15	Closing Remarks H.E. Nou Vaddhanak, Project Manager, Director General of General Department of Technique, MPWT

Note: Presentation materials will be prepared by English. Simultaneous interpretation between Khmer and English will be provided.

Participation from other related Department of MPWT, Ministry of Environment, Ministry of Land Management, Urban Planning and Construction, Ministry of Water Resources and Meteorology, Electricité Du Cambodge and ect



THE PROJECT FOR CAPACITY ENHANCEMENT
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IN THE KINGDOM OF CAMBODIA (CESCOR)



Minutes of the 1st Seminar

Date & Time:	04 th May, 2017, 01:30-05:00
Place	Himawari Hotel, Phnom Penh
Attendees:	From MPWT: Mr. Phou Samnang, Deputy Director General of Technique Director and officials of ICD Director representative and officials of DoP Officials of RID From JICA Cambodia Office: Representatives from JICA Cambodia Office Observers: Metropolitan Expressway Company, Bangkok office Ministry of Environment Ministry of Land Management, Urban Planning and Construction (MLMUPC) EDC In total 30 attendees
Project Team:	From Project team: Dr. TSUCHIDA Takayuki and 5 project team members
Agenda / Discussion Points:	- Present and Discuss EIA procedures in road sector in Cambodia - Present and Discuss ROW management in Cambodia and reserved land for road development in Japan

Key Points:

Opening Remarks

- The meeting was facilitated by ICD Official as MC.
- Opening remarks made by Mr. Phou Samnang, Deputy Director General of Technique

Theme I: Environmental Considerations

1. Procedures for Environmental and Social Impact Assessment in Cambodia presented by Mr. Chea Leng:

- Legal frameworks
- Principles of EIA
- Environmental Impact Assessment Process
- Challenges



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Discussion:

Mr. Yong Sy: - Based on the criteria for conducting full EIA in road sector, what if the road length is less than 100km?

- The full EIA needs to be conducted for all size of ports, how is a port with 20 square meters?

Mr. Leng: - In case of road length is less than 100km, full EIA still needs to be conducted if the project affects nearby protected area or cultural area.

- For the port of 20 square meters is not called port, it is called a ferry station, so it does not require to conduct a full EIA.

Mr. Samnang: - Does full EIA in road sector apply for road rehabilitation or road construction?

Mr. Leng: - The full EIA in road sector applies for road construction.

2. **Tasks and Implementation Issues of MPWT for the EIA Road Sector presented by Mr. Srey Vireak**

- EIA Process in Cambodia
- Role and Responsibilities of ESO, DoP
- EIA/EMP related to present actual involvement by ICD and ESO, DoP
- MPWT's Implementation issues to EIA/EMP Process in Road Sector
- Proposed Ideas for Improvement the Implementation Issues

Discussion: No comment

Theme II: ROW Management

1. **ROW Management Activities in Cambodia presented by Mr. Chea Samnang,**

- Legal framework
- Public awareness
- Strategy for ROW
- Current activities
- Challenges



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Discussion:

- Mr. Sothirith: would like to comment as below:
- Soft title: the owner can use and occupy the land
 - Hard title: the owner can use, occupy and sell the land, and the hard title can be issued only outside of ROW (30m from road central line)
 - Also, MLMUPC has delegated power to the provincial and local authorities to be able to permit on selling land with the size of area less than or equal 3000 square meter. However, petroleum station needs to apply at MLMUPC.
- Mr. Samnang: If the ROW is expanded from 15 to 25m, but actual boundary of COI is just only 20M from road central line, in this case the local house is in the space from 20 to 25 m, does the remaining 5m can be registered as private land with a hard title?
- Mr. Sothirith: The hard title of land can be issued, unless the land or house is located outside of ROW.

2. ROW Management for the Japanese Projects in Cambodia presented by Mr. Dun Vandyreagan

- History of the Right of Way
- The term of ROW and related words
- Legal basis of ROW
- Current practice of Right of Way management
- Challenges
- Way forward

Discussion:

Mr. Samnang: How National Road 5 project contributes to CESCOr project?

Mr. Reagan: The ROW of the Northern section of National Road no 5 is 60m and the compensation is done for 60m of ROW and 40m of COI at some places. MEF has sent a letter to MPWT to inform that the compensation has been done for the Northern section, but detail document of individual household compensation is needed for preventing future encroachment in ROW and 5 bypass.

3. Management of Reserved Land for Road Construction in Japan presented by Dr. TSUCHIDA

- Land management in Japan
- Case studies:
 - Land management along the road (NR17, Kumagava)



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- Land management along the road (NR 17, Ageo Road)
- Temporary land use for various purpose (Yono JCT)
- Temporary land use for various purpose (Saitama city)

Discussion:

Mr. Samnang:

In Japan, there is no ROW, so how can road be expanded?

Dr. TSUCHIDA

Normally, the government buys the private land for road expansion because size of the road was determined in the master plan already. Before buying the private land for road expansion, Detail Measure Survey will be conducted.

Closing remarks was done by Mr. Deputy Director General





Date: 04 May 2017
Time: 13:15 - 16:15
Location: Himawari Hotel
Topic: Seminar

**Sign-in Sheet
(JICA Project Team)**

No	Name	Department/ Ministry	Position	Phone	E-mail	Signature
1	Dr. TSUCHIDA Takayuki	JICA project team	Team Leader			
2	Mr. YAMASHITA Akira	JICA project team	Deputy Team Leader			
3	Mr. KUMAGAI Takahiro	JICA project team	Project Coordinator /Database Management			
4	Ms. Ches Sophy	JICA project team	Administrative Assistant			
5	Mr. Penh Socheat	JICA project team				
6	Mr. Douk Khemera	JICA project team	Administrative Assistant			

(MPWT Personnel)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
7	Mr. Phou Samnang on behalf of H. E Nou Vaddhanak	General Department of Technique	Deputy Director General			



8	Mr. Prok Novida	Department of Planning, MPWT	Director			
9	Mr. Dun Vandyreagan	Monitoring and Evaluation office, ICD, MPWT	Chief of Office			
10	Mr. Srey Vireak	E&S Office, DoP, MPWT	Official			
11	Mr. Manh Vutha	Bilateral Cooperation Office, ICD, MPWT	Deputy Chief			
12	Mr. Chea Samnang	ROW Office, RID, MPWT	Chief of Office			
13	Mr. Khai Saray	ROW Office, RID, MPWT	Deputy Chief of Office			
14	Mr. Hay Chandara	ROW Office, RID, MPWT	Deputy Chief of Office			
15	Mr. Sor Yilin	ICD, MPWT	Deputy Chief of Office			
16	Mr. Peang Samoeun	ICD, MPWT	Deputy Chief of Office			
17	Miss. Laing Sengkim	ICD, MPWT	Official			
18	Mr. Bour Chhay Ya	E&S Office, DoP, MPWT	Official			
19	Mrs. Sreng Sorphea	ICD, MPWT	Official			
20	Miss. Brasoeur Molyka	ICD, MPWT	Official			



THE PROJECT FOR CAPACITY ENHANCEMENT
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(JICA Cambodia Office)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
21	Mr. FUKUZAWA Daisuke	JICA Cambodia Office	Representative			
22	Mr. Ouk Reaksmeay	JICA Cambodia Office	Program Officer			

(Observers)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
23	Mr. CHIBA Toshiaki	Metropolitan Expressway Company Limited, Bangkok Office	Deputy Director			

(JCC Members, Advisors, Observers)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
24	Mr. Sek Sothirith	Urban Planning Department, MLUPC	Director			
25	Mr. Pat Sok	Department of Conservation, MLMUPC	Director			
26	Mr. Chea Leng	EIA Department of MoE	Deputy Director			
27	Mr. Yong Sy	Department of Investment, MEF	Chief of Office			
28	Mr. Kong Youreth	Department of Public Infrastructure, MPWT	Chief of Office			



THE PROJECT FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS
IN IMPLEMENTING AGENCY IN ROAD SECTOR
IN THE KINGDOM OF CAMBODIA (CESCOR)



29	Ms. Em Sokchea	Department of Public Infrastructure, MPWT	Deputy Chief of Office			
30	Mr. Bin Sopheaka	Cooperation Planning and Project Department, EDC	Deputy Chief of Environmental Management Division			



ព័ត៌មានទូទៅអំពីគម្រោងហេតុប៉ះពាល់បរិស្ថាន និងសង្គម



ភ្នំពេញ ថ្ងៃទី០៤ ខែឧសភា ឆ្នាំ២០១៧

លោក ជា ឡេង
អនុប្រធាននាយកដ្ឋាន EIA



មាតិកា

១. ក្របខ័ណ្ឌច្បាប់
២. គោលការណ៍ EIA
៣. ប្រភេទគម្រោង
៤. កិច្ចដំណើរការវាយតម្លៃហេតុប៉ះពាល់បរិស្ថាន
៥. បញ្ហាប្រឈម



១. ក្របខ័ណ្ឌច្បាប់

អនុក្រឹត្យស្តីពីកិច្ចដំណើរការវាយតម្លៃហេតុប៉ះពាល់បរិស្ថាន ១១ សីហា ឆ្នាំ១៩៩៩

ជំពូក១: មាត្រា១ កំណត់ប្រភេទ និងទំហំគម្រោង សកម្មភាព ដែលធ្វើឡើងព្រមទាំង សកម្មភាពដែលមានស្រាប់និង កំពុងដំណើរការទាំងកម្រិត ទាំងសាធារណៈ ដែលត្រូវវាយតម្លៃ ហេតុប៉ះពាល់បរិស្ថាន	ជំពូក២: មាត្រា១ បំពុលឱ្យមាន ការចូលរួមសាធារណៈ ក្នុងកិច្ច ដំណើរការវាយតម្លៃហេតុប៉ះ ពាល់បរិស្ថាន ព្រមទាំងទទួល យកមតិ យោបល់ មកធ្វើការ ពិចារណា ក្នុងកិច្ចដំណើរការអនុ ម័តគម្រោង។	ជំពូក៣: មាត្រា១ ក្រសួងបរិស្ថាន មានភារៈកិច្ច ពិនិត្យ និងវាយ តម្លៃលើរបាយការណ៍ហេតុប៉ះ ពាល់បរិស្ថាន ដោយសហការ ជាមួយក្រសួង ស្ថាប័នពាក់ព័ន្ធ តាមដាន ឃ្លាំងមើល និងចាត់ វិធានការឱ្យម្ចាស់គម្រោង ប្រតិបត្តិតាម
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១. ក្របខ័ណ្ឌច្បាប់

អនុក្រឹត្យស្តីពីកិច្ចដំណើរការវាយតម្លៃហេតុប៉ះពាល់បរិស្ថាន ១១ សីហា ឆ្នាំ១៩៩៩

ជំពូក៣: មាត្រា៣ តាមដាន ឃ្លាំង មើល និងចាត់វិធានការឱ្យ ម្ចាស់គម្រោងប្រតិបត្តិតាម ផែនការគ្រប់គ្រងបរិស្ថានក្នុង ដំណាក់កាលសាងសង់ ប្រតិបត្តិ និងបញ្ចប់គម្រោង	ជំពូក៤: មាត្រា១១ ម្ចាស់គម្រោង ត្រូវបង់ថ្លៃសេវាការងារ សម្រាប់ពិនិត្យលើរបាយ ការណ៍ និងតាមដាន ឃ្លាំង មើលការអនុវត្ត។ សេវានេះ ត្រូវកំណត់ដោយក្រសួងសេដ្ឋ កិច្ច និងហិរញ្ញវត្ថុ ដែលត្រូវ បញ្ចូលក្នុងថវិកាជាតិ។	ជំពូក៥: មាត្រា១២ ម្ចាស់គម្រោងត្រូវបង់ វិភាគទានចូលក្នុងមូលនិធិមួយដូចមានប រិស្ថាន សម្រាប់កិច្ចការពារបរិស្ថាន ។
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១. ក្របខ័ណ្ឌច្បាប់



២. គោលការណ៍ EIA



១. ក្របខ័ណ្ឌច្បាប់

ច្បាប់ស្តីពីកិច្ចការពារបរិស្ថាន និងធនធានធម្មជាតិ ២៤ ធ្នូ ឆ្នាំ ១៩៩៦

មាត្រា១១: ការពារ លើក កម្ពស់គុណភាពបរិស្ថាន និងសុខភាពពលរដ្ឋដោយ ធ្វើការទប់ស្កាត់ ការកាត់ បន្ថយ និងការត្រួតពិនិត្យ ការបំពុល	មាត្រា១១១: លើកទឹកចិត្ត និងផ្តល់ លទ្ធភាពឱ្យសាធារណ ជនចូលរួមក្នុងកិច្ចការពារប រិស្ថាន និងគ្រប់គ្រងធនធាន ធម្មជាតិ	មាត្រា១១២: ការវាយតម្លៃហេតុ ប៉ះពាល់បរិស្ថានត្រូវអនុវត្ត លើគម្រោងនិង សកម្មភាពរបស់កម្រិត ឬ សាធារណៈហើយត្រូវបាន វាយតម្លៃដោយក្រសួងបរិស្ថ មានមុនដាក់ជូនរដ្ឋាភិបា លសម្រេច។
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៣. ប្រភេទគម្រោង





**Kingdom of Cambodia
Nation Religion King**
**Royal Government of Cambodia
Ministry of Public Works and Transport**

**Tasks and the Implementation Issues of
MPWT
for
EIA Road Sector in Cambodia**

By: Environment and Social Office, DoP
Himawari hotel, 4th May 2017

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

What to Cover?

- EIA Process in Cambodia
- Role and Responsibilities of ESO, DoP
- EIA/EMP related to present actual involvement by ICD and ESO, DoP
- MPWT's Implementation issues to EIA/EMP Process in Road Sector
- Proposed Ideas for Improvement the Implementation Issues

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

EIA/EMP related "Tasks (Duties)" of Environmental and Social Office (ESO) of DOP based on *Prakas* No. 302 (2/2)

Social Aspects

1. Involving in study and implementation planning of addressing all impacts caused by transport infrastructure construction, rehabilitation and maintaining projects;
2. Involving in study and impacts assessment on properties, land and house of local people caused by transport infrastructure construction, rehabilitation and maintaining projects;
3. Involving preparing a report on Detail Measurement Surveys(DMS) and results of solving transport infrastructure construction, rehabilitation and maintaining projects-related impacts;
4. Conducting a study on economic benefits return when transport infrastructure construction, rehabilitation and maintaining projects are ended;
5. Other tasks/duties assigned by the Director of department.

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

EIA/EMP related present actual involvement by ICD and ESO, DoP

ICD actually involves the following activities for JICA funded Project through each Project Management Unit (PMU)

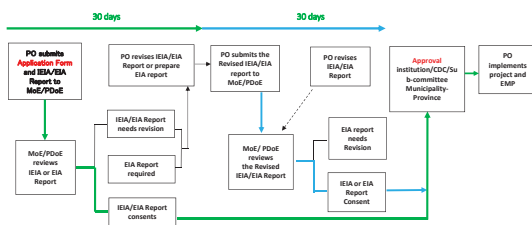
- ICD staff (not specific office within ICD, the assigned staff to the EIA process by the Director of the Department) reviews draft EIA Report, which received from a local consulting.
- ICD staff conduct site visits sometime depended on the budgets
- ICD as the Project Owner, attend the public consultation workshop (inter-ministerial meeting)

ESO, DoP is in charge of EIA related activities for all public infrastructure projects.

- ESO, DoP reviews EIA Reports, which are sent from PMU before PMUs sending them to MoE. But, PMU sometimes submit the comments directly to MoE, without via ESO.
- DoP staff conduct site visits sometime depended on the budgets

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

EIA Process in Cambodia



Note: IEIA: Initial Environmental Impact Assessment, EIA: Environmental Impact Assessment, PO: Project Owner, MoE: Ministry of Environment, PDDE: Provincial Department of Environment, EMP: Environmental Management Plan, CDC: Cambodia Development Council
Source: Prakas (Declaration) on Guideline for Conducting Environmental Impact Assessment Report (English version), 2000, MoE

EIA Process for Proposed Project approved by Project Owners as Ministry and Institution

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

EIA/EMP related "Tasks (Duties)" of Environmental and Social Office (ESO) of DOP based on *Prakas* No. 302 (1/2)

Environmental Aspects

1. Assessing all impacts on natural resources, historical heritage site, local people living in transport infrastructure construction, rehabilitation and maintaining projects;
2. Involving in review documents of construction, rehabilitation and maintaining projects to ensure that environmental safety plan will be integrated into framework and Environmental Management Plan (EMP);
3. Monitoring environmental impacts caused by activities of transport infrastructure construction, rehabilitation and maintaining projects;
4. Reviewing, monitoring and reporting about implementation of framework of environmental management or Environmental Management Plan (EMP) on transport infrastructure construction, rehabilitation and maintaining project to ensure that implementation of all these projects comply with existing principles of environmental management;
5. Collaborating with MoE and other relevant agencies to review other legal documents to enhance sustainability of environmental management.

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

MPWT's Implementation Issues to EIA/EMP Process in Road Sector (1/2)

(1) Reviewing EIA Report

- Technical capacities in IEIA/EIA
- Budget for reviewing the IEIA/EIA are insufficient
- There is few sector guidelines for IEIA/EIA in Cambodia to review more appropriately the IEIA/EIA Report.
- No external EIA review system to seek some advise from external experts, besides review conducted by MoE, Line ministries (MPWT, etc.).
- Inter-agency coordination and consultation are insufficient

(2) EMP/EMoP/Environmental Monitoring Report

- Existing EMP content is too high standards, or unrealistic to conduct the EMP in Cambodia context (Follow ADB or World Bank guideline which requires too high standard)

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

MPWT's Implementation Issues to EIA/EMP Process in Road Sector (2/2)

- Project owners do not always comply with EMP, including proposed mitigation measures, monitoring activities.
- Project owners rarely submit Monitoring Report, which MPWT also have to review
- Limited validity and use/effectiveness of Environmental Monitoring Results due to insufficient technical knowledge/skills for checking the results.

(3) Other basic constraints

- Human Resources Constraints
MPWT staff, who is in charge for EIA related tasks, are still need more technical human resources for reviewing and provide comments EIA Report, EMP/EMoP, and Environmental Monitoring Report.
- Budgetary Constraints
Site visits for reviewing EIA, which MPWT mandates are often not possible due budgetary constraints.

The Project for Capacity Enhancement on
Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR)

Proposed Ideas for Improvement the Implementation Issues

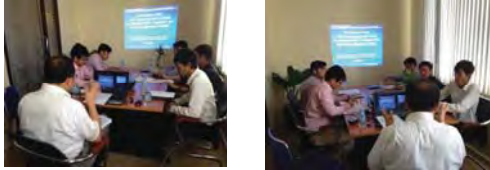
1. Strengthening technical knowledges/skills of MPWT staff, who is reviewing the following Reports/Plan through a series of technical training in terms of EIA/EMP
 - EIA Report
 - Environmental Management Plan (EMP)
 - Environmental Monitoring Plan (EMoP)
 - Environmental Monitoring Report
3. MPWT Prepares and authorizes a "Practical Road Environmental Guidelines in Road Sector in Cambodia" to integrate and conduct more effectively the EIA/EMP related activities within the MPWT officials, in compliance with the EIA related laws/guidelines of MoE, Cambodia.
4. Applying the "Practical Road Environmental Guidelines in Road Sector in Cambodia" to real projects and monitoring the practices of the Guidelines under cooperation with MOE.
2. ICD and ESO, DoP will discuss internally to allocate/share rules/responsibilities of EIA/EMP processes in Road sector in order to implement EIA/EMP activities of MPWT's projects effectively.

The Project for Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR) ⁸

សូមអរគុណចំពោះការយកចិត្តទុកដាក់ស្តាប់!

Thanks for your attention!

ありがとうございます



The Project for Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector in Cambodia (CESCoR) ⁹



Capacity Enhancement
On Environmental and
Social Consideration in
Implementing Agency
In Road Sector



ការងារគ្រប់គ្រងដីចំណីផ្លូវ Right of Way Management

Joint Coordinating Committee (JCC) and Seminar
on 4 May 2017 HIMAWARI Hotel
Phnom Penh, Cambodia

Right of Way Management

- 1 • Legal Frame Work
- 2 • Public Awareness
- 3 • Strategy for ROW
- 4 • Current Activities
- 5 • Challenge

ជំពូកទី៣
ការកំណត់ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់
សម្រាប់មន្ទីរកសាងសង់ផ្លូវជាតិលេខ១ និងលេខ២

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

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បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

ប្រកាស ០៦ ប្រក
Prokas 06

ប្រកាស ០៦ ប្រក ចែកចាយដីសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ និងសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

ប្រកាស ០៦ ប្រក ចែកចាយដីសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ និងសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

ប្រកាស ០៦ ប្រក ចែកចាយដីសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ និងសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

ច្បាប់
ភ្លឺតី
អន្តរាគមន៍
២០១០

ច្បាប់
ភ្លឺតី
ផ្លូវថ្នល់
LAW ON ROAD
២០១៥

ជំពូកទី៣
ការកំណត់ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

Sub Degree
on
Right of Way

ច្បាប់
ភ្លឺតី
អន្តរាគមន៍
២០១០

ជំពូកទី៣
ការកំណត់ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

បញ្ហា៖ ដីចំណីផ្លូវសម្រាប់សំណង់សាងសង់ផ្លូវថ្នល់ តើជាសម្រាប់សាងសង់ផ្លូវថ្នល់ (ស្របតាមក្របខណ្ឌចែកចាយដី) ឬទេ?

សារាង: 007
Sarachor: 007

ក្រសួងសាស្ត្រសម្ភារៈ
អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ
អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ

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ROW Sign Board for Rail Way (Outside town, City, Urban Area)
Scale: 1:20

ROW Sign Board for Rail Way (Mountainous Area)
Scale: 1:20

ក្រសួងសាស្ត្រសម្ភារៈ
អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ
អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ

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អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ

Official Instruction for ROW Sign Board Installation

ក្រសួងសាស្ត្រសម្ភារៈ
អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ
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អគ្គនាយកដ្ឋានសាស្ត្រសម្ភារៈ

Content of Presentation

- Organizational Chart
- Roles and Responsibilities of RID
- Roles and Responsibilities of RoW
- Roles and Responsibilities of ESC
- Target Route
- Legal Law – Regulation
- Challenges
- Expectations from the project

ROW Sign Board for 1 Digit Road
Scale: 1:20

ROW Sign Board for 2 Digit Road
Scale: 1:20

Organizational Chart of RID

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    graph TD
      Director[Director]
      Deputy1[Deputy Director]
      Deputy2[Deputy Director]
      Deputy3[Deputy Director]
      Deputy4[Deputy Director]
      Deputy5[Deputy Director]
      Deputy6[Deputy Director]

      Director --- Deputy1
      Director --- Deputy2
      Director --- Deputy3
      Director --- Deputy4
      Director --- Deputy5
      Director --- Deputy6

      Deputy1 --- Traffic[Traffic Section]
      Deputy1 --- Road[Road Section]
      Deputy2 --- Planning[Planning Section]
      Deputy3 --- Construction[Construction Section]
      Deputy4 --- Safety[Safety Section]
      Deputy5 --- Environment[Environment Section]
      Deputy6 --- Management[Management Section]
  
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Roles and Responsibilities of RID

(Prakas No. 206 ព្រ.រ.ក.ប.ក, 2014)

A. Road Maintenance and Management

- Manage the road and ROW properties by developing the relevant legal regulations such as road and bridge uses, ROW protection, road equipment and structural design.
- Update road data by collecting information and listing a road inventory such as national road and provincial road and also doing research on economic, social and technical information in purpose to plan the new road or leveling the existing road or construct the new road.
- Manage the technical documents of road project and the road-related information by managing and collecting, compiling and documentation the completed projects, current projects or planned projects, and also the location information of the frequent traffic accidents in purpose to file for improvement and maintenance projects.
- Annual planning through the implementation of construction, improvement project and the need of budget for the maintenance of road and ferry in short and long term.
- Monitor and follow up the budget management for road project and financial report.

Roles and Responsibilities of RID (Cont.)

B. Manage and inspect the construction site of road, bridge and ferry

- Study and implement the maintenance activities for roads and bridges by managing the regular and periodic budgets and seeking the problems causing the damage of road as well as its structure and recommend the method for repair and maintenance.
- Prepare the budget and manage the ways of inspection on the construction site of road and bridge by allocating the budget via the inspection and audit on the annual plan or 5 years plan of main construction for roads and bridges.
- Evaluate the ongoing or complete construction work of project.
- Manage the public and private ferry by planning about the need of new ferry or improving the old ferry; and implement the project management plan and maintenance.
- Manage the administration and staffs by keeping the documents with proper care and implement the training program to support human resources to study both local and international on the technical sector and be the technical assistant and secretary.

Roles and Responsibilities of RID (Cont.)

- C.** Manage Urban-provincial department of public works and transport focusing on public works and technical construction, improvement of roads.
- D.** Sum up the quarterly, semester, 9-month and annual report.
- E.** Carry out the duties assigned by the General Department of Techniques and Ministry.

Roles and Responsibilities of RoW

(Prakas No. 206 ព្រ.រ.ក.ប.ក, 2014)

- Managing right of way of national and provincial roads, which are under authorization of the Ministry.
- Collecting information, education planning, and disseminating ROW-related regulation and legal documents to ministries, line agencies, sub-national administration, road users and local people widely.
- Developing a strategic plan to prevent illegal ROW use and encroachment.
- Reporting to the Departments to request for approval from management team of the Ministry or Urban-provincial hall to take legal actions on those who encroaches the ROW.
- Proposing a budget plan for managing, producing and ROW boundary poles and equipping/installing facilities on ROW to the Department to request for approval from the Ministry.

Roles and Responsibilities of RoW (Cont.)

- Controlling, monitoring and evaluating the implementation of regulation and all activities related to ROW uses by collaborating with Urban-provincial department of public works and transport
- Preparing quarterly, six month, nine month and annual reports on activities of the office to the management team of the department accordingly.
- Carrying out the duties assigned by General Department of Techniques and the ministry.



ទីប្រជុំជន ឧត្តុង

Oddong Urban Area



ទីប្រជុំជន ផ្កាវ

Phao Urban Area



ទីក្រុងជួន ស្កន់
Skon Urban Area



Km 22+000 NR 4 -Jan 2016



ផ្សារជំបូរវ័ន្ត Jan.2016



ទីរួមខេត្តកំពង់ស្ពឺ
Kampeng Spe Urban



Km 16+000 NR 4 -Jan 2016



NR.3 After Rehabilitation



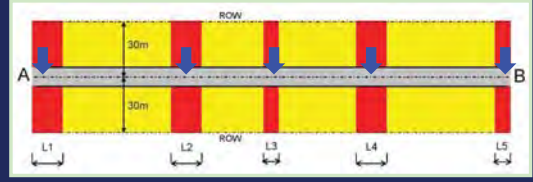
Km 19+000 NR 4 -Jan 2016



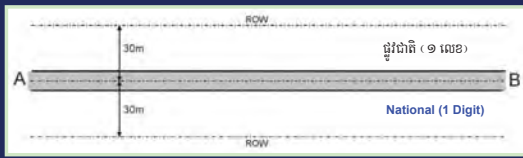
NR.8 East of Prektamak Bridge



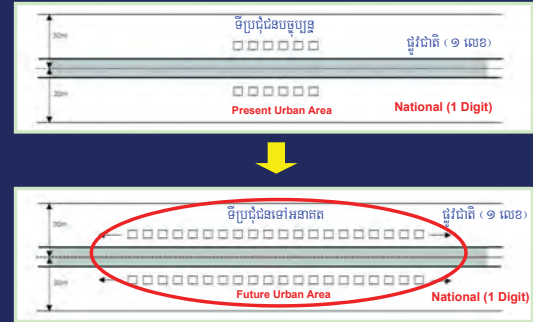
ការងារគ្រប់គ្រងដីចំណីផ្លូវ Right of Way Management



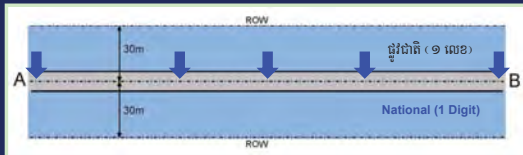
ការងារគ្រប់គ្រងដីចំណីផ្លូវ Right of Way Management



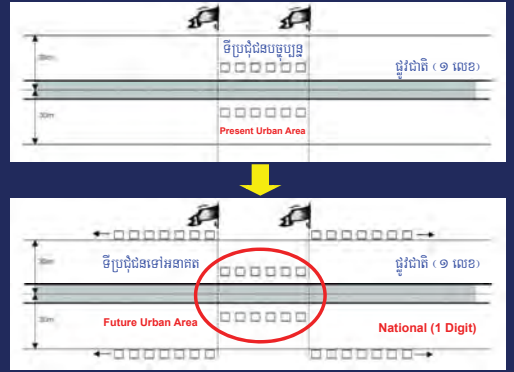
ការងារគ្រប់គ្រងដីចំណីផ្លូវ Right of Way Management



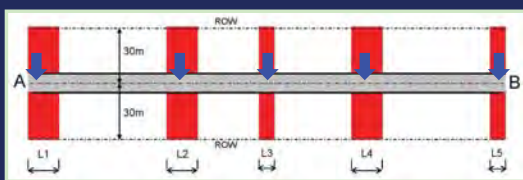
ការងារគ្រប់គ្រងដីចំណីផ្លូវ Right of Way Management



ការងារគ្រប់គ្រងដីចំណីផ្លូវ Right of Way Management



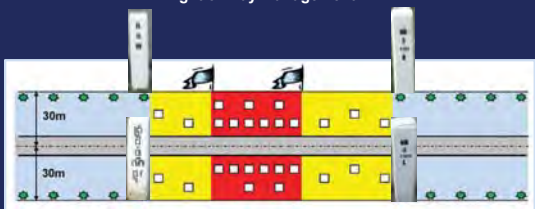
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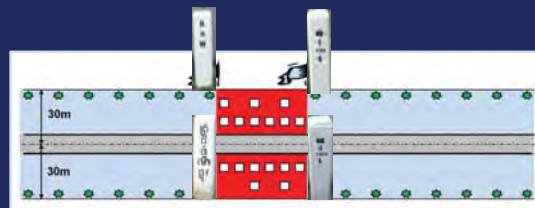
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ការងារគ្រប់គ្រងដីចំណីផ្លូវ
Right of Way Management



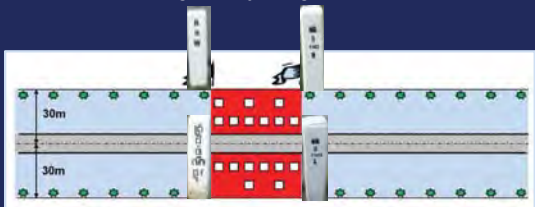
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Right of Way Management



ការងារគ្រប់គ្រងដីចំណីផ្លូវ
Right of Way Management



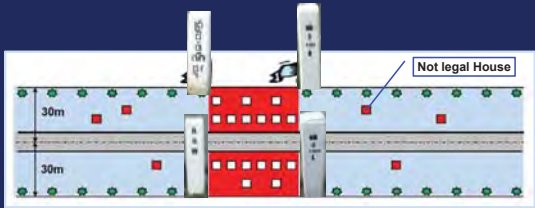
ការងារគ្រប់គ្រងដីចំណីផ្លូវ
Right of Way Management



ការងាររៀបចំដោយក្រុមប្រឹក្សាសាលាខេត្ត
Public Awareness at provincial level



ការងារគ្រប់គ្រងដីចំណីផ្លូវ
Right of Way Management



៧១ រដ្ឋមន្ត្រីនៃក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ
អង្គការសហប្រតិបត្តិការសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ
សហប្រតិបត្តិការសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ ថ្ងៃទី ០៦ ខែ កក្កដា ឆ្នាំ ២០១៦



៦.២ ប្រធានសហគមន៍កសិកម្មស្រូវស្រែក្នុង
ស្ថិតិសង្គមភាពស្រូវស្រែក្នុងស្រុកស្រែក្នុង ខេត្ត ក្រចេះ ថ្ងៃទី ០២ ខែ កក្កដា ឆ្នាំ ២០១៦



Challenges

- Changing ROW from 25 M to 30M(Brakas 06 and Sub degree197 NR.2-3-6-7)
- Changing ROW from 15 M to 25M(NR.55-58-57B-57B1-57B2-59...)
- Changing ROW from 15 M to 30M(NR.8-9)
- Land filling or access road from main road without permission
- After compensate move back in to ROW boundary
- Lack of Guideline and Accessibility
- Business on the road and in ROW boundary

ការងារផ្សព្វផ្សាយតាមបណ្តាសាលាឃុំ
Public Awareness at commune level



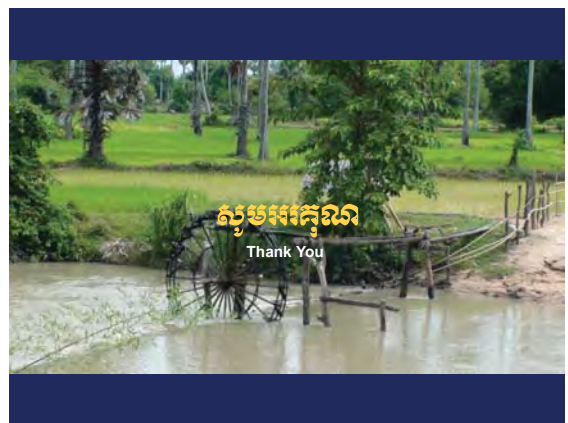
Expectations from the project

- Guideline ROW Management
- School Curriculum
- Data base management
- Videos spot TV Show
- Accessibility and Method management
- Good cooperation between MPWT and MLMUC and Local governor
- Problem will dealing success
- All legal document will be deal to the road user
- Select NR 1 - 3 or 4 for Pilot Project in 2018

ការងារចុះពិនិត្យការដ្ឋាន ដែលមិនមានច្បាប់អនុញ្ញាត
Inspection on non permission site



សូមអរគុណ
Thank You



ការងារចុះពិនិត្យការដ្ឋាន ដែលមិនមានច្បាប់អនុញ្ញាត
Inspection on non permission site





Right of Way Management (Japan Project)

Presented by Mr. DUN Vandyreagan
Chief officer of ICD, MPWT

04 May, 2017

Himawari Hotel, Phnom Penh

Content of Presentation

- I. History of the Right of Way
- II. The term of ROW and related words
- III. Legal Basis of ROW
- IV. Current Practice of Right of Way Management
- V. Challenges
- VI. Way forward

2

II. The term of ROW and other related words (Cont)

- * Resettlement is considered **involuntary** when affected individuals or communities do not have the right to refuse land acquisition that results in displacement.
- * Cut off date refers to the date prior to which the occupation or use the project area makes residents/users of the same eligible to be categorized as affected house holds.

5

III. Legal Basis of ROW

- * Road Law (May 2014)
 - Article 37
- * Land Law
 - Article 19,
- * Declaration No6 ្រវ Mechanism to remove of anarchy of land encroachment date 27 September 1999
- * Sub-Degree 197 S.E Right of Way National Road Channels and Railroads of the Kingdom of Cambodia 23 November 2017
 - Article 8

6

I. History of Right of Way

- Before Khmer Rouge
- After the Khmer Rouge
- Current stage now

3

III. Legal Basis of ROW (Cont)

- * Other related regulation
 - Privately owned land with title
 - Privately owned land without title
 - Land Use right certificate
 - Lease land
 - Non-Legal Occupation

7

II. The term of ROW and other related words

- * ROW is a type of easement granted or reserved over the land for transportation purposes, this can be for a highway, public footpath, rail transport, canal, as well as electrical transmission lines, oil and gas pipelines.
- * Corridor of Impact: The area that is unsafe where people are permitted to occupy structure, carry out business activities, cultivated. For the purpose of resettlement planning, the COI include immediate safety zone and any are that impact directly on people's livelihood.

4

IV. Current Practice of Right of Way Management Hard



8

IV. Current Practice of Right of Way Management Hard (Cont)



The public Meeting at the provincial level

9

IV. Current Practice of Right of Way Management Hard (Cont)



House not properly demolish if without the inspection of the MPWT

10

IV. Current Practice of Right of Way Management Hard (Cont)

- *Monitoring and Controlling in collaboration with DPWT and local Authority.

11

IV. Current Practice of Right of Way Management Hard (Cont)



House and Tree become obstacle for road expansion

IV. Current Practice of Right of Way Management Soft (Cont)

- *Conduct conference of ROW management in relevant institution based on the enacted law.
- *Circular No7 SK Mechanism of Right of Way Management date 26 February 2016.

13

V. Challenges

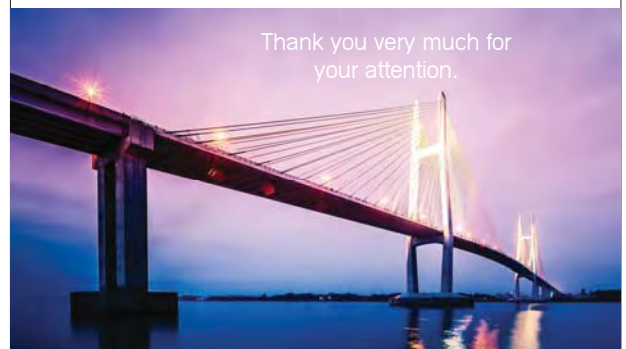
Identification of Right of Way after road realignment in road rehabilitation project.

- * The misunderstanding between the word COI and ROW. (people)
- * The limitation of Law enforcement
- * The domestic regulation no compensation on ROW but donor policy has to compensate. (National project VS Donor project)
- * People prefers living along the ROW (the convenient based oriented)
- * Illegal Land Occupy
- * People think behind the electric poles are their private land some cases.
- * loss all stakeholder budget (government, people and others)
- * Time consuming project (after resettlement construction start if not well plan)

VI. Way Forward

- * To create the reliable and usable data of Right of Management
- * Substantial Monitor Practice shall be conducted more frequently with the support from the government.
- * Strong cooperation within all relevant institutions with the practice of Right of Way Management.
- * Planting Trees along the road as ROW limitation.
- * The more effective Right of Way Management, the better road development

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Management of Reserved Land for Road Construction in Japan

1st Seminar
Phnom Penh, May 4, 2017

Dr. TSUCHIDA Takayuki
Team Leader, JICA Project Team

Contents of Presentation

- Land Management in Japan
(In case of city-planning road)
- Case Studies
 - (1) Land Management along the road (1)
(National Route17, Kumagaya BP)
 - (2) Land Management along the road (2)
(National Route17, Ageo Road)
 - (3) Temporary Land use for various purpose (1)
(Yono JCT)
 - (4) Temporary Land Use for various purpose (2)
(Saitama city)

Note: The Case Study Site will be observed in Japan Training

Land Management in Japan (In case of city-planning road)



- To maintain the land from illegal encroachment the **warning sign boards** and **fencing** are installed
- Normally these land is maintained for 2-3 years from the land acquisition to the commencement of construction work.

Case Study-1 (Land management along the road)



National Route 17, Kumagaya bypass (near Tokyo)

CITY PLANNING: 1972

PROJECT DECISION: 1966 (Note: Project had been approved before City Planning)

OPERATION: 1994 Length: 18km, Width: 50m

MAIN ROAD CONSTRUCTION: Not yet started as of 2017

DESCRIPTION: 2 lanes outer roads were constructed with wide-opened median which is the reserved space for the viaduct as main road in the future. The land is abandoned but there is no illegal encroachment for more than 50 years, because the reserved land is located between the traffic lanes. Then no signboard and fence had not been installed.

Land Management in Japan (In case of city-planning road)

- The Land for Road Construction will be acquired and maintained at an actual construction area which is determined by **city planning**, not by ROW in Japan.
Note: The area for the land acquisition is determined base on the **Outline Design for City-planning**.
- Lands are usually owned by private owners and nobody can construct a rigid building on the city-planning area according to **City Planning Act** (Note: buying-and-selling is not restricted).
- After a Project under the city planning is confirmed and approved, land acquisition has started by an implementing agency and finally those lands are owned by the implementing agency.
- It may take more than decades from a decision of a city planning to the commencement of the Project.

Case Study-2 (Land management along the road)



National Route 17, Ageo Road (near Tokyo)

CITY PLANNING: 1964, 1989 (Amendment)

PROJECT DECISION: 1990

OPERATION: 2016 Length: 11km, Width: 57m

MAIN ROAD CONSTRUCTION: Not yet started as of 2017

DESCRIPTION: Outer Road was recently constructed. The construction of Main Viaduct of 3km length had approved in 2017. The target completion year of the construction of viaduct is in 2027.

Land Management in Japan (In case of city-planning road)



National Route 17, Ageo Road



Completed Road Section of National Rout 17

9



National Route 17, Shin-omiya By Pass (connecting Ageo Road)
DESCRIPTION: The construction of Main Viaduct had completed in 1998.

Case Study-3 (Temporary Land use for various purpose)

10



Yono Junction (near Tokyo)
DESCRIPTION: Since 1998, the reserved land had been not used. The implementing agency utilizes the land effectively, e.g. event site, show room for the houses and etc., until commencement of next phase of construction.

Case Study-4 (Temporary Land use for various purpose)

11



Saitama City Urban Road (near Tokyo)
DESCRIPTION: In 1994, the private Land development company intended to acquire the are for the condominium development. On the other hand, the area was also the road planning area by the local government. Thus the local government acquired the land to avoid the disturbance of the development by the private sector. However, the city planning is still not implemented as of now. The idle area is using as car parking and still waiting for the implementation of the Project.

THE PROJECT FOR **C**APACITY ENHANCEMENT
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IN IMPLEMENTING AGENCY IN **R**OAD SECTOR
IN THE KINGDOM OF CAMBODIA

12

CESCO^oR

Dr. TSUCHIDA Takayuki
Team Leader, JICA Project Team

tsuchida@ctii.co.jp



**THE 2ND SEMINAR
OF
THE PROJECT FOR CAPACITY
ENHANCEMENT ON ENVIRONMENTAL
AND SOCIAL CONSIDERATIONS IN
IMPLEMENTING AGENCY IN ROAD
SECTOR IN CAMBODIA**

6TH JULY, 2017

SUNWAY HOTEL, PHNOM PENH



FOR MORE INFORMATION CONTACT: OFFICE +855(0)61-960-213

AGENDA

The 2nd Seminar
of
The Project for Capacity Enhancement on Environmental and Social Considerations
in Implementing Agency in Road Sector in Cambodia
(CESCoR)

SUNWAY Hotel, Phnom Penh, 6th July, 2017

Time	Program
8:30-8:55	Registration
8:55-9:00	Cambodian National Anthem
9:00-9:05	Opening Remarks H.E. Nou Vaddhanak, Project Manager, Director General of General Department of Technique
9:05-9:20	Report of Training in Japan by EIA-TF By Mr. Srey Vireak, Department of Planning, MPWT
9:20-9:35	Report of Training in Japan by ROW-TF By Mr. Chea Samnang, Road Infrastructure Department, MPWT
9:35-9:50	Q&A Session
9:50-10:05	Progress and Schedule of EIA-TF By Mr. Manh Vutha, International Cooperation Department, MPWT
10:05-10:20	Progress and Schedule of ROW-TF By Mr. Ngel Sovannarith, International Cooperation Department, MPWT
10:20-10:40	Q&A Session
10:40-10:55	Coffee Break
10:55-11:55	Discussion on Land Management and ROW management based on the Presentation by MLMUPC at previous TF on 7th June e.g. ROW Registration, land filling, construction permission, etc. Chaired by Director General / Facilitated by Japanese Experts
11:55-12:10	Presentation on ROW Management Map (RMM) and ROW Management Database (RMD) By Mr. Kiyota, JICA Expert
12:10-12:20	Q&A Session
12:20-12:25	Following Schedules By Dr. Tsuchida, Team leader
12:25-12:30	Closing Remarks H.E. Nou Vaddhanak, Project Manager, Director General of General Department of Technique
12:30-13:30	Lunch

Note: **MC:** Ms. Eam Runthearin, International Cooperation Department (ICD)



MINUTES of the 2nd Seminar

Date & Time:	06 th July, 2017, 09:00-12:45
Place	Sunway Hotel, Phnom Penh
Attendees:	From MPWT: H.E Nou Vaddhanak, Director General of Technique EIA and ROW Taskforce members and observers From Ministry of Land Management, Urban Planning and Construction Mr. Sek Sothirith: Director of Urban Planning Mr. Sao Vary, Director of Cadastral Conservation From Ministry of Environment Mr. Chhoub Sivutha, Deputy Director of EIA Mr. Yim Sothan, Official From JICA Cambodia Office: Mr. Ouk Raksmeay from JICA Cambodia Office
Project Team:	From Project team: Dr. TSUCHIDA Takayuki and 11 project team members
Agenda / Discussion Points :	- Knowledge sharing from the training in Japan - Confirmation on progress and schedule of each taskforce - Discussion about issue on ROW management

Key Points:

Opening Remarks

- Opening remarks made by H.E Nou Vaddhanak, Director General of Technique

Theme I: Sharing experiences from training in Japan

1. Report of training in Japan by EIA taskforce presented by Mr. Srey Vireak

- Experience from Japan
 - Legal framework in Japan
 - Expressway Network and Companies in Japan
 - Environmental Measures in expressway project
 - Environmental concerns in expressway project
- Current implementation in Cambodia
 - Legal framework in Cambodia
 - Current implementation in Cambodia



THE PROJECT FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS
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IN THE KINGDOM OF CAMBODIA (CESCOR)



- Current environmental issues associated to road sector
- Current challenges
- Conclusion

2. **Report of training in Japan by ROW taskforce presented by Mr. Chea Samnang**

- Activities in Japan
- Lesson learned from the course (ROW management)
 - Legal law-regulation
 - Organization chart
 - Asset management
 - ROW status in Japan
 - Row status in Cambodia
 - Land acquisition and compensation for public project in Japan
- Expectations and converting from the course
- Conclusion

Discussion

Mr. Seng Sothirith: How can ROW be registered as hard title in Japan while registration in Cambodia consists of land parcel information?

Mr. Kiyota: The ROW status in Cambodia and Japan are different. In Japan, land has been registered in many years ago. If there is road expansion, the government has to buy the affected private land for road expansion.

Mr. Yamashita: As the schedule of today seminar is a bit tight and it is very complicated to understand the ROW status in Japan because ROW in Cambodia and Japan are different in term of background, concept, legal framework and institutional arrangement, so this issue should be moved for detail discussion in separated meeting.

Theme II: Progress and schedule of taskforce

1. **Progress and schedule of EIA taskforce by Mr. Manh Vutha,**

- 1st meeting: Capacity assessment for EIA and EMP and regular technical meeting schedule
- 2nd meeting: Presenting on JICA environmental and social consideration guideline
- 3rd meeting: Presenting and discussing for draft tasks and the implementation issues of MPWT for EIA in road sector in Cambodia
- 4th meeting: Discussion and making a consensus on the proposed draft table of contents of Road Environmental Guideline for MPWT
- Schedule of the REG development

CTI Engineering International Co., Ltd. (CTII)	Environment and Social Infrastructure Consultant Co., Ltd. (ESIC)	Hanshin Expressway Company Limited (HEX)
Joint Venture		

Address: JICA Project Office, c/o International Cooperation Department, MPWT, Corner Norodom Blvd, Street 106, Phnom Penh, Tel: +855-(0)61 960 213



2. **Progress and schedule of ROW taskforce:**

- Past activities of ROW taskforce
- Timeline for development ROW guideline in 2017
- Project monitoring schedule
- Submission process of the monitoring sheet
- Outstanding points of 2nd monitoring results

Theme III: Discussion: land management and ROW management based on the Presentation by MLMUPC

Comments from H.E Nou Vaddhanak:

- Regarding the noise barriers, there are many kinds of noise prevention methods. And a short height noise barrier is very interesting due to its effectiveness, efficiency and physical aspect.
- There are several methods for preventing road erosion such as growing grass on the road embankment and growing big tree is not permitted on the road embankment because it will damage the road structure in the future when it grows up. Big tree can be grown outside of the road embankment.
- Regarding the Mr. Samnang's presentation, there is an interesting method which is applicable for Cambodia to prevent new encroachment by reserving space of middle of the road for future road expansion. Another option, if the government has enough budget, secondary road should be constructed both side of pavement instead of installing ROW pole in every 100m because local people can easily recognize part of the ROW after construction.
- It would be great if row can be registered as state land. Also, ROW registration and land parcel should be done based on the boundary of the province and it should be under ownership/management of DPWT under their authorization. Why ROW need to be registered? Because ROW title is a legal evidence for preventing and solving encroachment inside of ROW. There are some countries in the world have registered ROW as state land, for example Germany.
- Drone is one of effective tool as it can produce photo with coordination system as well as monitoring for preventing new encroachment.
- Roads in city area, there is less road damage cause by inundation because there is road drainage for removing water from road surface. However, national road in urban area is easily damaged due to lack of road drainage and illegal land filling.
- Can local people in Japan fill their land higher than road's elevation?

Dr. Tsuchida: there is a policy that local people can fill their land higher than road's elevation unless they construct drainage system by their own.

Mr. Somnang: ROW registration should choose the new road improvement/development or after compensation as the first priority because it has less complicated issue regarding boundary of the ROW.



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Mr. Vireak: it would be great if JICA is able to support or introduce soil based purified technique for controlling air pollution along the road in a major city as Phnom Penh city.

Comments from Mr. Sothirith:

- According to the row registration and as public state land with hard title, it is a good idea, but it may be a bit hard to implement due to lack of officials, skills and budget as well as higher level of coordination among the ministries is needed. Otherwise, hiring private company to employ on this works can be possible.
- Land filling along national road (Ex NR 3 & 4), there are many encroachment and local authorities are less attention on this matter. Thus, MLMUPC is currently developing the Prokas on landfilling and land excavation in order to address this issue.
- Regarding the boundary of urban and rural area is not yet exist as map, but there is criterial for determination developed by Ministry of Interior.

**Presentation on ROW management map (RMM) and ROW management database (RMD)
presented by KIYOTA Daisaku**

- Current situation identification
- Necessary measures
- Concept of system configuration
- Future works

Discussion:

H.E Nou Vaddhanak: Is there any tool to get quick results of new encroachment when comparing photos produced by drone? Or we have to compare photos by our own eyes?

Mr. Kiyota: There is no automatic results of new encroachment on national road and drone can be used for data processing or automatic results as well. To get higher accuracy, we need to use our eyes to identify new encroachment on photo taken by drone.

Following schedule presented by Dr. TSUCHIDA Takayuki

- Taskforce activities
- Technical exchange in third countries
- Procurement of equipment for pilot project
- 2nd JCC meeting

Closing remarks was done by H.E Nou Vaddhanak, Director General of Technique



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Date: 06 July 2017
Time: 8:30 – 12:30
Location: Sunway Hotel
Topic: 2nd Seminar

**Sign-in Sheet
(JICA Project Team)**

No	Name	Department/ Ministry	Position	Phone	E-mail	Signature
1	Dr. TSUCHIDA Takayuki	JICA project team	Team Leader			
2	Mr. YAMASHITA Akira	JICA project team	Deputy Team Leader			
3	Mr. NARA Hiroshi	JICA project team	Land Management Framework			
4	Mr. Mr. KIYOTA Daisaku	JICA project team	Land Management Framework/Database Development			
5	Ms. NAKAYAMA Makiko	JICA project team	Training Plan and Implementation			
6	Mr. OCHI Masaki	JICA project team	Land House Investigation			
7	Mr. Shumpei ICHIKAWA	JICA project team	Monitoring/Evaluation			
8	Mr. James Kazumori WATSON	JICA project team	Land House Investigation			
9	Mr. KUMAGAI Takahiro	JICA project team	Project Coordinator /Database Management			



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10	Ms. Ches Sophy	JICA project team	Administrative Assistant			
11	Mr. Penh Socheat	JICA project team	Technical Assistant			
12	Mr. Douk Khemera	JICA project team	Administrative Assistant			

(MPWT Personnel)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
13	H. E Nou Vaddhanak	General Department of Technique	Director General			
14	Mr. Prok Novida	Department of Planning, MPWT	Director			
15	Mr. Srey Vireak	E&S Office, DoP, MPWT	Official			
16	Mr. Manh Vutha	Bilateral Cooperation Office, ICD, MPWT	Deputy Chief			
17	Mr. Chea Samnang	ROW Office, RID, MPWT	Chief of Office			
18	Mr. Khai Saray	ROW Office, RID, MPWT	Deputy Chief of Office			
19	Mr. Hay Chandara	ROW Office, RID, MPWT	Deputy Chief of Office			
20	Mr. Peang Samoeun	ICD, MPWT	Deputy Chief of Office			
21	Mr. Bour Chhay Ya	E&S Office, DoP, MPWT	Official			



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22	Ms. Sreng Sorphea	ICD, MPWT	Official			
23	Ms. Eam Runthearin	Office of Regional Cooperation, ICD, MPWT	Deputy Chief of Office			

(JCC Members, Advisors, Observers)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
24	Mr. Sek Sothirith	Urban Planning Department, MLUPC	Director			
25	Mr. Sao Vary	Department of Conservation, MLMUPC	Deputy Director			
26	Mr. Chuop Sivutha	Legislation and Dispute Resolution Division	Head Division			
27	Mr. Borei Wongsanith	Department of Public Infrastructure, MPWT	Deputy Director			
28	Mr. Kong Youreth	Department of Public Infrastructure, MPWT	Chief of Office			
29	Ms. Em Sokchea	Department of Public Infrastructure, MPWT	Deputy Chief of Office			
30	Mr. Yim Sothan	MoE	Chief			
31	Mr. Ouk Reaksmey	JICA	P.O			
32	Mr. Uk Raksmeay	MPWT (Representative of Director)				
33	Mr. Song Kimheng	ICD, MPWT	Officer			



THE PROJECT FOR CAPACITY ENHANCEMENT
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34	Mr. Ngel Sovanarith	ICD, MPWT	Officer			
35	Mr. Yong Lydet	DoP, MPWT	Chief			

Sharing Experience and Lesson-learnt: Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Environmental Consideration

Sunway Hotel, Phnom Penh, 6 July 2017
DoP-MPWT and EIA-MoE



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector



Contents



1. Experience from Japan

- Legal framework in Japan
- Expressway Network and Companies in Japan
- Environmental Measures in Expressway project
- Environmental Concerns in expressway project

2. Current Implementation in Cambodia

- Legal framework in Cambodia
- Current Implementation in Cambodia
- Current Environmental Issues associated to road sector
- Current Challenges
- Conclusion

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Environmental Concerns in exp. project

- Significant environmental concerns (long term)
 - Noise
 - Vibration
 - Air pollution
- These serious problems or concerns due to the following;
 - expressway project runs through the highly populated area
 - The structure and residential area are standing each other in a very close distance



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Environmental Measures in Japan

I. Structural Improvement

1. Noise Barriers
2. Pavement
3. Joints
4. Connecting Girders
5. Green Zones
6. Noise Absorber

II. Soft Measures

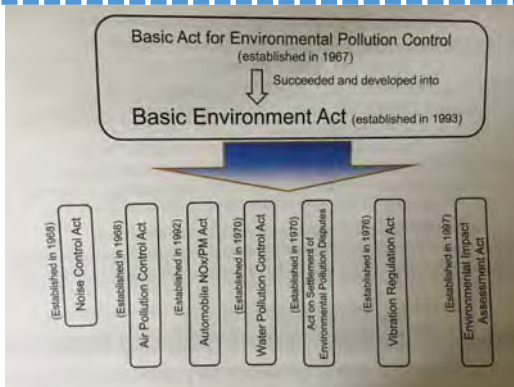
1. Toll Scheme
2. Lane Guidance
3. Sound Proofing Subsidies

III. Experimental Issues

1. Soil-based Air Purifying System
2. Vibration Barrier by used Tires

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

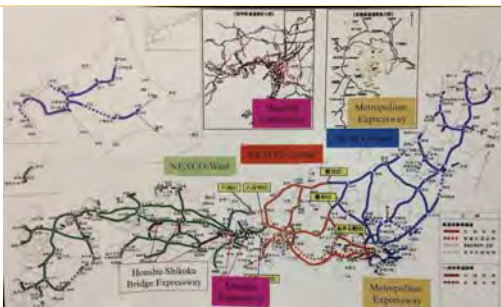
Legal Frameworks in Japan



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Expressway Network and Companies

- Total length of the expressway network: 9,500km (commencement of the first section about 50 years)
- 6 expressway companies: operate and manage traffic volume (10 million veh. per day)



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Structural Improvement

1. Noise Barriers

A. High-rise Noise Barriers

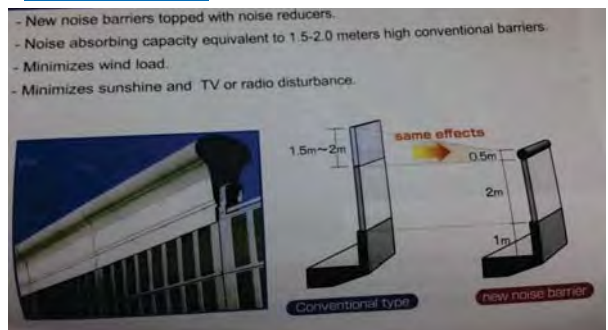


Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Structural Improvement (...)

1. Noise Barriers

B. New noise Barriers



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

1. Noise Barriers

B. New noise Barriers

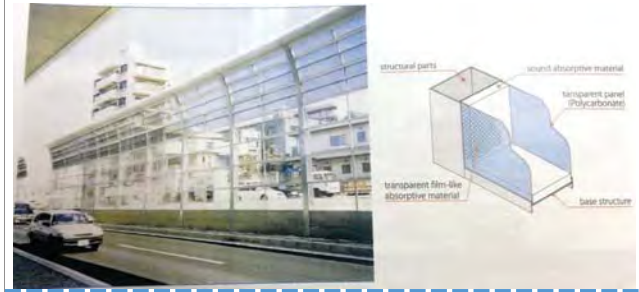


Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

1. Noise Barriers

C. Translucent noise barriers

- Three features: translucency, sound absorbency, and sound insulation

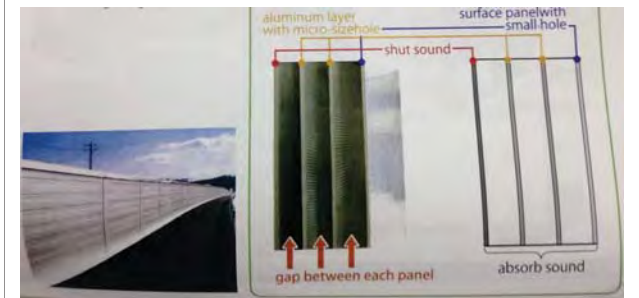


Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

1. Noise Barriers

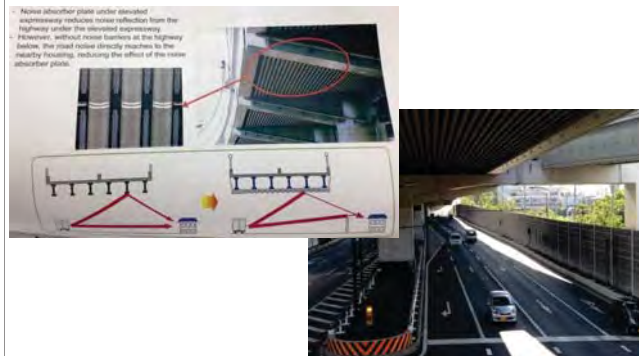
D. Noise barrier with resonance-eco principle

- Absorbing board without fiber-base materials and easy to recycle



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

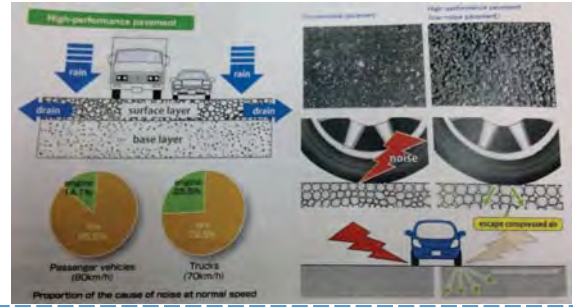
2. Noise Absorber



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

3. Pavement

- ✓ High-performance payment (high-drainage pavement) reduce noise generated by the friction between tires and pavement



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

4. Joint: Repairing and replacement of joint

- ✓ Regular maintenance to improve road surface flatness and reduce noise and vibration generated by bouncing vehicles and shaking road



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

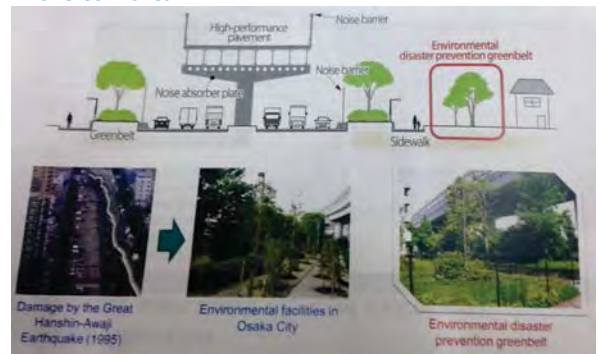
5. Green Zones

Green zone can be designed as disaster prevention and enhancement of disaster prevention capacity of local community



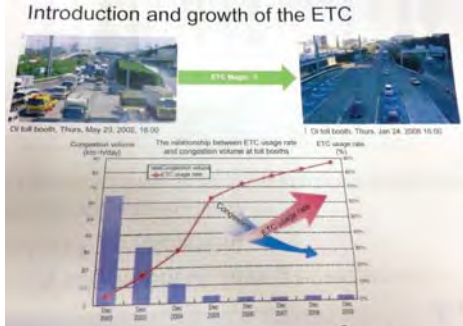
Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

5. Green Zones



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

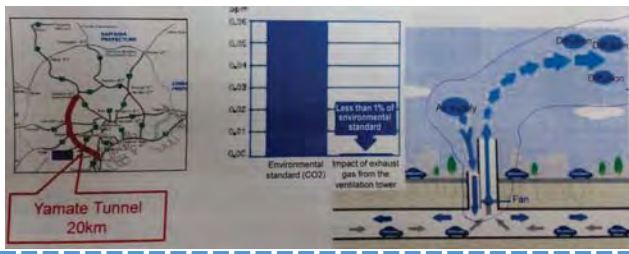
Toll Scheme (ETC)



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Tunneling

- Tunnel structure minimizes roadside noise and vibration
- Ventilation plant to ventilate the tunnels
- Reduce GHG emission into atmosphere through ventilation plant



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Vibration prevention by used tiers



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

How is about CAMBODIA?

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Sound proofing subsidies



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Soil-based Air purifying system



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

- Constitutional law
- Law on Road
- Environmental Code (under developing)
- Law on Environmental Protection and Natural Resource Management (1996)
- Law on National Protected Area (2008)
- Law on Expropriation
- Land Law
- Law on Forestry
- Law on Fishery
- Sub-decree on Right of Way of National roads channels and Railroads of the Kingdom of Cambodia
- Sub-decree on Conducting of Environmental and Social Impact Assessment
- Sub-decree on Water Pollution Control
- Sub-decree on Environmental and Social Fund
- Declaration/Prakas on EIA Guideline No. 376 P.R.A. K. B. ST
- Declaration/Prakas on Noise and Vibration Management
- Declaration/Prakas on Solid Waste Management
- Declaration/Prakas on Circulation/Sarachor
- Cambodia Climate Change Strategic Plan (CCCSP)
- Climate Change Action Plan (CCAP) for Transport Sector
- Green Infrastructure Guide (under developing)

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Climate Change Mainstreaming in Road Project



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Environmental Monitoring Program



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Green zone: A case in PHN city



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

Green zone: A case in Siem Reap town



Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

- Traffic congestion in major cities (PHN)
- Noise and air pollution
- Motorization of second-hand vehicles
- Lack of side-walk
- Venders' encroachment on RoW
- Illegal encroachment of urban poor residents
- Insufficient of public transportation in major cities
- Water pollution
- Solid waste
- Insufficient of road assets

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

- Law enforcement remains limited
- Some legal documents and regulations are too diverse
- Financial and human (skill/professional) resources remain insufficient
- Lack of database and data management system
- Noise, vibration and air pollution mitigation technologies remain lacking
- Monitoring and/or inspection activities remain limited
- Staffs turn over
- Reporting mechanism is complicated and time consuming

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector

- Japan has very few in Environmental and RoW issues, while Cambodia does
- Japan has already considered environmental concept in road infrastructure development, while Cambodia has yet started
- Japan has strictly enforced the law, while Cambodia's law enforcement remain facing some challenges.
- Cambodia will be able to adopt or adapt some tips and good practices from Japan as following;
 - Noise mitigation
 - Green zone
 - Environmental program: renewable energy, i.e. solar panel, hybrid vehicles...), biotope...
 - Road pricing policy

Capacity Enhancement on Environmental and Social Considerations in Implementing Agency in Road Sector





GROUP (B)

ROW Management

(Road Infrastructure & International Cooperation Dept./MPWT)

Training for Capacity Enhancement on Environmental and Social Consideration in Implementing Agency in Road Sector
Osaka, Japan (June 14th - June 22nd, 2017)

Content of Presentation

- Activities in Japan
- Lesson learned from the course
 1. EIA (Group A)
 2. ROW Management (Group B)
 - Legal law - Regulation
 - Organization Chart
 - Asset Management
 - ROW Status in Japan
 - ROW Status in Cambodia
 - Land Acquisition and Compensation for Public Project in Japan
- Expectations and converting from the cause
- Conclusion

Activities in Japan


1. Mr. PROK V	Mr. SRENG Sopha	Official
2. Mr. SOK O	Mr. SONG Kimberg	Official
3. Mr. CHHOU	Mr. SEEY Viseak	Technical Official
4. Mr. CHHA	Mr. MOEL Sovannath	Official
5. Mr. KHAH N	Mr. BOU Chhanya	Official



Lesson learned from Japan

Legal Law - Regulation

JAPAN



Legal Framework of Roads

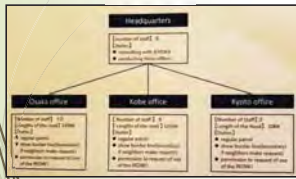
- National Highway Act
- National Arterial Road Act for the National Development
- Special Measures Act for the Road Development
- Urban Planning Law
- Law of the Facility Development for Traffic Safety
- Land-Use Act
- Urban Planning Law
- Road Management Act
- Law of the Facility Development for Traffic Safety
- Land-Use Act

CAMBODIA

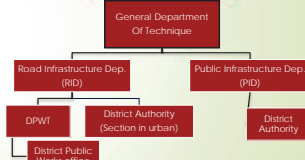
- Road law
- Land law
- Expropriation law
- Sub degree 197
- Prakas
- Sarachor
- Instruction
- MOU MPWT & Provincial Governor
- Establish Working Group

Organizational Chart of ROW

JAPAN



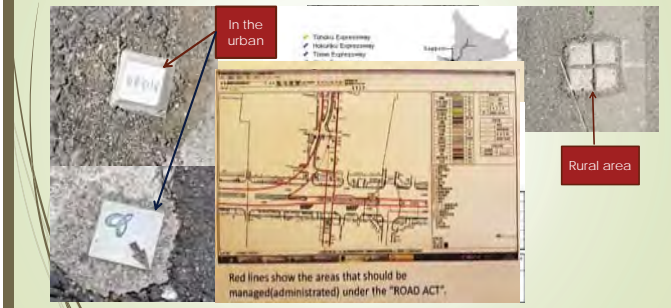
CAMBODIA



ROW Status in Japan (Urban)



Asset Management in Japan



ROW Status in Cambodia (Urban)



Asset Management in Cambodia

- ROW pole piling on the National Road (1&2 digit)



ROW Status in Cambodia (Rural)



ROW Status in Japan (Rural)



ROW Status in Cambodia (Rural)



Land Acquisition and Compensation for Public Project in Japan

1. Meetings to explain project plans
2. Explanation of detailed plans and acquisition of lands
3. Setting up piles for site width
4. Surveying lands and examining articles
5. Calculation of the amount of compensation
6. Negotiation over the Acquisition of Land
7. Contracts
8. Payment of compensation and delivery of land

Conclusion

Japan	Cambodia
Adequate Legal framework (good enforcement)	Adequate Legal framework (ineffective enforcement)
Asset management (effectively control)	Asset management (illegal occupation)
Digital land registration	(No legal framework govern on Urban road) Digital land registration (prep by project)
GIS	GIS (Ongoing preparation by the project)
Organizational chart (clear and well structure)	Organizational chart (No commitment & lack of knowledge)
Huge fund	Limited fund
High Capacity building	Low Capacity building
Active participation from citizen	inactive participation from citizen

Expectations and converting from the training

- Inadequate Legal framework and law enforcement mechanism
- Guideline ROW Management
- Patrolling Crews
- GIS Data base management
- Training DPWT Staff to Trainer
- Public awareness
- Install signboards and pilling boundaries
- Policy for ROW Width Extension



The Project for Capacity Enhancement on Environment and Social Consideration in Implementing Agency in Road Sector (CESCoR)

The Progress and Schedule of EIA-TF

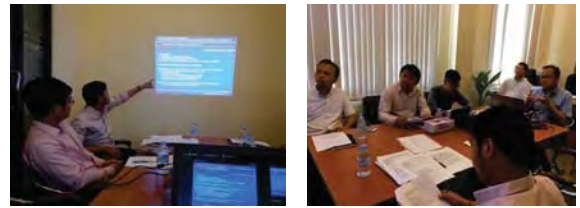
1st EIA- TF meeting (31st March 2017)

1. Purpose of development of Road Environment Guideline (REG)
2. Capacity Assessment for EIA and EMP (Environmental Management Plan) : Short Quiz
3. Regular Technical Meeting Schedule



4th EIA TF meeting (26th April)

Discussing and Making a Consensus on the proposed draft Table of Contents of Road Environmental Guideline (REG) for MPWT.



A Deputy Director, EIA Department of Ministry of Environment (MOE) was participated in the discussion as a Technical Advisor of REG.

Draft Table of Contents

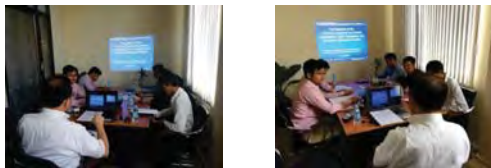
1. Backgrounds
 - 1.1 Objectives and Users of the Guidelines
 - 1.2 Road Development Project Cycle and the EIA
2. Essential Related Laws/Existing Guidelines of EIA for Road Sector in Cambodia
3. Present EIA Process/Steps in Cambodia (*with flowchart*)
4. Practical Involvement Phases by MPWT for EIA Process in Road Sector in Cambodia
 - 4.1 EIA Report Review Phase (Inter-Ministerial Meeting, etc.)
 - 4.2 Project Monitoring Phase
 - (1) Reviewing (Verifying) Environmental Management Plan (EMP)
 - (2) Reviewing (Verifying) Environmental Monitoring Plan (EMoP)
 - (3) Reviewing (Verifying) Environmental Monitoring Report
5. Reviewing Methods on Each Phase with examples for MPWT in EIA Road Sector (site visits, comparing the monitoring results, etc.)

Appendices (Checklist for reviewing EIA Report in Road Sector, etc.)

2nd EIA TF meeting (6th April)

Presenting JICA Environmental and Social Consideration Guidelines (JICA ESC Guidelines):

1. Important principles of the JICA Guidelines
2. Schemes to be covered
3. Categorization of a Project
4. Key documents
5. Items of the EIA Report for category A projects
6. Important Technical Terms
7. Common items of the JICA ESC Guidelines and WB Safeguard Policies

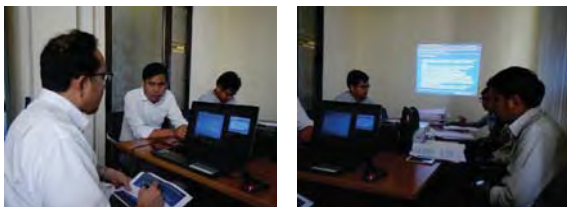


Schedule of the REG Development

Activities	Year 2017												Year 2018			
	April	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Jan.	Feb.	Mar.	
2.1 Understandings of Main Concepts on Environmental Social Considerations (ESC)	←															
2.2 Understandings of Implementation issues of MPWT to involve EIA/EMP in Road Sector		→														
2.3 Confirmation of documentation level/authorizing process, supporting for authorization of the REG				→												
2.4 Concrete trainings and discussions for development of the REG, revising the REG for authorization				→												
2.5 Training in Japan and third countries (Myanmar, Thailand)			→													
2.6 Presentation to disclose the Draft REG on 2nd Technical Seminar																

3rd EIA TF meeting (20th April)

Presenting and Discussing for Draft Tasks and the Implementation Issues of MPWT for EIA Road Sector in Cambodia



End

Thanks for your attention



THE PROJECT FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS
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Progress and Schedule of ROW-TF

1

2nd Seminar
Phnom Penh, July 6, 2017

Mr. Ngel Sovanarith, Taskforce Member,
International Cooperation Department, MPWT

5 2nd Taskforce Meeting (07th June, 2017)

- Presenting the Construction Permit by Department of Urban Planning, MLMUPC
 - Getting to know the legal frameworks related to construction permit.
 - Discussing the procedures of construction permit.
- Conducting the Capacity Assessment of Taskforce Members



2

Table of Contents

- Progress
 - 1st Taskforce Meeting
 - 2nd Taskforce Meeting
- Following Schedule
 - Timeline for Developing ROW Management Guideline (RMG)
 - Project Monitoring Schedule
 - Submission Process of the Monitoring Sheet (MS)

6

Following Schedules and Activities of ROW Taskforce

3

Past Activities of ROW Taskforce

7

1- Timeline for Developing ROW Management Guideline (RMG) in 2017



4

1st Taskforce Meeting (9th May, 2017)

- Discussing and Clarifying the Concepts, current implementation and challenges of ROW Management



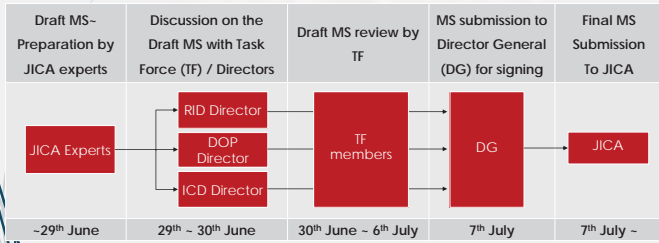
8

2- Project Monitoring Schedule

Year	2017			2018		2019	
Month	March	June	December	June	December	June	December
Ver.	Ver.1	Ver.2	Ver.3	Ver.4	Ver.5	Ver.6	Ver.7
Actual	Done	Here					

This is the 2nd monitoring with monitoring sheet (MS) ver.2 amongst totally seven (7) times.

3- Submission Process of the Monitoring Sheet (MS)



4- Outstanding Points of 2nd Monitoring Results

- > No bottleneck in the progress of CESCOR.
- > For the implementation framework of ROW management, CESCOR shall consider role and responsibility of relevant authorities such as:
 - > Ministry of Land Management, Urban Planning, Construction (MLMUPC) in terms of land management, and
 - > Ministry of Interior (MOI) as supervising authority of local government in the process of discussion for establishing ROW Management System (RMS).
- > At the 1st JCC meeting, Documentation level of REG and RMG were decided to be set as Prakas. Approval process of Prakas will be confirmed throughout the TF activities in following stage.
- > The Establishment of CESCOR's Website

THANK YOU FOR YOUR ATTENTION!!

Discussion on Land Management and ROW Management

Right of Way Management Guidelines (RMG) (1/3)

Table of Contents (Draft)

	Table of Contents	Contents	Pages
	Preface		1
	TOC		2
	Abbreviation / Terminology		2
General Issues			
(a)	Background		1
(b)	Objectives	- Objectives - Structure of RMG	1
(c)	Users / Organizations and Responsibilities	- Target Users - Responsible organizations	2
(d)	Definitions	- What is ROW? - Land Registration (titles)	2
(e)	Legal Basis	- Land, ROW, Construction	3

ROW Management Guidelines (RMG) Contents (2/3)

Part 1: Current Status Identification (CSI)			
1.1	ROW Management Map (RMM)		
	1.1.1 Survey Methodology	Drone, Benchmark, etc.	
	1.1.2 Mapping Methodology		
	1.1.3 Items observed		
1.2	ROW Management Database (RMD)		
	1.2.1 Database Structures		
	1.2.2 Data Format		
	1.2.3 Updating Rules		

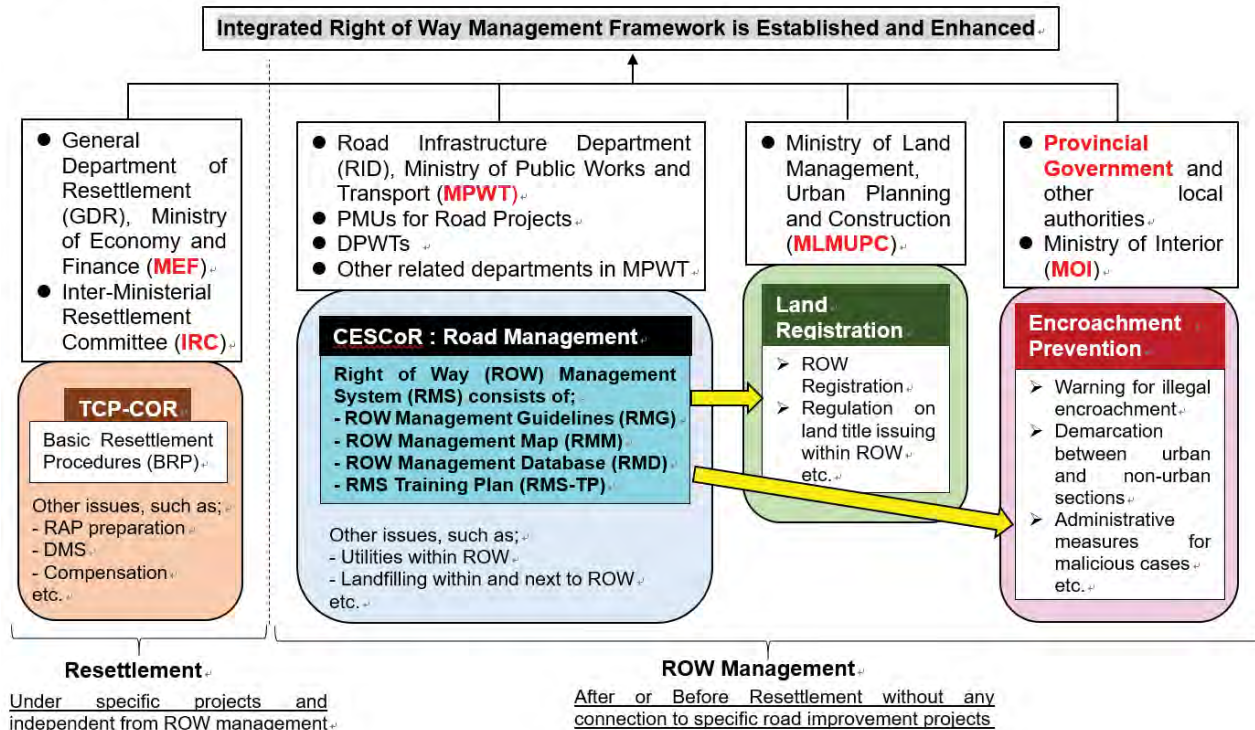
ROW Management Guidelines (RMG) Contents (2/3)

Part 2: Illegal Encroachment Prevention (IEP)		
2.1	Boundary Demarcation	
	2.1.1 ROW poles	RID Activities
	2.1.2 Sign Board	RID Activities
	2.1.3 Other measures	Fence, Land registration, etc.
2.2	Monitoring and Public Enlightenment	
	2.2.1 Field monitoring	- DPWT, Commune
	2.2.2 Warning for new encroachment	- Related to MOI
	2.2.3 Dissemination	- Public Meeting, Video
2.3	Application for ROW Use	- Refer Sarachor 007
	2.3.1 Household access	- easement
	2.3.2 Public utilities	- electric cable, optical ...
	2.3.3 Private utilities	- Advertisement
Part 3: Budgetary Plan		

Separated Annexes:

- e.g. - ROW Management System (RMS) Training Plan
- Pilot Project Report, etc.

Chart: ROW Management and Target Area of CESCOR (excluding activities on EIA and EMP)



- (1) Construction Permission
- (2) Land filling within and nearby ROW
- (3) Role of local authorities in terms of ROW management

ROW Management Map (RMM) and ROW Management Database (RMD)

Daisaku Iiyama
Land Management Expert of JESCOR

Table of Contents

- ▶ 1. Current Situation Identification
- ▶ 2. Necessary Measures
- ▶ 3. Concept of System Configuration
- ▶ 4. Future works

Necessary Measures

- ▶ Need the methods to
 - a) Assess the current situation of ROW regarding the degree of encroachment in rapid manner.
 - b) Share the information among MPWT and DPWTs.
 - c) Handle Geographic Information.
 - d) Conduct unified management for above information while it can be accessed from each DPWT.
 - e) Secure the accuracy at necessary degree.
(need further evaluations and discussions)
 - f) Integrate the relevant databases, preferably.
(need further evaluations and discussions)

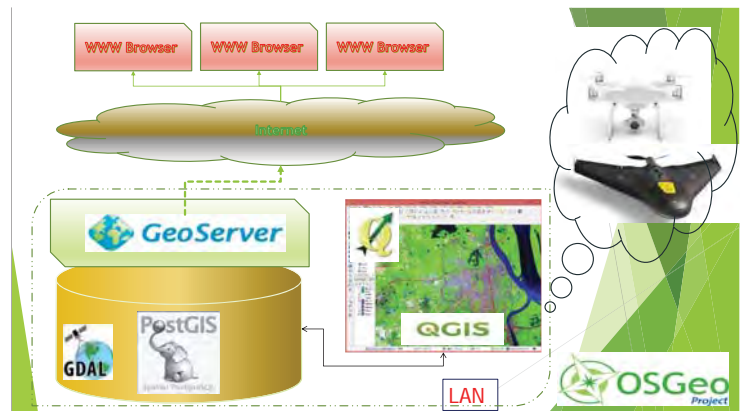
Current Situation Identification

- ▶ Current Situation Identification is one of the key to enhance the capacity of MPWT to prevent or minimize the illegal encroachment.

while

MPWT does not have measures to evaluate before/after encroachment situations on objective basis and sharing above information at any time of need.

Concept of System Configuration (at this point)



As a matter of fact They are free.

- Quantum GIS: QGIS for Data development and management
- Geoserver: for Web GIS control
- GDAL: for Data conversion
- PostGIS for Geographic Database (back end) as server

Above all are open software.



Future Tasks

Evaluation Phase : July to November, 2017

- ▶ Evaluate the efficiency of Google Earth, Drone1 data, Drone2 data for efficiency for Current Situation Identification.
- ▶ Develop prototype database using mentioned methods & tools and evaluate its efficiency, operability and sustainability.

Pilot Project Phase: from June 2018- 2019

Conduct pilot project by RID with DPWT teams.

Note:

Provision of Control point from MLMUPC is essential for the success of this activity.

Thank you!



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Following Schedules

2nd Seminar
Phnom Penh, July 6, 2017

Dr. Takayuki TSUCHIDA
Team Leader, JICA Project Team

2nd JCC Meeting

- 5
- Expected Date: January 2018
- Agreement Items: The following items will be approved by JCC,
 - Road Environmental Guideline (REG)
 - Activities 2-1 to 2-4: Environmental Considerations (EC)
 - Draft ROW Management Guideline (Draft RMG)
 - Activities 3-1 to 3-3: Social Considerations (SC)
 - Pilot Project Site will be determined
- Seminar: The 3rd Seminar will be jointly held with JCC

Taskforce Activities

- 2
- Taskforce activities will continuously carried out based on WBS as follows,
 - "EIA/EMP Team" :
 - Activity 2-1 to 2-4 will be completed by the next JCC on early next year.
 - Activity 2-5 will continue up to the end of the Project.
 - "ROW Management Team" :
 - Activity 3-1 to 3-3 will be completed by the next JCC on early next year.
 - Activity 3-4 to 3-7 and Activity 4-1 to 4-5 will start after the next JCC.

Note: WBS: Work Breakdown Structure, EIA: Environmental Impact Assessment, EMP: Environmental Management Plan, JCC: Joint Coordinating Committee, ROW: Right of Way

6

THANK YOU FOR YOUR ATTENTION!

Technical Exchange in Third Countries

- 3
- Date: October 23 to 28, 2017 (6 days)
- Purpose: Knowledge on EIA in Myanmar is obtained as reference to develop REG in the Project.
- Outputs: The lesson learned on Environmental Consideration in the third countries are reflected to REG development.
- Location: Nay Pyi Taw, Myanmar
- Participants: Management Level in charge of Environmental Considerations from MPWT (8 persons to be selected)

Note: EIA: Environmental Impact Assessment, REG: Road Environmental Guideline

Procurement of Equipment for Pilot Project

- 4
- Necessary Major Equipment for Pilot Project:
 1. Total Station ...1 Unit
 2. Drone ...1 Unit
- The equipment will be procured in Cambodia so the maintenance work can be considered.
- The equipment will be procured shortly and trial pilot project will start in July 2017.



**THE 3RD SEMINAR
OF
THE PROJECT FOR CAPACITY
ENHANCEMENT ON ENVIRONMENTAL
AND SOCIAL CONSIDERATIONS IN
IMPLEMENTING AGENCY IN ROAD
SECTOR IN CAMBODIA**

6TH FEBRUARY, 2018

SUNWAY HOTEL, PHNOM PENH



FOR MORE INFORMATION CONTACT: OFFICE +855(0)61-960-213

AGENDA

The 3rd Seminar
of
The Project for Capacity Enhancement on Environmental and Social
Considerations in Implementing Agency in Road Sector in Cambodia
(CESCoR)

Sunway Hotel, Phnom Penh, 6th February 2018

Time	Program
13:30-13:45	Registration
13:45-13:50	Cambodian National Anthem
13:50-14:00	Opening Remarks H.E. Nou Vaddhanak, Project Manager, Director General of General Department of Technique, MPWT
14:00-14:45	Theme I: Details of Draft Road Environmental Guidelines (REG) Mr. Srey Vireak, Mr. Bour Chhay Ya, Department of Planning, MPWT and Project Team
14:45-15:00	Q&A Session
15:00-15:20	Theme II: Report of 3rd Country Technical Exchange Mr. DUN Vandyreagan, Member of Third Country Exchange, MPWT
15:20-15:30	Q&A Session
15:30-15:40	Coffee Break
15:40-16:10	Theme III: Case Study for Illegal Encroachment Prevention (IEP) - Basic Concept for Public Consultation Meeting ROW Taskforce Member - Case Study in Japan Mr. NARA Hiroshi, JICA Project Team
16:10-16:30	Q&A Session and Fill up Questionnaire
16:30-16:40	Closing Remarks H.E. Nou Vaddhanak, Project Manager, Director General of General Department of Technique, MPWT

Note: Presentation materials will be prepared by English.

Simultaneous interpretation between Khmer and English will be provided.

Participation from other related Department of MPWT, Ministry of Economy and Finance, Ministry of Environment, Ministry of Land Management, Urban Planning and Construction, Ministry of Water Resources and Meteorology, Electricité Du Cambodge and etc,



THE PROJECT FOR CAPACITY ENHANCEMENT
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IN THE KINGDOM OF CAMBODIA (CESCOR)



MINUTES of the 3rd Seminar

Date & Time:	06 th February, 2018, 01:30-4:15PM
Place	Sunway Hotel, Phnom Penh
Attendees:	From MPWT: -H.E. Nou Vaddhanak, Deputy Director General -Officials of ICD, DoP, and RID From JICA Cambodia Office: -Representatives from JICA Cambodia Office Relevant stakeholders: -Metropolitan Expressway Company, Bangkok office -JICA Experts, MPWT -Ministry of Economic and Finance -Ministry of Land Management, Urban Planning and Construction (MLMUPC) -Ministry of Water Resource and Meteorology -EDC
Project Team:	From Project team: Dr. TSUCHIDA Takayuki and 11 project team members
Agenda / Discussion Points:	- To share draft of Road Environmental Guidebook (REG) - To share lesson learnt from 3 rd country technical exchange - To share and discuss on experience of conducting PCM in Japan

Opening Remarks

- Opening remarks made by H.E Nou Vaddhanak, Director General of Technique

Theme I: Details of draft Road Environmental Guidebook (REG) presented by Mr. Chhay Ya

Overview of draft road environment guidebook (REG)

- Background, objectives, users and scope of REG
- Legal aspects



THE PROJECT FOR CAPACITY ENHANCEMENT
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- Steps of EIA process and involvement phases by MPWT in Cambodia
- Practical involvement methods by MPWT for EIA process in Cambodia

Question and answer session

H.E. Vadhanak: It is necessary to require all project development conducting EIA study? Because scales of the projects are different (big and small). And conducting EIA study will affect the project implementation as well as delay project operation. For instance, we can conduct EIA for new road development due to many environmental issues, but conducting EIA should not apply on existing road project due to less environmental impacts. Another example, there are 3 agencies working on road sector in Cambodia: MPWT, Ministry of Rural Development and authority and MPWT is a main actor. Most of regulation issued by MPWT have been used by MRD and authority as well. The same case, MoE should prepare all related law, guideline and standard to environment and let line ministries implementing instead of conducting EIA study.

Mr. Chhay Ya: Actually, not all projects are required to conduct EIA study, it depends on the types and scale of the project itself. For road sector, road development project with or more than 100km length, the project is required to conduct EIA. For length less than 100km, it requires to conduct IEIA or environmental agreement.

Theme II: Report of 3rd country technical exchange presented by Mr. Reagan

- Objectives of the technical exchange
- EIA system in Myanmar
- EIA system in Cambodia
- Challenges/issues on EIA
- Lesson learnt
- Way forward

Question and answer session

H.E. Vadhanak: Regarding the bridge, now there is only one loading standard for all bridge construction projects. It means that new bridge project from now has the same capacity to handle or carry out any kind of vehicles or trucks.



H.E. Vadhank: ROW management is also important for road and traffic safety. In Thailand ROW is developed as road by starting from the boundary of ROW line and they keep the middle space for future road expansion. It means that we don't waste money on compensation for future project. We should consider and apply this concept in Cambodia as well.

Theme III: Basic concept for public consultation meeting (PCM) presented by Mr. Nara

- Background
- Purpose
- Outline
- Program
- Responsibility for PCM
- Arrangement time frame

Case study in Japan

- Chapter 1: Planning and managing public consultation meeting (PCM)
 - The case example of Japanese PCM
 - Business and type of PCM
 - Planning items PCM
 - Other Items to be prepared
 - Selection of the venue
 - Overview of the case study
 - Point to be noted for PCM
 - Unique psychological characteristics at PCM

Chapter 2: Proceeding public consultation meeting PCM: Public consultation meeting

- Objectives of the PCM
- Scale of PCM
- Preparation for holding PCM
- Following up PCM
- Dealing with media



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- Dealing with city councilor
- Dealing with the person on the blacklist
- Dealing with potential risk (person)
- Post PCM discussion

Question and answer session

H.E. Vadhanak: It is a good PCM preparation plan, especially counter measures to handle any issue or risk may occur during the PCM. Example video recording is one of effective method as it can be used as an evidence to address the issue.

Mr. Nara: Yes, video recording is one of effective methods and we also can call policemen to handle the issues as well if it is serious.

H.E. Vadhanak: Could you please share experience how to negotiate with local people, if local people not accept compensation rate?

Mr. Nara: In Japan, we compensate to local people based on the standard prepared by the government and affected people understand and accept the compensation.

Dr. Tsuchida: What are causes of participant's emotion during the PCM?

Mr. Nara: The emotion of participants can occur during the PCM due to the following factors:

- Not clear explanation or not enough information is provided to the participants
- The presenter does not have self-confidence

Mr. Chhay Ya: How to deal with aggressive people or dominant people who are from government?

Mr. Nara: If anyone interrupt the PCM by making loudly noise, a facilitator will warn or ask that person to go out.

We treat all participant equally and fairly, we don't care where they are from or their position at all.



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H.E. Vadhanak: In some countries, compensation rate is prepared by private company based on the market value, but the government pay double of the compensation rate because the government just want to make their people happy and enjoy with project development.

Mr. Kiyota: The case happened in India actually.

Closing remarks was done by H.E Nou Vaddhanak, Director General of Technique





Date: 06 February 2018

Time: 13:30-16:40

Location: Sunway Hotel

Topic: 3rd Seminar

**Sign-in Sheet
(JICA Project Team)**

No	Name	Department/ Ministry	Position	Phone	E-mail	Signature
1	Dr. TSUCHIDA Takayuki	JICA project team	Team Leader			
2	Mr. YAMASHITA Akira	JICA project team	Deputy Team Leader			
3	Mr. Ito Tsuyoshi	JICA project team	ESC/EIA/EMP			
4	Mr. NARA Hiroshi	JICA project team	Land Management Framework			
5	Mr. KIYOTA Daisaku	JICA project team	Land Management Framework/Database Development			
6	Mr. KUMAGAI Takahiro	JICA project team	Project Coordinator /Database Management			
7	Ms. Ches Sophy	JICA project team	Project Assistant			
8	Mr. Penh Socheat	JICA project team	Technical Assistant			
9	Mr. Douk Khemera	JICA project team	Administrative Assistant			



(MPWT Personnel)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
10	H.E Nou Vaddhanak	General Department of Technique	Director General			
11	Mr. Manh Vutha	Bilateral Cooperation Office, ICD, MPWT	Deputy Chief			
12	Mr. Chea Samnang	ROW Office, RID, MPWT	Chief of Office			
13	Mr. Sor Yilin	ICD, MPWT	Deputy Chief of Office			
14	Mr. Peang Samoeun	ICD, MPWT	Deputy Chief of Office			
15	Mr. Bour Chhay Ya	E&S Office, DoP, MPWT	Official			
16	Mrs. Sreng Sorphea	ICD, MPWT	Official			

(JICA Cambodia Office)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
17	Mr. IWASE Hideaki	JICA Cambodia Office				

(Observers)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
18	Mr. OGAWA Koichi	Project for Strengthening Capacity for Maintenance of Road and Bridge	Chief Advisor			



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19	Mr. CHIBA Toshiaki	Metropolitan Expressway Company Limited, Bangkok Office	Deputy Director			
20	Mr. Seiji Kukokana	Metropolitan Expressway Company Limited, Bangkok Office	Director			
21	Mr. Hidtoshi Kume	MPWT	JICA Expert			

(JCC Members, Advisors, Observers)

No	Name	Department/Ministry	Position	Phone	E-mail	Signature
22	Mr. Yong Sy	Department of Investment, MEF	Chief of Office			
23	Ms. Em Sokchea	Department of Public Infrastructure, MPWT	Deputy Chief of Office			
24	Mr. KHUON Davith	Department of Resettlement 1/GDR/MEF	Deputy Director			
25	Mr. MAO Visal	Electricité du Cambodge (EDC)	Chief Office			
26	Mr. SAO Premarak	RID, MPWT	Officer			
27	Mr. Kaing Theara	RID, MPWT	Officer			

Road Environmental Guidebook (REG)
(Draft)
DETAILS
for
Ministry of Public Works and Transport (MPWT)
in Cambodia

6th February 2018

TOC of REG

Main Parts

1. Introduction
 - 1.1 Backgrounds
 - 1.2 Objectives, Users and Scope of REG
 - 1.3 General Steps in Conducting EIA
 - 1.4 Project Cycle and EIA
2. Essential Laws/Prakas and Guidelines related to REG
3. Steps of EIA Process and Involvement Phases by MPWT in Cambodia
 - 3.1 Steps of EIA Process in Cambodia as Nationwide
 - (1) IEIA/EIA Report Preparing Phase
 - (2) IEIA/EIA Report Reviewing Phase
 - (3) Environmental Monitoring Phase
 - 3.2 Involvement Phases by MPWT for EIA Process in Cambodia
 - (1) EIA Report Preparing Phase
 - (2) EIA Report Reviewing Phase
 - (3) Environmental Monitoring Phase

1

Chapter 1 Introduction

1.1 Backgrounds

REG has been developed through collaboration works among the MPWT's TF-EIA/EMP members, JICA Expert, and adviser from the Ministry of Environment (MoE).

1.2 Objectives, Users, and Scope of REG

- ◆ **Objectives:** To assist MPWT's officials in charge of EIA/EMP to be more effective, in particular **reviewing and giving comments on EIA Report** and Environmental Management Plan (EMP), Environmental Monitoring Plan (EMoP) on Road Project in Cambodia.
- ◆ **Users:** MPWT's officials for their internal use within MPWT, **Not the Road Sectoral EIA guideline in Cambodia**, which will be developed by Ministry of Environment (MoE).
- ◆ **Scope of the REG:**
 - Assist MPWT officials, who are in charge of EIA, EMP, EMoP, to understand the main areas of concern and use that understanding to **enhance the quality of the EIA, EMP, and EMoP**.
 - The **Appendices** are prepared **more practical use** for road project, and for effective/efficient reviewing of EIA Report, EMP, EMoP.

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1.3 General Steps in Conducting EIA

The aim of "screening" is to determine the extent to which a full environmental impact study is required or not.

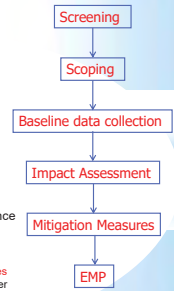
The main objective of the "scoping" process is to establish the environmental and social priorities, set the boundaries for the study and define the Terms of Reference (ToR) of the EIA.

"Baseline Data Collection" on physical, biophysical, socio-economic, and cultural aspects of the project area.

The potential impacts are identified, evaluated and predicted using the baseline information on one hand and the features of the project on the other (cause-effect relationship).

Once the potential impacts have been analyzed, their significance will be determined. The possible preventive, remedial and compensatory counter measures for each adverse impact.

The EMP translates recommended mitigation and monitoring measures into specific actions that have to be carried out by the Project Owner (PO) or the Project Proponent.



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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.1 EIA Report Preparing Phase

- (1) EIA Report Contents

4.2 EIA Report Reviewing Phase

- (1) Introduction of EIA Report Review
- (2) Practical Methods for EIA Report Reviewing

4.3 Environmental Monitoring Phase

- (1) Introduction of Environmental Monitoring
- (2) Two categories of Environmental Monitoring
- (3) Environmental Monitoring Plan
- (4) Environmental Monitoring Report

Appendices

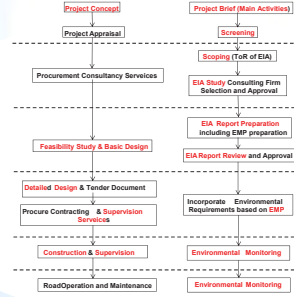
- Appendix 1: Checklist for Reviewing EIA Report for Road Project
- Appendix 2: Checklist for Reviewing EMP for Road Project
- Appendix 3: Checklist for Reviewing EMoP for Road Project
- Appendix 4: Checklist for Reviewing EMoR for Road Project

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1.4 (2) Road Project Cycle and EIA

Road Project Cycle

EIA Steps



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Characteristics and Documentation Level of REG

Characteristics of REG

◆ The Main parts of the REG will be **concise and practical** to use the REG for relevant tasks of the MPWT staff.

◆ The Appendices of the REG are "practical checklists" for reviewing EIA/EMP/EMoP/EMoR by MPWT's officials based on related environmental technical knowledge.

◆ The REG is focused on **environmental impacts items**, and does not deal with **resettlement issues**. MPWT had "Basic Resettlement Procedures", which was prepared in 2012.

Documentation Level of the REG

◆ The REG should be authorized as a **MPWT's "Prakas"** so that relevant MPWT staff could use it in daily official tasks in accordance with authorized legal base.

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2. Essential Law/Prakas and Reference Guideline related to REG

- ◆ Law on Environmental Protection and Natural Resource Management, 1996, MoE
- ◆ Sub-Decree No.72 on Environmental Impact Assessment Process, 1999, MoE
- ◆ Sub-Decree No.135 on Organization and Functioning of MoE, 2016, MoE
- ◆ MoE's Prakas No.49 on Guideline for Conducting Environmental Impact Assessment Report, 2000, MoE
- ◆ MoE's Prakas on General Guidelines for Developing Initial and Full Environmental Impact Assessment Report, 2009, MoE
- ◆ MPWT's Prakas No. 302 on Establishment of New Offices under Department of Planning of General Department of Administration, 2009
- ◆ MPWT's Prakas No.227 on Organization and Function of Department of Planning of MPWT, 2016, MPWT

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3. Steps of EIA Process and Involvement Phases by MPWT in Cambodia

3.1 Steps of EIA Process in Cambodia

(1) IEIA/EIA Report Preparing Phase

Table 3.1 IEIA/EIA Report Outlines in Cambodia

IEIA Report Outline	EIA Report Outline
Executive Summary	Executive Summary
Chapter 1: Introduction	Chapter 1: Introduction
Chapter 2: Legal frameworks	Chapter 2: Methodology
Chapter 3: Project Description	Chapter 3: Legal frameworks
Chapter 4: Description of Existing Environment	Chapter 4: Project Description
Chapter 5: Public Participation	Chapter 5: Description of Existing Environment
Chapter 6: Environmental Impacts and Mitigation Measures	Chapter 6: Public Participation
Chapter 7: Environmental Management Plan (EMP)	Chapter 7: Environmental Impacts and Mitigation Measures
Chapter 8: Conclusion and Recommendations	Chapter 8: Environmental Management Plan (EMP)
References	Chapter 9: Economic Analysis and Environmental Value
Annexes	Chapter 10: Conclusion and Recommendations
	References
	Annexes

3. Steps of EIA Process and Involvement Phases by MPWT in Cambodia

- The IEIA/EIA Report shall be included the items, which is shown in Table 3.1, according to "MoE's Prakas No.376.
 - For road projects, MPWT as Project Owner (PO) can prepare IEIA/EIA report themselves or hire an independent consulting firm to do this, according to "Sub-Decree No.72 on Environmental Impact Assessment Process, 1999, MoE".
 - In case, PO does not have qualified expert team to conduct and prepare IEIA/EIA Report, an Independent consultant can be hired to assist PO to conduct and prepare IEIA/EIA Report.
- (2) IEIA/EIA Report Reviewing Phase by Sub-Decree No.72
- The MoE reviews and provide comments on the IEIA or EIA report by the procedures, including "meeting with relevant inter-ministries" within 30 working days at national level.
 - After the above procedure, MoE has 5 days to approval on the IEE or EIA report or require the Project Owner to revise the IEE and EIA report again.
 - If the MoE requires that the Project Owner revise the IEIA or EIA report again, MoE will take another 30 working days for review/provide comment on the revised IEIA or EIA report.

3.2 Involvement phases by MPWT for EIA Process in Cambodia

(2) EIA Report Reviewing Phase

- Reviewing of draft EIA report within the MPWT
ES/DoP has duties on environment and social issues, so it reviews and provides the comments for the draft EIA report internally among technical officials after the EIA consulting firm submitting the draft EIA report to MPWT.
 - Inter-Ministerial Meeting chaired by MoE
Responsible Department in charge of the concerned Project Management, on behalf of MPWT as PO should attend and provide comments in the Inter-Ministerial Meeting.
- (3) Environmental Monitoring Phase
- Project Owner (PO) needs to implement its activities in accordance with the EMP as set out in the EIA Report within 6 months, after MoE approved on the EIA Report.
 - Project monitoring should look into impacts, verify the responses to mitigation measures as set out in the EIA Report.
 - For a road project, MPWT as PO must submit the Environmental Monitoring Report (EMoR) for every 3 or 6 months to the MoE as set out in the Environmental Management Plan (EMP).

3.2 Involvement phases by MPWT for EIA Process in Cambodia

Table 3.2 Summary of Some Steps of EIA Process by Involvement of MPWT for Road Projects (1)

Steps	Responsible Organization/Involvement Organizations	How to implement
Project Description Preparation	Responsible General Department in charge of the concerned Project Management of MPWT, the EIA Consulting firm	<ul style="list-style-type: none"> Responsible General Department in charge of the concerned Project Management of MPWT hires an independent EIA consulting firm Responsible General Department in charge of the concerned Project Management of MPWT provides data/information for Project Description to the EIA consulting firm
Field Visits by MPWT	ES/DoP of MPWT, the EIA Consulting firm	ES/DoP of MPWT conducts field visits with the EIA consulting firm, and concerned government agencies, if need
Scoping	Responsible General Department in charge of the concerned Project Management of MPWT, MoE, the EIA consulting firm, Concerned Stakeholders	<ul style="list-style-type: none"> Responsible General Department in charge of the concerned Project Management of MPWT prepares ToR of the EIA MoE provides comments for the ToR Responsible General Department in charge of the concerned Project Management of MPWT, disclosure Project information to the relevant agencies/organization and stakeholders

3. Steps of EIA Process and Involvement Phases by MPWT in Cambodia

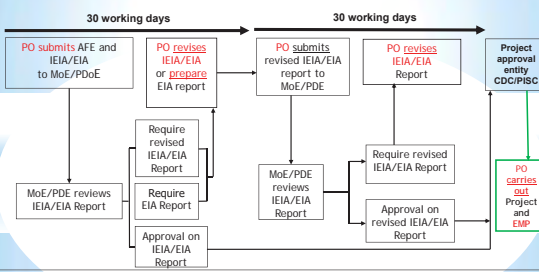


Figure 3.1 General IEIA/EIA Process in Cambodia

3. Steps of EIA Process and Involvement Phases by MPWT in Cambodia

(3) Environmental Monitoring Phase

- EIA Department, MoE has responsibilities to monitor, inspect and require the Project Owner (PO) to implement EMP during constructing, operating, and phase-out (ending) stage as stated in IEIA or EIA report approved by MoE.
- PO must carry out the EMP as stated in the EIA for period of 6 calendar months, commencing from the date of the MoE confirmation of their EIA report duly fulfilled the criteria.

3.2 Involvement phases by MPWT for EIA Process in Cambodia

- Environment and Social Office (ESO), Department of Planning (DoP) must take responsibilities and assignment for the Environmental and Social Consideration (ESC), including EIA matters/safe guards for the some steps of EIA process for road projects in Cambodia.
 - If there is an establishment of Project Management Unit (PMU) for a road project, ESO/DoP officials shall be involved in the PMU for the EIA issues.
- (1) EIA Report Preparing Phase
- Responsible General Department in charge of concerned project management of MPWT could provide detail data and information to the EIA consulting firm, in particular "Project Description" in the EIA Report.

3.2 Involvement phases by MPWT for EIA Process in Cambodia

Table 3.2 Summary of Some Steps of EIA Process by Involvement of MPWT for Road Projects (2)

Steps	Responsible Organization/Involvement Organizations	How to implement
Internal draft EIA report review within MPWT	ES/DoP of MPWT, the EIA consulting firm	<ul style="list-style-type: none"> EIA consulting firm prepares draft EIA report. ES/DoP of MPWT review the draft EIA report within MPWT
Inter-ministerial Meeting	MoE, Responsible Department in charge of the concerned Project Management of MPWT, the EIA consulting firm, Concerned stakeholders	<ul style="list-style-type: none"> MoE chairs the Meeting Responsible General Department in charge of the concerned Project Management of MPWT and the EIA Consulting firm shall attend in the Inter-ministerial meeting to provide comments.
Environmental Monitoring Phase	Responsible Department in charge of the concerned Project Management of MPWT, the EIA Consulting firm	<ul style="list-style-type: none"> Responsible Department in charge of the concerned Project Management of MPWT implements the EMP under cooperation with the construction contractors, etc. Responsible Department in charge of the concerned Project Management of MPWT holds Stakeholder Meetings Responsible Department in charge of the concerned Project Management of MPWT prepares EMoR under assistances from the EIA consulting firm.

4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.1 EIA Report Preparation Phase

(1) IEIA/EIA Report Contents

- PO shall comply with the following contents of IEIA/EIA Report by Appendix 1 of MoE's Prakas No. 376.
- Executive Summary**
A summary of the whole report including Project Objectives, Project Activities, the Existing Environment Resources, Output of Public Consultation, Scope of Environmental and Social Impacts and Mitigation Measures, the Environmental Management Plan, Conclusions and Recommendations to mitigate environmental impacts.

Chapter 1: Introduction

- Project Overview: Summary of Project background, Rationale for development of the project, and general situation on the Project site, and Objective of the IEIA/EIA Report
- Methodologies and Scope of study: Data collection and Data analysis Method and Scope

Chapter 2: Methodology

- For EIA report, the project owner shall provide for detailed methodologies as a separate chapter.

Chapter 3: Legal frameworks

- Project Owners shall provide a description of laws, sub-decrees and various policies related to project type to be implemented.

Chapter 4: Project Description

- Background and Experiences of the Project Owners, Project site, Project type/scope and Schedule of project activities, Work plan, Activities program of the project

4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.1 EIA Report Preparation Phase

Chapter 5: Description of Existing Environment

Natural Environment (Physical Resources, Biological Resources, Socio-economic Resources)

Chapter 6: Public Participation

- Dissemination by the PQ with local authorities/communities of the Development Project
- Feedback from relevant ministries/agencies/departments and relevant local authorities
- Comments from relevant NGOs, Consultation with affected local communities

Chapter 7: Environmental Impacts and Mitigation Measures

- Description of the Negative environmental and socio-economic impacts
- A summary of point 7.1 on the Scope of negative environmental impacts/mitigation measures
- Cumulative impacts, Description of the Positive environmental and socio-economic impacts

Chapter 8: Environmental Management Plan (EMP)

- A Summary of main negative environmental impacts and mitigation measures
- Trainings to be provided
- Environmental Monitoring Program (Plan) for the construction, operation and closure periods

Chapter 9: Economic Analysis and Environmental Value

Description of the Benefits of the Project in relation to Scope and Value of Environmental Damage arising from the project activities

Chapter 10: Conclusions and Recommendations

PO's assurance and responsibility for their Environmental Impact Assessment Reports with relevant Recommendations.

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.2 EIA Report Reviewing Phase

Table 4.2 Main Necessary Information/Data as the Baseline Data for a Road Project (2)

Item	Necessary Information/Data
5.1.2 Biological Resources	
Forest	Present flora map and the valuable species list
Wildlife	Present fauna map and valuable species list
Habitats	Protected species habitat map, protected area and the species list
Biodiversity	Biodiversity hotspot area map, protected area, if existed in the area
Wetland	Valuable wetland system (with map)
5.2 Socio-economic Resources	
Demography and settlement	Regional population statistics and settlement pattern (map)
Economic status	Main economic activities/employment, income statistics
Land use	Present Land use map, Land use plan
Water use	Legal right, customary right
Energy use	Type and amount of energy use
Infrastructure	Transportation network, utility network
Education	Enrollment ratio, etc.
Public health	Epidemic statistics, etc.
Cultural heritage	Important cultural/historical heritage map and the list
Land scape	Important Land scape
Tourism destination	Tourism destination map and the list

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.2 EIA Report Reviewing Phase

(1) Introduction of the EIA Report Review

The key objectives of EIA Report Review are

- ◆ Assess the adequacy and quality of an EIA report
- ◆ Take account of public comments
- ◆ Determine if the information is sufficient for a final Decision to be made, and;
- ◆ Identify as necessary, the deficiencies that must be addressed

(2) Practical Methods for the EIA Report Review

Table 4.1 Reviewing Contents for Each Chapter of the EIA (1)

Chapter	Reviewing Contents of EIA Report
Introduction	Project overview (summary of project background, rational for development of the project, and general situation on the project site, Purpose of the EIA study
Legal Frameworks	Applicable Laws, Sub-degrees, and Policies related to Project activities Applicable Environmental Regulations and Standards in Cambodia
Methodology	What kinds of the data are collected as primary data or secondary data? What kinds of methods or models are used for impact analysis or forecasts? What types of mitigation measures are considered?
Project Description	Background and experiences of the project owners Project site (attached with local administration map and project location) Project type/scope and schedule of project activities at each project stage

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.2 EIA Report Reviewing Phase

Table 4.3 Main Examples of Mitigation Measure for a Road Project

Items	Main Examples of the Mitigation Measures
To reduce impact on the land	- Avoiding road alignments on the sensitive areas - Install retaining structure (e.g. gabions, etc.)
To prevent air pollution (dust)	- Water sprinkling and transporting materials with proper coverage - Speed control on vehicles during transportation of materials
To prevent noise	- Develop of bypass road to avoid noise sensitive areas - Construction time control in residential/hospital/school areas
To conservation present hydrology	- Consider road alignment to minimize changing present water flow - Flow speed control by grasses, other devices in water channel
To mitigate construction wastes issues	- Prepare/implement appropriate construction waste management plan - Conduct proper quarry management
To conservation biodiversity (ecosystem)	- Avoid road alignments on the ecological vulnerable areas - A buffer zone to mitigate deterioration of the ecosystem
To reduce adverse impacts on socio-economic environment	- If involuntary resettlement occurred by the project, appropriate compensation and livelihood assistances should be taken into account - Minimizing split of communities in the road design stage
To reduce conflicts with local peoples	- Hold periodical instruction seminar to promote for reducing the conflicts - Make and enforce a proper rule for reducing the conflicts.
To promote road safety	- Provision of safety signals, other materials to avoid the traffic accident - Provision of roadside rest areas to minimize driver fatigue

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.2 EIA Report Reviewing Phase

Table 4.1 Reviewing Contents for Each Chapter of the EIA (2)

Chapter	Reviewing Contents of EIA Report
Description of Existing Environment	Physical Resources, Biological Resources, Socio-Economic Resources in Project Area
Public Participation	Dissemination activities by the project owner, Feedback from Project Owner Comments from relevant NGOs, Consultation results with affected local communities
Environmental Impacts and Mitigation Measures	Description of the Negative and Positive Environmental and Socio-economic Impacts during the project pre-operation (the project design and construction), operation and closure with mitigation measures, and the Summary Table (Scoping Matrix), and Cumulative impacts
Environmental Management Plan (EMP)	Institutional Responsibilities (both implementer and supervisor) Project Stage (Project pre-operation, Project operation, Project closing) Summary of each possible negative impacts, each project activity Description of each proposed mitigation measure and cost estimate Training programs for all the EMP activities
Economic Analysis and Environmental Value	Descriptions of the benefits of the project implementation and overall costs of the unavoidable environmental damages by the project implementation
Conclusion and Recommendations	Concise description that the project can mitigate possible adverse impacts by proposed mitigation measures, to enhance positive impacts in the project area.

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.3 Environmental Monitoring Phase

(1) Introduction of the Environmental Monitoring

- ◆ Environmental Monitoring shall be implemented periodically to evaluate each environmental condition in each project stage.

(2) Two Categories of the Environmental Monitoring

1) Compliance Environmental Monitoring

- ◆ Compliance environmental monitoring is to confirm implementation of mitigation measures approved by EIA.
- ◆ Environmental Management Plan (EMP) could be a key confirmation source for implementation of the mitigation measures.

2) Environmental Monitoring for Effect Confirmation

- ◆ Environmental Monitoring for Effect Confirmation is performed to confirm effectiveness of the mitigation measures in EIA.
- ◆ Environmental Monitoring Report (EMoR) could be a key confirmation source for evaluating effectiveness of the mitigation measures.
- ◆ Environmental Monitoring Program (Plan) could be a supplemental confirmation source for evaluating effectiveness of the mitigation measures.

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.2 EIA Report Reviewing Phase

- ◆ In terms of Chapter 5: Description of Existing Environment (Baseline Data) for a Road Project, MPWT shall review the following necessary information/data as references (Table 4.2);
- ◆ In terms of Chapter 7: Environmental Impacts and Mitigation Measures for a Road Project, MPWT shall review the following mitigation measures as references. (Table 4.3);

Table 4.2 Main Necessary Information/Data as the Baseline Data for a Road Project (1)

Item	Necessary Information/Data
5.1 Natural Environment	
5.1.1 Physical Resources	
Soil	Characteristics of topography and geology features, (topographic/geological map)
Climate	Project site specific information on existing meteorological conditions (temperature, humidity, rainfall, wind speed/directions)
Air quality	Present air pollution data (TSP, CO, NO ₂ , SO ₂ , Pb, etc.)
Noise/Vibration	Current noise/vibration level
Hydrology	-Drainage characteristics of the rivers/lakes -Data for groundwater/well conditions
Water quality	Current surface/underground water quality data (pH, BOD, COD, etc.)

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.3 Environmental Monitoring Phase

(3) Environmental Monitoring Plan (EMoP)

Table 4.4 Essential Reviewing Contents for Each EMoP

Item	Details and Remarks
Institutional Responsibilities	Implementer to conduct each monitoring activity Supervisor to conduct each monitoring activity
Project Stage	Project planning stage, Project construction stage, Project operation stage, and Project closure stage
Monitoring items and parameters	Air Quality (TSP, CO, NO ₂ , SO ₂ , Pb) Hydrology Water Quality (pH, BOD, COD) Noise and Vibration Construction wastes
Monitoring location for each monitoring item	Requirements (How far from the expected pollution sources, etc.) of each monitoring location
Means of Monitoring	Comparison methods (Monitored values with Conservation targets (Environmental Standards in Cambodia or Others (WHO, etc.))
Monitoring Frequency	Requirements of the frequencies for each monitoring item

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4. Practical Involvement Methods by MPWT for EIA Process in Cambodia

4.3 Environmental Monitoring Phase

(4) Environmental Monitoring Report (EMoR)

Table 4.5 Essential Reviewing Contents for Each EMoR

Item	Details and Remarks
Monitoring Implementer	• Descriptions (Organizations, Licenses, etc.)
Project Stage	• Project planning stage, Project construction stage, Project operation stage, and Project closure stage
Monitoring Methodology	• Monitoring Methodologies (including date/time and site characteristics for each monitored item)
Measured or Analyzed Monitoring Items and Parameters	• Air Quality (TSP, CO, NO ₂ , SO ₂ , Pb) • Hydrology • Water Quality (pH, BOD, COD) • Noise and Vibration • Construction wastes
Applied Means of Monitoring	• Applied monitoring equipment/devices, etc.
Applied Monitoring Frequency	• Actual monitored frequencies for each monitoring item with reasons of the frequencies
Each Monitoring Result	• Comparing Results with each conservation target
Conclusion and Suggestions	• Conclusions for present environmental conditions • Future plan for recommended follow-up mitigation measures, if needed

Appendix 1: Checklist for Reviewing EIA Report for Road Project (3)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
Project type, schedule of project activities					
Present project conditions (e.g. road width, road alignment, etc.)					
Project outline (e.g. target road sections/lengths, road widening, bypass road construction, etc.)					
Project alternatives (Analyses of alternatives with zero option)					
5. Description of Existing Environment in the Project Area					
Physical resources as baseline data					
• Geography					
• Geology and soil					
• Soil erosion and sediment					
• Topography					
• Climate (wind, precipitation, temperature, evaporation etc)					
• Air quality (ambient and seasonal)					
• Noise and Vibration					
• Hydrology					
• Surface and ground water quality					
• Subsidence					

Appendices

Appendix 1: Checklist for Reviewing EIA Report for Road Project

Appendix 2: Checklist for Reviewing EMP for Road Project

Appendix 3: Checklist for Reviewing EMoP for Road Project

Appendix 4: Checklist for Reviewing EMoR for Road Project

Appendix 1: Checklist for Reviewing EIA Report for Road Project (4)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
6. Baseline participation					
Dissemination activities by the project owner with local authorities and local communities of the development project					
7. Environmental impacts and mitigation measure					
Description of the negative environmental and social-economic impacts during the project pre-operation, operation and closure. <i>(The following are examples of typical negative impacts caused by a road construction project)</i>					
Physical impacts					
• Climate (precipitation, temperature, etc)					
• Geology (rock type, structure, geochemistry, etc)					
• Soils (contamination, erosion)					
• Topography (slopes)					
• Hydrology (water volume, flow speed)					
• Surface water quality (river, lakes, etc.)					
• Groundwater (water level, water quality)					
• Air quality (ambient, users)					

Appendix 1: Checklist for Reviewing EIA Report for Road Project (1)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
Executive summary					
Project objectives					
Project activities					
Existing environment resources					
Output of public consultation					
Scope (Project area/component, etc.) of environmental and social impacts and mitigation measures					
Environmental Management Plan					
Conclusions and recommendations					
1. Introduction					
Project Overview (Project background, Rationale for project development, General situation on the project site)					
Purpose of the EIA Study					
Methodologies of data collection/analysis					
Scope (Study area/component, etc.) of study					
2. Methodologies					
Description of each data collection method					
Description of each impact analyses method (including stakeholder meetings)					
Description of each mitigation measure considering method					

Appendix 1: Checklist for Reviewing EIA Report for Road Project (5)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
Feedback results (records of questions and answers) among PO, relevant ministries/agencies/departments and relevant local authorities, and local residents					
Comments from relevant non-government organization (NGOs)					
Consultation with affected local community					
Conclusions on results of public consultation					
7. Environmental impacts and mitigation measure					
Description of the negative environmental and social-economic impacts during the project pre-operation, operation and closure. <i>(The following are examples of typical negative impacts caused by a road construction project)</i>					
Physical impacts					
• Climate (precipitation, temperature, etc)					
• Geology (rock type, structure, geochemistry, etc)					
• Soils (contamination, erosion)					
• Topography (slopes)					
• Hydrology (water volume, flow speed)					
• Surface water quality (river, lakes, etc.)					
• Groundwater (water level, water quality)					
• Air quality (ambient, users)					

Appendix 1: Checklist for Reviewing EIA Report for Road Project (2)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
3. Legal Framework					
Applicable laws, sub-degrees, and policies related to project activities					
Applicable government environmental policies/plans related to project activities					
Applicable Cambodia's environmental regulations/standards, international agreements related to project activities					
Applicable Environmental Guidelines by Development Partners					
Applicable laws, sub-degrees, and policies related to project activities					
4. Project Description					
Background (Key project requirements) and experiences of the project owner					
Project site including type of construction, material, sources of material, material transportation, information of machinery, safety measures, labor force, gender balance, utilities consumption, and attached with local administration Map and project location)					
Camp site and construction access road (structure, size, location, etc)					

Appendix 1: Checklist for Reviewing EIA Report for Road Project (6)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
Natural impacts					
• Terrestrial and aquatic ecology (vegetation and animal types, endemic/rare species)					
• Protected Area					
• Biodiversity					
Socio-economic impacts					
• Social structure of local community					
• Settlement patterns					
• Demographics including gender					
• Education and skills					
• Employment situations					
• Community facilities and services					
• Aesthetics place					
• Public health					
• Crime and community safety					
• Sites of cultural or religious significance					
• Sites of historical significance					

Appendix 1: Checklist for Reviewing EIA Report for Road Project (7)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
Cumulative impacts, if available					
Description of the positive environmental and social-economic impacts (These are dependent on the project types. The following are examples of typical positive impacts caused by a road construction project)					
Regional economic development					
Improve of traffic network					
Access improvement to social facilities					
Social services improvement					
8. Environmental Management Plan (EMP)					
A summary of main negative environmental impacts and mitigation measures					
Trainings to be provided					
Environmental Monitoring Program (Plan)					
Agency responsible for monitoring					
Identified parameters to be monitored					
Monitoring methodology					
Environmental standards or guidelines					
Schedule and cycle which be controlled					
Assessment of monitoring results					
Quarterly report (EMoR)					

Appendix 2: Checklist for Reviewing EMP for Road Project (3)

Contents (Items)	Page on EMP	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
6. Proposed Mitigation Measures for each project activity (These are dependent on the project activities. The following are examples of mitigation measures for a typical road construction project)					
Conduct of construction vehicles/equipment well-maintained plan					
Strict control of oil/wastes spills					
Wastewater management					
Strict control of construction time for noise/vibration generation equipment					
Conduct of appropriate construction waste collection/disposal measures, including quarry management					
Install culverts/bridge to prevent alteration of water flow					
Conduct sufficient embank management to prevent possible subsidence					
Install culverts to prevent decrease of habitat area					
Conduct careful slope protection to prevent soil erosion					
Conduct livelihood supporting measures for the poor Project affected persons					
Conduct workers safety seminars, etc.					
Conduct traffic safety measures (regulate strict vehicle speed, etc.)					

Appendix 1: Checklist for Reviewing EIA Report for Road Project (8)

Contents (Items)	Page on EIA Report	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
8. Economic analysis and environmental value					
Description of overall project costs, including environmental damages					
Description of cost benefit analysis					
10. Conclusions and recommendations					
Description of conclusions based on analysis results for possible negative impacts and mitigation measures					
Key questions	Page on EIA Report	Yes	No		Comments (Remarks)
1. Has the EIA Report identified and evaluated not only negative impact but also positive impacts and clearly described?					
2. Which are the unavoidable adverse impacts (e.g. noise)? Are they acceptable?					
3. Impacts on any designated sensitive areas (e.g. natural protected areas, or cultural heritage area) have been defined?					
4. Is the Scoping Matrix covered all possible environmental and social impacts with significance (slight, medium, significant)?					
5. Is the proposed Mitigation Measures (e.g. countermeasures for dust, etc.) sufficient to manage and control the negative impacts?					

Appendix 2: Checklist for Reviewing EMP for Road Project (4)

Contents (Items)	Page on EMP	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
8. Cost estimate and Schedule for conducting each mitigation measure					
Clear identification for cost estimate for each mitigation measure					
Schedule for conducting of each mitigation measure					
Key questions	Page on EMP	Yes	No		Comments (Remarks)
1. All the possible environmental and socio-economic impacts are included by the project activity?					
2. Concise description of all the regulatory agency and organization (construction contractor, etc.) involved?					
3. Mitigation and support measures are technically and scientifically sound?					
4. Significant adverse impacts that cannot be avoided or mitigated have been described?					
5. Adequate consideration has been given to compensation for resettlement and land/properties acquisitions?					
6. Mitigation support measures to enhance positive impacts have been properly developed?					
7. Experiences from similar projects carried out in the past, has been taken into account for the mitigation measures.					
8. Is the each cost estimate for mitigation measure reasonably and realistically?					
9. Are the Training programs for implementing the EMP described clearly?					

Appendix 2: Checklist for Reviewing EMP for Road Project (1)

Contents (Items)	Page on EMP	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
1. Institutional Responsibilities and actual role					
The implementer to conduct each EMP action					
The supervisor to conduct each EMP action					
2. Project stage (pre-operation, operation and closure)					
Project pre-operation (project planning) stage					
Project pre-operation (project construction) stage					
Project Operation stage					
Project Closure stage					
3. Possible negative environmental and socio-economic impacts items (These are dependent on the project types. The following are examples of the possible negative environmental socio-economic impacts for a typical road construction project)					
Air pollution					
Surface water pollution					
Noise and Vibration issues					
Construction wastes issues					
Hydrology (alteration of water flow)					
Subsidence					
Habitat areas of vulnerable species decreasing					
Soils erosion					
Loss of main sources of incomes					
Traffic accidents (number of traffic accidents)					
Working environment degradation					
Local violence/conflicts increasing					

Appendix 3: Checklist for Reviewing EMoP for Road Project (1)

Contents (Items)	Page on EMoP	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
1. Institutional Responsibilities and actual role					
Monitoring implementer for each monitoring activity					
Monitoring supervisor for each monitoring activity					
2. Project stage (pre-operation, operation and closure)					
Project pre-operation (project planning) stage					
Project pre-operation (project construction) stage					
Project Operation stage					
Project Closure stage					
3. Monitoring Items and Parameters (These are dependent on the project activities. The following items are possible monitoring items and parameters for a typical road construction project)					
Air quality (TSP, CO, NO _x , SO ₂ , Pb)					
Surface water quality (pH, BOD, COD)					
Noise and Vibration					
Construction wastes (waste volume, disposal system, procedures)					
Hydrology (water volume, flow speed)					
Subsidence (present ground level, etc.)					
Ecosystem (valuable species habitat situation)					
Soils (continuation erosion situation)					
Traffic accidents (the number of traffic accidents)					
Working environment (the number of construction accidents)					
Public health (infectious disease rate, etc.)					

Appendix 2: Checklist for Reviewing EMP for Road Project (2)

Contents (Items)	Page on EMP	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
4. Project Activities, which may cause negative impacts (These are dependent on the project types. The following are examples of typical project activities which may cause negative impacts for a typical road construction project)					
Dust or gas emissions from construction vehicles or equipment					
Spills of oils or wastes to the rivers					
Discharge of wastewaters without treatment					
Construction noise/vibration from the construction equipment					
Scattering construction, including hazardous wastes					
Road constructions may cause present water flow alteration					
Much embankment may cause subsidence					
Road constructions may cause habitat areas decreasing					
Insufficient slope protection may cause soil erosion					
Loss of main sources of incomes due to land acquisition					
Increase of traffic volume may cause increase of traffic accidents					
Insufficient work safety measures may cause increase of construction accident					
Local violence/conflicts may cause by influx of outside construction workers					

Appendix 3: Checklist for Reviewing EMoP for Road Project (2)

Contents (Items)	Page on EMoP	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
4. Monitoring Location					
Clear identification of the location for each monitoring point					
5. Means of Monitoring					
Clear identification for monitoring mean					
6. Monitoring Frequency					
Clear identification of monitoring frequency for each sampling point					
7. Reporting					
Clear identification of the submission frequency (schedule) of the EMoP					
Clear identification of the agency to whom submit the EMoP					
Key questions	Page on EMoP	Yes	No		Comments (Remarks)
1. Are the sampling locations/frequencies realistically, technically and financially in the project site?					
2. Are the sampling methods reasonable realistically, technically and financially in the project site?					
3. Are each funding source for conducting each monitoring activity identified clearly?					

Appendix 4: Checklist for Reviewing EMoR for Road Project (1)

Contents (Items)	Page on EMoR	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
1. Institutional Responsibilities and actual role					
EMoR preparation implementer, including sampling and analyzing the data					
EMoR preparation supervisor, including quality control of the analyzed data					
2. Monitoring methodology, including date/time and site characteristics for each monitored item					
Clear identification of methodology for each monitored item					
Monitored date/time and the site characteristics for each monitored item					
3. Measured or Analyzed Items and Parameters (These are depended on the project activities. The following items are typical Items and parameters for a typical road construction project)					
Air quality (TSP, CO, NO _x , SO _x , Pb)					
Surface water quality (pH, BOD, COD)					
Noise and Vibration					
Construction wastes (waste volume, disposal system, procedures)					
Hydrology (water volume, flow speed)					
Subsidence					
Ecotystems (valuable species habitat situation)					
Soils (contamination, erosion situations)					
Traffic accidents (number of traffic accidents)					
Working environment (number of accidents, etc.)					
Public health (infectious disease rate, etc.)					

Appendix 4: Checklist for Reviewing EMoR for Road Project (2)

Contents (Items)	Page on EMoR	Yes	No	Evaluation (good, moderate, poor)	Comments (Remarks)
4. Monitoring Location					
Clear identification of the location for each monitoring point					
5. Means of Monitoring					
Clear identification for each mean of monitoring					
6. Monitoring Frequency					
Clear identification of the monitoring frequency for each monitored point					
7. Each monitoring result (value)					
Each monitored result value					
Comparison result with each conservation target					
8. Conservation and Supervising					
Clear description of each environmental condition compared with the conservation target					
Clear description of necessary follow-up mitigation measure, if need					
Key questions					
	Page on EMoR	Yes	No		Comments (Remarks)
1. How to be ensured for quality control of the analyzed data?					
2. Are the analyzed methods are cost-effective?					

សូមអរគុណចំពោះការយកចិត្តទុកដាក់ស្តាប់

Thank you very much for your attention.

ありがとうございました

BASIC CONCEPT FOR PUBLIC CONSULTATION MEETING (PCM)

6TH FEBRUARY, 2018
ROW TASKFORCE

CONTENTS

- Background
- Purpose
- Outline
- Program
- Responsibility for PCM
- Arrangement Time Frame

OUTLINE

Target	Local People at 4 th Section of NRI (Estimated 550 household)
Venue	Public Facility (Pagoda, School, Commune Hall)
Schedule	The end of April 2018 (Arrangement will be started from Feb 2018)
Organizer	MPWT (RID, ICD), Local Authority (PPCC, District, Commune, DPWT) and Ministry of Land Management, Urban Planning and Construction (MLMUPC)
For Participants	In order to promote for better understanding of ROW, To provide Handouts, Certification, Novelty Goods, To conduct Questionnaire Survey.

PROGRAM FOR HALF-DAY(2HOURS)

Time	Contents
08:00 – 08:25	Gathering and Registration
08:25 – 08:30	Explanation for Questionnaire
08:30 – 08:40	Opening Remarks by XXX
08:40 – 09:00	Explain Law and Regulation for Right of Way (ROW) by RID
09:00 – 09:15	Function and How to Use in ROW by RID
09:15 – 09:30	Q&A
09:30 – 09:50	Procedures for Land Registration and Construction Permit by MLMUPC
09:50 – 10:05	Q&A
10:05 – 10:20	Case Study in Japan by ICD/RID
10:20 – 10:30	Commitment and Suggestion from Provincial Governor
10:30 – 10:40	Closing Remarks by XXX
10:40 – 11:00	Provide Certificate

BACKGROUND

- The construction of National Road No. 1 (NRI) has been finished completely and the NRI has connected smoothly from Phnom Penh until Neak Loueng in July 2017.
- However, there are some concerns that the functions of roads will be affected such as traffic congestion by re-encroachment of mobile stores around urban area.
- The Ministry of Public Works and Transport (MPWT) is planning to conduct Public Consultation Meeting (PCM) for Local People of 4th Section of NRI in 2018.

RESPONSIBILITY FOR ARRANGEMENT OF PCM

Organizations	Responsibility for Arrangement
Ministry of Public Works and Transport	- Coordination among related organizations - Press Release - Prepare Promoting Materials for ROW Management (Presentation, Banner, Leaflet, Novelty Goods and so on) - Organization for the PCM
Local Authority	- Invitation for Local People - Set up Venue
Ministry of Land Management, Urban Planning and Construction JICA CESCOR Project	- Prepare Promoting Materials for Land Registration and Construction Permit (Presentation) - Questionnaire Survey - Print Promoting Materials

PURPOSE

The purpose of this meeting is

for Local People

- to promote engaging local people in ROW management and raising awareness on ROW in order to improve road function and sustainable usage of road facility by illegal encroachment prevention.

for Local Authority

- to promote engaging local people in ROW management and raising awareness on ROW in order to prevent future illegal encroachment.

for Project Activity

- to understand current condition and activity for ROW management in order to prevent future illegal encroachment.

ARRANGEMENT TIME FRAME

* Example: Target Date between 25th to 28th April

Schedule	Items	Responsibility
By 13th Feb	Send Request Letter to related Organization (Local Authority, MLMUPC)	MPWT
By 19th Feb	Meeting with Related Organization	MPWT and Other Organizations
By 13th Mar	Set Schedule (Coordination with Other Organizations)	MPWT
By 20th Mar	Send Invitation to Local People	Local Authority
By 22th Mar	Finalize Presentation	MPWT and MLMUPC
By 12th Apr	Set Prints (Handout, Banner, Novelty)	MPWT and Project
By 12th Apr	Project Novelty (Bag and Stationery)	Project
By 12th Apr	Questionnaire	MPWT and Project
By 12th Apr	Press Release	MPWT and Project
On 25th-28th Apr(2Days)	Conduct PCM	MPWT, Local Authority, MLMUPC, Project

THANK YOU FOR
YOUR ATTENTION

CASE STUDY IN JAPAN

February 6, 2018
The 3rd SEMINAR CESCoR Project

CHAPTER 1

PLANNING AND MANAGING PUBLIC CONSULTATION MEETING: PCM

The type of residents

- a. PCM on the draft stage of public works
- b. Also at the start
- c. PCM at the start of expropriation procedure
- d. On construction
- e. On construction damage investigation.before after
- f. PCM for land compensation
- g. PCM for Environmental protection
- h. PCM for public transportation (system change)

PLANNING ITEMS PCM

1. Date and time and Venue
2. Host and Contents
3. Clothes, Overall Schedule and Timetable
4. Handouts;
5. Allocation of Personnel; Role Chart, Explanation and Selection of Group Leaders
6. Preparation of Scenario
7. List of Items to be prepared and Transportation Table
8. Prepare the Contacts of Local Police Station

THE CASE EXAMPLE OF JAPANESE PCM

The Name

"PCM on house compensation in tunnel construction at Yokohama North line Baba entrance."

The Purpose

We have taken measures to deal with damaged houses and fences in the tunnel entrance work under construction.

We have talked about individuals so far, but we held PCM on the basis of town councils to make them more fair.

OTHER ITEMS TO BE PREPARED

- Information Map
- Access Map of each Venue
- Layout of Venue,
- Name Plate
- List of Handouts and Contact for Inquiry Counter
- Cautionary Statement for Blacklists

Explain chapter II

BUSINESS AND TYPE OF PCM

Public Works

- Roads, rivers, railroads, electricity, water, public bus etc.

The organizer

- Country office, Prefecture office, City Hall, highway company, etc.

SELECTION OF THE VENUE

Case study

- ◆ Targeting Residents; 8700 households (2.23 person per household)
- ◆ Average participation rate = 1.7% ($8700 \times 2.23 \times 0.017 = 330$ people)
- ◆ For the case, 3 (three) PCMs, 200 seats for 110 person in a venue was planned at a school gymnasium.
(In addition, 100 spare chairs and space for 500 standing room were set)
We selected the elementary school gymnasium as the venue.)

PICTURE OF THE VENUE-1



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Picture - 2



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POINTS TO BE NOTED FOR PCM

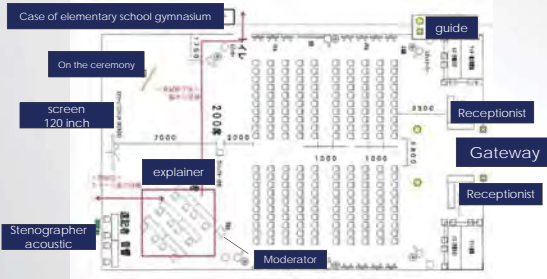
- ◆ In order to smoothly proceed the project, it is necessary to disseminate correct information by distributing the handouts and other relevant documents for better understanding as well as the cooperation of the residents.
- ◆ Explain the purpose of the project, outline of plan, construction period, method, survey method, compensation policy, outline of individual inquiry session and so on.
- ◆ Having PCM provides an opportunity to know what kind of requests the residents has while it is essential to have preliminary explanation to the local town chairperson, influential persons, administrators etc.

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- ◆ You can listen to requests in advance and use them as a basis for future response.
- ◆ If you decide to prepare yourself and conduct thorough deliberations to the satisfaction of the resident, you can stay calm and respond rationally.
- ◆ At the PCM, the collective psychology could be developed and the PCM could becomes emotional, therefore it is necessary to prepare beforehand the ways how to respond, how to answer and how to cut off.

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EXAMPLE OF VENUE LAYOUT



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OVERVIEW OF THE CASE STUDY

- 2 (two) times: one in daytime and the other in evening on Sunday and 3 (three) times in evening on Monday.
- Duration: 1 hour 30 minutes from the start of reception to the end. (Total 3 hours 30 minutes from preparation to withdrawal)
- Run sheet
 - ① Opening declaration
 - ② Greetings
 - ③ Introduction of presenters,
 - ④ Explanation (power point)
 - ⑤ Q & A
 - ⑥ Notice and closing remarks. Contact information, inquiry counter and etc.

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UNIQUE PSYCHOLOGICAL CHARACTERISTICS AT PCM

- ◆ Human has tendency to directly express one's emotion as in the crowd due to their encountering unknown or uncertain things.
- ◆ Due to the little knowledge of the project at the beginning of the PCM, the participants is tend to be vulnerable to the agitation for the opponent.
- ◆ Once emotional atmosphere has developed, it becomes very difficult to expect the rational or intelligent behaviors from the participant.

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- ◆ As bigger fears a person has, the more the person speaks extremely.
 - ◆ Proactive measures
 - ➔ Proper proceeding without creating anxiety or misunderstanding (skill of the chair is required)
 - ➔ Prepare answers to expected questions (If you have sufficient preparations in advance, you can be mindful)
 - ➔ Stay calm and centered, never become emotional, not departing from the prepared subject.
- thank you for your attention

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CHAPTER 2

PROCEEDING PUBLIC CONSULTATION MEETING PCM: PUBLIC CONSULTATION MEETING

RESPONSE TO MEDIA, NEIGHBORHOOD MEMBERS, OBSTRUCTIONIST AND ETC.

FEBRUARY 6, 2018

THE 3RD SEMINAR CESCOR

1. Objectives of the PCM

- To ensure transparency and fairness by filling the gap of understanding as well as the publicity regarding the project including the construction zone
- To promote correct understanding to the resident by supplying accurate information of the project even there are acts of sabotage as well as repeated fear campaign by the opponents.

2. Scale of PCM

- Regarding the scale of the PCM, hold the PCM as the same scale as previously conducted.
- Normally, PCM is conducted for several neighborhoods, eg 1 (one) in 3 to 4 townships, for the efficiency.

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6. Dealing with City Councilor

- As if a person identify him/herself as city councilor at the reception desk, recorded in the minutes of meeting.
- Basically, showing no favoritism.

7. Dealing with the Person on the Blacklist

(1) Before opening PCM

- Reject sudden request as well as request for surveying uncertain matter.
- Prevent any handing out personal flyer, handout and leaflet in the venue as the act of sabotage.
- If there is any person started to appeal some issues using microphone, stop the act and order to leave the venue while no preventive action can be made for the same act outside the venue.

(2) Dealing with Jeers

- Proceed the PCM without a fuss while ignoring any jeers.
- As if there are jeers disturbing sessions, the chair of the PCM will give caution to the person. If the person did not stop, conduct the person away from the venue.

(3) Q&A Session

- The Chair shall start with the basic precautions such that "The objective of the PCM is for the proposed project and thus, the Q&A shall be conducted only on the project related matters
- For the sake of ensuring fairness, the number of the question per person shall be one or two at maximum and the time(length) of the question shall be reasonable enough not to consume the other's.

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3. Preparation for Holding PCM

- Conduct prior explanation to chairman of neighborhood/township association.
- Display the circular/leaflet/notice on bulletin board of neighborhood/township.
- Noticing holding legal/important briefing session by inserts.
- Conduct prior explanation to city councilor of the are as necessary.

3

4. Following Up PCM

- Setting "Inquiry Counter" in the response office
- Starting telephone consultation and receiving request for individual briefing session.
- Receiving request for surveying damages by construction of proposed project while increasing the number of correspondents.

5. Dealing with Media (TV)

- As if no a request was submitted from media(s) by the date of PCM;
- ① Reject the interview due to the lack of permission of the participants as well as the owner of the venue.
- ② Introduce to Public Affair Office of the Project Proponent
- ③ Reject the interview especially to the resident inside the venue. No rejection can be made for media participation as observer.

4

(4) As if the participant insistently stay in venue for long hours.

- Pulling out as scheduled
- Chair presenters as well as participant shall leave the venue as scheduled except for usher of the venue.
- If the participant insistently stayed in venue for long hour, call police.
- Only proper prepared persons such as the chair, the presenters will answer even the question goes to general employees.

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8. Dealing with Potential Risk (Person)

- If person with intoxicated participated and started making noises, follow instruction (4) while the Chair shall keep a firm attitude
- If there was any act of vandalism or use violence to the participants, the Chair shall declare closing the PCM and the usher shall start evacuating the residents first, presenter to the next safely and call police.
- As any unsafe, unsecure or uncontrollable atmosphere rises, record the scene by VTR for submission the record to police station.

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9. Post PCM Discussion -As if the PCM is disturbed or aborted-

• Consider substitute method for disrupted PCM

- ① Holding another PCM
- ② Holding another PCM by neighboring community. (targeting smaller group)
- ③ Conduct door-to-door conversation instead of holding PCM by responding to the results of the questionnaire.
- ④ Setting inquiry counter at community center and project office for 3 months and hosting individual conversation.
- ⑤ Combining above described methods.

Thank you for your attention



SEMINAR
ON
RIGHT OF WAY (ROW) MANAGEMENT

**THE PROJECT FOR CAPACITY
ENHANCEMENT ON ENVIRONMENTAL
AND SOCIAL CONSIDERATIONS IN
IMPLEMENTING AGENCY IN ROAD
SECTOR IN CAMBODIA
(CESCOR)**

27TH SEPTEMBER, 2018

SUNWAY HOTEL, PHNOM PENH



FOR MORE INFORMATION CONTACT: OFFICE +855(0)61-960-213

AGENDA

Seminar on Right of Way (ROW) Management
of
The Project for Capacity Enhancement on Environmental and Social Considerations
in Implementing Agency in Road Sector in Cambodia (CESCoR)

Sunway Hotel, Phnom Penh, 27th September, 2018

Time	Program
08:00-08:30	Registration
08:30-08:35	Cambodian National Anthem
08:35-08:40	Opening Remarks Mr. Samrangdy Nam, Deputy Director General of Techniques, Ministry of Public Works and Transport (MPWT), Cambodia
08:40-08:45	Explanation of Seminar Objectives and the Topic Mr. Hay Chandara, Deputy Chief Officer of ROW office, MPWT Cambodia
08:45-08:50	Brief Self-Introduction Representative of Each Office
08:50-09:05	Presentation on “CESCoR” Mr. Khuon Kompheak, Chief Officer of Road Safety and Environment office, MPWT Cambodia
09:05-10:00	Presentation on “ROW Management in Cambodia” Mr. Chea Samnang, Chief Officer of ROW office, MPWT Cambodia
10:00-10:15	Coffee Break
10:15-11:15	Presentation on “ROW Management and Issues” Mr. Somsanouk VONGSOMPHOU, Deputy Director of Environmental Research and Disaster Protection Division, MPWT Laos
11:15-12:15	Presentation on “Property Expropriation” Dr. Jiraroth SUKOLRAT, Director of Project Management Group, Bureau of International Highways Cooperation, Ministry of Transport Thailand
12:15-12:30	Closing Remarks Mr. Samrangdy Nam, Deputy Director General of Techniques, Ministry of Public Works and Transport (MPWT), Cambodia
12:30-13:30	Luncheon
13:30-17:30	Visit Site of ROW Management at National Road No.5 Guests from Third Countries and Taskforce Members

Note: Presentation materials will be prepared by English.



MEMO on Seminar on ROW Management

Date & Time :	September 27, 2018 from 8:00am-5:30pm
Place	SUNWAY Hotel
MPWT Attendees :	Mr. SANRANGDY Namo, Deputy Director General of Techniques Mrs. PIN Vuthea, Director of International Cooperation, ICD Mr. Chea Samanag, Chief of ROW Management Office, RID Mr. Khuon Kompheak, Chief of Road Safety Office, RID Mr. Hay Chandara, Deputy chief Officer, RID Mr. Sao Premarak, Technical officer, RID Mr. Kaing Theara, Officer, RID Mr. Long Davuth, Officer, RID Ms. Eam Sokchea, Deputy Chief Officer, PID, and other officials from MPWT
MPWT, Laos PDR:	- Mr. Somsanouk VONGSOMPHOU, Deputy Director of Environmental Research and Disaster Protection Division, MPWT Laos - Ms. Mailoryang NENGCHUE, Technical Staff of Environmental Research and Disaster Protection Division, MPWT Laos
DoH, MoT, Thailand	- Mr. Saneh NINGCHAIYEN, Director of Bureau of Right of Way, - Dr. Jiraroth SUKOLRAT, Director of Project Management Group, Bureau of International Highways Cooperation
JICA Advisors and JICA Cambodia Office	- Mr. KAWASAKI Toshimasa, JICA Expert, Transport Policy Advisor - Mr. OTA Masaya, Chief Advisor, Project for the Modernization of Vehicle Registration and Inspection System - Ms. NAKAMURA Nori, Project Coordinator, Project for the Modernization of Vehicle Registration and Inspection System - Mr. SANUI Kazumasa, Chief Advisor, The Project for Improving Logistics System of Cambodia - Mr. IWASE Hideaki, JICA Cambodia Office
Project Team :	- Dr. Tsuchida Takayuki, Mr. Ito, Mr. Robinson, Mr. Kumagai, Ms. Nakayama, and assistants
Agenda / Discussion Points :	- To acquire basic knowledge about each country's experiences on ROW Management by sharing presentation - Visit Site of Pilot Project

Presentation and Discussion:

1. Opening Remark by Mr. Samrangdy Namo, Deputy Director General of Techniques



2. **Presentation on Seminar Objective and Topic by Mr. Hay Chandara, Deputy chief officer of ROW, RID**
3. **Presentation on CESCoR by Mr. Khuon Kompheak, Chief officer of Road Safety and Environment, RID**
4. **Presentation on ROW Management in Cambodia by Mr. Chea Samnang, Chief officer of ROW**

➤ **Questions and Answers:**

Q1 (by Dr. Tsuchida): Can you clarify the responsibility and duties of Ministry of Economy and Finance and MPWT on Resettlement?

A1 (by Mr. Samnang): Regarding the Resettlement, there is an inter-ministerial committee which normally consists of officials from MEF, MPWT or Ministry of Water Resources and Meteorology or Ministry of Environment, or Ministry of Rural Development based on the Projects. The committee is coordinated and led by Ministry of Economy and Finance.

Q2 (by Mr. Chhaya, DoP): Can you clarify the Process of Resettlement. When can we apply for RAP (Resettlement Action Plan)? Regarding the Challenges, are there old encroachers or new encroachers after construction? And how to protect ROW efficiently?

A2 (by Mr. Chea Samnang): Regarding the Resettlement Process, it is hard to give details to you because here I just presented the process only based on the information I got. For the encroachment, there are both old and new. After resettlement, people come back to ROW and also new encroachers start to encroach. For the prevention as well as the protection of ROW, in future we will have ROW Management Guidelines (RMG) from CESCoR Project, we will apply this RMG with Software Application (Aerial Photo/CSI) to update the new encroachment based on the report from the Patrol Team.

Q3 (by Mr. Samrangdy Nam): I would like to share the experiences on Resettlement Action Plan. Resettlement process or compensation varies from one project to another based on the requirement from Development Partners such as JICA, ADB and World Bank. For the Gov't, we have limited national budget. Environmental Consideration is one of core components to get budget from Development Partners. We need to send the consultant to do survey at the site, collect data, prepare report and estimate the budget. We focus only on Corridor of Impact (COI) in order to minimize the budget. Local People confuse between the COI and ROW, so COI is not ROW Resettlement process



is problematic. One example was the case of Neak Leung to Bavet Road Construction Project. It took 10 years to solve Resettlement because local people got the help from NGOs to appeal to ask for more compensation. Same problem also occurred with The Railway Project.

Anyways, my question is about the Aerial Photo. The current Aerial Photo can identify the old existing Central Line? How about the new Central Line in case there will be a shift of central line in the future?

A3 (by Mr. Chea Samnang): Currently, pilot project is taking the aerial photo to get existing central line from National Road No.5 before the rehabilitation. After the project or in the future, we will develop or update new aerial photo data during 5 to 10 years period if we have budget.

Recently, we have concrete ROW Poles installed both side along the NR No.5. Road can be widened inside the ROW. If Road shifts to Private land, we need to compensate.

5. Presentation on Issues and ROW Management in Laos by Mr. Somsanouk VONGSOMPHOU, Deputy Director of Environmental Research and Disaster Protection Division, MPWT Laos

➤ **Questions and Answers:**

Q1 (by Mr. Samrangdy Nam): Do you have ROW registered? In Cambodia, we have also discussed the registration of ROW but until now we still cannot do it. Based on your last slide, I noticed that there are concrete electricity poles outside the ROW, are there any complaints from local people?

A2 (by Mr. Somsanouk): Actually, we haven't had ROW registered yet. In the future we will have. We need to discuss with Local people and Ministry of Natural Resources and Environment (MONRE) about this matter.

Regarding the electricity poles outside the ROW, there is no complaint because electricity agency belongs to the government. Moreover, to provide the electricity to local people is prioritized. Therefore, some cases electricity agency needs to cooperate with MPWT.

Q2 (by Mr. Chea Samnang): I would like to share some information on ROW registration in Cambodia. It is difficult to register the ROW because we need to do it by village name as land parcel; therefore, it is going to take a long time with many paper works. However, we have already excluded the ROW from Land Title. If local people living along ROW can get Land Title by excluding the ROW.



Q3 (by Dr. Tsuchida): According to Road Law, Article 21, which institution provides the construction permit to local people? Will you decide the compensation before planning or after project decided?

A3 (by Mr. Somsanouk): District office of MPWT will issue the construction permit. We have decentralized the power to district offices. Therefore, District office of MPWT can do it. Regarding the compensation, during the feasibility study, consultant will do the survey and submit the proposal to MONRE for check.

Q4 (by Mr. Samrangdy Nam): Who is in charge of Replacement cost? How often do you update the cost based on the market price? In Cambodia, sometimes, replacement cost is not satisfied by local people. Then, local people urged the independent agencies to check the price because price from Gov't is not updated.

A4 (by Mr. Somsanouk): We have committee as Provincial or District Resettlement Committee who is in charge of Replacement cost. Committee can consist of MPWT and Ministry of Agriculture based on the type of project. MPWT is the coordinator. We have consultant to go to survey and check the price. The replacement cost varies based on the house types and construction materials. For the price update, we have DMS (Detail Measurement Survey) to survey the land price. Normally, Gov't plans to cooperate with land authority for the land price on the local market. Price is also based on the location.

6. Presentation on Property Expropriation by Mr. Saneh NINGCHAIYEN and Dr. Jiraroth SUKOLRAT, Department of Highways, Thailand

➤ Questions and Answers:

Q1 (by Mr. Ito): I was surprised that you have detailed compensation process. How do you define the individual with rights to affected water or power lines?

A1 (by Dr. Jiraroth): If we cut the existing electricity or water lines, we will pay to affected individual for the new installation. However, after we have acquired the land, we will not pay for that.

Q2 (by Dr. Tsuchida): Will you pay for demolition for the road construction?

A2 (by Dr. Jiraroth): For the new road or new bypass, we will pay to land owners; however, any structures in the ROW for existing road, the demolition of the structure will be paid by the owner.

Q3 (by Dr. Tsuchida): Our project is preparing the ROW Management Guidelines (RMG) to prevent the increase of illegal encroachment and to reduce the resettlement cost for the development of



THE PROJECT FOR CAPACITY ENHANCEMENT
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existing road. You also have the ROW poles as illegal encroachment prevention. Do you have other approaches?

A3 (by Dr. Jiraroth): We have Law to punish any District Officer who neglects their duties to protect the ROW and also another Law to punish the illegal encroacher. Besides that, we have ultimate design to prevent the encroachment.

Q4 (by Dr. Tsuchida): For road development in Thailand, we have observed that you construct the road from edge of ROW in order to maintain middle space for widening the road and for preventing the illegal encroachment.

A4 (by Dr. Jiraroth): Actually, it is not common practice. It depends on Road Design. We also use the pole to determine the boundary. In some cases, we have hidden the central line to prevent the people to sell the land before the project started.

Q5 (by Mr. Samrangdy Nam): In case local people do not satisfy with the compensation, do you have any solution? For Land acquisition for road construction or widening, there are consensual acquisition and Expropriation. Which one is higher cost?

A5 (by Dr. Jiraroth): Actually, we will have feasibility study to organize the Public Participation meeting. During the meeting, consultant will propose several (4 to 5) options of new alignments to local people. In case, there is no option satisfied by local people, we will go back to the Cabinet to consider the project again whether it is important for economic or social development. Finally, the cabinet will decide.

Among the Consensual acquisition and Expropriation, consensual acquisition costs higher than Expropriation; however, we encourage local people to go along with consensual acquisition. Moreover, local people do not need to pay tax from selling the land to the Gov't.





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*****Site Visit:** After the seminar, the participants went to visit the site at Kampong Chhnang Province along National Road No.5. The project team explained the pilot project activities on Current Status Identification (CSI). Drone flight was conducted along with the explanation of Building Survey.





THE PROJECT FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS
IN IMPLEMENTING AGENCY IN ROAD SECTOR
IN THE KINGDOM OF CAMBODIA (CESCOR)



Date: 27th Sep 2018

Time: 8:00 - 12:30

Location: Sunway Hotel

Topic: Seminar on ROW Management

Attendance List

No	Name	Position	Department/Ministry	Phone
1	Kheang Yanat	Deputy Director	ADMIN/MPWT	
2	Khuon Kompheak	Chief Officer	RID/MPWT	
3	Koy Samrithvisot	Deputy Chief Officer	PID/MPWT	
4	Prom Bunthorn	Officer	ADMIN/MPWT	
5	Thorn Chhorda	Technical officer	PID/MPWT	
6	Eam Sokchea	Deputy Chief Officer	PID	
7	Leng Song	Deputy Director	Road Maintenance Dept.	
8	Chea Samnang	Chief Officer	RID/MPWT	
9	Kaing Theara	Officer	RID/MPWT	
10	Bour Chhaiya	Deputy Chief Officer	DOP/MPWT	
11	Hay Chandara	Deputy Chief Officer	RID/MPWT	
12	Samrangdy Namu	Deputy General Director	General Directorate of Techniques	
13	Sao Premarak	Deputy Chief Officer	RID/MPWT	
14	Hinson Oudom	Vice Chief Officer	RMD/MPWT	
15	Kheng Somethea	Chief Officer	MPWT	
16	Kong Youreth	Chief Officer	PID/MPWT	
17	An Menghour	Officer	ICD/MPWT	
18	Peang Samoeun	Chief Officer	ICD/MPWT	
19	Lay Puthineath	Officer	ICD/MPWT	
20	Robinson Shrestha	Project Team Member	CTII	
21	Ouk Bo	Officer	PID/MPWT	
22	Sokun Piseth	Deputy Chief Officer	RID/MPWT	
23	Pin Vuthea	Director	ICD/MPWT	
24	Long Davuth	Officer	RID/MPWT	
25	Takayuki Tsuchida	JICA Team Leader	JICA Project Team	



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IN IMPLEMENTING AGENCY IN ROAD SECTOR
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26	Tsuyoshi Ito	EIA Expert	JICA Project Team	
27	Mr. saneh Ningchafyen	Director	DoH, Thailand	
28	Kazumasa Sanui	Logistics TCP	MPWT	
29	Hideaki Iwase	JICA RFA	JICA	
30	Song Kimheng	Officer	RID/MPWT	
31	Son Monysorphorn	Officer	DOF/MPWT	
32	Keat Chanrotha	Officer	DOF/MPWT	
33	Heng Narin	Deputy Director	ADMIN/MPWT	
34	Jiraroth Sukolrath	Civil Engineering	DoH, Thailand	
35	Ms. Mailoryang Nengchue	Technical staff	MPWT Lao PDR	
36	Toshimasa Kawasaki	JICA Expert	JICA	
37	Heng Visal	Deputy Chief Officer	MPWT	
38	Keo Sam An			
39	Ngel Sovanarith	Officer	RID/MPWT	
40	Ms. Pakamoranori	Expert	JICA	
41	Ms. Ches Sophy	Assistant	JICA Project Team	
42	Douk Khemera	Assistant	JICA Project Team	
43	Mut Samon	Assistant	JICA Project Team	
44	Bun Sereyvuth	Assistant	JICA Project Team	
45	Penh Socheat	Assistant	JICA Project Team	
46	Mr. Somsanouk	Deputy Director	PTRI/Laos MPWT	
47	Mr. Lay Nara	Officer	DOP	
48	Mr. Oti Masaya	Expert	JICA/MPWT	
49	Mr. Kumagai Takahiro	JICA Project Member	JICA Project Team	
50	Ms. Nakayama Makiko	JICA Project Member	JICA Project Team	

Seminar on Right of Way (ROW) Management



Presented by: Mr. Hay Chandara
Deputy Chief Officer of ROW
Phnom Penh, 27th September 2018
SUNWAY Hotel

4

Expected Result

Hope we will achieve fruitful discussion with amiable environment.

1

Seminar:

A part of Third Country Technical Exchange

- Third Country Technical Exchange is a part of the project's activities to enhance the capacity of MPWT officials.
- This 2nd Third Country Technical Exchange consists of:
 - Seminar on ROW Management held in Phnom Penh, Cambodia on 27th September, 2018.
 - Country Visit to Laos and Thailand for Technical Exchanges and Discussion from 22nd to 26th October, 2018.

5

THANK YOU SO MUCH
FOR YOUR
COOPERATION...

2

Objective of Seminar on ROW

To acquire basic knowledge about each country's experiences on ROW management by sharing presentations

3

Seminar on ROW: Today Program

Time	Program
08:00-08:30	Registration
08:30-08:35	Cambodian National Anthem
08:35-08:40	Opening Remarks by Deputy Director General of Techniques, MPWT Cambodia
08:40-08:45	Explanation of Seminar Objectives and the Topic by Mr. Hay Chandara, MPWT Cambodia
08:45-08:50	Brief Self-Introduction
08:50-09:05	Representative of Each Office Presentation on "CESCoR" by Mr. Khuon Kompheak, MPWT Cambodia
09:05-10:00	Presentation on "ROW Management in Cambodia" by Mr. Chea Samnang, MPWT Cambodia
10:00-10:15	Coffee Break
10:15-11:15	Presentation on "ROW Management and Issues" by Mr. Somsanouk VONGSOMPHOU, MPWT Laos
11:15-12:15	Presentation on "Property Expropriation" by Dr. Jiraroth SUKOLRAT, Ministry of Transport Thailand
12:15-12:30	Closing Remarks by Deputy Director General of Techniques, MPWT Cambodia
12:30-13:30	Luncheon
13:30-17:30	Visit Site of ROW Management at National Road No.5 Guests from Third Countries and Taskforce Members

CESCoR Project

THE PROJECT FOR CAPACITY ENHANCEMENT ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS IN IMPLEMENTING AGENCY IN ROAD SECTOR IN THE KINGDOM OF CAMBODIA

1

Presented by: Mr. Khun Kompheak
Chief Officer of Road Safety and Environment

SUNWAY Hotel: Phnom Penh
27th September, 2018

2 Contents of Presentation

- Basic Information of the Project
- Project Outline
- Project Activities
- Pilot Project

5 Project Outline: Expected Outputs

- Output 1** Implementation framework for the project is strengthened based on past experiences and present situation on ESC and ROW management.
- Output 2** Implementation framework of EC related to EIA and EMP is strengthened.
- Output 3** Implementation framework of SC related to ROW management is strengthened by establishing RMS
- Output 4** Capacity of SC required for ROW management is strengthened through on-the-job-training.

Note: ESC: Environmental and Social Considerations, EC: Environmental Consideration, SC: Social Consideration, REG: Road Environment Guideline, RMS: ROW Management System, EIA: Environmental Impact Assessment, EMP: Environmental Management Plan

6 Project Activities: JCC Meeting

❖ Joint Coordinating Committee (JCC) Meeting

- 1st JCC Meeting: May 4, 2017 - Completed
- 2nd JCC Meeting: February 6, 2018- Completed
- 3rd JCC Meeting: 2019 - Scheduled



3 Basic Information of the Project

- Environmental and Social Considerations (ESC) have become crucial condition for smooth and appropriate implementation of road infrastructure projects.
- However insufficient management of ROW causes illegal occupation of ROW and re-compensation of resettlement, etc.
- The project has been funded from JICA committed for the period from Jan. 2017 to Dec. 2019.

7 Project Activities: Seminar

❖ Seminar

- 1st Seminar: May 4, 2017 - Completed
- 2nd Seminar: June 6, 2017 - Completed
- 3rd Seminar: February 6, 2018 - Completed
- 4th Seminar: Sep. 2018 - Ongoing
- 5th Seminar: July 2019 - Scheduled



4 Project Outline: Goal and Purpose

► Project Goal:

Environmental and Social Consideration (ESC) in road sector is implemented properly by MPWT.

► Project Purpose:

Capacity of MPWT officials on ESC is enhanced through applying Road Environmental Guidelines (REG) and Road Management System (RMS).

8 Project Activities: Japan Training

❖ Japan Training

- 1st Japan Training (EIA/EMP): June 13 - 22, 2017 - Completed
- 2nd Japan Training (ROW Management): Feb. 27- Mar. 8, 2018- Completed
- 3rd Japan Training (ROW Management) : February 2019 - Scheduled



Note: EIA: Environmental Impact Assessment, EMP: Environmental Management Plan, ROW: Right of Way

Project Activities: Technical Exchange

❖ Third Country technical Exchange

- 1st Third Country Technical Exchange (EIA/EMP):
October 24 - 28, 2017 - **Completed**
- 2nd Third Country Technical Exchange
(ROW Management):
October 22-26, 2018 - **Scheduled**
- 3rd Third Country Technical Exchange (IAIA) :
April 2019 - **Scheduled**



Note: **EIA**: Environmental Impact Assessment, **EMP**: Environmental Management Plan, **ROW**: Right of Way, **IAIA**: International Association for Impact Assessment

Pilot Project: Activities



GIS Training



UAV Flight Training



Field Survey Training

Pilot Project: Overall

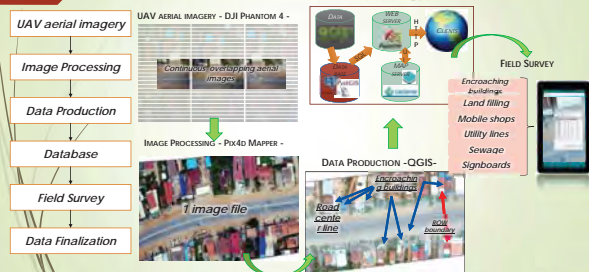
Purpose:	Capacity of Social Considerations (SC) required for ROW management is strengthened as a component of CESCOR Project, funded by JICA
Activity:	Part 1: Current Status Identification (CSI) -UAV Survey (taking aerial photos with UAV) -Office Work (Ortho images and GIS processing) -Field Survey Part 2: Illegal Encroachment Prevention (IEP) -Dissemination (PCM: Public Consultation Meeting) -Patrol
Term:	May 2018 to Sep 2019
Area:	Target Area along National Road No.5 in four Provinces: 1) KAMPONG CHHNANG Province 2) PURSAT Province 3) BAITAMBANG Province 4) BANIEAY MEANCHHEY Province

THANK YOU SO MUCH FOR YOUR ATTENTION...

Pilot Project: Target Areas



Pilot Project: CSI Implementation Method





Right of Way Management In Cambodia

1

Presenter : Mr. Chea Samnang,
Chief office of RoW Management office

27 September , 2018

2

Content

- I. History of Right of Way
- II. Laws and Regulations
- III. Legal Authorities and Responsibilities
- IV. Right of Way Management
 - Policy Making for Solution
 - Implementing Activities
 - Resettlement Process
 - Challenges
 - Times Frames
 - Current Activities

5

I. History of Right of Way (3)

- From 2014 to Present
- Law has been developed and enforced



6

II. Laws and Regulations (1)

1. Law on Road (2014)
2. Law on Expropriation (2010)
3. Law on Land (2001)
4. Sub-degree 197 on ROW Management (2009)
5. Sub-degree 42 on Urbanization of Capital City, Urban (2015)
6. Sub-Decree 86 on Construction Permit (1997)
7. Declaration 06 on Measurement of Illegal land Occupation (1999)
8. Circulate 007 on ROW Use Management and Strengthening Measures (2016)

3

I. History of Right of Way (1)

- Before 1975
 - No reference document but we have evidence on site
- From 1975-1979
 - Lost



7

II. Laws and Regulations (2)

Law on Road (2014)

- **Article 43:** The Ministry of Public Works and Transport shall be designating the inspecting officers of roads infrastructure to **conduct monitoring, investigation, control and enforcement** of this law.

Law on Expropriation (2010)

- **Article 1:** The law aims to define the principle, mechanism, procedures of expropriation and fair and just **compensation** for any **construction and rehabilitation, and public physical infrastructure expansion project** for the public and national interest and development of Cambodia.

4

I. History of Right of Way (2)

- From 1979 – 1999
- From 1999 to 2014
 - Law was developed



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II. Laws and Regulations (3)

Law on Land (2011)

- **Article 58:** Any land concession shall **not violate** transportation roads, **right of way** or the ground necessary for their maintenance, nor to waterways, pools, ponds and water reserves to be used by the people in their daily lives.

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II. Laws and Regulations (4)

- Sub Degree on Right of Way Management 197 (2009)
- National Road 1 digit (30m from centerline)
- National Road 2 digit (25m from centerline)



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II. Laws and Regulations (5)

- Sub-Decree 42 on Urbanization of the Capital City, Towns and Urban Areas (2015)
- The space between building close to public road shall be at least 4 meters
- Sub-Decree 86 on Construction Permit (1997)
- All constructions in the cities or provincial towns shall be subjected to construction permits.
- Prakas (Proclamation) 06 on Measurement of Illegal Occupant of Land (1999)
- The Prakas focuses on actions/mechanism against with illegal state land encroachment.

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III. Legal Authorities and Responsibilities (2)

Organizational Chart of Road Infrastructure Department, MPWT



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III. Legal Authorities and Responsibilities (3)

Roles and Responsibilities of RoW Office (Prakas No. 231 പ്രകാശം, 2017)

- Managing right of way of national and provincial roads, which are under authority of the Ministry(MPWT).
- Collecting information, education planning, and disseminating ROW-related regulation and legal documents to ministries, line agencies, sub-national administration, road users and local people widely.
- Developing a strategic plan to prevent illegal ROW usage and encroachment.
- Reporting to the Departments to request for approval from management team of the Ministry or Urban-provincial hall to take legal actions on those who encroaches the ROW.

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II. Laws and Regulations (6)

- Sarachor 007 (Circular) On ROW Use Management and Strengthening Measures (2016)
- This Sarachor requests all relevant line agencies and authorities to join intervention at all levels to implement ROW management effectively.

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III. Legal Authorities and Responsibilities (4)

- Proposing a budget plan for managing, producing and ROW boundary poles and equipping/installing facilities signboard on ROW to the Department to request for approval from the Ministry.
- Controlling, monitoring and evaluating the implementation of regulation and all activities related to ROW uses by collaborating with Urban-provincial department of public works and transport
- Preparing quarterly, six month, nine month and annual reports on activities of the office to the management team of the department accordingly.
- Carrying out the duties assigned by General Department of Public Works and the ministry.

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III. Legal Authorities and Responsibilities (1)

- Ministry of Public Works and Transport (MPWT)**
 - General directorate of Techniques
 - Road Infrastructure Department
 - Publics Infrastructure Department
 - 25 DPWTs
- Ministry of Economics and Finance (MEF)**
- Ministry of Land Management, Urban Planning and Construction (MLMUPC)**
- Ministry of Interior (MoI)**
 - Local Authority

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IV. Right of Way Management (1)

- Policy Making For Solution Asset Management**
 - ROW Database System (GIS : Center line, Boundary, RoW Pole, Object in RoW, COI Pole,...)
 - Published National Report (Map, Estimate cost for Resettlement, Priority the location,...)
 - Awareness of Report (Relevant Agency, Local Authority, People,...)
- Legal Management**
 - Establish Law, Regulation and Guideline
 - Set Urban boundary and RoW
 - Preventing New Encroachments (After Resettlement
 - Training (Relevant Agency, Local Authority, People,...)
 - Education (School Curriculum)
 - Awareness (Public Consultation Meeting)

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IV. Right of Way Management (2)

2. Implementing Activities

- ROW Signboards Installation



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IV. Right of Way Management (4)

ROW Consultation workshop

- Provincial level (Kandal -Kompong Cham-Kompong Chhnang-Kompong Spue-Kratie-Kompong Thom-Keb-Mondulki-Rotanakkiri-Batdombong-BanteayMeanchey-Udarmeanchey-Pailin-Posat-PnomPenh-Prahvhear-SiemReab-Takev)

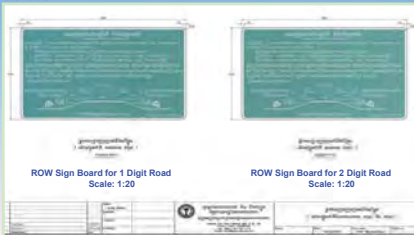


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IV. Right of Way Management (3)

2. Implementing Activities

- ROW Signboards Installation



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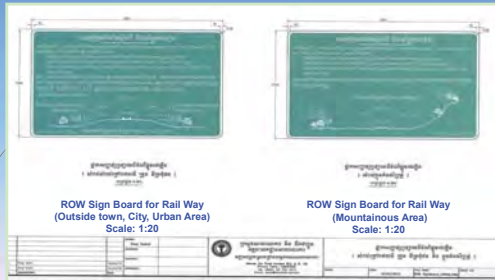
IV. Right of Way Management (5)

ROW Management workshop

- Commune level by ROW staff in Kompong Chhnang-Posat-Kandal-Kompong Spue And Takev prov.



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IV. Right of Way Management (6)

3. Resettlement Process

- Resettlement Planning
 - Project Identification (affected Households, Size the project, estimate cost of utilities, Drafting RAP...)
- Institutional arrangements
 - Establishment Organizational structure
- Detailed Measurement Survey (DMS)
 - Land demarcation
 - Household interviews
 - Property Measurement
- Replacement cost Study (RCS)
 - Independent Evaluator
- Update Resettlement Action Plan (RAP)

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IV. Right of Way Management (7)

3. Resettlement Process (cont.)

- Relocation Site Preparation
 - Site selection
- Negotiation and Contract
- Budget disbursement and Payment
 - IRC & IRC WG
- Relocation and Clearance
- Public Consultation Meeting
 - Times, Place, Stakeholders, vulnerable group
- Grievance redress mechanism
 - Complaints
- Monitoring and Evaluation
 - Implementation Agency & Independent Institution

IV. Right of Way Management (8)

4. Time Frame

- Starting from :
 - National 1 and 2 digit (Urban Area)
 - National 1 and 2 digit (Rural Area)
 - National 3 and 4 digit (Urban Area)
 - National 3 and 4 digit (Rural Area)
- Date : From Now to 2050

IV. Right of Way Management (9)

5. Challenges:

- Changing ROW from 25 M to 30M(prakas 06 and Sub degree197 NR.2-3-6-7)
- Changing ROW from 15 M to 25M(NR.55-58-57B-57B1-57B2-59...)
- Changing ROW from 15 M to 30M(NR.8-9)
- Land filling or access road from main road without permission
- Construction in ROW boundary
- Lack of Guideline and Accessibility
- Business on the road and in ROW boundary
- There is no definition or criteria for urban area, so it is hard to identify the boundary of urban area
- Limited collaboration from local authority to prevent and address illegal ROW

IV. Right of Way Management (10)

6. Current Activities

- Developing ROW Management Guideline
- Identifying ROW current status and developing ROW Management database, NR5
- Proposing Illegal Encroachment Approaches (both soft and hard approaches), Japanese Loan Project



Lao People Democratic Republic
 Ministry of Public Works and Transport
 Public Works and Transport Research Institute (PTRI)

Environment Research and Disaster Protection Division (ERDP)

Right of Way Management and Issues

Prepared by: Somsanouk Vongsomphou
 Email: vsomsanouk@yahoo.com

27 Sept. 2018

I. Introduction

- Lao PDR is landlock country, 80% of 236,800 sq.km is mountainous areas
- Statistic of Road Networks:**

- National Road = 7,515.29 km
- Provincial Roads = 8,596.72 km
- District Roads = 7,166.39 km
- Urban Roads = 3,541.85 km
- Rural Roads = 26,171.36 km
- Specific Roads = 5,451.08 km

Types of Roads

- Concrete Roads = 518.52 km
- Asphalt Roads = 1,066.12 km
- DBST = 9,400.79 km
- Gravel Roads = 23,059.56 km
- Earth Roads = 25,922.36 km



The width of the road limit for each kind of public road is as following

- National Road = 25 m on each side of the road, measured from the centerline of road
- Provincial Roads = 15 m on each side of the road, measured from the centerline of road
- District Roads = 10 m on each side of the road, measured from the centerline of road
- Urban Roads = **Belong to Urban & Planning Law**
- Rural Roads = 5 m on each side of the road, measured from the centerline of road
- Specific Roads = **Belong technical specification for each road Design**

- Technical specification standard for each kinds of the road are defined by MPWT

Article 21: ROW for public roads

No construction is permitted in the ROW, in the case of necessary, the construction must be authorized by Public Road Management Authority

2.2 Road Law in December 2016

Chapter 4: Road Limits for Public Roads

Article 21: **(improvement)** ROW of Public Road

Road limits of public roads are included road surface, on the top of roads and in the ground of roads which are not allowed to construct any activities.

In the case of necessary, the construction must be authorized by Public Road Management Authority in each level.

II. Legal Framework of Lao PDR on ROW Management

2.1 Road Law in April 1999

Part III. Management, and use of Land and Rd limits

Chapter I: Management and use of land for Public Road Activities

Article 17: Management and Use of Land

MPWT is the authority to manage and use the land for public road activities as stipulate in the Land Law

Article 18: Material Resources for Public Road Activities

MPWT is the authority to manage and use material resources for public road activities, such as: Soil, stone, gravel, sand and other types of construction materials at locations that have been surveyed and the exploitation of which has been authorized by the Government.

Article 19: Compensation for land acquired for public road activities

If, in the construction of various kinds of public roads, it is necessary to use land that is legally owned by private person or by an organization, the owner of the expropriate land used for public road construction shall receive reasonable compensation.

Chapter II: Road Limits

Article 20: Road limits refer to the total area of the road, which includes the road surface, the road shoulders, footpaths, drainage channels, the road slopes and the delimitation area for public roads.

Article 22: **(Improvement)** ROW of Public Road on the ground surface

- National Road = 25 m on each side of the road, measured from the centerline of road
- Provincial Roads = 15 m on each side of the road, measured from the centerline of road
- District Roads = 10 m on each side of the road, measured from the centerline of road
- **Roads inside District= Belong to Urban & Planning Law**
- Rural Roads = 5 m on each side of the road, measured from the centerline of road
- Specific Roads = **Belong technical specification for each road Design**

The new ROW for new National Road is 40 -60 m on each side of the road, measured from the road centerline.

The ROW on the mountainous areas which are high gradient, high slope and hilly will be defined by MPWT. It will be based on reality of the terrain.

Article 23 (New): ROW of Public Road on top of road surface

ROW on the top of Public Road is 5 m from the road surface, footpath and Bridge's surface.

Article 24(New): ROW of Public Road in the ground

ROW in the ground of public road is preserved for safety and some activities under ground of road such as: footpaths under ground.

If, there are activities to implement under ground of public road such as: water supply laying, telecommunication and electricity cable laying, pipe lines gas and other activities under ground of roads should be permitted by MPWT.

2.3. Issues on ROW Management

- Local people **violated** inside ROW/borrow pits, quarries (Houses, Huts, Sheds ...) Due to no space for residential plots in norther part.
- In cooperation among Government Offices (Land Authority and MPWT) as before 1999.
- Lacking of enforcement of Road Law in remote areas
- Not enough awareness campaign on Road Law to local people (Remote area)



Challenge on issues of ROW Management

- Compensation payment to AHs before Road Improvement/construction
- Local authority of land title issues the land title to private person
- Limited borrow pits and quarries for future's use
- Land acquisition requirement and comensation



2.4. Progress of ROW Land Registration

- Public Information Booklet (PIB) Distribution.
- Public Consultation Meeting with AHs (Many times)
- Detail Measurement Survey (DMS) for Land and Assets Lose
- Resettlement Plan Arrangement
- Following RP (compensation payment)



2.5 The Road to visit in Lao PDR

- The Road will be improved from 2 lanes to be 4 lanes, 58 km
- Connection between Vientiane Capital to Vientiane Province.



2.6 Soft and hard measures to protect ROW in both urban and rural area.

ROW is not pegged on both sides of road, but it based on land title's boundary along the roads.

Land certificate, land title is issued by:

- Village issued the land tax certificate
- DONRE issued the land use certificates in the District level
- PONRE issued the Land title in the provincial level
- MONRE Responsible for rules and regulation on land certificate and title.
- Concrete poles are the boundary of private land area
- GPS coordination map for land titles
- Land title paper with attached land map.

Thank you



Property Expropriation By DoH

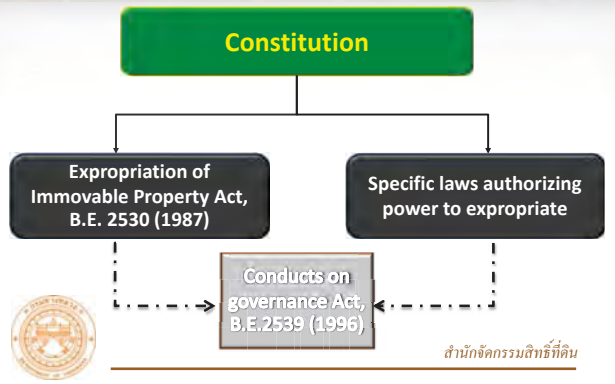


Outline

1. Laws on property expropriation
2. Agencies involved in expropriation
3. Steps in an expropriation by DoH
4. Dealing with affected parties
5. Challenging issues



1. Laws on property expropriation



1. Laws on property expropriation

1.1 Constitution

Ensure the people's right in possessing property and nobody can confiscate it without the owner's consent

Authorize the state to expropriate in only 9 cases

- 1) State's project for public utility
- 2) For national defense
- 3) Exploitation of natural resources
- 4) Town and country planning
- 5) promotion and preservation of the quality of the environment
- 6) agricultural or industrial development
- 7) Land reform
- 8) conservation of historic sites
- 9) other public interests

State must provide a fair compensation in a timely manner to the property owner



1. Laws on property expropriation



1. Laws on property expropriation



1. Laws on property expropriation

Constitution

Before expropriation, the State must conduct public participation



1. Laws on property expropriation

1.2 Expropriation of Immovable Property Act, 1987

1. Authorize the power to expropriate property in compliance with the constitution
2. Specify the authorized agent
3. Specify steps and method to exercise the authorized power
4. Specify auditing mechanism



1. Laws on property expropriation

1.3 Specific laws authorizing power to expropriate

1. Urban planning act, B.E.2518
2. State Railway of Thailand
3. Port Authority of Thailand



สำนักจัดการมเสวชชี่ตึน

1. Laws on property expropriation

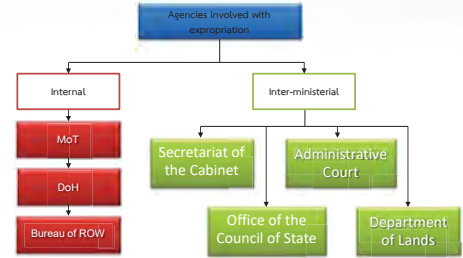
1.4 Conducts on governance Act, B.E.2539 (1996)

is a central legislation used in cases that the Expropriation of Immovable Property Act, 1987 is not applicable



สำนักจัดการมเสวชชี่ตึน

2. Agencies involved in expropriation



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สำนักจัดการมเสวชชี่ตึน

3. Steps in an expropriation by DoH

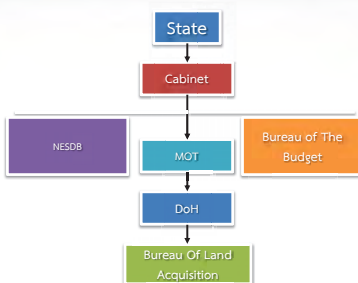


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2. Agencies involved in expropriation



2. Agencies involved in expropriation



สำนักจัดการมเสวชชี่ตึน

3. Steps in an expropriation by DoH



สำนักจัดการมเสวชชี่ตึน

Land acquisition for road construction or widening

Consensual acquisition refers to acquiring of ownership or rights of use on land by reaching an agreement to sell with consent of the property owner. Land acquisition process applies some details from the Expropriation of Immovable Property Act, B.E. 2530 (1987)



สำนักจัดการมเสวชชี่ตึน

Land acquisition for road construction or widening

Expropriation refers to acquiring of land or rights of use on land by methods defined in the Expropriation of Immovable Property Act, B.E. 2530 (1987), which are expropriation by way of issuing Royal Decree and Expropriation Act



สำนักงานจัดการทรัพย์สิน

Steps in an expropriation (cont.)

Steps in an expropriation

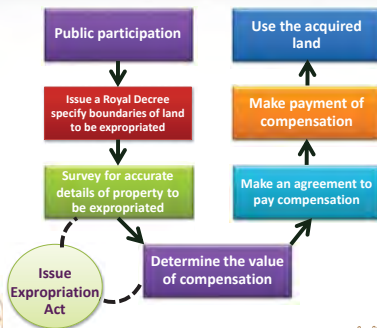
7 Notify property owner to collect compensation payment

8 Adjustment in the land registration database



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Steps in an expropriation by DoH



สำนักงานจัดการทรัพย์สิน

4. Dealing with affected parties



Steps in an expropriation (cont.)

Steps in an expropriation

1 Issue a Royal Decree specify boundaries of land to be expropriated

2 Posting a copy of the Royal Decree

3 Survey for facts about property to be expropriated



สำนักงานจัดการทรัพย์สิน

Establish the value of compensation

Expropriation of Immovable Property Act B.E.2530 authorize Preliminary Compensation Setting Committee, which is setup by Minister of Transport

Criteria for valuation is set in the Article 18, Article 21, and Article 24 in the Expropriation Act B.E.2530



สำนักงานจัดการทรัพย์สิน

Steps in an expropriation (cont.)

Steps in an expropriation

4 Initial valuation of compensation

5 Announce compensation amount

6 Notify property owners of the negotiation process and make a record of agreement on compensation



สำนักงานจัดการทรัพย์สิน

Parties eligible for compensation

Eligible parties include



สำนักงานจัดการทรัพย์สิน

Establishment of the compensation value

1. Compensation for land

1.1 Expropriated part of land

Considers

- ◆ Market price
- ◆ Assessed value of the property (for local land tax purposes)
- ◆ Location and attributes of the property
- ◆ Damages incurred to owner and benefits to the State drawn from the acquired property

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Establishment of the compensation value

2.2 Immovable

Criteria

- ✓ Moving of asset
- ✓ Moving of materials
- ✓ F Factor (overhead, interest, tax)
- ✓ Construction labor cost
- ✓ Design and supervision
- ✓ Building permission and fire protection
- ✓ Construction material cost
- ✓ Demolition cost
- ✓ Other expense

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Establishment of the compensation value

1.2 Remaining land suffering from diminished value (article 21 clause 3)

consider

- ◆ Difference of land value before and after expropriation
- ◆ Establish compensation for remained land that price drops no more than 50 percent of the compensation value
- ◆ Considering how far from access will the remained land be and establish compensation proportional to the price before expropriation
- ◆ Considering the shape of remained land if changes from rectangular to triangular or trapezoidal

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Establishment of the compensation value

2.3 Remaining portions that are of no use and the owner request to be expropriated

Use the same principle as normal expropriation

สำนักงานจัดการหนี้ที่ดิน

Establishment of the compensation value

1.3 In case the owner request for expropriation of the remaining land

criteria

Criteria for compensation value

- ◆ remaining land is less than 25 square wah (100 sq. m) or any one side dimension is less than 5 wah (10 metres)
- ◆ remaining land is not in contact with other land belonging to the same owner
- ◆ Following the original price of the expropriated land
- ◆ In case the remaining land is deemed of lower price, the compensation shall be deducted

สำนักงานจัดการหนี้ที่ดิน

Establishment of the compensation value

3. Compensation for trees

1. Typical standing tree

2. Standing tree that yields produce and can bring income

criteria

1. Price in the Provincial Agriculture Office's list
 2. Unavailable from 1, then refer to the price used in other project in similar area
 3. If unobtainable from 1 and 2, then look at market price
 4. In case of 1 and 2, market price should be taken into comparison too
- 1. Compensation of typical standing tree
 - 2. Loss of income from harvesting produce, 10 percent of standing tree compensation

สำนักงานจัดการหนี้ที่ดิน

Establishment of the compensation value

2. Compensation for building or structure

2.1 Movable

criteria

- demolition
- Transportation
- Building new one

สำนักงานจัดการหนี้ที่ดิน

Establishment of the compensation value

4. Compensation of loss incurred from departing from the property

- Loss from leaving the rented land, housing, or structure before end of lease
- Loss from losing rights to roads, water pipelines, drainage, power lines, or other utilities
- Loss from leaving property used for dwelling
- Loss from leaving property used for legal business
- Other costs induced by expropriation, for example, expenses incurred from contacting government agencies

สำนักงานจัดการหนี้ที่ดิน

Expropriation in the case of urgent necessity

Objective

In order for authorized agent to acquire the use of the property before the right is acquired (legal term is “pre-expropriation”)

Method: issue an Announcement by Office of the Prime Minister for Expropriation in the case of urgent necessity (announced in the government gazette)



สำนักจัดการรถสาธารณะ

Expropriation in the case of urgent necessity

Criteria

➔ Delay in expropriation of a road will lead to monumental obstacles to economical and social development or advancement of the State



สำนักจัดการรถสาธารณะ

Further appeal to a court of law

Principles

1. Eligibility: only those eligible for compensation and already filed an appeal

1.1 Dissatisfied with the Minister's decision

1.2 Minister failed to make decision within 60 days

2. File the case to Administrative court

3. Must file within timeframe:

3.1 In case 1.1, must file within 1 year of notification of the decision by the Minister

3.2 In case 1.2, file within 1 year after the 60 days expire



สำนักจัดการรถสาธารณะ

5. ROW Protection



Appeal for increase of compensation

Principles

1. Eligibility: only those eligible for compensation under article 18 of the Expropriation Act (BE2530) (owner of land, owner of building or structure, owner of tree, people with rights to road, water pipeline, power line)

2. Timeframe: one must appeal within 60 days after receipt of notice to collect compensation

3. Submit appeal to the Ministry of Transport



สำนักจัดการรถสาธารณะ

Appeal for increase of compensation

Consideration process

1. The Minister shall appoint a committee of not less than 5 persons, and including legal experts and valuers, to consider the appeal

2. Consider the appeal within 60 days

3. Minister delivers the decision for appeal

4. Notify the result



สำนักจัดการรถสาธารณะ

ROW Protection

Highway Act B.E.2535 (1992) Article 37 and Article 47

No one is allowed for road construction or other structures within the right of way for access. Any buildings are prohibited to be built within the right of way. The violation will cause in demolition of such structures by their own cost under the authority from the highway director. (DOH DG)

ROW Protection

- Highway district offices are responsible for surveillance in ROW and reserved lands not to be abandon and neglected.

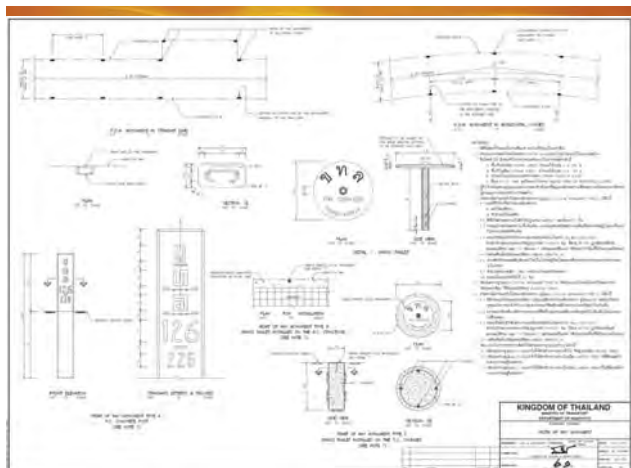
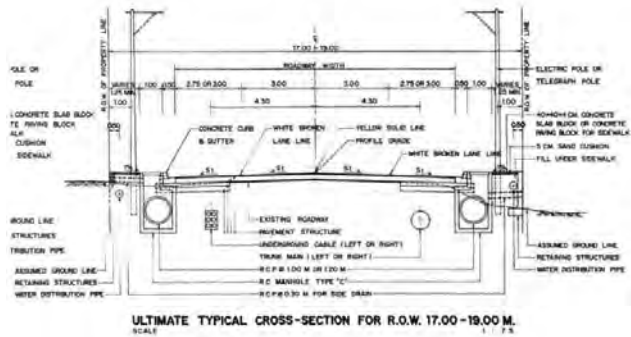
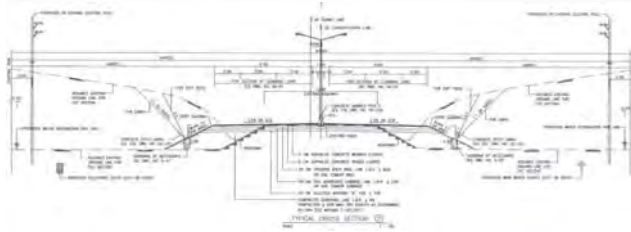
- In case that the lands are encroached, the officers have to move them out of lands and protect the lands. The officers would report the cases to Bureau of Road Maintenance

ROW Protection

The reports for violation of reserved land would be done 2 times in a year, and the report for ROW invasion would be done 3 times in a year.

Hence, to protect the lands, DOH set standard to follow as

1. To install ROW monuments to be easily noticed
2. If the violation occurs, immediate action is needed
3. If the violators neglects, report as criminal case
4. Report to police inspector



6. Challenging issues



6. Challenging issues

1 Opposition from affected people

2 Several agencies involved in expropriation

3 Insufficient budget





SEMINAR
ON
LESSON-LEARNS FROM THIRD
COUNTRY TECHNICAL EXCHANGE
PROGRAM FOR RIGHT OF WAY (ROW)
MANAGEMENT

THE PROJECT FOR CAPACITY ENHANCEMENT ON
ENVIRONMENTAL AND SOCIAL CONSIDERATIONS IN
IMPLEMENTING AGENCY IN ROAD SECTOR IN CAMBODIA
(CESCOR)

13TH NOVEMBER, 2018

PHNOM PENH HOTEL, PHNOM PENH



FOR MORE INFORMATION CONTACT: OFFICE +855(0)61-960-213

AGENDA

Seminar on Lesson-Learns from Third Country Technical Exchange Program
for Right of Way (ROW) Management
of
The Project for Capacity Enhancement on Environmental and Social Considerations
in Implementing Agency in Road Sector in Cambodia (CESCoR)

Phnom Penh Hotel, Phnom Penh, 13th November 2018

Time	Program
08:45-09:00	Registration
09:00-09:05	Cambodian National Anthem
09:05-09:10	Opening Remarks H.E. Nou Vaddhanak, Director General, General Directorate of Techniques, Ministry of Public Works and Transport (MPWT), Cambodia
09:10-09:25	Presentation on outline of “CESCoR” Mr. Ngel Sovanarith, Officer, Department of Road Infrastructure (RID), MPWT Cambodia
09:25-10:10	Presentation on lessons-learns “ROW Management in Third Countries” Mr. Hay Chandara, Deputy Chief Officer of ROW Management office, RID, MPWT Cambodia
10:10-10:25	Coffee Break
10:25-11:10	Presentation on “Introduction and Progress of Pilot Project” Mr. Khuon Kompeak, Chief Officer of Road Safety and Environment office, RID, MPWT Cambodia
11:10-11:45	Presentation on “Activity of Illegal Encroachment Prevention” Ms. Eam Sokchea, Deputy Chief Officer, Environment and Public Service office, Public Infrastructure Department, MPWT Cambodia
11:45-12:00	Closing Remarks H.E. Nou Vaddhanak, Director General, General Directorate of Techniques, Ministry of Public Works and Transport (MPWT), Cambodia
12:00-14:00	Luncheon
14:00-16:30	Taskforce Meeting for Pilot Project Implementation Participants: Taskforce Members from MPWT and Pilot Project Taskforce Members from DPWTs

MC: Ms. Oum Sokvasey, International Cooperation Department, MPWT

Note: All presentations will be provided in Khmer except. There are included Q&A session for each presentation.



**MEMO on 5th Seminar on Lesson-Learns from Third Country
Technical Exchange Program for Right of Way (ROW) Management**

Date & Time :	November 13 th , 2018 from 9:00-12:00
Place	PHNOM PENH Hotel
MPWT Attendees :	- H.E. Nou Vaddhanak, Director General of Techniques, MPWT - Officers from RID - Officers from ICD - Officers from PID - Officers from Railway Department; - and other officers from MPWT (see the attendant list attached here)
MEF	- Vy Theary, Official - Por Tola, Official - Kem Chnndoeun, Office Chief - Rou Vitta, Official
MLMUPC	- Lim Iv, Deputy Director General
Project Team :	- Dr. Tsuchida Takayuki, Mr. Kumagai, Mr. Nishio, Mr. James K. Watson, Mr. Ochi and Project Assistants
Agenda / Discussion Points :	- To share the lesson-learns on ROW Management in Third Country; - To report the progress of Pilot Project of CESCO R Project; and - To share the activities of Illegal Encroachment Prevention (IEP).

Presentation and Discussion:

1. Opening Remark

(By H.E. Nou Vaddhanak, Director General of Techniques, MPWT)

- It is the first seminar to invite the DPWTs (Kampong Chhnang, Pursat, Battambang and Bantey Meanchey) to get the shared knowledges from ROW Management.
- There are 3 main objectives: to share the lesson-learns on ROW Management in Third country; to report the progress of Pilot Project and to share the activities of IEP.
- It is the best opportunity for Taskforce members (included Pilot Project Taskforce members) to absorb the knowledge from this seminar and actively involve in the discussion.

2. Presentation on Outline of “CESCOR”

(By Mr. NGEL Sovanarith, RID officer, MPWT)

3. Presentation on Lesson-Learns “ROW Management in Third Countries”

(By Mr. Hay Chandara, Deputy Chief Officer of ROW Management Office, RID, MPWT)



Question 1 (Mr. Kong Youreth, PID Officer): In case of Laos, based on the Road Law in 1999, the width of ROW was 25m; but for new Road Law in 2016, width of ROW is 40-60m based on the areas. It is almost 100% change. Then, how do they do with the compensation? Only for new road construction or existing road widening? If for existing road widening, it will cost a lot? Also, why do donors in Laos provide budget for both the construction and compensation? Or because Laos has poorer economy than Cambodia?

Answer 1: For Laos, the case is similar to Cambodia. We had the legal document mentioned that width of ROW was 20-25m; but after Sub-decree No. 197, width of ROW is 30m for National Road 1 digit. We compensate only for land with title before the Sub-decree No. 197. In Laos, they have applied the compensation based on new Road Law only to new National Roads. For Donors budget for construction and compensation, it is the special case and different from the case of Cambodia. For the National Road 13th North of Laos, it is the ADB project but funded by Asian Infrastructure Investment Bank (AIIB) by China. It is a combined project.

Comments (H.E. Nou Vaddhanak): It is good lesson-learns from the case of Thailand; regarding the Land Registration Map. For us, Land should have the owner. With proper land title, it is easy for us to manage ROW. So far, we don't know clearly the boundary between the Rural and Urban areas. We should have legal document (can be guideline) to explain the urban areas. Related to this matter, it would be easy for us to work if MLMUPC can issue us the land title. We can have only document first to solve the problem with illegal encroachers. In case of Thailand, they have started to register the land since 1920. Unlike Cambodia, we have changed a lot in political regimes (we just have Road law in 2014, but the Sub-Decree No.197 in 2009 and Declaration No. 06 in 1999). All in all, we should learn from Thailand regarding the Land Registration Map.

For IEP, growing tree as ROW boundary is good but we should consider the elevation of roads. ROW Pole installation is also good but it can be removed or buried. We need to think about this. Another problem is the changing the central line like National Road No.5. We have widened the road only one side; so central line is changed. We need to be clear about the existing central line. For Rest area (or roadside station), it is also a good idea but we need to apply Asphalt until the ROW boundary.

Comments (Mr. Ngel Sovanarith): I would like to share that regarding the legal document on ROW. Actually, before 1999, we had Land Law in 1992 and MPWT letter in 1996 to MLMUPC that ROW was 25m for National Road and for provincial road was 20m. Then in 2009, there was Sub-decree 197 from Government.



Comments (H.E. Nou Vaddhanak): Yes, you are right. But we need to use the sub-decree in 2009 as it is higher legal document.

4. Presentation on Introduction and Progress of Pilot Project

(By Mr. Khuon Kompheak, Chief Officer of Road Safety and Environment Office, RID, MPWT)

Comments (H.E. Nou Vaddhanak): MPWT will prepare sub-decree for ROW of provincial roads soon. Selling along the road is not easy to address, but we need to address for example road site station can be an alternative. Removing local people’s booth along the roads without thinking about how to improve their livelihood, they will come to encroach again. Regarding 3 classification of areas, we should count only illegal structure inside of ROW.

Comments (MLMUPC): Before we replicate any tools, systems or model from any country, we should learn in detail their relevant legal and policies aspect first. Then, we need to enforce any existing law or regulation and legislate any new law which is needed. Collaboration work among relevant ministries are important between MPWT, MLMUPC and MOI. In addition, land registration consumes a lot of national budget, technical equipment and number of officials.

Comments (H.E. Nou Vaddhanak): Our taskforce team should collaborate with Thailand, we should learn more detail and resettlement can be address later and we need hard title for ROW management.

Comments (Participant): According to Sub-decree 197, it does not cover ROW in urban area; does MLMUPC consider land title in urban area?

Comments (MLMUPC): we also have difficulty to determine the boundary of urban area, it should be done by MOI.

5. Presentation on Activity of Illegal Encroachment Prevention

(By Ms. Eam Sokchea, Deputy Chief Officer of Environment and Public Service Office, PID, MPWT)

Comments (MLMUPC): Regarding the traffic law, everyone knows about the law, but people still violate the law. We should use technology to apply where is costless with high benefit.

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THE PROJECT FOR CAPACITY ENHANCEMENT
ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS
IN IMPLEMENTING AGENCY IN ROAD SECTOR
IN THE KINGDOM OF CAMBODIA (CESCOR)



Comments (Participant): Another approach, raising awareness is also important and it is a long-term solution, then law enforcement can be applied as well.

Comments (H.E. Nou Vaddhanak): ROW and traffic law are similar. There are 4 Es solutions: Engineering, Education, Enforcement and Encouragement. Moreover, after installing ROW pole, we should take a photo with ROW pole directing to road, then we can use it as evidence if there is any encroachment.

Comments (Railway Department): We wish the project, especially JICA, also considers to include ROW of railway as well because sub-decree 197 also includes ROW of railways as well.

Comments (H.E. Nou Vaddhanak): Yes, we should include ROW of railway, but railway is less complicated than road and you can replicate ROW of road as a model for ROW of railway management as well.



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Joint Venture

Address: JICA Project Office, c/o International Cooperation Department, MPWT, Corner Norodom Blvd,
Street 106, Phnom Penh, Tel: +855-(0)61 960 213



Attendance List

No	Name	Position	Department/Ministry	Phone
1	H.E. Nou Vaddhanak	Director General	General Directorate of Techniques/MPWT	
2	Phenth Vannthy	Deputy Chief Officer	PID/MPWT	
3	Lor Kim Teng	Deputy Director	Road Maintenance Department/MPWT	
4	Kheang Yanat	Deputy Director	MPWT	
5	Eam Sokchea	Deputy Office Chief	PID/MPWT	
6	Vy Theary	Official	MEF	
7	Sem Rithy	Official	Railway Department/MPWT	
8	Phin Narin	Deputy Director	Pursat DPWT	
9	Pheng Ra		Battambang DPWT	
10	Lon Virakvichetra	Chief Officer	RMD/MPWT	
11	Sun Sokuntheavy	Deputy Director	MPWT	
12	Yem Veasna	Officer	PID/MPWT	
13	Borei Bongsanith	Deputy Director	MPWT	
14	Por Tola	Official	MEF	
15	Song Kimheng	Official	RID/MPWT	
16	Oum Sokvasey	Chief Officer	ICD/MPWT	
17	An Menghour	Officer	ICD/MPWT	
18	Hor Vuthy	Officer	ICD/MPWT	
19	Kem Channoeun	Office Chief	MEF	
20	Manh Vutha	Deputy Office Chief	RID/MPWT	
21	Chhap Aphivath	Officer	RID/MPWT	

5

CTI Engineering International Co., Ltd. (CTII) Environment and Social Infrastructure Consultant Co., Ltd. (ESIC) Hanshin Expressway Company Limited (HEX) Joint Venture

Address: JICA Project Office, c/o International Cooperation Department, MPWT, Corner Norodom Blvd, Street 106, Phnom Penh, Tel: +855-(0)61 960 213



46	Sy Sereyvuth	Technical Officer	Pursat DPWT	
47	Hay Chandara	Deputy Office Chief	RID/MPWT	
48	Cham Sambo	Director	Battambang DPWT	
49	Reth Nengkea	Official	Department of Finance/MPWT	
50	Khuon Kompheak	Office Chief	RID/MPWT	
51	Lim iv	Deputy Director General	MLMUPC	
52	Kaing Theara	Officer	RID/MPWT	
53	Peang Samoeun	Office Chief	ICD/MPWT	
54	Khai Saray	Deputy Office Chief	RID/MPWT	
55	Hok Angkearithvongsa	Officer	RID/MPWT	
56	Ngel Sovanarith	Officer	RID/MPWT	
57	Sreng Sorphea	Office Chief	ICD/MPWT	

7

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22	Ou Sinitth	Technical Officer	Banteay Meanchey DPWT	
23	Hout Sambor	Technical Officer		
24	Chhay Lea Phea	Deputy Director	K. Chhnang DPWT	
25	Ieng Huo	Office Chief	K. Chhnang DPWT	
26	Khut Khemra	Technical Officer	K. Chhnang DPWT	
27	Hoey Virak	Interpreter	First Class	
28	Roern Sina	Officer	Road Maintenance Department/MPWT	
29	Kong Youreth	Office Chief	PID/MPWT	
30	Sok San	Office Chief	Railway Department/MPWT	
31	Ouk Ourk	Director	RID/MPWT	
32	Eam Runthearin	Deputy Director	ICD/MPWT	
33	Takayuki Tsuchida	JICA Team Leader	JICA Project Team	
34	Kumagai Takahiro	Project Coordinator	JICA Project Team	
35	Ochi Masaki	Building Surveyor	JICA Project Team	
36	Nishio Kyoichiro	Training Planner	JICA Project Team	
37	James K. Watson	Building Surveyor	JICA Project Team	
38	Ches Sophy	Assistant	JICA Project Team	
39	Penh Socheat	Assistant	JICA Project Team	
40	Keo Sam An	Assistant	JICA Project Team	
41	Bun Sereyvuth	Assistant	JICA Project Team	
42	Kenji Ogura		Hanshin Expressway	
43	Tetsuya Otani		Hanshin Expressway	
44	Rou Vitta	Officer	MEF	
45	Kang Kimchhun	Technical Officer	Pursat DPWT	

6

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CESCoR Project

THE PROJECT FOR CAPACITY ENHANCEMENT ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS IN IMPLEMENTING AGENCY IN ROAD SECTOR IN THE KINGDOM OF CAMBODIA

PHNOM PENH Hotel: Phnom Penh
13th November, 2018

Presented by: Mr. NGEL Sovanarith
Officer of Road Infrastructure Department

Contents

- ❖ **Project Overview**
 - Period
 - Goal
 - Purpose
 - Expected Output
- ❖ **Project Activities**
 - JCC Meeting
 - Seminar
 - Japan Training
 - Technical Exchange
- ❖ **Pilot Project**

Project Activities



- ❖ **Joint Coordinating Committee (JCC) Meeting**
 - > 1st JCC Meeting: May 4, 2017 – **Completed**
 - > 2nd JCC Meeting: February 6, 2018- **Completed**
 - > 3rd JCC Meeting: 2019 - **Scheduled**
- ❖ **Seminar**
 - > 1st Seminar: May 4, 2017 – **Completed**
 - > 2nd Seminar: June 6, 2017 – **Completed**
 - > 3rd Seminar: February 6, 2018 – **Completed**
 - > 4th Seminar: September 27, 2018 – **Completed**
 - > 5th Seminar: **November 13, 2018- Ongoing**
 - > 6th Seminar: July 2019 - **Scheduled**

Project Activities

❖ Japan Training

- > 1st Japan Training (EIA/EMP): June 13 - 22, 2017 **Completed**
- > 2nd Japan Training (ROW Management): Feb. 27- Mar. 8] 2018- **Completed**
- > 3rd Japan Training (ROW Management) : February 2019 - **Scheduled**

Note: EIA: Environmental Impact Assessment, EMP: Environmental Management Plan, ROW: Right of Way



Project Overview

- ▶ **Project Period:**
 - ▶ The project has been funded from JICA committed for the period from Jan. 2017 to Dec. 2019.
- ▶ **Project Goal:**
 - ▶ Environmental and Social Consideration (ESC) in road sector is implemented properly by MPWT.
- ▶ **Project Purpose:**
 - ▶ Capacity of MPWT officials on ESC is enhanced through applying Road Environmental Guidelines (REG) and Road Management System (RMS).

Project Activities



❖ Third Country technical Exchange

- > 1st Third Country Technical Exchange (EIA/EMP): October 24 - 28, 2017 – **Completed**
- > 2nd Third Country Technical Exchange (ROW Management) : October 22-26, 2018 - **Completed**
- > 3rd Third Country Technical Exchange (IAIA) : April 2019 - **Scheduled**

Note: EIA: Environmental Impact Assessment, EMP: Environmental Management Plan, ROW: Right of Way, IAIA: International Association for Impact Assessment

Expected Outputs

- | | |
|-----------------|---|
| Output 1 | Strengthening Project's the implementation framework based on past experiences and present situation on ESC and ROW management. |
| Output 2 | Ensuring that the implementation framework of EC related to EIA and EMP is strengthened. |
| Output 3 | Establishing RMS which will strengthened the implementation framework of SC related to ROW management |
| Output 4 | Enhancing the Capacity of SC required for ROW through on-the-job-training. |

Note: ESC: Environmental and Social Considerations, EC: Environmental Consideration, SC: Social Consideration, REG: Road Environment Guideline, RMS: ROW Management System, EIA: Environmental Impact Assessment, EMP: Environmental Management Plan

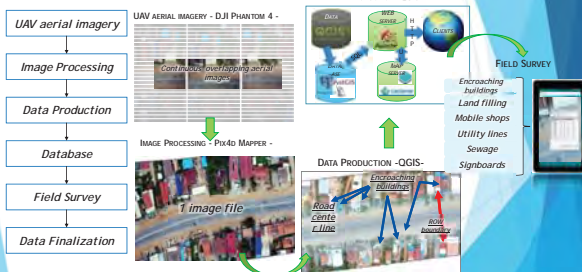
Pilot Project: Overall

Purpose:	Capacity of Social Considerations (SC) required for ROW management is strengthened as a component of CESCoR Project, funded by JICA
Activity:	Part 1: Current Status Identification (CSI) -UAV Survey (Taking aerial photos with UAV) -Office Work (Ortho images and GIS processing) -Field Survey Part 2: Illegal Encroachment Prevention (IEP) -Dissemination (PCM: Public Consultation Meeting) -Patrol
Term:	May 2018 to Sep 2019 Target Area along National Road No.5 in four Provinces:
Area:	1) KAMPONG CHHNANG Province 2) PURSAT Province 3) BATTAMBANG Province 4) BANTEAY MEANCHHEY Province

Pilot Project: Target Areas



Pilot Project: CSI Implementation Method



Pilot Project: Activities



GIS Training



UAV Flight Training



Field Survey Training

**THANK YOU SO MUCH
FOR YOUR ATTENTION...**

LESSON-LEARNS on ROW Management in Third Countries (Laos and Thailand)

PRESENTED BY: MR. HAY CHANDARA (DEPUTY CHIEF OF ROW OFFICE, RID MPWT)
DATE: 13TH NOVEMBER 201811
PLACE: PHNOM PENH HOTEL

CONTENT:

- ❖ Laos and Thailand Visit (22nd to 26th October 2018)
 - Comparison on Current Status of ROW Management
 - 1- Legal Concept
 - 2- Project Fund/ Social Support
 - 3- ROW Management
 - 4- Counter Measure/IEP
 - Outputs/lesson-learnt
 - Recommendations
 - Strategy Development

COMPARISON (3)

3- ROW Management:

Cambodia	Laos P.D.R	Thailand
<ul style="list-style-type: none"> - Currently, there is some data on CSI for some National Roads. Now, CESCoR is conducting the CSI along National Road No.5. - Conducting census the data of ROW illegal encroachment (ROW Inventory; paper base). - MPWT has no data on Resettlement and Land Registration. 	<ul style="list-style-type: none"> - Also conduct the CSI (aerial photo, and interview with structure owners) - MPWT keeps the resettlement Data 	<ul style="list-style-type: none"> - Land Registration Map - DoH Keeps all the information on land
<p>❖ Conclusion (Improvement for Cambodia):</p> <ul style="list-style-type: none"> ❖ To support ROW activities for mapping and patrolling after CESCoR project in year 2020. ❖ To assign the ROW Management Inspectors (by MPWT). ❖ To ask for the collaboration from MLMUPC for the updated data on Land Registration. ❖ To ask MEF to share the detailed resettlement information/data. 		



COMPARISON (1)

1- Legal Concept:

Cambodia	Laos P.D.R	Thailand
<ul style="list-style-type: none"> 1- Land Law: <ul style="list-style-type: none"> - ROW belongs to Public state land; 2- Road Law 3- Land Registration: MLMUPC issues private land titles excluded ROW. 66% of private land already registered (achievement of 2017) 4- Sub-decree No. 197 on ROW 5- MOU MPWT & Provincial Governors 	<ul style="list-style-type: none"> - There is only Road Law - ROW width is different for mountainous areas - Road Law 1999: 25m - Road Law 2016 (amended version: 40-50 meters (can be different for mountainous area) 	<ul style="list-style-type: none"> - Highways Act (all the national road in Thailand are national high way) - There is Royal Decree for specific road. Royal decree will mention the width of ROW and design

- ❖ Conclusion (Improvement for Cambodia):
- ❖ We have enough law documents; however, we have problems with law implementation. We also have law to punish illegal encroachers.

COMPARISON (2)

2- Project Fund/Social Support:

Cambodia	Laos P.D.R	Thailand
<ul style="list-style-type: none"> - In case of Donor Projects, Donors insists MPWT to compensate. - Follow the resettlement policies of Donors (based on signed loan agreement). - There is no training division/center at MPWT. 	<ul style="list-style-type: none"> - The donor also paid for the compensation. 	<ul style="list-style-type: none"> - There is no Donor Project. There is no compensation for illegal encroachers. - Almost 100% of private land already registered (from 1920-) - There is a training division at DoH to train the district officers.

- ❖ Conclusion (Improvement for Cambodia):
- ❖ MPWT needs to follow the resettlement policies of Donors.
 - ❖ In future, there will be no re-compensation to illegal encroachers inside the ROW.
 - ❖ To prevent the re-encroachment, education is required and enforcement of the duties of authorities is also required.
 - ❖ Training to Trainer is important to local officials. Therefore, training center is needed.

COMPARISON (4)

4- Counter Measure/IEP:

Cambodia	Laos P.D.R	Thailand
<ul style="list-style-type: none"> - Patrol is the most effective way - 2 meters from the edge of ROW for utilities - ROW pole Installation (not all National road due to limited budget) 	<ul style="list-style-type: none"> - By section of National Road 13th North, to install ROW Poles - ROW pole Installation (not all National road due to limited budget) 	<ul style="list-style-type: none"> - Patrol is the most effective way - 30cm to 2m from the edge of ROW for utilities - There is training center. - Frontage road & side station for business - ROW pole Installation (one pole every100m)

- ❖ Conclusion (Improvement for Cambodia):
- ❖ Will provide more trainings and more benefits/incentives to local officials to prevent illegal encroachers.
 - ❖ Combination between soft and hard measures is needed (for example education and installation of ROW poles).
 - ❖ Frontage road & side station for local business.

OUTPUTS/LESSON-LEARNT

❖ Outputs from the Discussion and Site Visit:

- 1- Knowledge transferred from MPWT to DPWT & district officers regarding the Law and Practice (to deal with illegal encroachers) like in Thailand by DoH Training Division.
- 2- Training center is needed.
- 3- Establish district working group work with legal representative (lawyer) to deal with illegal encroacher (like the case in Thailand);
- 4- Develop the frontage road for local business as in Thailand.
- 5- Should have ROW Map as in Thailand.
- 6- Punish the officials who neglect their duties based on Law.

RECOMMENDATION (BY PROJECT_1)

For the Current Status Identification (CSI):

- 1- Better collaboration between MPWT and MLMUPC for clear boundaries between State land and private land (In Thailand there is Land Registration Map);
- 2- Registration of ROW as State Property like the case in Thailand;
- 3- Consideration on livelihood or safety program for Road Development Project to avoid the re-encroachment.

RECOMMENDATION (BY PROJECT_2)

IEP (Soft Recommendation):

- 1- Enforcement of Law on Illegal ROW Encroachment, in case of Thailand, district officers will be jailed if they neglected their duties; and
 - 2- Public Awareness on Right of Way through Public Consulting Meeting (PCM), including ROW context in Curriculum of school.
- 3- Combination between soft and hard measures is needed (for example education and installation of ROW poles).**



RECOMMENDATION (BY PROJECT_3)

IEP (Hard Recommendation):

- 1- Installation of ROW Poles
- 2- Installation of Fence and Signboard
- 3- ROW Marking Line
- 4- Tree Planting as the boundary of ROW
- 5- Proper Installation of Utilities based on the Road Design



RECOMMENDATION (BY PROJECT_4)

Development Strategy:

- 1- Consideration on development of Roadside station to eliminate the mobile stores and to ensure the traffic safety;
- 2- Consideration on Frontage/service Road development to avoid the traffic accidents and congestion at/on high-speed roads; and
- 3- Development or construction of road from the ROW boundary and keep the middle space for future development in order to prevent the illegal encroachment.



**Thank You for Your
Attention!!!**



THE PROJECT FOR CAPACITY ENHANCEMENT ON ENVIRONMENTAL AND SOCIAL CONSIDERATIONS IN IMPLEMENTING AGENCY IN ROAD SECTOR IN THE KINGDOM OF CAMBODIA (CESCoR)



Introduction and Progress of Pilot Project

Phnom Penh, Nov 13, 2018

1

Outline of the Pilot Project

2

Activity:	Part 1 Current Status Identification (CSI) Step-1: Operating UVA to take photo, Step-2: Image Processing, Step-3: Data Production, Step-4: Field Survey, Step-5: Data finalization Part 2 Illegal Encroachment Prevention (IEP) -Soft Approach (e.g. PCM and Patrol) -Hard Approach (e.g. ROW poles, Signboard, Fence and Growing tree)
Term:	May 2018 to Sep 2019
Area:	Target Area along National Road No.5 in four Provinces; 1) KAMPONG CHHNANG Province 2) PURSAT Province 3) BATTAMBANG Province 4) BANTEAY MEANCHHEY Province

Current Status Identification (CSI)

5

Step-1 Operating UVA to take photo



Step-2 Image Processing



Current Status Identification (CSI)

6

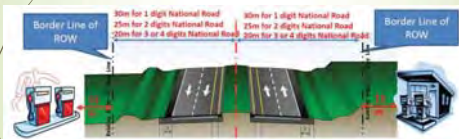
Step-3 Data Production



Why CSI is needed for ROW Management

3

- Can identify Current Situation by recording aerial photo
- Can select IEP Priority Area to plan for IEP approaches efficiently and effectively
- Can unify management of various ROW-related activities
- Can Evaluate effects of IEP approaches by monitoring current situation
- Can Calculate Rough estimation of resettlement compensation for future road plan



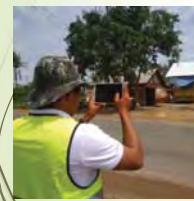
Right of Way Based on Sub-Decree 197, Article No.8

Current Status Identification (CSI)

7

Step-4 Field Survey

- Verify the GIS data in the field as the actual situation.
- Surveyors will use a camera to record the ground truth, and enter the data into a tablet.



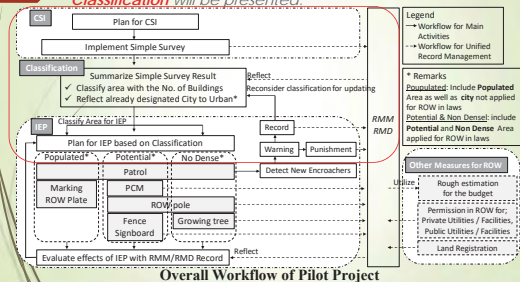
- Encroaching buildings
- Land filling
- Mobile shops
- Utility lines
- Sewage
- Signboards



Overall Workflow of Pilot Project

4

- In this section, CSI, Classification and plan for IEP based on Classification will be presented



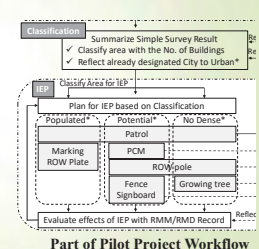
Overall Workflow of Pilot Project

Classify Area for IEP

8

- Can classify areas (populated Potential and Non Dense) for IEP and plan for IEP based on the classification

Classification	Abstraction
Populated	So many buildings exist in the ROW area. The majority of them are not displaceable easily. Also, the area includes city not applied for ROW in laws.
Potential	So many / many buildings exist in the ROW area, but the majority of them are displaceable easily. The empty area exists there as well.
Non Dense	Several buildings exist in the ROW area. The empty area dose not exist there.

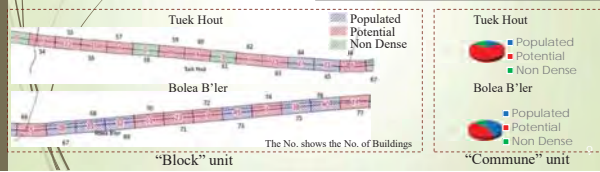


Part of Pilot Project Workflow

Overall of Classification for IEP

9

- Example of classification for IEP is shown in **two communes** (Tuek Hout and Bolea B'ler) in Kampong Chhnang Province.
- Classification is implemented by two ways (**Block unit** and **Commune unit**)



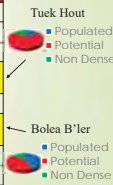
Classify Area for IEP

10

- can identify priority for each IEP approach in "Commune" unit

Ex. List of priorities for each approach

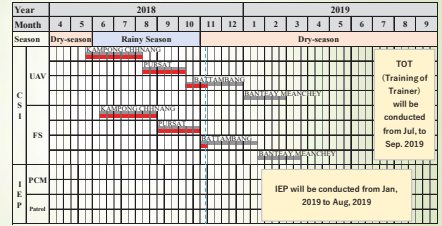
City or Commune	Province	Road No.	Road Length	Priority	Populated	Potential	Non Dense
XXX	XXX	XXX	XX-XXkm	1	5%	90%	5%
XXX	XXX	XXX	XX-XXkm	2	0	80%	20%
XXX	XXX	XXX	XX-XXkm	3	10%	80%	10%
Tuek Hout	Kampong Chhnang	NH5	5.5-6.5km	4	15%	70%	15%
XXX	XXX	XXX	XX-XXkm	5	30%	50%	20%
Bolea B'ler	Kampong Chhnang	NH5	XX-XXkm	6	40%	40%	20%
XXX	XXX	XXX	XX-XXkm	7	30%	30%	40%
XXX	XXX	XXX	XX-XXkm	...	XXX	XXX	XXX



Progress of Pilot Project

13

- CSI is implemented in 3) BATTAMBANG Province as of now.
- IEP will start in the next year from 1) KAMPONG CHHNANG Province.



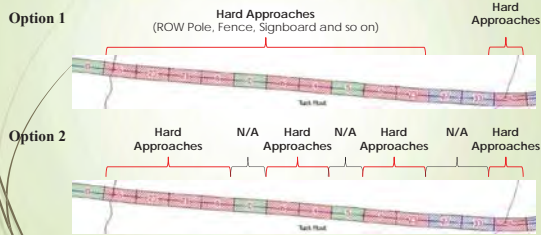
CSI: Current Status Identification UAV: UAV Survey FS: Field Survey GIS: Ortho Images, GIS and Data base processing IEP: Illegal Encroachment Prevention PCM: Public Consultation Meeting Patrol: Patrol

THANK YOU FOR YOUR ATTENTION!

Classify Area for IEP

11

- can plan for Hard Approaches with several options like the following:



How to Classify (Classification Criteria)

12

- How to Classify is under consideration.

Ex. How to classify (Classification Criteria)

Classification	1. Based on info Within ROW			2. Based on info Out of ROW		
	Criteria 1-A The No. of Building	Criteria 1-B The rate of Mobile Cart ¹	Criteria 1-C Open Area	Criteria 2-A City in Laws	Criteria 2-B Factory	Others If necessary
Populated	At least XX per 500m	N/A	N/A	applicable	N/A	TBD
Potential	Less than XX per 500m	at least 50%	N/A	N/A	applicable	TBD
Non Dense	Less than XX per 500m	N/A	N/A	N/A	N/A	TBD

¹ The rate of No. of Mobile Cart to No. of all buildings

ILLEGAL ENCROACHMENT PREVENTION APPROACHES

Presented by Ms. Eam Sokchea

Phnom Penh Hotel
November, 2018

TABLE OF CONTENTS

- Concept
- Purpose
- Summary of IEP Approaches
- IEP Approaches

OUTLINE OF IEP APPROACHES

Activities for Future Project	Activities for Existing Project				
Hard Approach		Soft Approach			
New Road Design	Installing Facilities	Permission and Registration	Monitoring and Intervention	Raising awareness	
Constructing sub-road as ROW boundary	Pole Signboard Fence Growing tree	Access road permit ROW registration	ROW use permit Appealing to the court	Regular patrol activities Collaborating with local authorities	Local people High school and university students Local governmental official
Digging channels as ROW boundary Road from the edge of ROW boundary and keep empty space in the middle		ROW marking plate Highlighting color on the			

RAISING AWARENESS

Approaches for IEP (Soft approach)	Raising local people's awareness on ROW
Description of approach	It can be done through organizing PCM, campaign and so on
Related Stakeholders	Local people, commune chief and head of village (Mol)
Cost (Low & High)	Low cost



CONCEPT

- The results from Current Status Identification (CSI) is used for applying Illegal Encroachment Prevention (IEP) approaches.
- IEP shall be implemented at suitable condition of area in order not to allow any illegal/inappropriate use lands within ROW.

RAISING AWARENESS CONT.

Approaches for IEP (Soft approach)	Raising high-school student or university student's awareness on ROW
Description of approach	-ROW concept should be integrated into high school curriculum in the part of road safety -Organizing workshop on road safety and ROW for university students -Topic for university student debate on TV
Related Stakeholders	Students at high-school and university (MoYES)
Cost (Low & High)	Low cost



PURPOSE

- Applying IEP approaches aims to prevent any encroachment in the ROW and to promote effectiveness in ROW management.

RAISING AWARENESS CONT.

Approaches for IEP (Soft approach)	Raising relevant governmental officials' awareness on ROW management
Description of approach	-Organizing workshop on ROW management for relevant local authorities and line agencies -During monthly meeting at District level or commune level, ROW status should be in the agenda in order to remind local authorities about their responsibilities.
Related Stakeholders	Local authorities, cadastral district Official (Mol, MoLMUPC)
Cost (Low & High)	Low cost



MONITORING AND INTERVENTION

Approaches for IEP (Soft approach)	Promoting regular patrol activities to prevent ROW encroachment
Description of approach	<ul style="list-style-type: none"> - DPWT Officials or Public Works District Officials patrol ROW encroachment as part of road maintenance activities. - If ROW encroachment is found, concerned office needs to inform to local authorities to take further actions - If local authorities do not take a further action, DPWT Official has to report to MPWT for taking further actions instead.
Related Stakeholders	DPWT official and Public Works District Official (MPWT)
Cost (Low & Hight)	Low cost



MONITORING AND INTERVENTION CONT.

Approaches for IEP (Soft approach)	Promoting collaborative works among local police, local authorities and DPWT
Description of approach	<ul style="list-style-type: none"> -After getting informed by DPWT Official, local authorities collaborate with local police and DPWT Officials talk to and require encroacher to stop encroachment -If it does not work, local authority has to give a warning to encroacher by a letter
Related Stakeholders	DPWT (MPWT), local authorities and local police (Mol)
Cost (Low & Hight)	Low cost



PERMISSION AND REGISTRATION CONT.

Approaches for IEP (Soft approach)	ROW Use Permit
Description of approach	Local people can apply for a permission if they want to use land inside ROW temporary Or private company wants to install any utilities
Related Stakeholders	DPWT (MPWT) and local authorities (Mol)
Cost (Low & Hight)	Less cost



PERMISSION AND REGISTRATION CONT.

Approaches for IEP (Soft approach)	ROW Registration
Description of approach	ROW is registered as hard title by MLMUPC
Related Stakeholders	MLMUPC
Cost (Low & Hight)	Less cost



MONITORING AND INTERVENTION CONT.

Approaches for IEP (Soft approach)	Appealing to the court
Description of approach	-If it still does not work, solid action will be applied by compiling a case to the court
Related Stakeholders	DPWT (MPWT), local authorities and local police (Mol)
Cost (Low & Hight)	Less cost

INSTALLING FACILITIES

Approaches for IEP (Hard approach)	Installing ROW poles
Description of approach	ROW poles should be high enough to be seen and distance from one pole to another is 100m
Related Stakeholders	MPWT and DPWT
Cost (Low & Hight)	Medium cost



PERMISSION AND REGISTRATION

Approaches for IEP (Soft approach)	Access road permit
Description of approach	Local people can apply for a permission if they want to fill land to create access road
Related Stakeholders	DPWT (MPWT)
Cost (Low & Hight)	Less cost



INSTALLING FACILITIES CONT.

Approaches for IEP (Hard approach)	Installing ROW signboards
Description of approach	Installing in commune office and urban areas
Related Stakeholders	DPWT, MPWT and local authorities (Mol)
Cost (Low & Hight)	Medium cost



INSTALLING FACILITIES CONT.

Approaches for IEP (Hard approach)	Installing fence for COI/ROW in urban area
Description of approach	It will be installed in urban areas, especially market areas.
Related Stakeholders	DPWT and MPWT
Cost (Low & High)	Medium cost



INSTALLING FACILITIES CONT.

Approaches for IEP (Hard approach)	Growing tree as ROW boundary
Description of approach	It can be applied at rural area without urban area
Related Stakeholders	MPWT and DPWT
Cost (Low & High)	Medium cost



INSTALLING FACILITIES CONT.

Approaches for IEP (Hard approach)	Marking ROW plate
Description of approach	It is installed at urban, especially at residential zone.
Related Stakeholders	DPWT and MPWT
Cost (Low & High)	Medium cost



INSTALLING FACILITIES CONT.

Approaches for IEP (Hard approach)	Highlighting color on tile as ROW boundary
Description of approach	It is applied in urban area, installed at urban, especially at residential zone and big structure (factory, gas station and so on).
Related Stakeholders	DPWT and MPWT
Cost (Low & High)	Medium cost



NEW ROAD DESIGN/CONSTRUCTION

Approaches for IEP (Hard approach)	Digging channel as ROW boundary
Description of approach	- Local people can build a small bridge to access main road and it can be applied in peri-urban and none urban
Related Stakeholders	MPWT
Cost (Low & High)	High cost



NEW ROAD DESIGN/CONSTRUCTION CONT.

Approaches for IEP (Hard approach)	Road construction starts from the edge of ROW boundary and keeping empty space at the central
Description of approach	Keep space at the central for gardening and future expansion
Related Stakeholders	MPWT
Cost (Low & High)	High cost



NEW ROAD DESIGN/CONSTRUCTION CONT.

Approaches for IEP (Hard approach)	Constructing sub-roads as ROW boundary
Description of approach	-Sub-road will be constructed at the edge of ROW boundary -Local people can sell something along sub-road (service road) if they want and it enhance traffic safety
Related Stakeholders	MPWT
Cost (Low & High)	High cost



CONCLUSION

- Combination of hard and soft approaches is significant to improve effectiveness of preventing illegal ROW encroachment.
- Applying IEP approaches can reduce resettlement cost for future road development or improvement.



