

# **KINGDOM OF CAMBODIA**

**LAND ALLOCATION FOR SOCIAL AND ECONOMIC DEVELOPMENT PROJECT III  
(LASED III)**

## **STAKEHOLDER ENGAGEMENT PLAN (SEP)**



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<b>GLOSSARY</b>	
Administrative authorities	Local authorities and authorities that have a mandate to occupy the State's land or the State's natural resources in the said area.
Burial ground forestlands	Places reserved by the communities for burial according to their customs.
By-laws	By-laws provide a Plan of governance for the internal rules, and the internal rules refer back to the by-laws.
Collective ownership	Plots of land that are jointly owned by the community of a group of indigenous peoples and these ownerships are not the individual private possession of each community member. Each community member or each family of the community shall not be entitled to manage the plots of land that are collectively owned.
Customary authorities or community committees	Community management that members of an entire community have selected to solve community problems. It is a mechanism for the resolution disputes within the communities outside the jurisdiction of the court.
Cut-off date	The cut-off date is used to determine eligibility of claims for compensation for land acquisition and involuntary resettlement. All claims to ownership, occupation or use of the land must be shown to date from before the cut-off date, For Social Land Concessions, the cut-off date is set at Step 4 of the SLC process (Meeting to register the land as State Land). For ICLT, the cut-off date will be set at Step 2.5 of the process (launching of the community application to MLMUPC).
Hot Spot Map	Map indicate Potential SLC or ICLT area; Surrounding areas; Upstream and downstream areas; and Implications on social, legal, environmental standards
Interim Protection Measures (IPM)	A letter to freeze all buying, selling and transferring of the land rights of the area of land that was requested to be registered as the indigenous collective land title. This document is of particular importance as it forbids all forms of land transactions in the area, protecting it against any encroachment until the community has received the official title for their land, and since it is the first official document providing some tenure security to the IPC.
Neighbors	Citizens or communities or authorities occupying the State's lands with their lands bordering the community lands requested for registration.
Reserved lands necessary for rotational crop growing	Lands prepared to be reserved for shifting cultivation or Rotation plantations: plots of land that have until now been used by indigenous peoples 'communities as paddies or planation for rotation crop growing according to custom.
Residential lands	Plots of land that are used by indigenous peoples' community members for house construction or permanent stay (residence) purpose.
Sketch Map (for SLC)	Define areas with potential for SLC and mark areas to be excluded; Decision on SLC area; Determine whether proposed SLC area is suitable for SLC (soil fertility and water resources, underground water resources).

Sketch map (for ICLT)	A hand-drawn map showing the village boundaries and types of land use therein, without specifying the size of the area under claim or its exact position.
Spiritual forestlands	Places reserved by the communities to serve for making sacrifices or offerings according to tradition and custom.
The internal rules of Indigenous Community Committee	The internal rules are an internal matter to the communities and serve to ensure equitable use and management of collectively owned land and to resolve internal disputes. They also serve to preserve communities' identities, cultures, traditions and good customs in the sustainable use and management of land as well as of natural resources, thus contributing to the development of the community and the nation.
Trustee Mandate	Refers to areas under the administrative mandate of a government agency. For example, areas declared as conservation forest is under the administrative mandate of the Forestry Administration (FA) so cannot be classified as State Private Land for SLC without the agreement of the FA.

<b>LIST OF ABBREVIATIONS</b>	
CEF	Civic Engagement Plan
CFD	Community Fund for Development
CHC	Complaints Handling Committee
CHM	Complaints Handling Mechanism
CDF	Community Development Facilitator
CSO	Civil Society Organisation
DWG	District Working Group
EA	Executive Agency
ESF	Environmental and Social Framework
ESMF	Environment and Social Management Framework
ESMP	Environment and Social Management Plan
ESP	Environmental and Social Profile
ESS	Environmental and Social Standard
GDA	General Directorate of Agriculture
GDH	General Department of Housing
GIS	Geographic Information System
GIZ	Gesellschaft für Internationale Zusammenarbeit
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
GSSLC	General Secretariat for Social Land Concessions
IA	Implementing Agency
IC	Indigenous Community
ICLT	Indigenous Community Land Titles
ICT	Information and Communications Technology
IDA	International Development Association
IP	Indigenous Peoples
IPCC	Indigenous Peoples Communal Committee
IPPF	Indigenous Peoples Planning Framework
IPO	Indigenous Peoples Organization
JSDF	Japanese Social Development Fund
LASED	Land Allocation for Social and Economic Development
LNP	Labour Management Procedures
M&E	Monitoring and Evaluation
MAFF	Ministry of Agriculture, Forestry and Fisheries
MLMUPC	Ministry of Land Management, Urban Planning and Construction
MoE	Ministry of Environment
MoI	Ministry of Interior
MRD	Ministry of Rural Development
NCSLC	National Committee for Social Land Concessions
NGO	Non-Governmental Organization
OHCHR	Office of the High Commissioner for Human Rights
OP	Operational Policy (of World Bank)
PAP	Project Affected Parties
PIM	Project Implementation Manual
PLUAC	Provincial Land Use Allocation Committee
PSLC	Provincial State Land Commission
PT	Project Team
RGC	Royal Government of Cambodia
RPF	Resettlement Policy Framework
SEP	Stakeholder Engagement Plan
SLC	Social Land Concession
SNA	Sub-National Administration

SOP	Standard Operating Procedures (for Externally Financed Projects)
SOP-LAR	Standard Operating Procedures for Land Acquisition and Resettlement
TLR	Target Land Recipients

## 1 INTRODUCTION

### 1.1 Purpose of the Stakeholder Engagement Plan

1. This Stakeholder Engagement Plan (SEP) is prepared for the Land Allocation for Social and Economic Development Project III (LASED III) in accordance with the requirements of the World Bank's Environmental and Social Framework (ESF) and in particular to meet requirements of Environmental and Social Standard (ESS) 10 on Stakeholder Engagement and Information Disclosure.

2. LASED III will support land tenure and associated rural development activities on approximately 71 sites which comprise Social Land Concession (SLC) sites and locations for Indigenous Community Land Titling (ICLT). Selection of sites will be demand-led, responding to requests originating from Commune Councils (for SLC) and from the Indigenous Community (IC) (for ICLT) subject to approval by relevant government bodies, on a first-come, first served basis and is not known at the time of project design.

3. Stakeholder engagement refers to a process of sharing information and knowledge, seeking to understand and respond to the concerns of potentially affected or impacted individuals and groups, and building relationships based on trust. As such, stakeholder engagement is essential for successfully addressing the environmental and social risks and impacts of the Project.

4. The purpose of the SEP is to ensure (1) that a consistent, comprehensive, coordinated and culturally appropriate approach to engagement is undertaken for the project and for addressing environmental and social risks and impacts; and (2) that the approach fulfils all relevant legal and regulatory requirements of Cambodia (see Annex 1) and is aligned with World Bank's ESF. To this end the SEP:

- Outlines the approach and activities to be adopted and implemented for engagement, presenting how the engagement process will be integrated in the environmental and social risk assessment and management processes;
- Identifies stakeholders and mechanisms through which they will be included in the engagement process as part of project preparation and implementation; and
- Serves as a record of the engagement process during the project preparation period.

5. The SEP describes the methods of engagement with stakeholders during project preparation and the methods to be used throughout the project cycle, distinguishing between project-affected parties (PAP) and other interested parties. The SEP describes the range of information to be communicated to stakeholders and the methods to be used for stakeholder consultation at each stage. The SEP includes the project Grievance Redress Mechanism (GRM). The SEP presents a template for a simple and concise site-specific SEP to be prepared for each new SLC and ICLT site, detailing the activities and timing for information disclosure and stakeholder consultation at the site.

### 1.2 Project Background

6. Sustainable and secure access to natural resources by rural communities and to land by small agriculture producers is an integral part of the Royal Government of Cambodia's strategy for the rural sector. In 2001, Cambodia adopted a Land Law which included a legal Plan for SLC to provide for the equitable, orderly and legally clear transfer of ownership of unused, State-owned land to poor households. The 2001 Land Law also provides for indigenous minority groups to establish collective ownership of traditional community lands through ICLT.

7. The Plan for the operationalization of SLCs was established in 2003 through adoption of Sub-Decree 19, which defines criteria and procedures for granting SLCs. Article 2(a) defined SLCs as "a

legal mechanism to transfer private state land for social purposes to the poor who lack land for residential and/or family farming purposes.” Two types of SLCs were established by the Sub-Decree: Articles 5 and 6 established “local” SLCs which are initiated and run by Commune Councils and are exclusively for residents of the Commune, while Article 7 established a National Social Land Concession Program under which SLC can be established by national institutions for various purposes. In practice, National SLCs seem to have been used so far mainly to resettle military veterans.

8. Beginning in 2008, World Bank has financed the RGCs Commune SLC program through two LASED projects. LASED, from 2008 to 2013, was financed by IDA and the Japanese Social Development Fund (JSDF), along with technical assistance by GIZ. LASED piloted the implementation of Sub-Decree 19 on 5 SLC sites. Eight of the LASED sites, located in three provinces (Tbong Khmum, Kampong Thom and Kratie) were financed by IDA and provided 10,273 hectares of land to 3,148 households. The remaining sites, located in Kampong Chhnang and Kampong Speu provinces, were financed by JSDF and implemented through Non-Governmental Organization (NGO\_ partners. On these sites 1,293 households received a total of 3,847 hectares of land. LASED II started implementation in 2016 and is expected to close in 2021. LASED II provides ongoing support to the 13 SLC sites established by LASED plus one new SLC site in Kampong Thom. The Project covers a total of 17,000 hectares to benefit some 5,010 households beyond what had been accomplished already.

9. SLC are developed through a 10-step process which is summarized in Table 1. Annex 3 provides more detail on stakeholder engagement in this process.



**Table 1: Summary of 10-Step Commune SLC Process**

STEP	DESCRIPTION	RESULTS		
1	Initiate and Screen SLC	Commune Council propose SLC (preparation of sketch map and land use profile)		
		Authorization to Proceed		
2	Plan Technical Studies	Work-plan for SLC process		
3	Awareness Raising by Commune Council	Local Residents Understand About SLC		Steps 3, 4 and 5 can proceed at the same time
		Method of selecting land recipients agreed		
		Identification of poor households and illegal land occupants		
4	State Land Meeting	Updated sketch map with individual and collective land		
		Final SLC mapping by GDCG ( <b>basis for cut-off date</b> )		

**Table 1: Summary of 10-Step Commune SLC Process**

STEP	DESCRIPTION	RESULTS
		Identify access route and determine if land acquisition will be needed for construction / improvement of access road
		Assess impacts on users of common property resources (CPR), e.g. grazing, firewood, NTFP etc. on the proposed SLC land. Ensure either (1) access to equivalent alternative; (2) inclusion of CPR users as SLC beneficiaries; or (3) appropriate compensation arrangements.
		Review of land acquisition and involuntary resettlement impacts
		In case of a determination that land acquisition is needed: preparation and implementation of Resettlement Plan by MEF-GDR
		SLC land registered as State Private Land
5	Participatory Land Use Planning & Mapping	Agro-Ecosystems Analysis
		Infrastructure Needs Assessment
		Social and Environmental Safeguards
		Social Land Concession Report
6	Review of SLC Report	Allocation for Rural Infrastructure and Services
7	Land Recipient Selection	Priority Application List
		Reserve Application List
8	Full SLC Plan	Plots Allocated
		Full SLC Plan Approved
9	Site Preparation	Boundaries Marked of SLC Plots
		Rural Water Supplies
		Land Clearing
		Access Tracks
		Official Transfer of Land
10	Settling in and Rural Development	Settling In Assistance
		Rural Infrastructure and Services
		Sustainable Community

10. Cambodia has about 24 groups of Indigenous Peoples (IP) who make up about 1.2% of the total population, living mainly in upland areas in the northeast and west of the country. The ICLT program is designed to assist the IPs to maintain control of their traditional lands in the face of economic and social change, in-migration of ethnic Khmer to IP areas, and competing demands for land. The IPs' limited opportunities to influence decisions that are crucial to them, and their loss of land and livelihood, have led to IPs being one of the most disadvantaged and vulnerable groups in Cambodia, with overall low living standards. Land tenure security is crucial to their ability to maintain and develop their distinct cultures and to develop economically. Establishment of an ICLT is a structured process with three phases; first, recognition as an IC by the Ministry of Rural Development (MRD); second, establishment

of the IC as a legal entity by the Ministry of Interior (MoI); and third, land registration with the Ministry of Land Management, Urban Planning and Construction (MPLUPC). This process has proved to be time-consuming and up to 2016, only 11 ICs had received titles<sup>1</sup>. The process has accelerated significantly with renewed commitment from MLMUPC. In October 2019, there were 150 ICs recognized by MRD (Stage 1) with 137 having achieved legal status (Stage 2) and 25 having received the ICLT title.

11. The Land Law (2001) defines an indigenous community for the purpose of entitlement to hold communal land titles as “a group of people that resides in the territory of the Kingdom of Cambodia whose members manifest ethnic, social, cultural and economic unity and who practice a traditional lifestyle, and who cultivate the lands in their possession according to customary rules of collective use.” The Indigenous Peoples Planning Framework (IPPF) prepared for LASED III notes that the definition of IPs in World Bank’s ESS7 may include some ethnic groups that fall outside this definition and / or are not, in practice, considered as eligible for ICLT by RGC. This may include ethnic Lao and Cham who may be present in the project target areas. The IPPF also notes that IP may live intermingled with ethnic Khmer communities as well as in traditional IC.

12. LASED III will support IC that have received recognition from MoI in Phase 2 or have reached any later stage including IC that have completed land titling but need rural development assistance (Phase 2.5 and Phase 3 in Table 2 below). Therefore, eligibility of an IC for inclusion in the ICLT program will *de facto* be determined by the criteria applied by RGC (or they would not have MRD and MoI recognition). For any other purpose in LASED III, the term “IP” should be understood as meaning any people or groups falling within the definition in ESS7.

13. The established ICLT process is summarized in Table 2. Annex 4 provides more information on stakeholder engagement at each step of the process.



<sup>1</sup> CCHR (2016) Access to Collective Land Titles for Indigenous Communities in Cambodia

Table 2: Indigenous Community Land Titling Process			
Phase 1	Phase 2	Phase 2.5	Phase 3
MoRD: IP Community Identification Process	MoI: Official Registration of IP Community as “Legal Entity”	IP Community: Launching CLT Application to MLMUPC	MLMUPC: Measuring, Public Display, Reclassification and Issuing CLT to IP Community
Step 1: Publicize awareness among provincial authorities (relevant departments) and authorities at the district, commune and village levels and IC.	Step 1: The IPC to draft community by-laws as well as forming Community Representative Committee	Step 1: Collect data and produce preliminary maps by defining boundaries of community land type participated by all land owners (This is where the FPIC emphasis is.)	Step 1: Measurement and data collection of land boundaries by type of use, determination of boundaries and identification of state land (This is where the FPIC emphasis is)
Step 2: Indigenous communities show their willingness to initiate identification process of the indigenous communities	Step 2: Reviewing community members’ commitment and purposes	Step 2: The IPC establish its internal rules facilitated by NGO (drafted by MoI)	Step 2: Public display of land evaluation documents + complaint
Step 3: Raising awareness about the process among the target communities	Step 3: The IPC to organize Community Congress in order to formally adopt the “community by-laws” and “Community’s Committee”	Step 3: The IPC to apply for a CLT to MLMUPC <b>Cut-Off Date is at this step</b>	Step 3: Reporting on the result of display of land evaluation documents
Step 4: The IPC to elect a Community Commission Representative and self-identify as “indigenous”.	Step 4: The IPC to submit the legal entity registration application to the MoI		Step 4: Meeting with the PSLC to decide on the report on the result of the public display of the land evaluation, and requesting the MLMUPC to issue land titles to the IP community.
Step 5: MRD issues Identity Certificates to the indigenous communities	Step 5: The MoI to register the IPC as a “Legal Entity”		Step 5: MLMUPC issues a letter to the MoE and the MAFF asking for an examination and approval of the land concerned
			Step 6: The MLMUPC issues a letter to the CoM requesting the land reclassification to be registered as a collective land in accordance with the decision of the MoE and the MAFF.
			Step 7: Issue collective land titles to indigenous communities.

14. LASED III will follow a two-pronged approach, (i) consolidating through complementary activities the current SLC program under LASED II and expanding it into new SLC sites; and (ii) implementing an adapted approach into communities of indigenous peoples in new project provinces, including provisions for free, prior and informed consent complying with the requirements of World Bank ESS7 and as detailed in the IPPF.

### 1.3 Project Objective and Components

15. The Project Development Objective is to provide access to land tenure security, agricultural and social services and selected infrastructure to small farmers and communities in the project areas.

### 1.4 Project Components

16. **Component 1: Selection and Development Planning of Social Land Concessions (SLC) and Indigenous Communal Land Titling (ICLT).** LASED III will support applications for SLC, and ICLT or development support to ICs, on a first come, first served basis. For new SLCs, first, communes must express a request; then, once the availability of the land is deemed compliant with the needs of the communities, a comprehensive environmental and social assessment and a land use planning are carried out before the sites are endorsed for the project. For ICLT and development assistance to ICs, the ICs themselves must come forward and ask for assistance. For ICLT, the Project will provide support throughout the different steps necessary to complete the registration process. This includes ICs whose land registration applications have already been successfully received by provincial land departments but that the land registration has not yet started, and also for those who have legal recognition from MoI, (Phase 2), but have not yet created and gathered all necessary documents to be able to file land registration applications. For ICs that as of the start of the Project have already completed the ICLT process, development assistance will be provided through infrastructure and service support, which will be delivered through Components 2 and 3. Planning activities in ICs will be supported by experienced local and international technical assistance, employed by the Project.

17. **Component 2: Community Infrastructure Development.** This will finance at selected SLC sites and ICLT communities, implementation of productive/economic and social community infrastructure investments. These include rural roads, small-scale irrigation systems<sup>2</sup>, side drains, culverts, drifts, water supply and sanitation facilities, school buildings, teachers' houses, health posts and community centers.

18. **Component 3: Agriculture and Livelihood Development** will support the settlement process of beneficiary households, the building of socio-economic capital (producer groups/cooperatives) and the development of climate-change resilient and market demand driven agricultural production systems. These will include support for: (a) settling-in assistance to newly-installed land recipients and land preparation assistance for a first cover crop and/or planting of seedlings for tree crops such as cashew to provide the basis for land recipients to establish a new residency and start using their new agriculture land; (b) implementation of a comprehensive agricultural services strategy with an emphasis on climate-smart agriculture techniques and proceeding with a pluralistic service provider approach, leveraging modern information and communications technology (ICT) and promoting farmer-managed demonstration plots on improved technologies and practices; (c) establishment and/or strengthening of farmers organizations for production and marketing activities and other community interest groups; and (d) provision of a Community Fund for Development (CFD) to scale up successful local initiatives.

19. **Component 4: Project Management, Coordination and Monitoring and Evaluations (M&E)** will ensure the timely and transparent financial management system, flow of funds, procurement, auditing and reporting. The MLMUPC will be the executing agency (EA), with participation from the Ministry of Agriculture, Forestry and Fisheries (MAFF) as implementing agency (IA).

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<sup>2</sup> In most SCL, the small-scale irrigation and water supply schemes will mainly capture the rainwater in the wet season. But in some other ICLT communities, the small-scale irrigation and water supply schemes will be developed using irrigation schemes that are currently used for rice irrigation. However, it is not excluded that few producer groups will develop small irrigation schemes outside existing irrigation schemes.

20. Component **5: Contingent Emergency Response**, with a provisional zero allocation, would allow for the reallocation of financing to provide immediate response to an eligible crisis or emergency.

### 1.5 Targeting

21. LASED III will be a national project in that it can operate in principle in any Province, excluding the capital, Phnom Penh, depending on relevant demand and opportunities for developments of SLC and ICLT. The locations of SLC and ICLT will be demand-led, responding to requests originating from Commune Councils (for SLC) and from ICs, subject to approval by relevant government bodies, on a first-come, first served basis. However, at least in the early stages of the project, activities are likely to be concentrated in certain provinces:

- a) Provinces with existing Social Land Concession sites: these are Kampong Chhnang, Kampong Speu, Kampong Thom, Kratie, and Tbong Khmum;
- b) Provinces with a large number of ICs: primarily, these are Ratanakiri, Mondulakiri, Stung Treng and Preah Vihear (as well as Kratie which is a LASED II Province);
- c) Provinces with land available for new SLCs. Potentially, these could be any Province in Cambodia. However, the Provinces with most available land and water resources are those in the northeast of the country, particularly Kampong Thom, Kratie and Preah Vihear.

### 1.6 Environmental and Social Risk Classification

22. The project activities which include land titling and associated small-scale infrastructure and livelihood support sub-projects are not anticipated to result directly in large or long-lasting negative impacts on the natural environment. Project sites will include former forest areas that are assessed by MAFF and MoE as irreversibly degraded, cancelled economic land concessions, and recovered illegally occupied lands; proposed sites would be reviewed by MAFF, MOE, and the Bank to validate that they are not in viable forests or other environmentally sensitive areas. Negative impacts could occur if this screening processes fail to identify and exclude sensitive environmental hotspots or important cultural heritage. Infrastructure sub-projects could have local negative environmental impacts during construction (e.g. noise and air pollution) or in the longer term if appropriate precautions to avoid harmful impacts on drainage patterns and erosion, or to take account of climate change impacts, are not included in design. Irrigation sub-projects could have negative impacts on water resources if appropriate measures to assess available water and ensure sustainability of existing uses and ecosystem services—value in sustaining livelihoods and human well-being—are not included in the design. Movement of substantial numbers of people onto SLC adjacent to environmentally sensitive areas could have negative impacts. Agricultural development at the project sites could have negative impacts (e.g. from misuse of agricultural chemicals) if project measures to ensure MAFF’s Good Agriculture Practice (GAP) are not successful.

23. Overall Environmental Risk is assessed as substantial for two main reasons: (a) the type, location, sensitivity, scale, and physical considerations of the project (above); (b) the capacity and commitment of the project EA and IAs to manage risks and impacts in a manner consistent with the ESSs. At national level, and with continued hands-on support of external consultants (e.g. qualified national and provincial advisors), an experienced team is in place that has gained ample experience under the LASED and LASED II projects where environmental issues were managed in line with established procedures under C/S PIM 2009. However, at the subnational level, current capacity in managing environmental impacts and/or risks is relatively weak. In LASED II, social and environmental risks have been managed primarily by excluding hotspots and other parcels of land associated with E&S risks from the SLC sites, however risks that are not easily managed within this spatial framework have received less attention. ESS1-10 require additional measures and related capacity which are not yet familiar to the sub-national implementing agencies.

24. The social risk is classified as High. While the project aims to deliver a range of benefits including economic development and community livelihood opportunities, project activities have the potential to generate significant social impacts, direct and indirect, due to the range of activities related to land consolidation, indigenous community lands, agriculture and infrastructure. The scale of the proposed activities, across sensitive locations (indigenous areas) and new focus on ICLT presents risks, particularly related to collective registration of indigenous communities' lands. Indigenous communities and their access to land and resources are under significant pressure from external agents and risks around land and natural resource management pose significant risks to local communities, including potential social conflicts within communities and between communities and external agents. The Land Law only provides tenure to some land use types. Possible restrictions on access to natural and cultural resources resulting from the ICLT process may impact on the nature-based livelihoods and tenure of vulnerable or marginal households and communities. The resulting potential adverse social impacts may affect the well-being of some sections of the communities. Some beneficiaries may have difficulties adapting to new livelihoods and resource management arrangements, particularly disadvantaged and vulnerable people. It is therefore crucial to establish or strengthen other tenure arrangements for these areas (e.g. forest and protected areas).

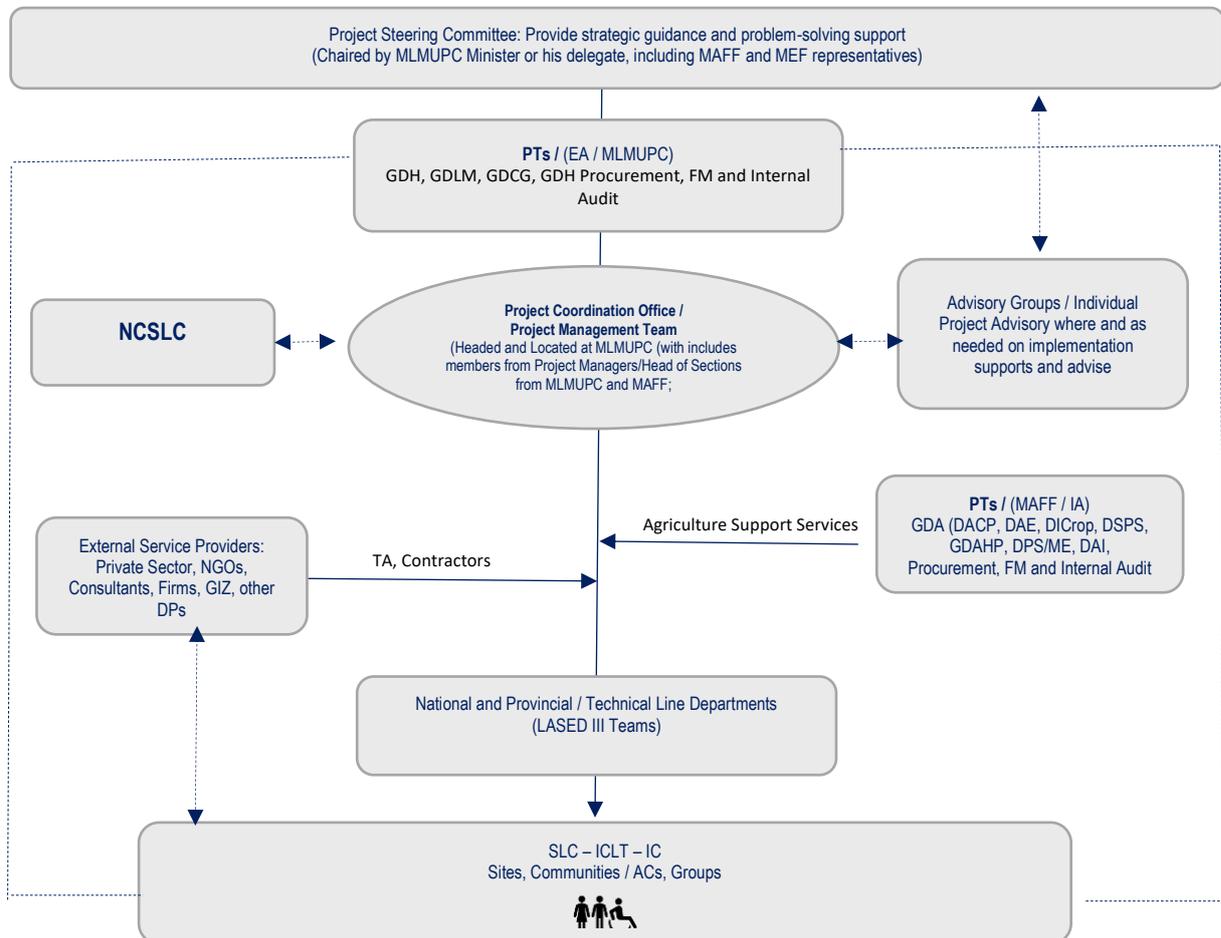
25. The project will support the process for LASED SLC site and ICLT, establishment of sustainable infrastructure and livelihood systems including land preparation, provision of social and economic infrastructure, agriculture support and livelihood development. Restrictions on access to land and natural and cultural resources resulting from these activities may impact on nature-based livelihoods and tenure of vulnerable or marginal households and communities. These potential adverse social impacts of the project, and the associated mitigation measures, may also impact the well-being of some sections of the affected communities, including from social conflict or harm. Indirect impacts resulting from both ICLT and SLC activities may include increase in social inequality and conflict, and some beneficiaries may have difficulties adapting to new livelihoods and land and resource management arrangement, particularly disadvantaged and vulnerable people.

26. Accordingly, the E&S risks associated with LASED III are addressed through an integrated set of E&S risk management instruments of which this SEP forms a part. The full set of E&S risk management instruments also includes the Environmental and Social Management Framework (ESMF); Labor and Working Conditions Procedures (LWCP); Indigenous Peoples Planning Framework (IPPF); Resettlement Policy Framework (RPF); Cultural Heritage Protection Framework (CHPF). Furthermore, as the SLC and ICLT locations are not known at the time of project design, site-specific and sub-project specific instruments will be prepared as needed, including an Environmental and Social Management Plan (ESMP) and SEP for each SLC and ICLT.

## **1.7 Project Implementation Responsibilities**

27. MLMUPC, as the project executing agency (EA), will lead overall implementation planning and coordination. This will include overall responsibilities for the technical aspects of infrastructure development in rural roads, small-scale irrigation schemes and other public infrastructure such as school and health infrastructure. The MLMUPC/EA will be responsible to draw in required technical expertise from MRD, MoWRAM, ministries of Education and Health, as applicable and advised, from either provincial or national level departments. Provincial level implementation responsibilities will rest with the respective provincial government agency. The new project activities on ICLT will be technically handled by MLMUPC's General Department of Cadastral and Geography which will also mobilize. Given the importance and sensitivity of the work with indigenous communities, transparency and civic engagement are key for a smooth implementation process. Dedicated safeguards staff, together with communication expert(s) will ensure that project implementation procedures are well understood and fully followed. The safeguards team will ensure that processes as described in the ESF and the associated safeguards documents are appropriately implemented, monitored and documented. The project communication team will ensure that internal and external information sharing and awareness raising reach beneficiaries and other stakeholders through target group-specific communication means. Capacity building and assistance through external service providers (NGOs, consultants) is envisaged.

28. MAFF will be the IA for agricultural and agriculture-related livelihood activities (Component 3). MAFF/IA will coordinate and supports the agriculture-based livelihood activities and will deploy adequate national level capacities and resources for SLC and ICLT planning and agriculture service delivery on the ground. It will also be provided with the financial resources to engage experienced consultants, NGOs or other service providers in implementation.



### 1.8 Capacity and Experience of Principle Implementing Agencies

29. The LASED III implementing agencies described in Section 1.6 above are largely the same agencies responsible for implementation of LASED II. However, the implementing agencies do not have previous experience of implementing projects within the ESF framework, including stakeholder engagement to the standards required by ESS10. LASED II does not include engagement with the ICLT process; although MLMUPC, MAFF, and the Provincial authorities are already engaged in this process independently of the LASED II/LASED III, the following table summarizes key areas in which additional capacity is required. A capacity building plan is presented in the ESMF.

Activity	MLMUPC	MAFF		Provincial Team	Gaps
SLC Identification and Mapping	Yes	*		Yes	Not familiar with ESS10 insofar as requirements differ
SLC Beneficiary Selection	Yes	*		Yes	
SLC Sub-Projects	Yes	Yes		Yes	

ICLT Mapping and Titling	Yes	*		Yes	from stakeholder engagement in LASED II
ICLT sub-projects	No	No		No	
Free, Prior, Informed Consent	No	No		No	
* Agency not responsible for this activity					

**2 LEGAL FRAMEWORK FOR STAKEHOLDER ENGAGEMENT**

30. The process for land identification and beneficiary selection for SLC, and the process for preparing an ICLT, include legal requirements for stakeholder engagement. In particular, these requirements include full information disclosure and provision for receiving and handling complaints and grievances at each step of the process. These legal requirements are summarized in Annex 1.

31. In addition to compliance with the requirements of Cambodia laws and regulations, LASED III is also formulated in line with the World Bank’s requirements on stakeholder engagement.

32. The World Bank requirements for stakeholder engagement, including a GRM are described in the ESF and Environmental and Social Standards 1 – 10 (ESS1-ESS10). Specific requirements for stakeholder engagement, relevant to LASED III, are included in ESS1 – Assessment and Management of Environmental and Social Risks and Impacts; ESS5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlement; ESS7 – Indigenous Peoples / Sub-Saharan African Historically Underserved Traditional Local Communities; ESS8 – Cultural Heritage and ESS10 – Stakeholder Engagement and Information Disclosure.

33. Annex 1 presents a gap analysis of the legal and regulatory framework for stakeholder engagement in the project design and implementation cycle in Cambodia, and specifically in the regulatory procedures for SLC and ICLT. Annex 1 outlines project measures to address these gaps, which are described in detail in the following sections.

**3 STAKEHOLDER ENGAGEMENT FOR ASSESSING ENVIRONMENTAL AND SOCIAL RISKS**

34. An Environmental and Social Profile has been prepared for LASED III based on the experience of LASED and LASED II, on secondary data, on visits to existing and potential SLC sites and to IC communities and on discussions with stakeholders at national, provincial, local and community levels. Based on the profile, an ESMF has been prepared together with an ESCP, LWCP, RPF, IPPF and a CHPF.

35. Identified environmental and social risks of the project have been summarized in Section 1.6 above. Environmental and social risks are described in detail with proposed risk mitigation measures in the ESMF.





36. Stakeholder groups consulted include:

- a) Potentially affected and beneficiary communities or their representatives: 103 participants for SCLs and 69 participants for ICLTs across in the provinces of Kampong Thom, Stung Treng, Ratanakiri and Mondulakiri.
- b) Local and Provincial Governments: 42 participants from the same
- c) Central Government Agencies: 13 participants
- d) Civil Society Organizations: 5 participants (NGOs with working experiences on SLC and indigenous communities)
- e) Development Partners and International Organisation: 4 participants

37. Engagement methods included one-to-one meetings, formal presentations, focus group discussions and the sharing of project documentation.

38. The consultation related ESF instruments, was undertaken in parallel with appraisal – after the documents have been publicly disclosed that were held from April 10 to May 1, 2020. Disclosure and consultations will need to be planned to take place with interested and affected stakeholder in the northeast provinces (where most IP Communities, including all those that have received ICLT to date, and most existing SLC are located) as well as in Phnom Penh. In view of government measures to avoid the spread of Covid-19 to transfer face-to-face consultations to virtual consultations to the extent possible and appropriate. The LASED III consultation during COVID 19 was organized as following the WB financing project a 3-way approach including online, phone calls / emails and commune office.

**A. Online:**

- Implementing agencies (IAs) including MLMUPC, MAFF announce the documents are online on their website and other online sources (such as Facebook page) providing links to documents. This also includes translation into Khmer executive summaries of documents, GRM and Table 10 on ESMFs (summary of risks/impacts and mitigation measures). MLMUPC produces a short 5-10 min video (or audio) explaining the project, impacts, mitigation measures, GRM, where documents can be found online and how to share concerns/comments/questions.

**B. Phone Calls:**

- IAs designate SEO staff to quickly draw up a list of participants/affected people from project area and their telephone numbers -- ensuring there is a good representation of women in the list.
- During each phone call, the SEO team can brief each person (participant) on the project, potential impacts and risks as well as mitigation measures, grievance redress and contact info, and ask for their feedback. They can also send a link via SMS, after the phone call, with the Facebook and YouTube (if have) pages and links of the documents. Participants can also be asked to forward the information to their neighbors.

**C. Commune Office:**

- All translated documents, including GRM and Table 10 of ESMF (summary of risks/impacts and mitigation measures), to be made available at commune office. Posters letting people know of documents can also be posted in visible locations such as outside of schools, pagodas and markets.

#### D. Documentation and Feedback

- In phone calls and Facebook/website, IA to establish a clear deadline to receive the feedback of the draft documents.
- As comments/questions get posted, for these to be included on Facebook site so other people can also see them (since in consultation people get to hear other people as questions).
- Based on the feedback, prepare a Consultations Report, noting the method used and comments/questions received.

39. A record of stakeholder engagement consultations and key issues is presented as Annex 11 to this SEP.

## 4 STAKEHOLDER IDENTIFICATION AND ANALYSIS

### 4.1 Project Affected Parties

40. For the purposes of this Plan, a stakeholder is defined as any individuals or groups who:

- are potentially affected (beneficially or adversely) by the proposed Project (project affected parties), and
- may have an interest in the proposed Project (other interested parties).

41. It is therefore important to establish which organizations, groups and individuals may be directly or indirectly affected (positively and negatively) by the proposed Project and which might have an interest in the proposed Project.

42. Project Affected Parties (PAP) will include (1) target beneficiaries, i.e. actual and potential land recipients of SLC and members of IC receiving ICLT; and (2) other residents of the target areas who are not direct beneficiaries and who may enjoy some benefits but may also be adversely affected.

### 4.2 Other Interested Parties

43. Other Interested Parties include a wide range of government agencies, local authorities and civil society organizations (CSO) that are active in supporting the target communities of LASED III, including CSO that are partners implementing some project activities, and CSO that are already engaged (before start-up of LASED III activities at any location) in supporting IC through the land titling process.

Table 4 presents a summary of PAP and Other Interested Parties for SLC sites.

<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
<b>Project Affected Parties</b>		
Landless and land-poor population groups	Target land recipients (TLR)	Direct Beneficiary

**Table 4: Identification of Stakeholders for Social Land Concessions**

<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
Land Recipient Committee (LRC) or SLC Community Committee (SLCCC) composing of: <ul style="list-style-type: none"> <li>• Community Procurement Sub-Committee (CPSC)</li> <li>• Infrastructure Repairing and Maintenance sub-committee (IRMSC)</li> <li>• School/ Health Post/ Community Hall sub-committee</li> <li>• Road sub-committee</li> <li>• Community worker sub-committee (CWSC)</li> </ul>	Representatives of LR selected for the SLC	Direct Beneficiary Participation in local planning
<ul style="list-style-type: none"> <li>• Revolving fund groups (RFG)</li> <li>• Savings and Credit Revolving Fund Groups [SCGs]</li> <li>• Most Vulnerable Household Revolving Fund Groups [MVHGs]</li> </ul>	<ul style="list-style-type: none"> <li>• LR (ID Poor 2)</li> <li>• LR (ID Poor 1)</li> </ul>	Direct Beneficiary
Community Level Agents	<ul style="list-style-type: none"> <li>• Village Extension Workers/ VEWs selected from LR</li> <li>• Village Animal Health Workers /VAWs selected from LR</li> </ul>	Direct Beneficiary
Agriculture Production/Marketing Groups	Land Recipients	Direct Beneficiary
Existing land users in or adjacent to SLC area	Farmers and other land users with existing claims to land in the area (these lands will be excluded from the SLC during the land identification and mapping process)	<ul style="list-style-type: none"> <li>• Potential negative impacts (land)</li> <li>• Potentially indirect beneficiaries</li> </ul>
Local residents	Commune residents who are not eligible to receive SLC land Residents who may be eligible but do not want to apply for SLC land	<ul style="list-style-type: none"> <li>• Potential negative impacts (access to resources)</li> <li>• Potentially indirect beneficiaries</li> </ul>
Beneficiaries of LASED III rural development activities who are not land recipients	May include local residents who use roads or other infrastructure provided or rehabilitated by the project	Indirect beneficiaries
<b>Other Interested Parties</b>		
Civil Society		
Local/ national NGOs (including conservation NGOs)	Field Officers or Representative at national, provincial, district and commune levels.	Advocacy May be implementing partners
International NGOs (including conservation NGOs, UN agencies), and DPs.	National representatives, field offices (where present)	Advocacy May be implementing partners
Academic researchers	Researchers working with or studying rural communities, particularly on land tenure issues	Potential source of expert advice
<b>Commune and Provincial Government</b>		
Commune SLC	Commune Councils Village Representatives	Implementation

<b>Table 4: Identification of Stakeholders for Social Land Concessions</b>		
<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
Community Development Facilitators (CDFs)	Project contracted staff at commune level	Project staff
District Working Group (DWG) (Art 27 Sub-decree 19)	<ul style="list-style-type: none"> <li>• Governor or Deputy Governor of District/ Khan Chairman.</li> <li>• Chiefs of district/khan offices representing the ministries and institutions that are the members of Provincial/ Municipal Land Use and Allocation Committee Member</li> <li>• Representatives of local authority Member</li> </ul>	Implementation
Project contracted staff at district level professionals <sup>3</sup>	<ul style="list-style-type: none"> <li>• Community Agriculture Facilitators/ CAFs</li> <li>• (1 person for one SLC sites)</li> <li>• Community Development Facilitators/ CDFs</li> <li>• (1 person for one SLC sites)</li> </ul>	Implementation
Provincial Administration (PA)		Implementation Legal Authority
Provincial Land Use and Allocation Committee (PLUAC) (Art 24 Sub-decree 19)	<ul style="list-style-type: none"> <li>• Provincial/Municipal Governor or Deputy Governor Chairman</li> <li>• Chief, Provincial/Municipal Sub-Commissioner of the Army Member</li> <li>• Directors Provincial/ Municipal department (PDMUPCC, PDEF, PDRD, PDAFF, PDP, PDWA, PDE, PDWM, PDSALVY) Members</li> </ul>	Legal Authority
PLUAC Technical Support Units (TSU) (Art 25 Sub-decree 19)	<ul style="list-style-type: none"> <li>• Land TSU is headed by the PLMUPCC.</li> <li>• TLR Selection TSU is headed by the Provincial/Municipal authority.</li> <li>• Development TSU is headed by the Provincial/Municipal Department of Rural Development department.</li> </ul>	Technical Support
Provincial LASED Team	<ul style="list-style-type: none"> <li>• Provincial Land Use Allocation Committee (PLUAC) Chaired by Provincial Governor</li> <li>• Provincial Administrative (PA)</li> </ul>	Implementation
Technical Provincial Departments	<ul style="list-style-type: none"> <li>• Provincial Departments of MLMUPC, MAFF, MRD and MoE, MoWA, MoEYS, MoH and MoWRAM</li> </ul>	Implementation and technical cooperation
National Committee for Social Land Concession (NCSLC) (Art 21 Sub-decree 19)	<ul style="list-style-type: none"> <li>• Minister LMUPC: Chairman</li> <li>• Secretary of States (MoI, MND, MEF, MRD, MAFF, MoP, MWA, MoE, MoWH, MSAVY, MLVT): Members</li> <li>• Director General of the Department General of LMUPC: Secretary General</li> </ul>	Oversight
LASED Project Management Team (PMT)	<ul style="list-style-type: none"> <li>• LASED Project Director MLMUPC</li> <li>• LASED MAFF</li> </ul>	Implementation

<sup>3</sup> COM 2016, Chapter 9 Roles and Responsibilities in Field Implementation, page 87

<b>Table 4: Identification of Stakeholders for Social Land Concessions</b>		
<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
MLMUPC Staff	<ul style="list-style-type: none"> <li>• Project Director</li> <li>• Chief of Training and Communication Unit</li> <li>• Chief of Land Management Unit</li> <li>• Chief of Administration Unit</li> <li>• Chief of Finance Unit</li> <li>• Chief of Internal Auditor Unit</li> <li>• Chief of Land Recipient Selection Unit</li> <li>• Chief of Community Development Unit</li> <li>• Chief of Cadastral Unit</li> </ul>	Executing Agency /Implementation
MAFF	<ul style="list-style-type: none"> <li>• MAFF General director</li> <li>• MAFF National Coordinator</li> <li>• MAFF Deputy National Coordinator</li> <li>• Chief of Financial Unit</li> <li>• Chief of Farming System Unit</li> <li>• Chief of Land Resource Management Unit</li> <li>• Chief of Administration Unit</li> </ul>	Implementation
The Master Trainer Team (MTT)/MAFF  PIM LASED II, Paragraph 253	<ul style="list-style-type: none"> <li>• Department of Agricultural Extension,</li> <li>• Department of Agricultural Cooperatives</li> <li>• Department of Industrial/Cash Crops,</li> <li>• Rice Department,</li> <li>• Department of Horticulture,</li> <li>• Agricultural Land Department,</li> <li>• Department of Animal Health and Livestock Production (DAHLP), and</li> <li>• MAFF's Gender Unit.</li> </ul>	Implementation

Table 5 presents a summary of PAP and Other Interested Parties for ICLT sites.

<b>Table 5: Identification of Stakeholders for ICLT</b>		
<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
<b>Project Affected Parties</b>		
Indigenous Peoples Community	Indigenous peoples Village Chief, village elders, sub-groups (e.g. elderly, poor, clans, youth, women/men, vulnerable).	Beneficiaries Participants in activities
Indigenous Community Management Committee (ICMC)	Chair; Vice Chair; Treasurer and Members	Leadership, representation, implementation responsibilities
IP out-migrants	IP community members who have migrated away for work, especially those maintaining close links and / or planning to return	<ul style="list-style-type: none"> <li>○ Potential beneficiaries.</li> <li>○ Potentially negatively affected if they are not informed and able to participate</li> </ul>
Non-IP land users in area	Farmers, users of common property resources, commercial agriculture operations etc.	<ul style="list-style-type: none"> <li>○ Potentially negatively affected</li> <li>○ May also be indirect beneficiaries</li> </ul>

<b>Table 5: Identification of Stakeholders for ICLT</b>		
<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
IP who are not members of the ICLT community, or who choose not to participate	Include those choosing not to participate and IP members of other groups	<ul style="list-style-type: none"> <li>○ Potentially negatively affected</li> <li>○ May also be indirect beneficiaries</li> </ul>
Beneficiaries of LASED III rural development activities who are not land recipients	May include local residents who use roads or other infrastructure provided or rehabilitated by the project	<ul style="list-style-type: none"> <li>○ Indirect beneficiaries</li> </ul>
Project contracted staff at community level	District Cadastral Office (1 officer)	Project staff
<b>Other Interested Parties</b>		
Civil Society		
Indigenous peoples' representative organisations	Leaders and staff members	Advocacy and advice
Local / national NGOs (including IP, social development, conservation NGOs)	Field Officers or Representative at national, provincial, district and commune levels.	Advocacy May be implementing partners
International NGOs (including IP, social development, conservation NGOs, UN agencies), and DPs.	National representatives, field offices (where present)	Advocacy
Academic researchers	Researchers studying and working with IP	May be implementing partners
<b>Commune and Provincial Government</b>		
Commune Council	Commune Chief and members	Implementation Local Authority
Municipal and District State Land Working Group (M/DSLWG)	<ul style="list-style-type: none"> <li>• Municipal/ District authorities</li> <li>• Trainer from District Cadastral Office</li> </ul>	Implementation Local Authority
Field Teams (for GPS mapping)	<ul style="list-style-type: none"> <li>• District Cadastral Officers</li> <li>• Community Committee members,</li> <li>• Village elders, village chiefs from neighboring communities, and</li> <li>• Commune Council members.</li> </ul>	Implementation
Provincial State Land Management Committee (PSLMC)	<ul style="list-style-type: none"> <li>• Provincial Governor or Deputy (Chair)</li> <li>• Director of Provincial Department of Land Management, Urban Planning, Construction and Cadastral (PDLMUCC)</li> <li>• District Governor</li> </ul>	Legal authority
Provincial Land Registration Working Group (PLRWG)	<ul style="list-style-type: none"> <li>• Director of PDLMUCC as Coordinator</li> <li>• Provincial Departments' Field Technical Working Group, known as competence officer in charge of evaluation zone</li> </ul>	Implementation

<b>Table 5: Identification of Stakeholders for ICLT</b>		
<b>Stakeholder Group</b>	<b>Stakeholder</b>	<b>Relation to project</b>
MLMUPC's General Department of Cadastral and Geography	<ul style="list-style-type: none"> <li>• Working group to support the ICLT</li> <li>• National consultants</li> <li>• Technical assistants</li> <li>• Safeguards staff,</li> <li>• Communication expert(s)</li> </ul>	Executing Agency /Implementation
MLMUPC Staff	<ul style="list-style-type: none"> <li>• Project Director</li> <li>• Chief of Training and Communication Unit</li> <li>• Chief of Land Management Unit</li> <li>• Chief of Administration Unit</li> <li>• Chief of Finance Unit</li> <li>• Chief of Internal Auditor Unit</li> <li>• Chief of Land Recipient Selection Unit</li> <li>• Chief of Community Development Unit</li> <li>• Chief of Cadastral Unit</li> </ul>	Executing Agency /Implementation
MAFF	<ul style="list-style-type: none"> <li>• MAFF General director</li> <li>• MAFF National Coordinator</li> <li>• MAFF Deputy National Coordinator</li> <li>• Chief of Financial Unit</li> <li>• Chief of Farming System Unit</li> <li>• Chief of Land Resource Management Unit</li> <li>• Chief of Administration Unit</li> </ul>	Implementation

### 4.3 Disadvantaged / Vulnerable Groups

44. LASED III is specifically designed to assist disadvantaged and vulnerable groups in rural areas.

45. SLC land recipients will be selected from the poorer members of the local community. As such, land recipients will include a high proportion of people with limited literacy and / or with little experience or confidence in dealing with official processes such as the land application process, or in dealing with authority generally.

46. Eligible land recipients, particularly disadvantaged and vulnerable groups may include (1) households facing a shortage of able-bodied labor who may find it difficult to participate in and benefit from the SLC process; (2) women, including women who are household heads but also others, whose views and interests may differ from those of men; (3) potentially, groups who may face discrimination for other reasons; and (4) individuals facing challenges such as elderly people, disabled etc.

47. IC are on average poorer than non-indigenous Cambodians and face challenges including lack of Khmer language skills, relatively low literacy levels and typically low access to public services including health and education. IC will include both poor and non-poor households.

48. Within IC, groups who may find it difficult to have their views on the ICPT process taken into consideration, or to fully benefit from the ICLT, may include poorer households, those who do not understand Khmer or have low literacy, women and other disadvantaged groups within the community.

49. The interests of IC members who have migrated away from the community, possibly as a result of lack of economic opportunities within the community, also need to be considered. Some of these will be household members of households still resident but others may have migrated as a household. These community members should be fully informed of the ICLT process so that they can consider whether to return to their home communities to establish their rights within the ICLT and to take advantage of opportunities created by the project.

#### 4.4 Summary of Stakeholder Needs

Table 6 summarizes key characteristics and information and consultation needs of different stakeholder groups.

Table 6: Summary of Stakeholder Needs				
Group	Key Characteristics	Language, Literacy and Connectivity	Information Needs	Consultation Needs
SLC Land Recipients	Poor and near poor rural residents	Khmer (could include some with IP first language) Low literacy Low Internet use	Land Application Process Other project opportunities GRM	Selection Criteria and Process Land Use Planning Sub-Project Planning
IC Community Members	Indigenous People	IP languages, Khmer as second language Low literacy Low Internet use	ICLT process Other project opportunities GRM	ICLT application process Allocation of land within ICLT Land Use Planning Sub-Project Planning
IC Community out-migrants	Indigenous people who have migrated away for work	IP languages. Probably higher level of Khmer and possibly smartphone use (if they have been working in a city)	Need to be informed about ICLT process and opportunities it affords them.	Able to participate in community consultations
Other Project Affected Parties	Mainly rural residents	Khmer Could include people with low literacy Some Internet use	Land Mapping (identification of SLC or ICLT land) Proposed infrastructure developments Opportunities to benefit from project GRM	SLC selection criteria Infrastructure sub-projects
Other Interested Groups	CSOs, government agencies etc.	Khmer, English Literate / Connected	Land Titling Process Land Use Planning Sub-Projects Mapping GRM	

## 5 STAKEHOLDER ENGAGEMENT PROGRAM

### 5.1 Purpose and timing of stakeholder engagement program

50. Stakeholder engagement in LASED III will be informed by a set of engagement principles defining core values underpinning interactions with stakeholders. These engagement principles will be reflected in location-specific SEPs prepared to guide stakeholder engagement at each SLC and ICLT location as well as the public health restrictions to avoid the spread of Covid-19 by phone call and public display as indicated in paragraph 38. Common principles, based on the review of the national, international, and project requirements, include the following:

- the culture, fundamental human rights, values and traditions of stakeholders are respected in accordance with established legal precedent and accepted practice within Cambodia;

- stakeholders are treated with sensitivity and respect in terms of their issues, views and suggestions;
- interaction with stakeholders is meaningful, culturally appropriate (including language), and is timely, transparent and responsive;
- inclusion, voice, and access to benefits for vulnerable groups (including women, youth, elderly, and people with disabilities) are included in engagement and data from different stakeholder groups are disaggregated (assessed separately) in order to assess differential needs and perceptions of stakeholder groups (i.e. men, women, youth, landowners/tenants);
- vulnerable groups are represented in community bodies including the Commune SLC Working Group and the Land Recipients Committee;
- data will be managed in a manner respecting personal privacy, anonymity and confidentiality considerations;
- data from stakeholder engagement is incorporated in assessments and associated environmental and social management plans.

51. Guided by these principles, the objectives for engaging stakeholders for assessing and managing E&S risks include:

- Enabling understanding: an open, inclusive and transparent process of culturally appropriate engagement and communication will be undertaken to ensure stakeholders are well informed about the proposed development. Information throughout the assessment process will be disclosed as early as possible and be appropriate for different stakeholder groups;
- Involving stakeholders in the assessment: Stakeholders will be involved in the scoping of issues, the assessment of impacts, the generation of mitigation measures and the finalization of the assessment report. They will also be engaged to provide local knowledge and information to inform the baseline studies;
- Engaging vulnerable groups: An open and inclusive approach to consultation increases the opportunity for stakeholders to provide comment on the proposed Project and to voice their concerns. Some stakeholders, however, need special attention in such a process due to their vulnerability. Differentiated measures will be developed in detail in the site specific SEP and will be used to ensure effective participation of vulnerable stakeholders;
- Managing expectations: It is important to ensure that the proposed Project does not create or allow unrealistic expectations to develop amongst stakeholders about Project benefits. The engagement process will serve as one of the mechanisms for understanding and then managing stakeholder and community expectations, where the latter will be achieved by disseminating accurate information in an accessible way; and
- Ensuring compliance: The process is designed to ensure compliance with both local regulatory requirements and international good practice.

52. Stakeholder engagement in LASED III will adopt the principles and much of the established good practice of stakeholder engagement under the Civic Engagement Plan (CEF) developed for LASED and updated for LASED II. The most important modifications to this Plan will be those that ensure effective stakeholder engagement and compliance with the principle of FPIC in LASED III support to ICLT.

53. It is especially important to ensure the maximum awareness about the project, its objectives, strategy and activities, so that all eligible beneficiaries including members of poor and vulnerable groups have an opportunity to benefit from land titling and sub-project activities, and that people who might be negatively affected have the opportunity to voice their concerns at the earliest stage.

54. At the time of project design, the locations of future SLC and ICLT sites, to be supported by the project, are not known. Therefore, stakeholder engagement during project design will include public disclosure of relevant documents and dialogue with stakeholders including potentially project affected

people and their representative organizations at national and provincial level. As described in Paragraph 38 above, it has been agreed that to minimise face-to-face contacts to avoid transmission of COVID-19 virus, these consultations will be held using a 3-way approach including online, phone calls / emails and making documents available at the commune office.

55. Identification and planning of SLC sites, piloted in the LASED and LASED II process, follow a structured process with mandatory requirements for disclosure of information and engagement of stakeholders.

56. Identification, mapping and registration of ICLT land also follow a structured process with mandatory disclosure and stakeholder engagement requirements. The process is described in the IPPF. This process is new for LASED III but MLMUPC, the EA for the project, has had experience in implementing the process on 15 sites that have completed ICLT to date. LASED III will support the mandatory requirements and any additional disclosure and stakeholder engagement to the same standards as on the SLC sites, and in particular will ensure that both representatives and individual members of indigenous communities (IC) are fully informed and able to participate in dialogue in their own language.

57. ESS7 requires that Free, Prior, Informed Consent (FPIC) must be obtained in any circumstances in which IPs are affected by (a) adverse impacts on land and natural resources of IP; (b) relocation of IPs; or (c) impacts on cultural heritage. The IPPF identifies that FPIC will be required for identification and mapping of ICLT land, particularly at Stage 2.5 (sketch map) and Phase 3 which is the formal land mapping, measurement and registration process (see Table 2). However, FPIC may also be required in the case that development of an SLC adversely affects IP, or development of an ICLT adversely affects IP other than the beneficiary community, such as to constitute the circumstances defined by ESS7.

58. Sub-project planning will follow participatory principles. This is to ensure that sub-projects respond effectively to the needs and priorities of the beneficiaries (SLR land recipients and IC members) and will include a notable proportion of poor and vulnerable people. Information disclosure will ensure that people who may be negatively affected are aware of sub-project plans and have an opportunity to raise their concerns.

59. The project will support a transparent grievance redress mechanism to ensure that all stakeholders have the opportunity to raise grievances, to have their grievances reviewed in a fair, timely and effective manner, to be fully informed of the progress of the grievance review, and to receive appropriate redress.

60. Information disclosure and stakeholder engagement, including the GRM, will be ongoing processes throughout the project implementation period.

## **5.2 Proposed strategy for information disclosure**

61. During the project preparation period (when the locations of SLC and ICLT sites are not yet known, therefore affected persons cannot be identified) information disclosure will primarily target representative organizations and agencies supporting the interests of potentially affected communities, including government and local authority agencies. These will include:

- Relevant government ministries,
- Sub-national administrations (Province, District and Commune level) in potential target provinces;
- NGOs (including IP, social development and conservation NGOs) and civil society organizations supporting SLC sites and / or working with IC;
- Representatives of communities on existing SLC sites;

- Representatives of IC, including communities currently going through the ICLT process and communities that have completed the process.

62. During project implementation, information disclosure will additionally target project beneficiaries and affected people at the SLC and ICLT sites and in adjacent areas. Methods of information disclosure will take into account the need to reach people who may not be able to read and/or whose first language may not be Khmer.

63. The following documents were publicly disclosed on the Cambodia's ministries websites on April 11, 2020 during project preparation except RPF on April 17, 2020:

- Environmental and Social Commitment Plan (ESCP)
- Environmental and Social Management Framework (ESMF) including Environmental
- Resettlement Policy Framework (RPF);
- Indigenous People's Planning Framework (IPPF);
- Cultural Heritage Protection Framework (CHPF);
- Labor and Working Conditions Procedures (LWCP);
- This Stakeholder Engagement Plan (SEP).

64. These documents will be disclosed on the websites of World Bank and of the LASED II project. In addition, the documents will be made available to participants in stakeholder consultations to be held in late April 2020. As described in Paragraph 38 above, it has been agreed that to minimise face-to-face contacts to avoid transmission of COVID-19 virus, these consultations will be held using a 3-way approach including online, phone calls / emails and making documents available at the commune office.

65. During implementation, site specific assessments, SEP and an ESMP will be prepared for each new SLC and ICLT site. Where necessary (as defined in the ESS instruments listed in par 68) an Indigenous People Plan and / or a Resettlement Plan will also be prepared. These plans will be posted on the project website. The plans (in Khmer language) will also be made available through the Commune Council office (for SLC) and the IC community leaders. Notices announcing the availability of these documents for inspection will be posted on community noticeboards.

66. Full information about proposals to allocate land for SLC and to issue community titles for ICLT land will be disclosed in accordance with the mandatory procedures for SLC and ICLT.

67. In any case where involuntary resettlement is required, a Resettlement Plan (RP) will be prepared following the procedures described in the RPF. The RP will be made available on the project website and to affected people. The RPF includes mandatory provisions for full disclosure of information on the land acquisition process to affected persons.

68. Key results of information disclosure during the SLC process include:

- Target communities, local authorities and civil society organizations working with affected communities are fully aware of the proposed development of the SLC and all implications, including the requirements of the RPF and RPs;
- Land users, including legal owners, informal occupiers and common property resource (CPR) users (e.g. for grazing, collection of non-timber forest products, fishing etc.) are fully aware of the plans for development of the SLC and the requirements of the RPF and RPs as well as the grievance procedures, including WB's grievance process.;
- Potential land recipients are aware of the criteria for eligibility, the process for application, and the obligations they will accept as an SLC land recipient.

69. Content and methods of information disclosure at each step of the SLC process are set out in Annex 3.

70. The ICLT process (as defined in the Manual on Indigenous Communities - Identification; Legal Entity Registration; and Communal Land Registration Process in Cambodia, Dec 2018 by OHCHR, MRD, MOI and MLMUPC) is highly participatory and is community-driven. This process is reflected in the LASED III IPPF with additional measures to enhance the engagement process and obtain FPIC in line with ESS7. Key disclosure and participation requirements are set out in Annex 4.

71. Annex 6 presents guidelines for public announcements and a template to be used for announcement of public meetings as required at relevant steps of the SLC process (Annex 2) and ICLT process (Annex 3).

72. Annex 7 lists communication materials to be produced and distributed at each step of the process. Annex 8 provides a template for contents of a sample leaflet for pre-launch information at SLC sites (as used in LASED II) and can be adapted for use at start of activities at an ICLT.

### **5.3 Proposed strategy for consultation**

#### ***5.3.1 Consultation During Project Preparation***

73. Consultation activities completed before the preparation of this SEP draft are summarized in Section 3 above and in Annex 11.

#### ***5.3.2 Consultation in SLC Identification and Planning***

74. LASED III will continue the consultative approach to identification, demarcation and land use planning of SLC sites that has been established by the LASED and LASED II projects.

75. For each new SLC site, a Stakeholder Engagement Plan (SEP) will be prepared and will identify:

- Typology of stakeholders to be consulted including project affected people, poor and vulnerable groups etc.;
- Leaders and representatives of each group;
- Means of consultation with each group, including need for special support such as non-Khmer language communication;
- Key consultation activities with expected results (in terms of awareness, participatory decisions and informed consent of the different groups of projects affected people) at each stage of the process;
- Timeline of consultation activities.

76. A template for the site-specific SEP is included as Annex 5.

77. The SLC process provides for direct participation by land recipients in decision making, including consultation with community groups on the criteria for selection of land recipients at Step 3; selection of two land recipients as members of the Commune SLC Working Group at Step 7 and formation of a Land Recipients Committee at Step 10 (Annex 2).

78. The site-specific SEP will be monitored, and a short report prepared to verify implementation and to identify any challenges encountered and lessons learned.

79. Annex 2 lists the consultation activities at each step of the SLC process, with expected outcomes including decisions taken as a result of consultation.

80. The project will ensure that poor and vulnerable groups will have an equal opportunity to be heard and to have their views taken into consideration. The strategy for engaging poor and vulnerable groups is further discussed in Section 6.4.

### **5.3.3 Consultation in ICLT Support**

81. Consultation during the ICLT process will follow the same basic principles established for SLC sites by LASED and LASED II. The consultation process begins with the first engagement of the project with the IC (this may be after MoI registration, or at a later stage in the ICLT process) and will be tailored to the needs of indigenous communities, including:

- Consultation process led by community leaders, taking place at each step of the process, and following traditional or culturally appropriate modes of consultation where relevant;
- Use of minority languages and verbal communication where literacy levels are low;
- Ensuring that the voices of different groups within the IC, including women and youth, can be heard through appropriate procedures
- FPIC of the IC for key decisions as per the IPPF.

82. Annex 3 lists consultation activities at each step of the ICLT land titling process including expected outcomes and decisions taken as a result of consultation. These activities are also described in the IPPF.

### **5.3.4 Consultation in Design and Implementation of Sub-projects**

83. Infrastructure and livelihood support sub-projects in LASED III will be identified and planned using the participatory approach that has been used and demonstrated as successful under LASED and LASED II. Further consultation with project affected people is carried out at the feasibility study and design stages, and the implementation methods include monitoring by beneficiary groups and local authorities. Furthermore, the infrastructure and livelihoods sub-projects of LASED III will be integrated into the Commune Development Plans which are annually updated by the Commune Councils based on participatory planning principles. The same approach, which has been developed for sub-projects on SLC sites, will be applied to ICLT sites, with additional measures to meet the needs of indigenous communities.

84. Participatory planning will ensure (1) that project funds are used efficiently to support the sub-projects with the highest priority for the project beneficiaries (SLC land recipients and IC members); (2) that beneficiaries have the opportunity to consider alternative designs for the sub-projects and select the design that is optimal for their needs, consistent with cost-effectiveness; (3) that local knowledge is taken into consideration to mitigate risks including climate-related risks; and (4) that project affected people, including people who may be negatively affected by the sub-projects, are fully informed and have the opportunity to raise their concerns. The FPIC principle applies to planning and detailed design of sub-projects affecting indigenous communities (IC).

85. Identification of infrastructure and livelihoods sub-projects at SLC sites begins with participatory land use planning at Step 5 of the SLC process (Annex 2). Step 5 concludes with a participatory workshop or alternative approach in case of reflecting to public health restriction as described under paragraph 38 at which project affected people and other stakeholders have the opportunity to discuss and comment on proposed sub-projects. A more detailed participatory land use plan is prepared at Step 8 of the process, when the SLC land recipients have been identified and can participate directly in selecting the sub-projects most suitable to their needs.

86. Implementation of infrastructure sub-projects will follow the processes of the Commune/Sangkat Fund Project Implementation Manual (C/S Fund PIM) which includes meaningful consultation with beneficiaries during feasibility study and design, with the opportunity to consider

alternative designs. A Project Implementation Committee is formed with beneficiary representation to participate in monitoring construction and to take responsibility for operation and maintenance.

87. Detailed design of and implementation of livelihoods sub-projects will in most cases be through formal or informal beneficiary groups such as producer groups, business clusters, agriculture cooperatives etc.

88. Planning, design and implementation of infrastructure and livelihoods sub-projects at ICLT sites will follow the participatory practices established for the SLC sites. Specifically, a land use and infrastructure plan will be prepared through a process led by the leadership of the IC and ensuring that different voices within the IC, including women, youth and poor households, can be heard.

#### **5.4 Proposed strategy to incorporate the view of vulnerable groups**

##### **5.4.1 World Bank Requirements**

89. Vulnerable stakeholders require special attention according to the World Bank. The proposed Project will have impacts, positive and negative, on vulnerable / marginalized or sensitive groups. Vulnerable people include those who, by virtue of their gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be disproportionately affected by a Project than others, and who may be limited in their ability to take advantage of a Project's development benefits.

90. Specifically, within the proposed Project area, and based on the results of environmental and social assessments, the following groups have been identified as vulnerable:

- Poor households;
- Women head of households;
- Vulnerable elderly people;
- Vulnerable youth (i.e. orphanage and handicap etc.);
- Indigenous Communities.

91. The World Bank requirements requires differentiated measures to allow for the effective participation by vulnerable groups. Thus, the process needs to be designed to address the needs of these vulnerable groups.

##### **5.4.2 Poor households**

92. Social Land Concessions (SLC) are specifically designed to meet the needs of poor households and it is expected that the majority of land recipients will be poor (meaning households holding ID-Poor cards) or near-poor. The SLC process is designed to ensure that the views and needs of poor households are considered at each step of the process (Annex 2).

93. To further strengthen the engagement and voice of poor households, LASED III will continue the practice established by LASED and LASED II of supporting communities themselves to establish "Community Support Groups". It is in these groups that people will have a real chance to discuss relevant issues and express their individual opinions, demands and needs in a way that many of them would not directly offer in public. Moreover, these groups are expected to contribute substantially to identify, minimize and partly resolve conflicts emanating from clashes of interests, which the project will inevitably be faced with in the land allocation process. Local NGOs with a solid record of several years involvement in participatory community development and people empowerment will be mandated to act as facilitators to complement and support the overall objectives of LASED by ensuring that villagers and communities are better informed and able to understand, participate and engage with those involved with officially implementing in the Social Land Concession process; providing additional means of communicating and explaining information on the process, procedures and empowering

people to be involved at all stage of the SLC process and activities; can support, observe and communicate concerns and issues arising from the people; reporting on and/or contributing to validating incidence of abuses to involved responsible agencies enable better feedback and communication to involved institutional stakeholders.

94. Indigenous Communities (IC) includes poor and non-poor households, while the community leaders are typically from the less poor sections of the community. In ICs, whether or not in ICLT process, there are some forms of existing traditional elders' group, and these groups can be easily approachable by outsiders as well as among their IC members. The project needs to engage these groups of elders and ask them to identify the most marginalized community members, with whom the project team could approach in an informal way to hear their views and opinion. It needs to be informal as they normally do not talk in a formal venue setup. As an outsider to IC community, it is important to spend time to stay in the villages frequently, each visit for some days and spend time visiting their homes or their working place in the farms in order to understand the existing social structure and way of life, and that is when marginalized people could become more visible.

#### **5.4.3 Women**

95. Cambodian women enjoy equal rights under the law, are economically active outside the households and commonly take a high level of responsibility for managing household finances but tend to be poorly represented in public roles and in public decision-making. Women, especially older women, have lower levels of literacy than men and this increases their difficulty in ensuring their views are heard in public dialogue.

96. To assist in ensuring that women's voices are heard in the SLC process, the community support groups described above will establish women's sub-groups in which women members of the community will be assisted to fully express their views and priorities, whether or not these differ from those of men, and to ensure that these viewpoints are heard and integrated in the SLC and sub-project planning process.

#### **5.4.4 Indigenous Communities**

97. Specific strategies to incorporate the views of IC, including communities as a whole and sub-groups or individuals within the communities, are described in the IPPF.

Arrangements for consultations with IC will be carefully considered and tailored to the project context, especially in the use of the ethnic language(s) when needed; sufficient lead time should be given to ensure that all affected ethnic minority communities are able to participate in consultations fully informed of the project(s). The project will recruit and train community facilitators from among the IC members, with the role of explaining project processes, facilitating discussion and advising individual IC members as well assisting in communication in the community language. Generally, it will be the Indigenous Peoples Communal Committee (IPCC) who would play the role. The Consultation approaches may include:

- Community meetings, both with the community as a whole and with sub-groups;
- Focus group discussions and participatory planning exercises;
- These two above approaches will be changed by alternative approaches in case of reflecting to public health restriction as described under paragraph 38.
- Distribution of project information in both full format (project documents, assessment reports, etc.), simplified formats such as posters and brochures, and audio-visual material using local languages;
- Identification of contact persons within the communities (some training may be appropriate to enhance their ability to engage meaningfully in the consultation process); and

- Involvement of the affected IPs' communities, the Indigenous Peoples Organizations (IPO) if any, and other local civil society organizations (CSO) identified by the affected IP communities.

98. In cases where SLC are established in communities that have a significant proportion of indigenous people (IP), the IP will be assisted to form sub-groups within the Plan of the community support groups. The purpose of these sub-groups will be to identify specific concerns and priorities of IP members of the community and to ensure that these are taken into account in the overall planning process. IP community sub-groups will verify that FPIC principles have been complied with in planning decisions that affect IC.

## **5.5 Timelines**

99. Stakeholder consultation on the LASED III design and risk management instruments will be completed in early April 2020.

100. Stakeholder consultation and engagement during implementation will be an ongoing process aligned with the calendar of the SLC or ICLT process. The detailed timeline will be established by the Stakeholder Engagement Plan for each site.

## **5.6 Review of Comments**

101. Project documents including the draft environmental and social risk management instruments and this SEP will be disclosed publicly ahead of the distance Stakeholder Consultation as described under paragraph 38.

102. Comments will consist of (1) feedback received at the Stakeholder Consultation; and (2) written comments received by the project team before [mid April 2020].

103. All comments will be reviewed, and the project documents will be revised as appropriate. Participants in the consultation will be notified when revised documents are disclosed on the World Bank and project websites.

104. Stakeholders submitting written comments will receive a written reply. Insofar as practical, the replies will include a summary of actions taken in response to the comments, including reasons why particular suggestions cannot be adopted.

## **5.7 Future Phases of Project**

105. LASED III will continue to inform and engage stakeholders at national and sub-national level during the lifetime of the project.

106. Information disclosure will be through summary annual progress reports which will be disclosed on the project website as well as through annual consultation and review workshops or distance consultation in case of reflecting to public health restriction. One national consultation will be held annually, and each Province will conduct an Annual Reflection consultation with participation of local stakeholders including government bodies, local authorities and civil society groups as well as representatives of the SLC and ICLT communities. Reporting will include environmental and social performance and implementation of the stakeholder engagement plan and grievance mechanism.

107. At the level of SLC sites and ICLT communities, the project will continue to fully engage project affected communities through a variety of means including representation of local authorities and community leaders on local project working groups, and formation of community support groups.

## 5.8 Resources and Responsibilities for implementing stakeholder engagement activities

### 5.8.1 Resources

108. Resources required for implementation of the stakeholder engagement Plan will include:
- Costs of information disclosure and stakeholder consultation at national level and provincial level;
  - Costs of implementing the Stakeholder Engagement Plan for each SLC and ICLT site;
  - Costs of the Grievance Redress Mechanism (GRM).
109. The LASED III project cost tables and Annual Work Plan and Budget (AWPB) will allocate costs for specific information disclosure and stakeholder consultation activities including (1) maintenance of the project website; (2) preparation, printing and dissemination of information materials; and (3) the cost of an annual Stakeholder Consultation and annual Reflection Consultation in each Province.
110. The project cost tables and AWPB will also provide a specific budget line for the GRM.
111. Information disclosure and stakeholder consultation at SLC and ICLT site level will be integrated with project process activities (site identification and mapping, land use planning, planning and implementation of sub-projects) and so will not appear as a separate budget line.
112. Estimated costs for stakeholder engagement activities are presented in Table 6.

#	Description	Estimated Amount (USD)
1	Maintenance of project website (4.4 of C4)	131,500
2	Publications (1.4. of C1)	727,075
3	Annual Consultation	267,650
4	Grievance Redress Mechanism	650,000
5	Costs of information disclosure and consultation in SLC and ICLT process	1,821,130
	<b>Total</b>	<b>3,597,355</b>

### 5.8.2 Management functions and responsibilities

113. At national level, information disclosure and stakeholder engagement will be managed by the project team in MLMUPC. Provincial project teams will be responsible to ensure information disclosure and stakeholder engagement at Provincial level.
114. For each SLC and ICLT site, the Provincial project team will be responsible to prepare a site-specific SEP according to the template presented as Annex 5.
115. Each implementing agency will be responsible for implementation of information disclosure and stakeholder engagement activities at the SLC and ICLT site level in accordance with their implementing role. The Provincial project team will monitor and report on implementation of the SEP.

## 6 GRIEVANCE REDRESS MECHANISM

### 6.1 Objective

116. All project affected persons in LASED III will have access to an inclusive grievance mechanism that will receive, record and review grievances on any matter related to the project and its impacts, in fair and transparent manner, and will provide appropriate redress. The GRM will maintain confidentiality and will accept grievances submitted anonymously. All stakeholders will be fully informed of the GRM including how to submit grievances, the procedure for handling grievances and the time within which a decision will be reached. The LASED III GRM will be linked to existing grievance mechanisms (Ombudsman system and Cadastral Commission). Use of the LASED III GRM will not affect the complainant's access to judicial or alternative administrative remedies.

117. The following key principles underlie the design of the LASED III GRM:

- **Openness and transparency** - The project will keep a record of all complaints submitted, including their outcomes, and details of time taken to consider and resolve the complaints. A regularly up-dated summary of this record will be posted on the Project website. The project will take all complaints and view them as opportunities for project improvement.
- **Fairness** – All grievances will be accepted as submitted in good faith and will be assessed on their merits, without regard to the identity or status of the complainant. All complaints will be assessed objectively in regard to relevant laws, rules and operational guidelines of the LASED III project. Where relevant, the standards of World Bank's ESF will be applied to resolution of grievances.
- **Accessibility** – The project will make every effort to ensure that all project affected persons and other stakeholders have access to the GRM. To this end, the GRM will accept grievances submitted verbally, in writing, by any suitable means of communication and directly or through third parties, which may include existing complaints mechanisms such as the ombudsman system. Complaints may be made by or on behalf of an individual (farmer, vulnerable, handicap), by Community Development Facilitator (CDF), or an organization (NGO partner), or any institution such as media. Individuals or institutions can submit complaints either directly, or through proxy organizations. Information on the GRM will be posted on project website, publication in project documents, especially those that target grassroots level such as internal rules of poor institutions, technical manuals and leaflets.
- **Responsiveness and effectiveness** – The project will endeavor to process and respond to all grievances in a timely and effective manner. Receipts of all submissions will be acknowledged within 5 working days. Consideration of valid complaints by the GRM will occur within 30 working days, giving time for collection and examination of evidence if required. Additional time may be required for negotiation with aggrieved parties, but resolution should not exceed 45 working days.
- **Anonymity and confidentiality** - Individuals or institutions submitting complaints may request anonymity, in which case their names will not be made public. Confidentiality will also be observed during the period in which the GRM is considering a case (e.g., the source and any person, contractors or entity accused of wrongdoing should be protected).

## 6.2 Legally Established and Other Existing GRM

118. There are a number of existing GRM of relevance to LASED III. These include the Ombudsman system established to handle complaints related to sub-national administrations, the Cadastral Committees established to resolve land disputes, and the GRM established by Sub-Decree 22 on Standard Operating Procedures for Land Acquisition and Resettlement (SOP-LAR). These existing GRM are described in Annex 2. There is also an existing Complaints Handling Mechanism (CHM) operational in LASED II which is discussed in the following section.

## 6.3 Lessons Learned from LASED II Complaint Handling Mechanism

119. LASED II has a CHM which is described in the PIM Section 5.6.2. The CHM is overseen by a Complaints Handling Committee (CHC) chaired by the Project Director, with processes at national and local levels. A member of the Provincial Administration Complaints Inspection Unit is focal point for the CHM at Provincial level and is responsible to record and transmit complaints to the CHC. The PIM describes five stages of complaints handling: (1) Uptake; (2) Sorting and Processing; (3) Acknowledgement and follow-up; (4) Verification, Investigation, Action and Feedback and (5) Monitoring and Evaluation.

120. In practice LASED II has not received complaints about any safeguard instruments or on environmental, social, health and safety issues. LASED II CHM has handled very few complaints related to plots of land inside or overlapping with the area mapped as State Land and for the SLC. For example, complaints were received in response to dissemination of the preliminary land survey and classification for Dong Commune SLC in Kratie which was the only new SLC supported by LASED II.

121. In the Dong case, the Notice of Declaration of legal property of individual and State Institutions was displayed publicly from 24/04/2017 to 09/05/2017. In response, 732 letters of complaint were received from individuals claiming to own plots of land inside or overlapping with the area mapped as State Land and therefore available for the SLC. After investigation, 318 of the relevant plots were found to be under cultivation and were excluded from the SLC area. Twenty-nine complaints were found to relate to plots outside the proposed SLC area. There were 359 complaints ruled to be invalid and rejected. Twenty-six complainants did not participate in the resolution process.

122. The LASED II CHM struggled to deal with the large volume of complaints and the resolution process required 11 months, as compared with the intended standard of 40 days to resolve a complaint.

123. At Dong SLC, the initial sketch map of the proposed SLC land was displayed publicly in November 2014, meaning that more than two years elapsed before the formal declaration notice. It is believed that there was significant movement onto the SLC land during this period, leading to the large volume of complaints.

124. However, based on the Dong experience, and the often informal or confused nature of land tenure in the degraded forest land areas and cancelled economic land concession land which are most often allocated for SLC, it must be anticipated that similar situations may arise in LASED III. The LASED III GRM must be capable of handling a large number of complaints while maintaining the quality of complaint handling and avoiding delays beyond the time limits set for response and resolution.

125. The volume of complaints submitted through the LASED II CHM, other than in the Dong case, has been quite small and consists of:

- 34 complaints, again at Dong SLC, in relation to the published list of land recipients. These complaints were investigated and resolved within one month;
- A small number of complaints at Choam Krovien SLC regarding alleged discrepancies between promised and actual size of plots allocated.

126. It is notable that all the complaints recorded relate to ownership or allocation of land. The CHM has not handled any other type of complaint, including complaints related to other environmental or social impacts.

127. The LASED II MTR report notes that most complaints are submitted verbally, making it difficult and time-consuming to record the substance of the complaint accurately. It was also found difficult to comply with the CHM requirement for an initial response to the complainant within 5 days.

128. According to the LASED II MTR report, the project decided to adopt simplified procedures for future complaints handling. However, it is not clear that these simplified procedures were

operationalized as no further information has been found. In any case, as there have been no further new SLC under LASED II, the system has not been “tested” in the same way again.

#### **6.4 Institutional Arrangements for Grievance Redress Mechanism in LASED III**

129. MLMUPC as EA will have overall responsibility for the GRM in LASED III. This will include (1) maintaining a consolidated register of grievances submitted and outcomes; (2) building capacity and providing backstopping support and advice to all implementing agencies and partners; and (3) directly intervening to support resolution of a grievance where this becomes necessary. The Project Director will oversee implementation of the GRM with the assistance of the national Social Risk Management Adviser.

130. The Project will establish a Grievance Redress Committee (GRC) at national level. The GRC will be chaired by the Project Director and include representatives of MAFF and either an NGO project partner or another independent (non-Government) member who will be agreed with World Bank. The national Social Risk Management Adviser will act as Secretary to the GRC. The role of the GRC will be (1) to periodically review implementation of the GRM at Provincial level; and (2) to review progress and where necessary, make recommendations in management of any grievances submitted to national level (including where action is taken by MAFF).

131. MAFF as IA will appoint a focal person responsible for the GRM.

132. The project will establish a Provincial Grievance Redress Committee (PGRC) in each Province. The PGRC will be chaired by head of the Provincial Project Team and will include representatives of each line department, NGO or other agency implementing LASED III activities in the Province. A member of the Complaints Inspection Unit of the Provincial Administration will act as Secretary to the PGRC.

133. Each SLC Land Recipients Committee and each ICLT Land Management Committee will select one representative who will be trained in the operation of the GRM and will join as a member of the PGRC when grievances related to the SLC or ICLT they represent are considered.

134. Each implementing agency / partner at Provincial level will have a focal point for grievances. In any case where a grievance is notified to the agency or partner, the focal point will record details of the grievance and provide the provincial GRC with a copy. Agencies and partners may attempt to investigate and redress grievances that directly concern their role in the project. If the grievance is resolved by this route, the provincial GRC will be informed. The complainant must be notified of the outcome of any initial investigation, and also of the complainant’s right to take the grievance directly to the GRC or another body.

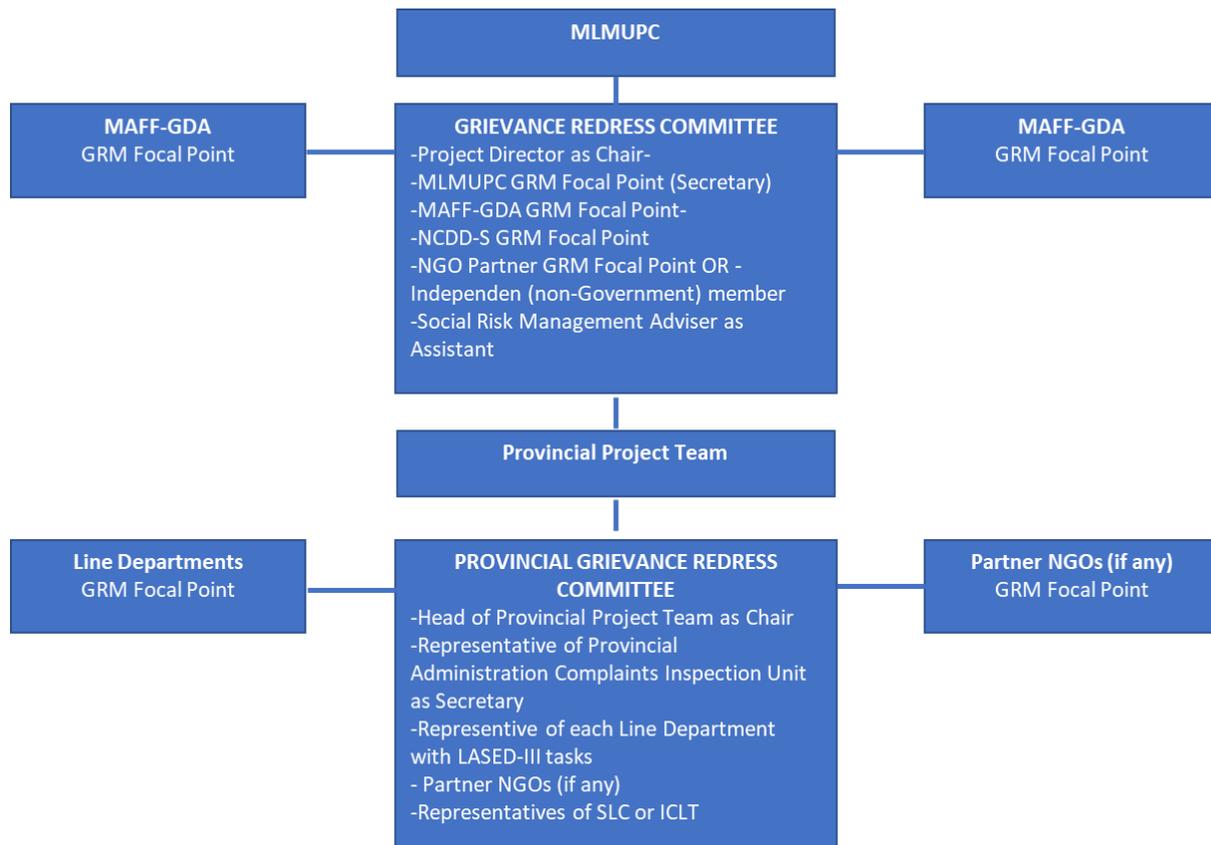


Figure 1: GRM Institutional Responsibilities

## 6.5 Grievance Redress Mechanism Process in LASED III

### 6.5.1 Receiving and Recording Complaints

135. Stakeholders may submit grievances by any suitable method including face-to-face, by telephone or in writing. Grievances may be submitted by any person, whether or not that person is directly affected by grievance. Grievances may be submitted directly to the Project or indirectly, for example through the Province or District Ombudsman office. All grievances notified to the Project will be systematically recorded and entered in a consolidated log of grievances. Written grievances will be copied and kept on file.

136. Individuals or institutions submitting complaints may request anonymity, in which case their names will not be made public. Confidentiality will also be observed during the period in which the GRM is considering a case (e.g., the source and any person, contractors or entity accused of wrongdoing should be protected).

137. All project staff will receive training on what action to take if they are notified of a grievance. This will include (1) how to explain the rights of the stakeholder submitting the grievance, the grievance process, and the option of remaining anonymous; and (2) recording the grievance on a standard form (Annex 9); and (3) passing the completed grievance form together with any written complaint or other documentary evidence to the Secretary of PGRC.

### 6.5.2 Processing of Grievances

138. On receiving a grievance either directly, from a Project staff member or an implementing agency or partner agency (e.g. an NGO), the Secretary of PGRC will carry out the following steps:

- a) Enter the details of the complaint into the consolidated complaints register (Annex 10);
- b) Copy the updated grievances register to the Chair of the PGRC (Province level) or the Project Director (National level);
- c) Carry out an initial screening review with one other member of the GRC. Confirm that that the grievance is (1) a matter related to LASED III; and (2) a substantive issue that can be investigated. Grievances that do not relate to LASED III can be passed on to another relevant institution. For grievances that do not relate to a specific matter that can be investigated (for example, a general complaint about the project design or land allocation procedures) a short explanation letter may be most appropriate;
- d) Prepare a letter (1) acknowledging that the grievance has been received (2) notifying the stakeholder of what action will be taken; and (3) stating the rights of the complainant.

139. Based on previous experience, the Project will anticipate the likelihood that large volumes of complaints will be submitted at certain stages of the SLC or ICLT process, notably display of the Notice of Declaration of legal property of individual and State Institutions and the display of the list of land recipients in the SLC process. The Project will train and assign additional staff members to assist the Secretary of PGRC in these periods, to ensure that timeliness and quality of handling of grievances can be maintained.

140. Screening and acknowledgement of the grievance should be completed within seven days.

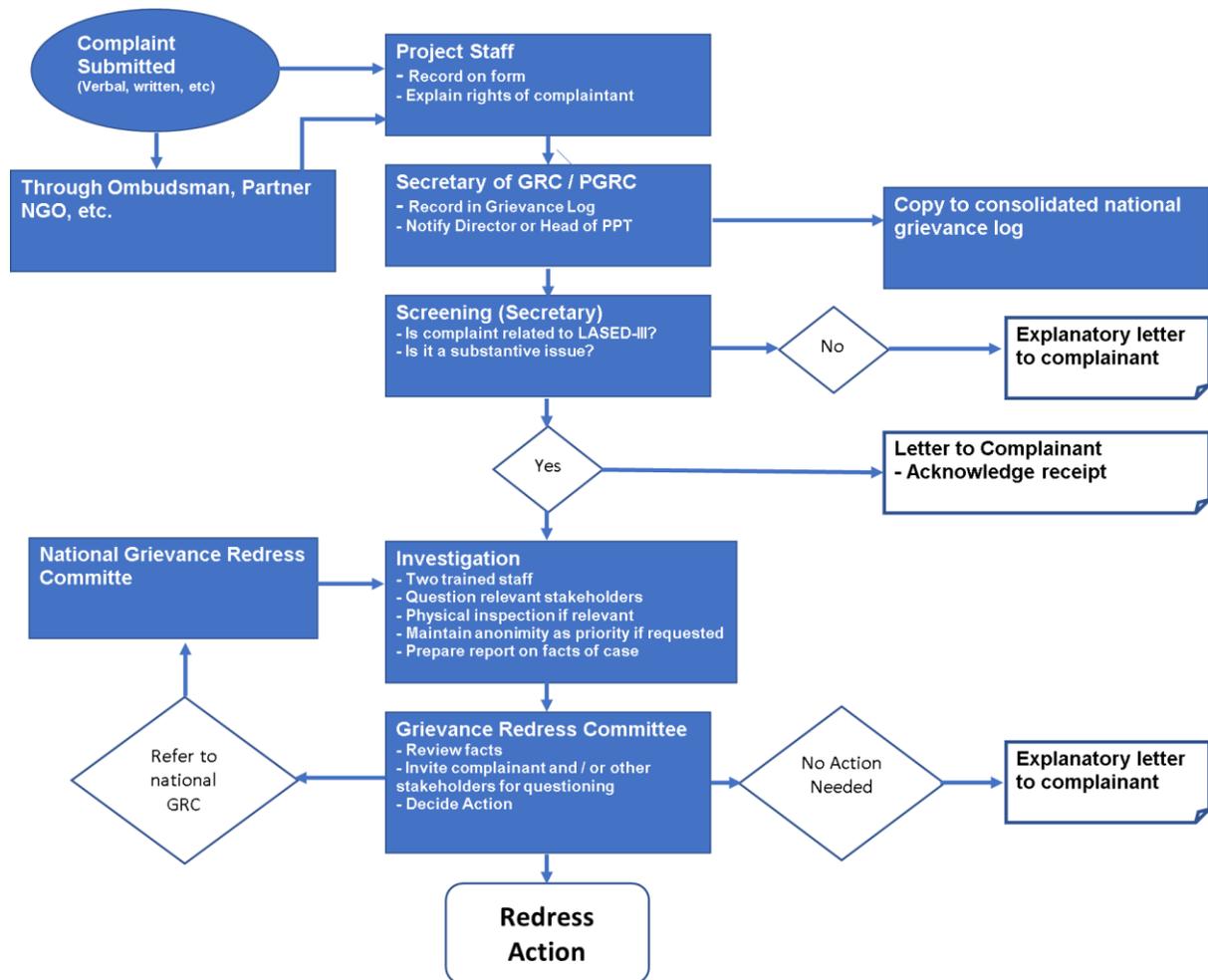
141. The next step is for the chair of the GRM (at national or Provincial level) to assign two staff to investigate the grievance. Only staff who have received training should be assigned to investigate grievances. At least two staff members should carry out the investigation together. The investigation may include interviewing the stakeholder who submitted the grievance, interviewing project staff, interviewing stakeholders, inspecting physical evidence and inspecting documents. All project staff must cooperate with the investigation team including sharing documents where necessary. If the stakeholder who submitted the grievance has requested to remain anonymous, the investigation team must not do anything that would result in the stakeholder's name being revealed. In some cases, it may be impossible to investigate a complaint while maintaining anonymity.

142. The investigation team will complete their investigation and make a report of facts to the GRC or PGRC. The investigation team does not make any recommendation other than reporting the facts. The GRC or PGRC then meets to review the report and decide what action to take. This can be:

- No action required;
- Action to redress the grievance;
- Raise the grievance from the PGRC to the national GRC, because the problem cannot be solved at Province level.

143. A notification letter will be prepared and sent directly to the stakeholder who submitted the grievance. The institution or individual staff member who recorded the grievance will receive a copy of the letter.

144. Wherever possible, investigation and GRC decision should be completed within 30 days after the grievance was submitted. If handling of a grievance cannot be completed within 30 days, the GRC should review and approve an extension of time of no more than 15 days. The stakeholder submitting the grievance should be notified of the extension of time.



**Figure 2: Flow Diagram of Grievance Redress Mechanism**

## 6.6 GRM and Indigenous Communities (IC)

145. Indigenous peoples (IP), as individuals and as groups or communities, have the same rights of access to all levels of the GRM as other citizens. To facilitate IP access to the GRM, the project will support and pay the costs of a facilitator, chosen by the complainant from within the IC and conversant in the IC language or dialect, who will serve as an advocate for the complainant during the process and ensure the rights of the indigenous minority are protected.

146. Grievances relating to decisions, actions or omissions within the IC (for example, on rights to use of ICLT land) will be handled within the IC, following culturally acceptable dispute resolution processes, in the first instance. ICs will form community-level grievance redress committees. The members of these committees will receive training on key principles of dispute resolution, including ensuring gender and intergenerational balance, but will be free to follow a process in line with the traditions of the IC. Complainants who are not satisfied with the outcome of this process have the right to submit a grievance to the Provincial GRM through the methods described above.

## 6.7 Additional Recourses

147. Stakeholders who are not satisfied with the decision of the GRC have the right to take further action, including:

- Submitting their grievance through an alternative mechanism such as the Ombudsman Office;
- Submitting their grievance directly to the national GRC;
- Submitting their grievance to the World Bank Grievance Redress Service (see below);
- Submit their grievance to the courts.

## 6.8 Disclosure of the Grievance Redress Mechanism

148. The Project will ensure that information on the GRM is widely disseminated to stakeholders. Important information to be disseminated includes (i) means of submitting a grievance, including names and contact details of at least two staff members – one male and one female – in each Province; (ii) the process for grievance handling; (iii) the time allowed for handling grievances; (iv) the right to anonymity; and (v) the right to seek redress through other channels. Information should make clear that the stakeholder will not be asked to pay to have their grievance accepted.

149. Information on the GRM in Khmer and in English will be posted on the Project website. A simple leaflet on the GRM will be prepared and distributed at the Project offices and at Commune offices where there is an SLC or ICLT site. The GRM will be described in public meetings. For IP communities where Khmer is not the first language, the Project will ask the IP community to nominate a member to be a focal point for the GRM. The IP focal point for GRM will be responsible to explain the GRM to the IP community and will also be trained to receive and record grievances.

150. The project will record all complaints and their status updated in internal recordings and in website. This will be easily accessible by complainants or interested bodies such the World Bank to track type, status, timeframe, feedback, resolution of complaints and summary reports; however, the principle of anonymity and confidentiality as may be requested or required under certain cases. The information on complaints will be used for the project to improve its effectiveness.

## 6.9 World Bank Grievance Redress Service

151. Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the WB's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate GRS, please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

# 7 MONITORING AND REPORTING

## 7.1 Involvement of stakeholders in monitoring activities

152. Community representatives will participate in monitoring of LASED III activities and in monitoring implementation of the SEP for each SLC and ICLT site.

153. For SLC, the Commune SLC Working Group, which includes land recipient members from Step 7 onwards, will be responsible to verify implementation of the SEP using a check-list format which will then be developed into a report by the Provincial project team.

154. For ICLT, the IC community leaders and management committee will be responsible to verify implementation of the SEP using a check-list format which will then be developed into a report by the Provincial project team.

155. The draft report on implementation of the SEP will be shared for comment with NGOs and civil society organizations, including both project partner organizations and other organizations active in supporting the beneficiary community.

156. At national level, implementing agencies, NGO partners and other stakeholders will participate in monitoring primarily through disclosure and review of draft progress reports, including reports on implementation of the SEP.

## **7.2 Reporting back to stakeholder groups**

157. Summary annual progress reports will be publicly disclosed through the project website and will be directly copied to engaged stakeholders including participants in annual consultation workshops.

158. A national stakeholder consultation workshop will be conducted annually and will review the annual progress report including implementation of the SEP. Provincial reflection workshops will be conducted annually in each Province with the participation of project beneficiary representatives and civil society organizations

## Annex 1: GAP ANALYSIS OF LEGAL AND REGULATORY REQUIREMENTS FOR STAKEHOLDER ENGAGEMENT

Note: There is no single legal framework of requirements for stakeholder engagement in the project cycle. The relevant documents are guidelines which are officially approved and promulgated based on law and secondary regulation. In particular, the Standard Operating Procedures for Externally Assisted Projects (SOP) promulgated under Sub-Decree 74 (2012) sets standards for project design and implementation. The SLC process is based on the Land Law and on Sub Decree No. 19 ANK/BK/ March 19, 2003 on SLC. The ICLT process is based on the Land Law (2001) and is most fully described in the Manual on Indigenous Communities Identification, Legal Entity Registration and Communal Land Registration Process in Cambodia (2018). For details of stakeholder engagement requirements in the SLC process, see Annex 2. For details of stakeholder engagement requirements in the ICLT process, see Annex 3.

ESS10 Requirements	Legal and Regulatory Requirements	Gap	Project Measures
<ul style="list-style-type: none"> <li>Engage with stakeholders throughout the project life cycle, starting as early as possible in the project development process and in a timeframe that enables meaningful consultations with stakeholders on project design.</li> </ul>	<p>Standard Operating Procedures for Externally Assisted Projects (SOP) promulgated under Sub-Decree 74 (2012) sets standards for project design and implementation. However, SOP has rather little material on stakeholder engagement requirements.</p>	<p>SOP guidelines do not meet the requirements of ESS10 for stakeholder engagement throughout the project cycle.</p>	<p>Stakeholder engagement throughout the project cycle as described in the SEP.</p>
<ul style="list-style-type: none"> <li>The nature, scope and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.</li> </ul>	<p>The SLC process, established in law and implemented in LASED and LASED II, includes detailed requirements for stakeholder engagement at each stage of the process (see Annex 3)</p> <p>The ICLT process, based on the Land Law and set out in the Manual on Indigenous Communities Identification, Legal Entity Registration and Communal Land Registration Process in Cambodia (2018) requires community consultations, publication of key information and involvement of external stakeholders (NGOs) at each step - see Annex 4</p>	<p>Neither SLC nor ICLT guidelines require a formal stakeholder analysis. It is possible that some groups of stakeholders could be missed - an example could be community members who are not present the time of the key SLC or ICLT preparation activities, because they have migrated for work or for another reason</p>	<p>For each SLC and ICLT, a site-specific SEP will be prepared including stakeholder identification and analysis.</p> <p>Project will ensure that all stakeholders are informed and have the opportunity to engage.</p>
<ul style="list-style-type: none"> <li>Engage in meaningful consultations with all stakeholders. Provide timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.</li> </ul>	<p>The consultation requirements for the SLC and the ICLT (Annex 3 and Annex 4) largely meet this requirement</p>	<p>With no formal stakeholder analysis, it is possible that some relevant stakeholders might be missed (see above)</p>	<p>For each SLC and ICLT, a site-specific SEP will be prepared including stakeholder identification and analysis.</p> <p>Project will ensure that all stakeholders are informed and have the opportunity to engage.</p>

ESS10 Requirements	Legal and Regulatory Requirements	Gap	Project Measures
<ul style="list-style-type: none"> <li>Stakeholder engagement will involve the following: (i) stakeholder identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with stakeholders; (v) addressing and responding to grievances; and (vi) reporting to stakeholders</li> </ul>	<p>SLC and ICLT guidelines include disclosure of information, consultation with stakeholders, responding to certain types of grievance (e.g. related to land tenure) and reporting requirements.</p>	<p>No specific process for stakeholder identification or stakeholder engagement planning. Grievance mechanism is not adequately described in SLC and ICLT process documents</p>	<p>SEP with stakeholder identification to be prepared for each site LASED III to have a project grievance mechanism compliant with requirements of ESS10</p>
<ul style="list-style-type: none"> <li>Design and implement a grievance redress mechanism proportionate to the nature and scale of risks and impacts</li> </ul>	<p>SOP discusses project complaints handling but does not offer specific and detailed guidance on a comprehensive grievance redress mechanism. No general grievance mechanism described in SLC or ICLT process documents.</p>	<p>No specific grievance mechanism established for people affected by SLC or ICLT. SLC includes a complaints mechanism specifically for land tenure and for land allocation. SOP-LAR includes a grievance mechanism for resettlement, designed for major infrastructure projects</p>	<p>Project GRM defined in the SEP and will apply generally to all project-related grievances (except for separate labour and working conditions grievance redress mechanism as required by ESS2) Other GRM (e.g. for resettlement) may be activated in some cases but this option will not exclude any types of grievance from the project GRM</p>

**STEP 1: Initiate and Screen Local Social Land Concession (SLC)**

**Step 1.1:** Commune Council organizes meeting with village representatives, invites all NGOs and civil society entities active in the villages in the commune to inform them that the commune is going to request a social land concession process and will be seeking support and assistance with this to ensure community participation, transparency and accountability in and of the process.

**Step 1.2** Commune Councils drafts and submits letter requesting Social Land Concession process for Commune (with copies made available to NGOs)

**Step 1.3** Provincial Land Use Allocation Committee (PLUAC) reviews and either endorses/approves the Commune Councils request for a Social land Concession or requests further information. LASED Guidelines state that acknowledgment of receipt of the application is made within 10 days of submission

It is unclear how long the approval process will take in reality; this may need to be benchmarked with to ensure timely approvals by PLUAC

**Step 2. Plan Technical Studies**

**Step 2.1 Work-plan for SLC process**  
 PLUAC organizes provincial workshop(s) with all, Commune Councils requesting SLCs, Invites All NGOs (including conservation NGOs), civil society representatives (active in province in sufficient time in advance at least 5-10 days), to inform them of which communes have requested a SLC and been endorsed by PLUAC and request expression of interest for support for civic engagement in those communes.

- . PLUAC formally identified and introduces the personnel from the different departments and districts who will be involved in providing support for the Social land Concession
- . **Background LASED information pack, including ‘hot spot map’<sup>4</sup> made available and briefly explained (need to develop)**



**Step 2.2.** With support from PFT and DFTs, Commune Councils and PBC complete application procedure requirements, may require additional village meetings as part of general Commune Planning Process- again adequate prior notification should be provided (>7 days in advance).

Usually this will involve some steps covered by the State land identification process. Environmental hotspots were identified and delineated prior to land identification or survey.



<sup>4</sup> Refers to additional and special safeguard protection, based on its environmental importance or biodiversity, cultural heritage, spiritual value, its status as a traditional area for indigenous peoples, or other significant reason (more details in PIM of LASED II).

**Step 2.3.** Following submission (PLUAC acknowledging receipt within 10 days) and review of the SLC request to PLUAC.

Then the Formal approval is documented and converted to Public Notice for placing in the identified locations throughout the villages in the Commune.

### Step 3. Awareness Raising

#### Step 3.1.

PLUAC Secretariat provides information banners, posters, and sufficient quantities of 1<sup>st</sup> set of information leaflets for every household in the commune.

Additional budgetary resources provided to Commune Councils to ensure delivery of leaflets to every households in villages making up the commune.

Over the process at least 3 sets of Materials for household distribution provided to village leadership & or PBC members for delivery to every households **(INDICATOR)**.

Cost of delivery borne by LASED [suggest ~250 Riels per household (US\$0.06)].

**Step 3.2. (After the distribution of materials to households)** the Commune Councils<sup>19</sup> announces (at least 7 days in advance) a series of public meetings in each village to explain at least:

- (i) The objectives of the social land concession in the commune,
- (ii) Who is eligible and how to apply,
- (iii) What are the principal steps in the process are?
- (iv) Complaints and grievance procedures &
- (v) Request community participation in the process for accountability
- (vi) Identify local stakeholders and facilitators involved.

Village leadership identifies and documents locations for public notices in each village which is submitted and agreed by CC (~1 location per 30 households) **(POSSIBLE INDICATOR)**,

Copies of the lists of locations provided to DWG/PLUAC and made available to interested parties.

**(To attempt to ensure effective communication of the information more than one meeting in each village should be schedules ideally at different times and location to enable farmers and villages to attend).**

### Step 4. State Land Meeting: SLC land registered as State Private Land

**Step 4.1.** Commune endorsed public notices informing villagers of the start of the State Land Identification process in the villages making up the commune put up.

Ideally a list/poster of the officials (ideally names, positions and photos) from District Working Group and the Provincial State Land Management Committee involved and Seeking villager's co-operation if requested.

Step 4.2. Parallel with notices being put up, a 2<sup>nd</sup> information leaflet detailing

- (i) State land identification process
- (ii) The rights of individuals- including as in the constitution, as covered in the 2001 Land Law, and the Right to compensation (if involuntary resettlement is applied)
- (iii) The procedures and process for lodging a complaint.

Delivered to every household in the social concession commune.

**Step 4.3.** Invitation made in advance to (all members) of the Commune Councils, representatives of the villages leadership, NGOs civil society active commune and villages to participate in the "Training cum Planning" Workshop on technical procedures for State (private) Land Identification process to be (likely) arranged and held at district level.

Step 4.4. Parallel with training in 3 above additional Village Information Meetings should be called through public notices (as per proposed guidelines) erected in the villages.

The LASED guidelines indicate only a commune level meeting which is not sufficient to ensure effective communication to villagers of the possible issues/impacts from State land identification process.

**Step 4.5.** Village Information Meetings held at village level to inform people about

- (i) The state (private) land identification process
- (ii) Land Rights if adversely claimed
- (iii) The importance of participating in the public display process to check that the proposed identified state land does not adversely affect families within the meaning of the 2001 Land Law,

The process for lodging a complaint if adversely affected and or right to claim compensation?

Step 4.6. Public Notices placed (at agreed locations) in advance informing villagers of the

- (i) Location of the Public display of DRAFT the findings of the state private land identification process
- (ii) the dates and duration (30 days) of the public display
- (iii) Encourage people to checking to ensure if State land identification has not adversely affected families and if so How to lodge an objection/complaint allowed only during the duration of the public display (i.e.30 days).

**Step 4.7.** Assistance to be provided for the duration of the public display period at the location of the public display location (ideally a pagoda) to assist families and individuals in interpreting the maps and information to be provided in the display and to inform and assist those families who wish to object, to do so.

Need to ensure that documented information on the provisions of the 2001 Land Law are available as compensatory issues could be triggered

Step 4.8. Support made available to villagers to further assist them understand the decisions being proposed for state private land identification and if necessary, lodging complaints with/through (as required) Commune Councils-

**An official receipt of the compliant should be provided to the family lodging it.**

Information should be provided on how the complaints will be initially reviewed by the Commune groups (a documenting report submitted within 14 days to DWG) and the likely timeframe involved to resolve the complaint (anywhere between 1-3 months).

The Commune Office to establish a register of complaints to document the register should **[POSSIBLE INDICATOR]**

(i) Detail the location (village)  
Nature of the compliant made. **However, the names of the "objectors" to be kept confidential**

**Step 4.9.** Public announcements of the date and location (should be in the SLC commune) of the Local State Private Land Identifications -dispute resolution process placed in the villages will only consider all the complaints officially received through the Commune Council/DWG

<p><b>Step 4.10.</b> The local complaints resolution process will likely take place within 8 weeks of the commune submitted report for state private land identification is to be undertaken by the District Working Group.</p> <p>Should be held in public with advance notice being given.  <b>There is a need for competent support being to be available to villagers objecting to the proposed identified state land, and to ensure that "statements of opinion" by the DWG are in compliance with the Rule of Law and the safeguards of the LASED project.</b></p>
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It is proposed that public meetings be held in the commune to hear and clarify complaints, based on which a "statement of opinion" is issued by the DWG which is documented and delivered to the "objector" which should be documented.

<p><b>Step 4.11.</b> DWG submits documentation to PLUAC/PSLMC detailing the identified land, and the outstanding complaints pending</p>
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A reasonable period of time (~14 days?) should be made following the receipt to allow the "objecting household" to consider accepting the decision of the statement of opinion or rejecting it (this should be documented and receipted again by the DWG) and appealing their objection for review and consideration by the PLUAC/PSLMC.

<p><b>Step 4.12.</b> Advance notices (as per proposed notices guidelines) of the date, times, and location (in SLC area) of the Local Dispute Hearings by PLUC/PSLMC on the outstanding objections to state land identification process put up in villages.</p>
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<p>Step 4.13. PLUAC and SLMC review and provide the opportunity in a public hearing held in the Social Land concession area/commune to attempt to or resolve outstanding issues based on the Rule of Law. Decision/recommendations made by PLUAC/PSLMC to either compensate claims of ownership/loss of use or excluding the land from the State land register submitted to national levels for approval or further resolution.</p>
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<p><b>Step 4.14.</b> Claims &amp; objections that cannot be resolved by PLUAC/PSLMC should be forwarded to the National Cadastral Commission for further clarification (if they involve a claim by private individuals) or the National Council for Land Policy (if they involve a claim by a public body).  This is not a pre-condition to proceed with the next steps of the interim approach, however, <b>no areas over which there are unresolved claims shall be allocated as SLCs until the claims are resolved.</b></p>
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If compensation is to be provided what will be the process for this

<p><b>Step 4.15.</b> Outcome of the State Land identification process send to Ministry of Land Management Urban Planning &amp; Construction for "no objection" or resolution of any outstanding claims.</p>
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**Step 5. Participatory Planning**

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## Step 6. Review of SLC Report: Allocation for Rural Infrastructure and Services

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## Step 7. Land Recipient Selection

**Step 7.1.** When ready to begin the potential beneficiary identification process. The Commune Councils issues public notices to be put up in each village (as per the proposed guideline).

The notices should be put up in advance of the official start date for applications and state when, where application form can be obtained from, the duration of the period to apply etc..

**Step 7.2.** Parallel with the public notices, being put up, A public information leaflet should be delivered to each household in the villages in the commune which should clearly state

- (i) The eligibility criteria both the Formal one (as per sub-decree #19) and those agreed by PLUAC (likely a inserted page of the approved local criteria)
- (ii) The questions to be answered by the family applying
- (iii) What lands can be applied for
- (iv) The process to be followed for beneficiary identification
- (v) Details and measures to counter abuses.

**Step 7.3.** Notices of village meetings put up in advance (parallel with step 7.2)

**Step 7.4.** A series of village meetings (held at different times, locations and dates in the village) are held to explain

- (i) The steps in the beneficiary identification process,
- (ii) Where to obtain the application forms,
- (iii) What are the questions on the form to be answered (honestly)?
- (iv) Who is available to assist families in filling the application forms,
- (v) The closing date where to submit the application form
- (vi) The need to check the posted list of applications in a couple of weeks
- (vii) Measures to counter abuse and corruptions.

**Step 7.5.** When application is submitted (to the Commune Office), a family should be provided with either a commune stamped and clearly dated (as received) copy of their application or else a formal receipt (stamped and dated) of having submitted an application for consideration.

**Step 7.6.** Typed copies of the complete list of applications in the villages are posted at the agreed locations for a period of 30 days as required. Applying families encouraged to check and validate information entered and if error observed inform CC of the error for checking against original and correction.

**Step 7.7.** The agreed and endorsed (by PLUAC) local eligibility criteria (if different from the LASED suggested ones) are posted in the villages to inform people in advance of them *parallel with next step*

**Step 7.8.** Notices of the date, time and location (**30 days in this instance as suggested in LASED guidelines**) of where it is suggested that a combined "Eligibility Check and Ranking" and Public "Village Meeting to Evaluate Applicants" will be undertaken which should be done in a public forum to ensure transparency, put up in advance (as per guidelines)

**Step 7.9.** Public review and ranking of applications (part1) submitted undertaken by the village leaders and PBC members (CC members observe).  
The public forum allows for the ranking to be observed in public and also for the explanation of the process for objections.  
Objections can also be lodged, date of follow up meeting scheduled.

**Step 7.10.** Depending on the number of objections listed and lodged the Village leaders/PBC members with other community selected village representatives (suggested village elected commune support group) visit the properties and land of objector and see if a change is justified.

**Step 7.11.** a Commune Council chaired (**ideally all members of the Commune Council should participate in these important decision-making events or at least a quorum of the members**) public follow up meeting to hear objections and findings from villagers on the village ranking.

The meeting also informs villages of the opportunity and right to appeal the decision of the list coming from the meeting

The resulting list is copied and put on public display at the agree locations for period of 20 days

**Step 7.12.** During the 20 days public display of the ranking beneficiary lists, families lower down can appeal in writing to PLUAC their or others ranked positions. **If no appeals lodge the Commune Councils endorse and finalizes the ranked list**

### **IF APPEALS ON RANKING ARE SUBMITTED TO PLUAC**

**Step 7.13.** If the PLUAC receives an appeal within the 20 days period. A dated and endorsed receipt should be issued to the appellant and the Commune Informed that appeals have been lodged. **And likely to delay the final endorsement of the land recipients list for 30 days**

**Step 7.14.** Copies converted to Public notices of the appeals are put up in the villages as soon as possible after the appeal is lodged.

**Step 7.15.** Designated members of the PLUAC secretariat will visit the commune office and review the materials held in the office and also visit the appellants properties and those likely to be affected by the ranking to verify or not the justification of the appeal.

**Step 7.16.** Public notice of the date, time, location of the appeal meeting to hear and decide upon appeals lodged by villagers in the commune.

**Step 7.17.** Designated PLUAC & secretariat members hold public hear (at least in commune) to adjudicate on the appeals decisions & propose finalized list for endorsement by Commune Council.

**Step 8. Full SLC Plan (Plots Allocated and Full SLC Plan Approved)**

**Step 9. Site Preparation (Boundaries Marked, Rural Water Supplies, Land Clearing, Access Tracks, Official transfer of Land)**

**Step 10. Settling in and Rural Development (Settling in Assistance, Rural Infrastructure and Services, Sustainable Community)**

**Annex 3: STAKEHOLDER ENGAGEMENT ACTIVITIES IN ICLT PROCESS**

**Phase 2.5. IP Community: Launching CLT Application to MLMUPC**

Step 1: Data collection and developing a ‘preliminary map’ of the proposed ICLT area. (This is where the FPIC emphasis is.)

**Step 1a Data collection and drafting of a sketch map (hot spot map) of the proposed ICLT area**

<p>The Community Committee (Phase 2, Step 3) with technical support leads the activities to develop a manually drawn map indicating the boundaries of the proposed ICLT area and its features e.g. spirit area, public land, streams, and road.</p>	<p>A hand-drawn sketch map will be developed (e.g. on a flipchart) by the Community Committee with technical expert support around the same time that the internal rules are drafted. The Village Chief, village elders, members of the Community Committee, representatives from neighboring villages, and members from the Commune Council, including the Commune Chief and CSOs, should participate at different stages of this activity.</p>
<p>After the sketch map is completed, the Commune Chief and District Governor chair a meeting to present the map to stakeholders and record their consent and/or concerns.</p>	<p>Participants include representatives of the neighbouring villages, representatives from the State Land Working Group, Community Committee members, village elders, Commune Council members, and other local authorities. To authenticate their consent of the map, the participants will sign or thumbprint the document.</p>

**Step 1b. Data collection and developing the sketch map into a ‘preliminary map’ of the proposed ICLT area.**

<p>Transforming the sketch map into a digital map, also called “preliminary map” for the ICLT application.</p>	<p>This activity requires that the different field teams and stakeholders including representatives from the District State Land Working Group, Community Committee members, village elders, village chiefs from neighboring communities, and Commune Council members are all engaged in conducting the land survey and recording of GPS data. The activity also requires training by the District Cadastral Officer and Development Partners/Civil Society Organizations.</p>
<p>After the conclusion of GPS mapping, a digital map will be created by the expert cadastral officers, together with DPs/CSOs. Following that, a meeting will be organized by the community to validate the digital map.</p>	<p>Participants should include all Community Committee members, village elders, village chiefs from neighboring communities, Commune Council members, and representatives from the District Cadastral Office and the District State Land Working Group. The final preliminary map is to be produced by the cadastral officers, together with DPs/CSOs. It will be presented to the involved stakeholders, who will authenticate their consent of the map by signature or thumbprint.</p>

**Step 2: The IPC establish its internal rules Facilitated by NGO (drafted by MoI)**

<p>NGOs help ICs to prepare it and ensure that the contents provide benefits to all members equitably.</p>	<p>The internal rule preparation will be done through meetings between the Community Committee (formed at Phase 2, Step 1) and community elders that produce a first draft with the presence of the Village Chief and the Commune Chief. When a draft is ready, another meeting for all IC members, including women, youth, and poor households, is held to review, revise if necessary, and agree on these rules. The participants in this meeting have the full right to raise any concerns and request revisions of the rules. As the draft and possible revisions are agreed upon by IC members, there will be one last meeting for final review and adjustment where necessary.</p>
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### Step 3: Submission of ICLT application to MLMUPC

<p>DPs/CSOs help IPCC to fill out forms and relevant documents to produce a completed application.</p> <p>The application with the preliminary maps, is submitted to MLMUPC for the ICLT.</p>	<p>When the preliminary mapping and internal rules are completed, the IC is ready to submit its ICLT application to the Provincial Department of Land Management, Urban Planning, Construction and Cadastral (PDLMUPCC) through the District Cadastral Office. The PDLMUPCC reviews and verifies that everything is complete, and then PDLMUPCC prepares a plan for registration and issuance of communal land titles.</p>
<p>Issuing interim protective measures (IPM)</p>	<p>After receiving a registration application, the director of the Provincial Department of Land will send a letter to the Provincial Governor requesting for an issue of IPM that will protect the lands for which the indigenous community has sought collective titling by freezing all buying, selling, and transferring of land rights.</p> <p>The finalization of a ‘preliminary map’ that is endorsed by the IP community and by representative from neighbouring communities, and that is verified by PDLMUPCC establishes the <b>Cut-Off Date</b> for eligibility of claims regarding land acquisition. If land acquisition impacts have been identified, this would also be the starting point for preparation of a Resettlement Plan as required by the Resettlement Policy Framework (RFP).</p>

### Phase 3. MLMUPC: Measuring, Public Display, Reclassification and Issuing CLT to IP Community

#### Step 1: Measurement and data collection of land boundaries by type of use, determination of boundaries and identification of state land (This is where the FPIC emphasis is)

<ul style="list-style-type: none"> <li>- NGOs take part in overseeing the process and potential challenges that may need to be addressed.</li> <li>- The concerned IC to be active in the process.</li> <li>- The adjacent community representatives take part to ensure that issues regarding potentially overlapping areas are resolved.</li> <li>- The Technical Working Group that is to register the indigenous communal land will conduct state land identification, identify boundaries, and measure the land.</li> </ul>	<p>The Land District Officer makes a request to the District Governor to issue a public notice within at least 20 days before the start of land boundary determination, land measurement, and judgment. The notice must be displayed to the public in accessible places. When the period of the announcement is ended with no complaints, the officer will move on to the next step.</p> <p>At this stage, the community, including women, elders, committees, youth, and poor households, should be involved in showing the locations, boundaries, and the size of the various type of land occupied and used by the community to the Indigenous Communal Land Registration Team.</p>
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#### Step 2: Public display of land

<ul style="list-style-type: none"> <li>- District Cadastral Officers are at the launch of the display to respond to questions that may be raised by IPs and people from communities adjacent to the process ICLT area.</li> <li>- The Provincial Department of Land Management will write a request to the District Governor in order to issue an announcement about the public display.</li> <li>-</li> <li>- Members of the Provincial Land Management Committee will review to identify any errors in the proposed ICLT mapping.</li> </ul>	<p>For the collected data, the Provincial Department of Land Management will write a request to the District Governor who will then issue an announcement about the public display of evaluated documents on indigenous communal land for 30 days, a period which allows the landowners, community, relevant institutions, members of the Provincial Land Management Committee, and people from communities adjacent</p>
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	to the proposed ICLT area to review and appeal in case of any errors.
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### Step 3: Reporting on the result of display of land

The Provincial Department of Land Management, Urban Planning, Construction and Cadastral writes a report about the result of public display to the Provincial Governor.	<p>After the public display of the community land evaluation finished, the PDLMUPCC will make a report about the result of public display to the Provincial Governor for review and decision.</p> <p>To decide the Provincial Governor writes to the Prime Minister through the Ministry of Land Management, Urban Planning, and Construction requesting for the reclassification for granting housing and agriculture land located in the state public land.</p>
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### Step 4: Decision on the result of the display of land, and request to issue land titles

<p>Meetings with the Provincial State Land Commission determine the on the result of the public display and to report on this.</p> <p>For decision, the Provincial Governor, as the head of the commission, writes to the prime minister through MLMUPC requesting for the reclassification for granting residential and agricultural land located in the state public land as an ICLT.</p> <p>The provincial governor request MLMUPC to issue land titles to ICs.</p>	In case of land disputes with neighbours or authorities, the procedure is to start from the Cadastral Officer who will send a letter all the way from the District to the Provincial Governor for intervention. Also, if there are IC members who claim any error or oppose the displayed evaluation document, then they can file the complaint to The Technical Working group for amendment or suspending the public display.
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### Step 5: Letter to MoE and MAFF for approval of land concerned

The Ministry of Land Management issues a letter to the Ministry of Environment and the Ministry of Agriculture, Forestry and Fisheries asking for an examination and approval of the land concerned.	
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### Step 6: Letter to Council of Ministers for land reclassification

After receiving a request letter from the Provincial State Land Commission, the Ministry of Land Management issues a letter to the Council of Ministers requesting the land reclassification to be registered as a collective land in accordance with the decision of the Ministry of Environment and the Ministry of Agriculture, Forestry and Fisheries.	<p>Land types that could involve a request for reclassification by the MOE include wildlife sanctuaries, protected areas, environmental corridors, etc. In contrast, land types that could involve a request for reclassification from MAFF are agriculture land, community forest, and forest land covered by 2002 Forestry Law.</p> <p>Cultural heritage</p>
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### Step 7: Issue collective land titles to indigenous communities.

The PDLMUPCC will print collective land title, sign them, and disseminate them to the community	The IP community land title includes community name, community location, reference numbers to the general plan showing the area, size, boundaries, and coordinates of the collective land, clarifying the type of land usage, and other remarks.
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#### **4.1 Grievance Redress in Law**

159. There are a number of existing GRM of relevance to LASED III. These include the Ombudsman system established to handle complaints related to sub-national administrations, the Cadastral Committees established to resolve land disputes, and the GRM established by Sub-Decree 22 on Standard Operating Procedures for Land Acquisition and Resettlement (SOP-LAR). There is also an existing Complaints Handling Mechanism (CHM) operational in LASED II and described in the LASED II PIM. Each of these mechanisms is described briefly below.

##### **4.1.1 Ombudsman System**

160. The Ombudsman's Office is established under the 2005 Decision on the Establishment of One Window Service Office and Ombudsman's Office at District and Khan level and identifies mechanisms, principle, procedures and guidelines for receiving and solving complaints at Sub-National level. The scope of the Sub-Decree includes all levels of sub-national administration (Capital, Provincial, Municipalities, District, Khan and Commune/ Sangkat) administration in accepting and coordinating complaints related to public service delivery and SNA management. The sub-decree is not applicable to local litigation and disputes that the law or the government has set for a specific institution or mechanism to mediate.

161. The sub-decree establishes a Provincial Ombudsman's Office headed by a Chairperson and Deputy Chairperson and consisting of two Divisions: (1) Complaints and Administrative; and (2) Affairs Investigations. The Chair and Vice-Chair are elected for a five-year term by an election committee consisting of Provincial, District and Commune Councilors, the Provincial Chamber of Commerce and civil society organizations. The Sub-Decree also establishes a District Ombudsman's Office with a chairperson and staff. The responsibilities of both Provincial and District Ombudsman's Offices are defined as:

- Collect and receive complaints within its jurisdiction
- Review and evaluate the claims received
- Submit any complaints that are not in the custody and track the resolution to inform the claim owner.
- Procedure to investigate an administrative complaint, recommend on complaint handling measures and monitor the implementation of complaint handling measures within its jurisdiction.
- Provide information to the people about the outcome of the complaint
- To widely disseminate the coordination and settlement mechanism within its jurisdiction
- Prepare necessary mechanisms related to the process of receiving and mediating administrative complaints within its jurisdiction
- Prepare its annual work plan and budget
- Regularly report on the results of the performance and resolution of the complaint.

##### **4.1.2 LASED II Complaints Handling Mechanism**

162. LASED II project applied the procedures of the Complaint Handling Mechanism (CHM) as specified in the Project Implementation Manual (PIM) and Resettlement Policy Framework (RPF). The team working on the Grievance Redress Mechanism (GRM) consist of village, commune, district and provincial representatives. Affected individuals and community may submit their grievances verbally or in writing to the local authority or drop a complaint letter in the complaint box at a public place in the village and in the commune office. The complaints can occur during all the process of project implementation in relation to inquiries or suggestions, rent seeking/corruption, unfair treatments/activities, omissions and behavior, and they can be in writing, verbal, and electronic forms.

163. The complainant(s) needs not be personally aggrieved or impacted, and may be acting merely in accordance with a sense of civic duty in bringing an occurrence to the attention of project authority. All complaints, whether notified by persons who feel personally aggrieved or acting out of a sense of civic duty, will be acknowledged and acted upon by project authority. The following key principles underlie the community dialogue and complaints handling mechanism: Openness and transparency, fairness, accessibility, responsiveness and effectiveness, Anonymity and confidentiality.

164. The Accountability Working Group has been established by the government of Cambodia. This group is composed of 20 members headed by the Provincial Governor. To get complaints from grassroots level, 'accountability boxes' have been created at district and commune/sangkat level, into which citizens or representatives of institutions can drop their complaints. Complaints that not under the scope of the Working Group will regard as incomplete and forward to relevant institutions.

165. Complaints Handling Committee (CHC) - To ensure fairness and coordinate the CHM at Local Level, CHC is established. CHC will have 4 members: Project Director, Provincial Project Manager, one representative from NGO partners and one secretary. The secretary is the staff from PMT from the Complaints Inspection Unit of Provincial Administration, and acts as day-to-day tasks associated with various steps of process of CHM.

166. Process of CHM - The following the process or steps of CHMs at Local Level and PMT Level.

- (a) **Uptake** - The uptake at local level is via designated focal point person working for NGO and at the office. The complaints may be in writing, by telephone and email of NGO. The uptake at the PMU level is through community boxes to the Province. Conflict Handling Committee, and via designated focal point person, and at office, in writing, telephone, email, and project website.
- (b) **Sorting and Processing** - The complaints that are not related to the project or not under the responsibilities will be forwarded to relevant institutions. The other remaining complaints will be solved under the scope or mandate of each CHM at local level or PMT level. Designated focal point person is in charge of sorting, screening and processing the complaints and routing to respective NGO/CHC for resolution. All complaints are recorded and placed in secure places.
- (c) **Acknowledgement and Follow Up** - In all cases, acknowledgements of receipts of the complaint should be provided to the complainants within five working days. Consideration of valid complaints will occur within 30 working days, giving time for collection and examination of evidence if required. Additional time may be required for negotiation with aggrieved parties, but resolution should not exceed 45 working days.
- (d) **Verification, Investigation, Action and feedback** - Complaints will be reviewed by NGO or CHC in the principle of responsiveness and effectiveness. The complaint that cannot be solved at one level will be forwarded to another level. The complaint that cannot be solved by NGO will be forwarded to CHC and then to MOI/PCO if it cannot be done by CHC. Complaints that are straightforward such as request for information or clarification can often be solved quickly and directly through contacting complainants. Complaints that are complicated, whenever appropriate will need further investigation by designated focal point person and the delay will be informed to the complainants.
- (e) **Monitoring and Evaluation** - The project will record all complaints and their status updated in internal recordings and in website. This will be easily accessible by complainants or interested bodies such the World Bank to track type, status, timeframe, feedback, resolution of complaints and summary reports; however, the principle of anonymity and confidentiality as may be requested or required under certain cases. The information on complaints will be useful for project to improve its effectiveness.

### 4.1.3 GRM in SOP-LAR

167. Sub-Decree 22 / SOP-LAR establishes a centralized institutional mechanism and procedure for managing land acquisition and resettlements, primarily for use in major infrastructure projects. The LAR mechanism is overseen by an Inter-Ministerial Resettlement Committee with the General Department of Resettlement of MEF as its Secretariat. This mechanism will be triggered in the event that involuntary resettlement is needed under LASED III. The SOP-LAR provides for establishing a GRM to handle grievances related to involuntary resettlement in this Plan. The GRM is established as a locally based arrangement at the provincial level for receiving, recording, assessing and facilitating the resolution of complaints and grievances raised by the displaced persons in relation to their compensation and entitlements for the expropriation of land and other immovable property under the Law on Expropriation. The GRM is implemented through a Provincial Grievance Redress Committee with the following members: Provincial Governor – Chair; Director of Provincial Department of Land Management, Urban Planning and Construction - Vice Chair; Director of Provincial Department of MEF (PDEF) – Member; Chief of Provincial Office of Law and Public Security – Member; District Governor – Member; One Representative of Local Based CSO – Member.

168. The GRM for LAR operates through a series of hierarchical steps:

- Informal mediation at Commune level;
- Step 1: Written or verbal complaint followed by mediation at District Authority level;
- Step 2: Written complaint submitted to GDR which is then reviewed by GDR’s Department of Internal Monitoring and Data Management (DIMDM). This review is mainly to establish whether the complaint arises from an administrative error, for example in calculation of the compensation amount;
- Step 3: Written complaint submitted to the PGRC through the Provincial Governor’s Office, followed by a review meeting at which the complainant can present his or her case. A GDR representative will attend to explain why the complaint was rejected at Step 2. PGRC must make a decision within 40 days of receiving the complaint.

169. The decision of PGRC is sent via GDR to the IRC for endorsement before any remedial action is taken. In the event the complaint is rejected, the complainant has the right of recourse to the courts as provided in the Expropriation Law.

170. Sub-Decree 22 / SOP-LAR also provides for a separate process for resolution of group complaints that “do not relate to individual claims but a grievance that is common to all or a distinct group of displaced persons.” These complaints must be lodged with the GDR and are then investigated by the DIMDM through the following steps:

- Verification that the complaint is eligible to be considered a group complaint, within 10 working days from receipt of complaint;
- DIMDM investigate and report with recommendations to the Director of GDR, within 30 working days from receipt of complaint;
- GDR make a decision within 5 working days and communicate the decision within a further 5 working days.
- In the event that a group complaint is rejected by GDR, the group may then submit a complaint to the PGRC which will handle the complaint according to Step 3 above.

The Site-Specific Stakeholder Engagement Plan should have three sections:

1. A short narrative sections
2. A typology of stakeholders, in matrix format
3. A step-by-step plan for information disclosure and stakeholder consultation, in matrix format.

#### 5.1. Outline of Narrative Section

##### 5.1.1. Introduction

##### 5.1.2. Objectives

##### 5.1.3. Stakeholders

Brief description of types of stakeholder, clearly distinguishing between Project Affected Parties and other interested parties. Refer to stakeholder matrix for details.

##### 5.1.4. Stakeholder Engagement Plan

Brief description of the stakeholder engagement activities, referring to the SEP matrix for details.

##### 5.1.5. Implementation Responsibilities

Brief description of responsibilities for implementing the SEP (not the whole project!).

##### 5.1.6. Grievance Redress Mechanism

Brief description of the project Grievance Redress Mechanism

##### 5.1.7. Monitoring and Evaluation

Brief description of tools, activities and responsibilities for monitoring and reporting on implementation of the SEP.

5.2. Stakeholder Matrix

Type of Stakeholder	Location	Number of People	Key Characteristics	Language, Literacy and Internet Use	Community Representatives	Preferred Means of Communication	Means of Consultation / Specific Needs

5.3. Stakeholder Engagement Plan Matrix

Process Step	Timing	Stakeholder Group	Information to Be Disclosed	Means of Disclosure	Consultation Activities	Expected Outcome of Consultation

**Annex 6: PUBLIC ANNOUNCEMENT GUIDELINES & SAMPLE NOTICE TEMPLATE**

**All copies of official public announcements are to be Endorsed (stamped by) by the Commune Council.**

1	<b>All related Public Notices should be presented on A3 paper and all official copies to be endorsed/stamped by the Commune Council</b>	To be large enough to be seen and provided adequate space for the provision of important information Such as (i) The objective of proposed event. (ii) Date, times and locations of the events. (iii) General rationale of LASED and Civic engagement The notices should be protected from the weather in clear plastic and placed at least 1.2 meters above the ground.
2	<b>Placed in pre-identified public locations</b>	Early in the LASED process prominent and visible public sites should be identified and used for all the public notices generated during LASED (for example (but not limited to these))  <ul style="list-style-type: none"> <li>▪ Outdoor public notice boards in the villages or</li> <li>▪ In front of markets/ business areas,</li> <li>▪ If the village contains</li> <li>▪ A Pagodas/mosques, Schools or Health clinics-Across the road from the entrances of these</li> <li>▪ Or the commune office the notice should be place at the public road entrance outside of the CC office)</li> </ul> (i) A minimum of 1 notice for every 30* families should be distributed throughout the village to enable all households to possible see the notice (ii) The notices should be located where they can be easily seen by members of the public from public roads and pathways, and possibly verified by NGOs and civil society members and DWG members of LASED.
3	<b>Notice shall be erected a minimum of 7 days in advance of the date(s) of any proposed event or meetings</b>	Depending on the activities of the population and the size of the commune. A minimum of 7 days prior notice is recommended before holding an LASED related event.  <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>In some parts of the country where many of the heads/decision makers of households may be working elsewhere or use agricultural land far from the village a longer period is recommended</p> </div>

\* As the average size of villages in Cambodia contains between 170-183 families/ households per village so on average 6 copies of any public notices to be put up would be required to be distributed throughout the villages

**Nation Religion King**

**Royal Government of the Kingdom of Cambodia**

Public Announcement Notice  
For the Social Land Concessions Process in your  
Commune under the Land Allocation for Social &  
Economic Development Project

**SUBJECT:** \_\_\_\_\_

**PURPOSE & OBJECTIVES OF THE PUBLIC MEETING(S):**

**S A M P L E**

- 1.
- 2.
- 3.

**SCHEDULE:**

Public Meetings will be held on

1. DATE....., TIME.....  
LOCATION.....
2. DATE....., TIME.....  
LOCATION.....
3. DATE....., TIME.....  
LOCATION.....

**BACKGROUND INFORMATION on**

**Social Land Concessions under the Land Allocation for Social & Economic  
Development Project**

The Royal Government of the Kingdom of Cambodia has committed itself to distributing identified surplus state land in participating Commune areas to community identified poor families from villages in those communes. The Royal Government wishes this process to be undertaken in a participatory and transparent manner and invites and encourages representatives of all households in the villages to actively take part (whether they will beneficiary or not) and observes that the process is free and fairly undertaken and benefits the poor in your community.

The process is under the auspices of the local Commune Council with involvement from the Provincial Authorities through the Provincial Land Use Allocation Committee (PLUAC)

PLUAC: \_\_\_\_\_

LASED

\_\_\_\_\_

Approved by

**Annex 7: SUGGESTED CIVIC ENGAGEMENT COMMUNICATION MATERIALS**

Indicator	When	Some of the suggested contents	Remarks
<p><b>Publication and distribution of relevant documented reference information <u>to all families/ households in the Social Concession Areas/Communes.</u> Materials should also be made available to Commune Councils, village administrations (troika) in surrounding communes as well as to All NGOs active in the province for reference.</b></p>	<p>1. Immediately following approval of the SLC activities in the commune by the PLUAC.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> General introduction to the SLC process under LASED, (based on Sub-decree 19)-draft sample prepared (Eng/KH),</li> <li><input type="checkbox"/> Should if possible, have a timeframe/ goals to be aimed for.</li> <li><input type="checkbox"/> Should encouraging active participation of all families to monitor the process                             <ul style="list-style-type: none"> <li>● Assisting others (illiterate families) to understand</li> </ul> </li> <li><input type="checkbox"/> Contain information on the need to counter the risks of abuses,                             <ul style="list-style-type: none"> <li>● Provide possible examples of these.</li> <li>● How and to whom report to?</li> </ul> </li> </ul>	<p>The content of the materials should be drafted and discussed with interested and involved NGOs (especially legal and Rights based organizations) and pre-tested prior to publication and application to ensure the contents and language used generally understandable</p> <p>All documents should have a section on accountability and reporting of abuses.</p> <p>Attempt should be made not to</p>
<p>INDICATOR All have received copies of the reference (at least the first 3 booklets) materials and the Citizen report cards at the different stages of the SLC process</p>	<p>2. At the start of the State Land Identification process.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Aims and objectives of the State Land Identification Process.</li> <li><input type="checkbox"/> Identify who is to be involved                             <ul style="list-style-type: none"> <li>● Representatives of which departments/ offices, (<i>see below</i>)</li> </ul> </li> <li><input type="checkbox"/> What are the steps involved?</li> <li><input type="checkbox"/> How to lodge a complaint                             <ul style="list-style-type: none"> <li>● To whom,</li> <li>● How the complaints procedure will work,</li> <li>● Its likely duration.</li> <li>● How the decision will be communicated</li> <li>● Appealing</li> </ul> </li> <li><input type="checkbox"/> Taking notice and rationale of the announcements (publicly displayed notices) of the public display</li> <li><input type="checkbox"/> Participating in the public display and checking not adversely affected.</li> </ul>	<p>exceed 8 pages in Khmer for each booklet</p>

Indicator	When	Some of the suggested contents	Remarks
	3. Just prior to the Beneficiary identification process.	<input type="checkbox"/> Aims and objectives of the beneficiary identification process and the RIGHT to a review. <input type="checkbox"/> The schedule (public notices put at the start of the application process, <input type="checkbox"/> Where to obtain a application form, the Right to get an application <input type="checkbox"/> No charges or payment to be made (to be reported-contact details/numbers on booklet) <input type="checkbox"/> Encourage participation and monitor <input type="checkbox"/> The national criteria as per the SD#19 and inform <input type="checkbox"/> The locally approved (by PLUAC) criteria (most likely will be a insert) <input type="checkbox"/> The steps in the beneficiary identification process. <input type="checkbox"/> The need to review and check the lists <input type="checkbox"/> How to lodge a appeal <ul style="list-style-type: none"> <li>● To whom,</li> <li>● How the appeal procedure will work,</li> <li>● Its likely duration.</li> <li>● How the decision will be communicated</li> <li>● Appealing to higher</li> </ul>	
	4.To identified and approved target land recipients on what are the entitlements, conditions, support to be made available to the TLR, and other support.	<i>To be developed once Integrated Rural Development Activities and packages are confirmed</i>	

Indicator	When	Some of the suggested contents	Remarks
	<p><b>5. The Citizen Report Cards</b></p> <p>(i) For All families in the villages and communes</p> <p>(ii) For Land recipients families following the actual distribution of land and (possible after a couple of months).</p>	To provide once source of quantitative feedback on the SLC of LASED for beneficiaries and non-beneficiaries	This would contribute to more to an internal evaluation process.
Publication and distribution of Banners for the communes and villages in the Social Concession Areas.	Following approval of the SLC process in a commune	Identify the commune and village for a Social Land concession process	
Publication and distribution of Posters for the communes and villages in the Social Concession Areas.	At different stages of the process and also to households in the villages	<p>Pictorial Posters of the different stages of the process should be developed and put up to help explain</p> <p>(i) The stages in the SLC process.</p> <p>(ii) Show samples of the forms to be used and other supporting documentation that may be required to.</p> <p>(iii) Encourage participation and transparency by enable and providing information residents in the target communes of the risks and types of abuses that could occur and provided mechanism to counter and report these abuses if they occur.</p>	
Public Notices put up in different parts of the villages (1 per 30 HH) at least 7 days in advance of the start of different steps, Call for village meeting(s)	As proposed in the pre-launch phase public notice locations need to be identified and monitored to ensure that progress information is put and available in time to enable people to be informed in advance to enable them to participate.		
Banners (on PVC plastic) of the officials involved with photos, names and positions provided for each village to know who is involved	When PLUAC and District appoint personnel in implement and be responsible for SLC activities	To counter the risk of others interfering or pretending to be involved or faking official endorsement.	

<p>Radio &amp; TV spots produced and broadcast (through local networks –if existing) Or nationally with a focus on the provinces undertaking SLC</p>	<p>During the course of the SLC process</p>	<p>What is SLC, who is involved, and eligible for applicant where is it been undertaken (communes, district and provinces)          Countering abuses and corrupt          Interviews with senior personnel involved and villages</p>	
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**Kingdom of Cambodia  
Nation, Religion, King**

*Social Land Concessions supported under the Land Allocation for Social & Economic  
Development (LASED) Project  
What You NEED to Know to get start (Information Leaflet 1)*

**The contents of this reference document will be IMPORTANT to all families in the  
communes**

The document aims to provide simple introductory information in relation to the Royal Governments' policy and programme of Social Land Concessions for the distribution of land for living and livelihood purposes especially to the poor. It should either

1. Enable your family to decide whether they may be eligible to apply for consideration to become a land recipient, and how to go about this, and or
2. Encourage your family's active participation in the process to ensure that the procedures (for land and potential recipient families) identification are correctly carried out to ensure transparency and the accountability of those involved and that the land is provided to the poor in your area only, without abuses or corruption.

### **Introduction**

Based on the Royal Government of the Kingdom of Cambodia's comprehensive Rectangular Strategy and most recently expressed in the National Strategic Development Plan 2006-2010, which details the strategies and priorities to rapidly contribute to reducing poverty in Cambodia for the coming years. The Royal Government has committed itself to distributing identified and declared surplus State Private Land to village identified and commune council endorsed poor families in communities and villages in the target communes through Social Land Concessions. To support the development of this program for expansion to other areas of Cambodia, the Royal Government is undertaking a trial/pilot phase to better learn about how to implement successful and transparent land distribution to the poor.

### **Objectives of LASED Project**

The development objective of the Land Allocation for Social and Economic Development (LASED) project will be to support the process of social land concessions to provide land with tenure security (after a five-year period) as well as following the distribution up with related supporting services and investments to reduce poverty amongst targeted landless and land-poor households by advancing the Royal Government current land allocation practices to promote more targeted sustainable, and equitable rural economic growth. This will be achieved through:

- The distribution of state land suitable for agriculture, together with appropriate support services (for agricultural and socio-economic development) to qualifying landless and land-poor households
- Based on experience, developing more transparent and technically appropriate mechanisms for providing state land and support services to the poor.

### **A summary of the likely steps in the local Social Land Concession process**

- (a.) Request for social land concession and LASED support initiated by your local Commune Council
- (b.) Agreed to by the Provincial Authorities
- (c.) Technical support for State Land Identification
  - Including a public display to reduce the risk of land conflicts
- (d.) Application by eligible families

- (e.) Ranking of applicant families to be distributed land
- (f.) Public display of ranked lists of applicant families
- (g.) A period of appeal on the ranking if required.
- (h.) Finalization of list of ranked families
- (i.) Distribution of land to the families
- (j.) Planning for rural development support for the families and the community
- (k.) Start of support & development activities [Those families/communities to move to the social concession land will be provided with support and materials to begin livelihood activities in the new areas
- (l.) Review of experience to assist in improving the social land concession process

### **Basic Eligibility Criteria for Consideration Social Land Concessions**

To be eligible to apply for consideration a family should not own or possess land equal to or in excess of

- (a.) 3,600 square meters for residential purposes and/or
- (b.) 2 hectares of land for farming purposes

### **To be able to apply the following factors are taken into account:**

- (a.) Be a Cambodian national, with legal capacity to own land (over 18 years old).
- (b.) Be the head of the family, which consists of two or more individuals related by blood or marriage and residing in the same household.
- (c.) Not be an owner or possessor of other land equal to or in excess of the size limitations for social land concessions mentioned above (3600m<sup>2</sup> for residential and/or 2 hectares of farm land)
- (d.) Be ready, willing and able to participate in the social land concession program.

No person may deny the right of application and or participation in a social land concession program to head of family who is a female, a person with a disability, a veteran with a disability, or a demobilized soldier.

Where there are more applicants than available land, additional reasonable criteria for giving preference in the selection of target land recipients or the allocation of social land concession land can be based on the following:

- Large family size, having six (6) or more members
- Duration the family has lived in the commune and its villages,
- The head of family is a woman, a person with a disability, a veteran with a disability or a demobilized soldier.

If your family owns or possesses less land than that mentioned above' and meets the factors for applying, your family may be eligible to apply and should obtain, complete and submit (within the time permitted) an application form to be made available from the commune council office or involved village representatives.

Please note that application does not guarantee that land will be distributed to your family as it will be depend on the poverty ranking by the village and also on the quantity of land identified to be made available

### **What can an eligible family apply for?**

An eligible family can apply for considerations for social concession land for the following three purposes

- (a.) Residential purposes only
- (b.) Family farming purposes only, or
- (c.) Both.

**How much land, will a family receive if selected?**

Residential land	The <u>maximum</u> amount of land to be granted for residential purposes is 3,600 meters.
Farming land	The current <u>maximum</u> amount of land to be granted for farming purposes is 2 hectares, depending on the quality of the land.

**Conditions attached to the Land to be Provided.**

Each land recipient poor family shall enter into a written agreement with the competent granting authority that specifies the rights and responsibilities of the land recipient family in accordance with the social land concession program, and the exceptions, such as

- For example, affected by droughts or disasters or grave illness, which prevent the fulfilment of the families agreed obligations.

Unless an approved social land concession plan specifically provides otherwise, the following occupancy and use rules shall apply to all social land concessions.

<b>Residential Land</b>	<b>Farming Land</b>
A residential structure needs to be built on the on provided residential land within three months and a family member needs reside there for at least six months in a year	The land provided needs to cultivated within 12 months and used

The target land recipient may not sell, rent or donate social concession land during the first five (5) years of the implementation of the social land concession program and if a target land recipient fails to meet the occupancy and use conditions, the land shall revert to the state for reallocation

## Issuing of Ownership Titles

1. Only after five (5) years of continuous use and occupation shall the land recipient poor family have the right to claim actual ownership of the land provided by the Royal Government and can request ownership titles according to procedures determined by the Ministry of Land Management Urban Planning & Construction
2. If a name head of a land recipient family dies during the implementation of the social land concession program, the successors in the land recipient's family may continue to implement the social land concession to complete the five (5) years and shall have the right to ownership of that land.

## OTHER RELEVANT INFORMATION

### Tackling Abuses and Corruption in the Social Land Concession Process

The allocation of state land by the Royal Government to landless and land poor families in the target villages and communes is a key component of the Royal Governments' Rectangular Strategy to develop Cambodia and reduce rural poverty by ensuring the poor have access to (i) residential land and (ii) the means of agricultural production. Due to the importance of land, the social land concession process is at significant risk of abuse and exploitation by unscrupulous persons.

The Royal Government wishes to draw the public attention to the following:

1. No payments of any sort are required from people or to be paid to involved officials to take part in a social land concession once a family complies with the eligibility criteria as per the sub-decree #19.
2. Family members and relatives of Commune Councilors, members of the village leadership and the Planning & Budgeting Committees can eligible to apply, if they meet both the national criteria and the to be approved by the Province local criteria.

However, there is a risk of a Conflict of Interest by those involved in making decisions

- a. Those involved officials/persons have to complete (a written form) and make a public declaration of who they are related to who is applying and not take part in the evaluation of those applicants.

If you hear or observe any abuses, please report the incidence to the following for follow up and action

**LASED III  
RECORD FORM FOR NOTIFICATION OF ANY PROJECT RELATED GRIEVANCE**

**Note: Any LASED III project staff member who is notified of a grievance must record the grievance on this form, either immediately or as soon afterwards as possible**

Commune: .....

District: .....

Province: .....

Name of the plaintiff.....

Contact details of plaintiff (telephone, e-mail, physical address as relevant)

Does the plaintiff request anonymity: Yes..... No.....

Date and time of receiving grievance.....

Grievance Method:

Phone call		Face to face verbal		Writing		Other	
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Grievance recorded by (name/ position) .....

**Describe the grievance as fully as possible below.**

Has the complainant been informed of his / her rights? Yes / No

Has the complainant been informed of the next steps of the process and how long it will take? Yes / No



1. Public consultations for the LASED III project (P171331) were held from April 10 to May 1, 2020. Following agreement between the World Bank and the Royal Government of Cambodia (RGC), the consultations were held virtually in lieu of face to face meetings in Phnom Penh or in target provinces, owing to the COVID-19 related restrictions. Guidelines for the consultations which were also agreed to between the RGC and the Bank included posting of materials on the websites of the Ministry of Land Management Urban Planning and Construction, (MLMUPC) the Executive Agency (EA), and the Ministry of Agriculture, Forestry and Fisheries MAFF (MAFF), the Implementing Agency (IA); establishment of a social media platform (Telegram Group) for stakeholders' feedback; telephone consultations; and, a video featuring both the format of the online consultation and the brief descriptions of LASED III project.

2. **The objectives of the public consultations** were (i) to present the design and other key features of the LASED III project; (ii) to obtain feedback from stakeholders on the project, including on the Environmental and Social Framework (ESF) instruments: the Environment and Social Management Framework (ESMF), the Resettlement Policy Framework (RPF), the Indigenous Peoples Planning Framework (IPPF), the Cultural Heritage Protection Framework (CHPF), the Labor and Working Conditions Plan (LWCP), the Environment and Social Commitment Plan (ESCP), and the Stakeholder Engagement Plan (SEP); and (iii) to prepare minutes of the consultations as a “reference material” for the revision, as needed, of the ESF instruments. These consultations build on previous direct consultations at the Project Concept Note (PCN) and project preparation and design stages. These were conducted with prospective beneficiary communities of LASED III, civil society organizations, private sector and other relevant stakeholders, and also covered issues pertaining to Indigenous Community Land Titling (ICLT), and Social Land Concession (SLC) as well as development support for the vulnerable groups.

3. The consultations were led by H.E Theng Chansangvar, Secretary of State, supported by the core LASED III teams<sup>5</sup> from the EA and the IA. The events were facilitated by LASED III's consultants<sup>6</sup> and guided by the World Bank Task Team<sup>7</sup>. The RGC consultation team sent out virtual invitations to the public consultation, which included background and objectives of the consultations. The guidelines for the consultation are provided in **[attachment 2]**.

4. The RGC consultation team prepared lists of stakeholders who were invited to participate in the Telegram group. Guidance was provided on how to provide comments, and the link to access all safeguard documents posted on the websites of the EA and the IA was also provided along with the email address of the RGC consultation team.

5. **The presentations for the virtual consultation [attachment 3, 4 and 5]** include: (i) the LASED III project; and, (ii) the associated ESF instruments. The LASED III project presentation covered project background, selection of SLC, ICLT, and Indigenous Communities (ICs) for the development support, targeting and selection of beneficiaries, objectives and sub-components, financial plan and institutional arrangements. The ESF presentation emphasized the importance of stakeholder consultation plan, procedures for identification and management of E&S risks in each project location, provisions for involuntary resettlement and compensation for displaced persons (in case this should occur) and the project Grievance Redress Mechanism (GRM).

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<sup>5</sup> Dr Dok Doma, Deputy Director General, GDH, MLMUPC and Teams; and Mr. Kosal Khy, Deputy Director General, MAFF and Teams

<sup>6</sup> Julian Abram (LASED III's Consultant's Team Leader, and Environmental and Social Risks Management Specialist), Il Oeur (IP and ICLT Development and Risks Management Specialist), Bora Nuy (Social Risk Management Specialist), Kob Math (Environmental Management Risks Specialist)

<sup>7</sup> Mudita Chamroeun (Task Team Leader and Senior Rural Development Specialist), Bunlong Leng (Senior Environmental Specialist), Vivianti Rambe (Senior Environmental Specialist), Svend E. Jensby (Senior Social Development Specialist), Alkadevi Morarji Patel (Senior Social Development Specialist), Alassane Sow (Project Preparation Specialist), Lyden Kong (Operations Specialist) and Maly Prak (Program Assistant).

6. The RGC consultation team prepared a short video presenting the project [attachment 3]. This was posted online (Telegram Group) together with the ESMF table of risks, impacts and mitigation measures; and, legal gaps in PowerPoint format [attachment 4 and 5], the executive summary of the ESF in Khmer [attachment 8]; In addition, all safeguard documents, in draft form, both Khmer and English were posted on the websites of the MLMUPC (<http://www.mlmupc.gov.kh/>) and of the MAFF (<https://web.maff.gov.kh/>):

- Environment and Social Management Framework (ESMF)
- Resettlement Policy Framework (RPF)
- Indigenous Peoples Planning Framework (IPPF)
- Cultural Heritage Protection Framework (CHPF)
- Labor and Working Conditions Procedures (LWCP)
- Stakeholder Engagement Plan (SEP)
- Environment and Social Commitment Plan (ESCP)

7. The Telegram Group included 87 participants by officials at national and sub-national levels of government, representatives of UN agencies and civil society organizations across Cambodia. Telephone calls were made to several NGOs to ensure that their views are heard directly.

8. Of all the participants invited to the virtual consultation, a total of 31 people provided written feedbacks. Some shared their feedback both through the given email address and Telegram group. These include: one government official from the Kratie province, two UN Agency officials, one independent consultant, and twenty-seven from the “NGO Forum” and their membership organizations [attachment 6]. Of important note, NGO Forum organized a virtual group discussion amongst their member organizations to review the safeguard documents and consolidated all feedbacks, and then sent to the RGC consultation team along with list of representatives of participating organizations. In addition, there were 259 viewers of the documents posted on the Websites, 18 of them provided written feedbacks on the quality of the documents produced for LASED III [attachment 7].

9. **Summary of issues discussed.** The main points of virtual discussion are summarized below. They focused on: (i) the ICLT process and impacts on indigenous peoples (IP); (ii) the SLC process; (iii) protection of natural resources and biodiversity; and, (iv) the importance of avoiding involuntary resettlement or ensuring fair compensation for displaced people. Generally, the participants of the online consultation appreciated the good quality of the documents and the availability of both Khmer and English versions, as well as the different formats of presentation such as video clips, summaries, and PowerPoint slides.

10. **The comments and recommendations** received from stakeholders are presented in [attachment 1]. The table below presents the list of comments by virtual participants for each ESF instrument.

11. **The key questions and recommendations** raised by the virtual participants are summarized for each ESF instrument in the following table.

ESF Instrument	Key Questions and Recommendations <sup>8</sup>
ESMF	Most of the comments suggest (i) deeper reviews/assessments of overlaps between areas covered by ICs and those under the responsibilities of other institutions such as the MoE, and explore sustainable solutions; (ii) speeding up the process of registration of state public land and zoning

<sup>8</sup> See detailed comments in Attachment 1

	in protected areas; (iii) a national guideline to address the issue of IPs rights versus natural resource management; and (iv) advisability for NGOs and communities to be involved in LASED III implementation.
SEP	Notable suggestion is how FPIC can be better promoted in remote areas to ensure effective engagement with IPs.
LWCP	Suggestions to include in the document: (i) ensuring that workers have formal contracts; and (ii) the need to build the capacity of contractors and subsequent follow-up training about their obligations, workers' rights, and grievance mechanism.
RPF	Suggestions include: (i) support for proper land clearance for farming, because NGOs have noticed that farmers in SLC areas face important challenges including mine and Unexploded Ordnance (UXO) clearance, the need for clearing farming land, etc.; (ii) careful identification of all people including legal and other types of occupants and users, who gain livelihood from the land without occupying it e.g. Common Property Resource (CPR); and, (iii) implement SLC on lands made available by ELC cancellation since an important purpose of the ELC cancellation is to avail lands for SLC and to promote natural reforestation.
IPPF	Suggestions include: (i) making the process as similar as possible with the ICLT, in particular, with the involvement of NGOs; and, (ii) need to clarify how to cooperate with other Ministries when there is an overlapping area;
CHPF	• Only very minor comments (e.g. considering sacred land and graveyards) which are covered in the definition of cultural heritage.
ESCP	A strong suggestion is that land from ELC cancellation is better suited for SLC than other sources of land. In addition, following issues are recommended for consideration: gender analysis, mainstreaming and empowerment.

## Attachments

Attachment 1: Matrix of Comments and Virtual Responses and Commitments

Attachment 2: Virtual Consultation Guidelines

Attachment 3: Short video on what is LASED III about?

Attachment 4: PowerPoint slides on legal gaps analysis

Attachment 5: PowerPoint slides on risks & mitigation

Attachment 6: List of Virtual Participants

Attachment 7: Participants' rating on LASED III's Project

Attachment 8: Executive Summary in Khmer – All Instruments

## Attachment 1: Matrix of Comments and Clients Virtual Responses and Commitments

<b>Date</b>	April 10 to May 1, 2020	
<b>Place</b>	Through ministries' websites, group telegrams, telephone call, video brief, SMS	
<b>Language</b>	Khmer and English	
<b>Number and composition of participants</b>	87 participants are representatives or staff members of MLMUPC, MAFF, Sub-National Level, NGOs, and international donors and development partners (DPs)	
<b>Topic/Document</b>	ESMF, RPF, IPPF, CHPF, LWCP, SEP, ECSP, PowerPoint, and Video on LASED III project that comprise of background, objective, beneficiaries, project components, implementation arrangement, safeguards, etc. (see attachments 3, and 4)	
<b>Original Document</b>	<b>Participants' questions and inputs/suggestions</b>	<b>Project Teams virtual responses</b>
<b>I. Environment and Social Management Framework (ESMF)</b>		
Para 5/ P.8 LASED III will support activities at 14 existing SLC and approximately 15 new SLC which are to be identified, as well as approximately 30 IP communities that have received ICLT and 15 IP communities that have applied for but not yet received ICLT.	<b>(OHCHR)</b> LASEDIII should include some SLC sites studied in OHCHR report, issued in May 2018 [ <a href="https://bit.ly/2Ypot4Z">https://bit.ly/2Ypot4Z</a> (English) and <a href="https://bit.ly/2Yp7hw9">https://bit.ly/2Yp7hw9</a> (Khmer)], to support social infrastructure developments on such SLC sites in Boeung Lvea commune, Suntuk district, Kampong Thom, Trapeang Pleang commune, Chhuk district, Kompot province, and Boeung Pram commune, Boveil district, Battambang as well as covers an informally identified SLC site, in Bousra, Peachreada district, Mondulkiri, as one of planned 15 new SLC sites.	The project will select sites on a demand-led basis. The project targets approximately 12 new Social Land Concessions (SLC) not 15. The Executive Summary text has been corrected
Para 2, page VIII The Environmental Protection and Natural Resources Law (1996)	<b>(NGOF and Members)</b> Please explain why it does not mention protected area law 2008 in the ESMF. The 6-target province enriches of natural resources and biodiversity	Protected Areas Law 2008 is now cited in the Executive Summary and summarised in Section 1.8 of ESMF.
Para 23, Page Table 1B Phase 2.5	<b>(NGOF and Members)</b> The interim protective measures should be automatically issued once the application form ICs reach the provincial department. However, the measure, process, and title could be negotiated later among ICs and government officials. In general, NGOs, local authorities, and communities are working together to identify their	Interim Protection Measures are issued by the Provincial Governor at Phase 3, Step 3 of the Indigenous Community Land Titling (ICLT) <sup>9</sup> process (see Indigenous People Planning Framework, IPPF). They cannot be issued "automatically"

<sup>9</sup> Manual on Indigenous Communities Identification; Legal Entity Registration; and Communal land registration process in Cambodia (published in December 2018). Cambodia Office of the High Commissioner for Human Rights (OHCHR)

	preliminary map before applying to the provincial department. This is to avoid dispute with encroachers.	
Para 42, Page 9 ICLT Eligibility.	<b>(NGOF and Members)</b> Please provide more detailed information if it includes ICs who already apply for ICLT, but they have conflict on land with ELCs and PAs.	Indigenous Communities (ICs) that have received recognition as communities from Ministry of Interior (MoI), but have not yet submitted land title applications (at Phase 2.5 of the ICLT process), or that have progressed to a later stage, will be eligible to apply for project assistance. This has been clarified in the text.
Para 9/ P.XI Stakeholders to be consulted through this process include stakeholders in Kratie, Mondulkiri and Ratanakiri at Province, Commune and IP community level as well as stakeholders in Phnom Penh.	<b>(NGOF and Members)</b> NGOs mentioned there was not a consultation happening at the targeted provinces. Such as Mondulkiri, Ratanakiri, Preah Vihear yet. The consultation with all stakeholders both national and sub-national level should be done. NGOs suggest to make the ESMF and its annexes alive which we can provide suggestions for improvement even during the project implementation.	Consultation happened virtually due to COVID 19 and included stakeholders from the mentioned provinces. ESMF is a living document and can be updated during project implementation. Stakeholders will be consulted on revisions which will be publicly redisclosed. Ongoing engagement with NGOs on safeguards at site level is planned, under the Stakeholders Engagement Plan (SEP).
Para 26/ P. 4 26. Project Development Objective (PDO). The PDO is .....: (i) tenure security provided to beneficiary farmers and community groups. Achievements would be measured by .... Achievements would be measured by the access to agriculture services, clean water, connecting roads, schools and health posts; ...	<b>(OHCHR)</b>  1) and grievances of SLC related land are remediated. 2) an irrigation system,	ESMF only quotes the PDO, it doesn't define it. PDO will stay in its current form
Para 23/ Table 1B/ P. Phase 2.5	<b>(NGOF and Members)</b> The Interim Protective Measures (IPM) should be automatically issued once the application form ICs reach the provincial department. However, the measure, process, and title could be negotiated later among ICs and government officials. In general, NGOs, local authorities, and communities are working together to identify their preliminary map before applying to the provincial department.  <b>Supporting Idea:</b> This is to avoid dispute with encroachers	ICLT will start from Phase 3, this means that IPM may have been done already in the applicant communities. However, due diligence will be conducted per Table 8 of IPPF
Para 28/ P.5 <b>28. Component 1: Selection and Development</b> .... social assessment and land use planning are carried out before	<b>(OHCHR)</b> using Human Right based and preparedness for identified SLC land-related grievance remedy	Protection of human rights is integrated in the World Bank's Environmental and Social Framework (ESF) which is the basis for the ESMP and other environmental and social risk management instruments of

		LASED. Therefore, the language used reflects the wording of the ESF. Grievance redress is addressed in RPF and in SEP.
Para 31/ P.6 <b>31. Component 2: Community Infrastructure Development:</b> ....., health posts	(OHCHR) and health care facilities plus on site-based medical staff.	No change needed. Health posts need to be established on sustainable basis and in conformity with healthcare system standards. This may not always mean permanent on-site staff.
Para 44/ P.9 44. The project communication team will ensure that internal and external information sharing and awareness raising reach beneficiaries and other stakeholders through appropriate communication means.	(NGOF and Members) What are appropriate communication means? Please specify tools clearly for public stakeholders, NGO partners, targeted communities, etc. How often the information is shared? Who is the communication team doing for dissemination? Could NGOs participate in dissemination? It would be easier for all stakeholders, especially communities, to access the information.	Text has been revised.
Page 23 Table 3: Gap Analysis of Legislative and Regulatory Framework vs. ESS Requirements  Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (See also: RPF)	(NGOF and Members) For fair valuation, there shall be an Independent Committee consisting of ministry which initiate the project, representatives of local authorities, representatives of NGOs, selected representatives of community who are triggered to be affected, women representatives, at least two technical experts on social safeguard for each project to oversight the valuation of fair and just compensation.  Carry out meaningful consultations with affected persons, host communities, community members and leaders, provincial government agencies and concerned nongovernment organizations with particular attention to vulnerable groups and ensuring their meaningful participation in planning, implementation, and monitoring and evaluation of resettlement programs. (NGOF, 2018)  The SLC site should implement where recipients (landless households) could settle, do farming, or other options where people can survive with economic and social welfare.	Valuation procedures are set out in the Resettlement Policy Framework and have been assessed as adequate to ensure fair and just compensation through a transparent process. Consultation requirements are in the SEP and are consistent with the comment.  Yes, SLC allocates land for landless households to settle and farm
Page 23 ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources.	(NGOF and Members) Conduct a study and identify ICLT proposals that overlap with protected areas in consultation with indigenous communities for approval based on	Detailed mapping and studies will be carried out for all sites. See also the IPPF.

	their actual use and ensure the sustainability of natural resources.	
Page 24 ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities (See also: IPPF)	<b>(NGOF and Members)</b> Working with MoE to speed up the process of state public land registration and identifying zoning in protected areas with public consultation by using free, prior, informed, and consent with IPs communities especially women and vulnerable groups.	This is addressed in the Gap Assessment table ( <i>Gap 7: address the reconciliation between MAFF and MoE laws and regulations regarding Protected Area land through the provincial state land committee</i> ). See also response to comment on Page 45 below.
Page 45 Table 9: Summary of ESS7 Risks MoE has not included any PA land in ICLTs when ICs wanted to register such land as communal land, as opposed to CPA with limited role and access. As a result, ICs have often rejected a CPA registration	<b>(NGOF and Members)</b> The level of risk should be higher and needed higher mitigation measures as two of six target provinces are rich in biodiversity and considered as protected areas. Furthermore, FPIC principle should be highly considered.  MLMUPC should closely discuss with MoE and FA, MAFF to have a clear study and issue a national guideline for ensuring balance between indigenous people rights and natural resource management.	IPPF describes site level procedures for dealing with this issue  This is a policy issue that goes beyond the direct scope of LASED-III activities as it requires action from Ministry of Environment (MoE) and Ministry of Agriculture, Forestry and Fisheries (MAFF) as well as MLMUPC, and might require amendments to legislation or regulation. However, LASED-III will seek to address this issue through establishing an improved coordination mechanism with MoE, MAFF an MLMUPC for mapping and zoning protected areas – see the IPPF.
Page 53 5.2 Project-Level Risk Management. 226. The key risk management measure at the project level	<b>(NGOF and Members)</b> Requesting to include stakeholders of NGOs and Community in LASED III implementing agencies.  To resource mobilization, inputs and technical assistance and communities' ownership and contribution.	NGOs will be involved as stakeholders (see SEP) and potentially as service providers.
Page 64 5.6.2 Stakeholder Engagement Plan (SEP) 258. For new SLC	<b>(NGOF and Members)</b> (a) Requesting to include the Education Institution, relevant Universities, academic and EIA Consultant Firms. (b) Suggestion to reference the Sub-Decree No.72 dated 1999 on Environmental Impact Assessment (EIA) and Regulation on Public Consultation on EIA, dated 2015  To resource mobilization, inputs and technical assistance.	Preparation of the location-specific Stakeholder Engagement Plan, including the legal framework and identification of stakeholders, is described in the SEP and is only briefly summarised in the ESMF para 258. Relevant academic / educational institutions and consulting firms would be considered as stakeholders if they are engaged with the beneficiary community. Relevant academic researchers are specifically identified as stakeholders in the SEP.

<p>Page 64 5.6.3 Resettlement Plans (RP)</p>	<p><b>(NGOF and Members)</b> Request LASED III to implement in the City, Urban and Rural area.</p> <p>The main resettlement issues are occurred in the areas of urban and city more than rural areas. If they are excluded, the social issues won't be resolved.</p>	<p>Site selection will be demand-led. However, SLC is only possible where there is vacant State land available.</p>
<p>Para 345, Page 81 9.2 Public Disclosure</p>	<p><b>(NGOF and Members)</b> Information related to affected people and beneficiaries must be proactively shared and consulted which is easily accessible and understandable to affected people.</p>	<p>Information sharing is described in SEP. The public consultation and disclosure process on the ESMF and other ESS instruments has been completed and is now summarised in Section 9.2, para 345 of ESMF</p>
<p>Chapter 7, para 313</p>	<p><b>(Kim Sopor, Gov't official, Kratie)</b> It is the good noted. GIS and Safeguards Adviser position shall be separated, so they can provide technical support and advice perfectly, therefore the government official who in-charge of this task should provide them the specific skills to make sure that they track all E&amp;S issues at sub-national level.</p>	<p>Safeguards (E&amp;S risk management) will be a separate role in LASED III.</p>
<p>Chapter8, para 328</p>	<p><b>(Kim Sopor, Gov't official, Kratie)</b> The project will establish the Grievance Redress Committee at national level – Provincial Grievance Redress Committee will be formed at sub-national level. The experiences from One Window Service Project (OWSP) and Social Accountability mechanisms is good, perhaps LASED III should capture the good practice from OWSP or I-SAF to improve the efficiency and effectiveness of PGR at sub-national level.</p>	<p>Agreed in principle. GRM is described in the SEP and is in accordance with good practice. Experience with Implementation of Social Accountability Framework (ISAF) etc can be integrated when setting up the GRM structures.</p>
<p>Para 40: <i>Beneficiary targeting</i>. ..... (iii) about.....</p>	<p><b>(OHCHR)</b> the figure is not consistent with the early page (page viii-#5) said approximately 15 new SLCs will be covered in LASED III</p>	<p>Para 40 is correct. The figure in the Executive Summary has been corrected</p>
<p>Para 41: Direct project..... It is expected that approximately .....</p>	<p>the figure is not consistent with the early page (page viii-#5) said approximately 15 new SLCs will be covered in LASED III.</p>	<p>See above</p>
<p>Para 47: Project Management Team (PMT) /..... communication and participatory decision.....</p>	<p><b>(OHCHR)</b> with respecting diversity views and gender equality.</p>	<p>Text has been updated as suggested.</p>

Para 49: <b>Supporting / Cooperating Ministries.</b> ..... Ministry of Interior .....	(OHCHR) Should involve more ministries as follow: 1-Ministry of Women's affair (MoWA) to ensure an equal gender process to be implemented in the project, 2-Ministry of Public Transportation Affair for standardized roads construction. 3-Ministry of Water Resources and Meteorology for ensuring a good quality of clean water system. 4-Provincial Electricity Providers department for preparing a electricity running system on the sites.	MoWA and MoWRAM have been added. MoPWT not relevant as LASED III will only upgrade rural (MRD / SNA) roads. Electricity supply enterprises (not Ministries) will be consulted in respect of each location as relevant,
Para 53: (a) Ensure (through processes which are described in detail in the SEP) involvement of and .....	(OHCHR) in the use of human rights-based approach,	The ESF protects human rights of project affected people. No need to change terminology.
Para 53: The ESF defines an ESMF as ....., environmental and social risks and .....	(OHCHR) and the results from conducting ESR assessment will be put on the table to consult with relevant stakeholders, communities, in the wider appropriate approaches.	As mentioned already in the para, consultation arrangements are described in the SEP
Para 54/ P11 The ESF defines an ESMF as “an instrument that examines ....and social risks and impacts.	(OHCHR) and the results from conducting ESR assessment will be put on the table to consult with relevant stakeholders, communities, in the wider appropriate approaches	Para just summarises what an ESMF is, according to World Bank’s ESF
Para 55: Therefore, the ESMF presents an analysis of anticipated risks and impacts ..... have been carefully	(OHCHR) and be transparent with the publics.	Transparency is one of the principles, as reflected in the current consultation exercise. See also the SEP including Section 5.0.
Para 55: (c) Project procedures for screening actual and potential SLC sites and ICLT locations for environmental and social risks, and preparation of site-level risk management.....	(OHCHR) including a precautionary principle environment, human rights-based approach, and diversity perspectives in decision-making for the site-level risk management plan.	The ESF protects human rights of project affected people and embodies a precautionary principle throughout. No need to change terminology.
Para 58/ P 12 58. Section 5 presents .... c) Project procedures for screening actual and potential SLC sites and ICLT locations for environmental and social risks, and preparation of site-level risk management plans;	(OHCHR) including a precautionary principle environment, human rights-based approach, and diversity perspectives in decision-making for the site-level risk management plan.	See above.
Para 62: <b>Indigenous Peoples’ Rights:</b> The legal and regulatory framework for indigenous people’s rights consists of:	(OHCHR) This part should also state about the law on natural protected area (2008) that has some provisions cover IP's rights on the protected area.	The Protected Areas Law (PAL) is now summarised in para 65 (it is not mentioned under Indigenous People’s Rights as the PAL does not define these rights directly.
Para 137: This chapter of the ESMF ....social profiles of the priority target .....	(OHCHR) and other stakeholders' SLC study reports for example: UNOHCHR's report on Assessing the Impact of Social Land Concession on Rural Livelihood in	Text (now para 138) has been updated.

	Cambodia [ <a href="https://bit.ly/2Ypot4Z">https://bit.ly/2Ypot4Z</a> (English) and <a href="https://bit.ly/2Yp7hw9">https://bit.ly/2Yp7hw9</a> (Khmer)], other relevant reports.	
Para 143: In the following paragraphs, risks are .....	<b>(OHCHR)</b> in the use of human right-based approach and diversity respect, and gender balance,	Not clear how the comment relates to the specific paragraph. However, refer to above responses on protection of human rights through ESF.
Para 143: In the following paragraphs, risks are .....state land titling for SLC sites;.....	<b>(OHCHR)</b> and recipient selection process and	Considered as included in “resettlement of SLC land recipients” – text has been edited to clarify this.
Para 143: In the following paragraphs, risks are.....; and (6) agriculture livelihoods support sub-projects.....	<b>(OHCHR)</b> and (7) Grievance mechanism.	GRM is a risk management mechanism, rather than a project activity giving rise to risks.
Para 149: It is also possible that.....in preparation of the ESMP, adversely affected groups will be .....	<b>(OHCHR)</b> effectively, transparently, timely and acceptably,	Suggested wording has been added (now para 150)
P.53 5.2 Project-Level Risk Management. 226. The key risk management measure at the project level 5.6.2 Stakeholder Engagement Plan (SEP) 258. For new SLC	<b>(NGOF and Members)</b> 3) Requesting to include stakeholders of NGOs and Community in LASED III implementing agencies. To resource mobilization, inputs and technical assistance and communities’. To resource mobilization, inputs and technical assistance and communities’ ownership and contribution.	See additional wording to para 228. However, NGOs will not be “implementing agencies” in the sense of being responsible to manage project funds and deliver project results, except where they may be engaged as contractors or service providers through the procurement process.
Para b) and d)/ P 64 5.6.2 Stakeholder Engagement Plan (SEP) 258. For new SLC	<b>(NGOF and Members)</b> 4) Requesting to include the Education Institution, relevant Universities, academic and EIA Consultant Firms. To resource mobilization, inputs and technical assistance.  5) Suggestion to reference the Sub-decree No.72 dated 1999 on Environmental Impact Assessment (EIA) and Regulation on Public Consultation on EIA, dated 2015.	Details of SEP legal framework, identification of stakeholders and process are in the SEP document.
<b>II. Resettlement Policy Framework (RPF)</b>		
Para: Infrastructure, Page 12-13 Component 2: Community Infrastructure Development.	<b>(NGOF and Members)</b> It should have included/added: demining supported activities within SLCs. This will support prioritized and viable infrastructure investments at new project sites.  These include the provision of productive/economic and social	Para 16 is about making sure proper assessment and land use planning are done before the sites are endorsed for the project.  Para 17 covered much of these

	<p>community infrastructure investments such as rural roads, side drains, culverts, drifts, water supply and sanitation facilities, small-scale irrigation systems, school buildings, teachers' houses, health posts and community centers, among others.</p> <p>In Oddar Meanchey province which was a Khmer Rouge's stronghold area and there are many Unexploded Ordnances (UXOs). Recently, our community members have found UXOs in their SLCs.</p>	<p>Per Para 16 above</p>
<p>Para: Agriculture and Livelihood development, Page 13</p> <p>Component 3: Agriculture and Livelihood Development will support the settlement process of beneficiary households, the building of socio-economic capital (producer groups/cooperatives) and the development of climate-change resilient and market demand driven agricultural production systems. to scale up successful local initiatives.</p>	<p><b>(NGOF and Members)</b> Should have added land clearing for farming land.</p> <p>These will include support for: (a) settling-in assistance to newly-installed land recipients and land preparation assistance for a first cover crop and/or planting of seedlings for tree crops such as cashew to provide the basis for land recipients to establish a new residency and start using their new agriculture land; (b) implementation of a comprehensive agricultural services strategy with an emphasis on climate-smart agriculture techniques and proceeding with a pluralistic service provider approach, leveraging modern ICT and promoting farmer-managed demonstration plots on improved technologies and practices; (c) establishment and/or strengthening of farmers organizations for production and marketing activities and other community interest groups; and (d) provision of a Community Fund for Development (CFD)</p> <p>The community people who received plots of farming land (SLCs) in Oddar Meanchey claimed that they are facing difficulty to clear the land (forest land and full of tree trunk).</p>	<p>Added in Para 95</p> <p>See Para 18, there are repeated paragraphs; also see Para 148</p> <p>See above</p>
<p>Para: SLCs process, page 28</p> <p>7.1 Land Identification, Exclusion of Private Land, Provision of Compensatory SLC Land, and Assessment of Land Acquisition Requirements within the SLC Planning Framework</p>	<p><b>(NGOF and Members)</b> Should have added the timeframe to respond to the request for SLCs from the community people, especially poor and landless people. Hence, the commune authorities (commune chiefs) shall have lists of community people who apply for SLCs and shall have data or figures of available land in their territories.</p> <p>Community people in Oddar Meanchey province have applied for SLCs, yet</p>	<p>In Para 85 indicate the identification of the poor households. The general timeframe is mentioned in PIM that the first proposal for an SLC to the official transfer of land is at least one year.</p>

	<p>they have not received any information in terms of their request from the provincial authority even though they did follow up with them many times.</p>	
	<p>General Comment:</p> <ul style="list-style-type: none"> <li>• Careful identification of existing land users including legal owners or possessors and other types of occupants and users who access to or gain livelihoods from the land without occupying it (e.g. Common Property Resource (CPR) users).</li> <li>• SLC site should not too far from their old resident because they may lose their job, education, and areas where they used to access natural resources products.</li> <li>• Excluding land for which a legitimate private claim exists, from SLC or ICLT land.</li> <li>• Providing compensatory benefits including SLC land allocations where appropriate.</li> <li>• Engaging with affected parties to find mutually agreeable and acceptable solutions including preserving access to CPR through a participatory approach and due diligence process.</li> <li>• Where involuntary resettlement is necessary, the Project will prepare, disclosed, consult, proceed and complete grievance process, and adopt, and thereafter implement resettlement plans (RPs) in accordance with ESS 5 and consistent with the requirements of the RPF that has been prepared for the Project, in a manner acceptable to the Association.</li> <li>• SLC and ICLT should implement on the land of economic land concession (ELC) cancellation. Because ELC cancellation has purpose for SLC and natural reforestation.</li> </ul> <p>Effective SLC should carefully consider on 3 main areas: (i) site where does not create conflict, or completely solve land dispute with the local community before project implementation, (ii) the right recipient who is landless, and (iii) develop social</p>	<p>Section 7 has steps and methods in details</p> <p>That is part of the criteria</p> <p>As stated in the document, it is avoided as much as possible</p> <p>Detail in compensation section 8.3</p> <p>That is included in Table 5</p> <p>See full details in Section 9 &amp; 10</p> <p>This is a demand driven process, so it depends on the real needs for SLC. ICLT is also demand-driven but from among ICs that have already submitted the application to MLMUPC. In the case of ICLT, it is not about getting new land but to provide legal recognition to their occupied land individually and collectively.</p> <p>This the whole purpose of RFP as detailed in Section 3.</p>

	infrastructure and systematic and sustainable livelihood before allow recipient to settle in SLC location.	
<b>III. Indigenous Peoples Planning Framework (IPPF)</b>		
In Executive Summary: Project Description Summary: in 2 <sup>nd</sup> para.	<b>(OHCHR)</b> Among the 45 IC, how many will be supported to obtain a CLT?	Already indicated in Para 14.
In Executive Summary: Communal Land Registration and Development Support: in 2 <sup>nd</sup> para.	<b>(OHCHR)</b> This assessment of areas where the ICLT process could be simplified is essential. OHCHR Cambodia has been leading a discussion on the simplification of the ICLT process. Advanced versions of the final Discussion paper on the simplification of the ICLT process were shared with the relevant Ministries (MRD, MoI, MLMUPC) and the World Bank. The discussion paper is currently being finalized. For more information, the contact person in OHCHR is Mr. Kim Sambath (skim@ohchr.org)	u While the whole ICLT process may be simplified, it remains unclear when it would be taking place. However, LASED III will only focus with the support in the implementation of Phase 2.5 to 3 of ICLT process as indicated Para 51.
In Executive Summary: Risks, Mitigation Measures, FPIC, and Grievance Redress Mechanism: in 2 <sup>nd</sup> para.	<b>(OHCHR)</b> More information is needed on how this person would be selected/trained.	LASED III will first assess the ICLT process supported under the project before financing of ICLT activities (see IPPF).
Para 3: The IPPF describes the LASED III project, the relevant Cambodian and international legal frameworks regarding Indigenous Peoples, the measures to fill gaps between Cambodian laws and the World Bank Environmental and Social Standards, the .....	<b>(OHCHR)</b> The lessons learned should not be only from the Government but from all actors who have been supporting the implementation of ICLT (for example: GIZ, OHCHR, ICSO, CIPO, local NGOs working with IP communities).	Yes this is added to Para 3.
Para 9:	<b>(OHCHR)</b> The component should also consider providing capacity building to IPC on how to manage their communal land in a sustainable way.	u In Para 65, it is clearly indicated that community capacity will need to be strengthened to respond to both the risks and opportunities, not only in ICLT but also livelihoods for sustainable development
Section 2.4: Project Beneficiaries and Locations	<b>(OHCHR)</b> Establishing a communal land dispute resolution mechanism? who to approach, what to do, focal person at national and sub-national levels.	Section 16 covers this aspect, and in reference to more details in the SEP.
Para 14:	<b>(OHCHR)</b> The procedure request from Communes or ICs should be clearly defined (without support, some ICs might not be able to prepare a request).	Para 56 of SEP, and Section 5.2 of SEP, and Para 51 of IPPF cover all aspects to be supported by LASED

Para 28: in (d)	<b>(OHCHR)</b> For some IPC in Cambodia, they don't have their own language, i.e. Chong IP.	Comment is not clear. However, please see Para 65 & 107 of IPPF, and Para 81 of SEP.
Para 29: At the same time, the ESS7 definition is broader than the government's definition, and would also cover social groups such as the Lao and Cham ethnic groups. To address this gap, the IPPF will include these groups for SLC sites based on ESS7 criteria, but not in the eligibility criteria for ICLT titling and livelihood support for as they are not considered indigenous under the Land Law	<b>(OHCHR)</b> How about other ethnic minorities i.e. Vietnamese, Khmer Krom,?	Khmer Krom generally obtained identity in the same way as other Khmer people. Vietnamese minorities do not meet the identifying criteria of ESS7. However, they may benefit from other policies like SLC, but not ICLT
Para 39: The Indigenous Community Land Titling (ICLT) process comprises several different stages and has required several years to complete.	<b>(OHCHR)</b> This is something that should be revised as it leads to the de-facto disappearance of indigenous peoples' traditional land. Because the titling process is so long, indigenous peoples turn to individual land titles or see their land grabbed before it is registered as CLT.	IPPF outlined all processes already, and indicated dates of completion within each, and the need for swap in some processes. However, IPPF only focuses on Phase 3. The project aims to address this constraint and to enhance land security for IPs
Para 39: Credit should be given to civil society organizations (CSOs) such as Indigenous Community Support Organization (ICSO), Development and Partnership in Action (DPA), Non-Timber Forest Products (NTFP), Highlanders Association (HA), and UNOHCHR who have provided a lot of support to indigenous communities to obtain ICLTs, especially during phase 1 and phase 2	<b>(OHCHR)</b> It is important to recognize work previously done and to involve all these actors in the discussion on the needed simplification of the process.	Yes, adjusted on the involvement in the Project and future involvement.  Already mentioned in Section 8, emphasizing relevant stakeholder participation.
Para 42:	<b>(OHCHR)</b> Reference could be made here to a study by OHCHR Cambodia on "Assessment of the Credit Opportunities for Indigenous Communities in Cambodia Holding a Collective Land Title" available at: <a href="http://cambodia.ohchr.org/sites/default/files/report/other-report/Economic%20Opportunities%20IPC%20-%20EN%20-%20New%20Cover.pdf">http://cambodia.ohchr.org/sites/default/files/report/other-report/Economic%20Opportunities%20IPC%20-%20EN%20-%20New%20Cover.pdf</a>	yes, added
Section 9.2 Phase 2: Ministry of Interior (MoI) granting the IC legal entity status	<b>(OHCHR)</b> During this process, there is only one IP Community Bylaws to be produced and then apply for "Legal Entity".	Already clearly mentioned in Section 8.2, not 9.2
Para 47, Page 13	<b>(NGOF and Members)</b> Set up a clear mechanism to address the overlapping issues and aware related stakeholders to be at the same page. The IPPF sounds great with a very comprehensive framework. However,	Already covered in Para 74. Also, the screening process and social assessment will be able to identify those issues if any.

	<p>the document seems not involved by MoE.</p> <p>NGOs have been coordinating and facilitating in cooperation with PDoLMUPC, PDoE and PDoAFF and Sub-National Authorities to support the sketch mapping and preliminary map for ICLT application by IPs. Mostly, IPs wish not to see the three separated required by CF, CPA and ICLT application in different stage, but they wish to see the ICLT in once. The practical experiences, MoE wish IPs to request for CPA if any area overlapped with Protected Areas or Wildlife Sanctuary and MAFF wish IPs to request for CF if overlapped with the forest under MAFF management. So, what is the strategy for compromising and coping that challenges by this LASED-III project?</p> <p>Conduct a study and identify ICLT proposals that overlap with protected areas in consultation with indigenous communities for approval based on their actual use.</p>	<p>These issues will be <b>considered</b> as part of the first phase of project implementation that will refine approach to ICLT (as per IPPF and ESCP)</p>
Para 54:	(OHCHR) According to MOI Officials, the IPC is not cover by LANGO	ok adjusted
Para 56: footnote	(OHCHR) OHCHR Manual or OHCHR Discussion paper on the simplification of the CLT process? Needs to be clarified.	We used the OHCHR Manual on indigenous communities identification; legal entity registration; and communal land registration process in Cambodia December 2018.
Step 1.b, page 16 Activity Detailed and stakeholder	(NGOF and Members) To develop a preliminary map, PDoLMUPC should involve PDoE and PDoAFF from the beginning. PDoLMUPC should involve PDoE and PDoAFF in the process of CLT especially in the preliminary map development in order to avoid overlapping CPA and CF. At the time, technical meeting may need to verify if the overlapping can be proceeded for CLT or not, if not does CPA, or CF can be proposed to IC.	Yes, added
Para 57, Page 17	(NGOF and Members) If applicable, LASED III should coordinate MoE and MAFF to produce a guideline to address conflict of legal jurisdiction of sub-decree 83, law on protected area and forest law while land claimed for CLT is overlapping to PA or permanent conserved forest. The overlapping of	This will be <b>considered</b> as part of the first phase of project implementation that will refine approach to ICLT (as per IPPF and ESCP) as already mentioned in Para 47.

	legal jurisdiction of the forest law, law on protected area, and sub-decree 83 is a challenge. As experienced, ICs which already obtained legal entities from MoI and applied for land registration to MLMUPC have been stuck if the land claimed for CLT overlaps protected area or forest.	
Para 73: .....Therefore, it is suggested that more analysis of the legal and institutional framework needs to be undertaken regarding land tenure	(OHCHR) Would be extremely interesting.	Per Para 52
Para 73: .....Addressing the issue of potential inclusion PA land into ICLTs, even if PA areas are not fully zoned, should be pursued through an institutional solution in the form of a coordination mechanism whereby relevant information and data from the Ministry of Environment and Ministry of Agriculture could be shared and discussed.	(OHCHR) Very interesting. OHCHR would be happy to support.	Per Para 52
Section 13: Implementation of FPIC in LASED III	(OHCHR) a proper FPIC process must include "Full participation" and "Meaningful Public Consultation". The "Meaningful Public Consultation" should include at least 8 key elements: 1- early notification, 2- accessible information 3- shared knowledge 4- sensitivity to community values 5- reasonable timing 6- appropriate levels of participation 7- adaptive processes 8- Transparent results.  Source: The 2013 Public Participation Guide, Canadian Environmental Assessment Agency	Included in Para 82
Para 102: Two Project Information Brochures (PIB)	(OHCHR) In relevant IP language? as well as audio visual product? i.e. radio broadcast program, TV, social media campaign, apps.	Please find in Para 103 of IPPF.
	General comment:  • Free, Prior, and Informed Consent (FPIC): Where Indigenous Peoples are affected by a World Bank supported project, the World Bank requires that the Borrower obtains the Free, Prior and Informed Consent of the affected Indigenous Peoples regarding the project design, implementation arrangements and expected outcomes related to risks and impacts. There is not only one way of obtaining FPIC from a community. The process, procedure and methods would	Please find in Section 12 of IPPF.

	<p>dependent on the legal circumstances the community is situated in. What constitute consent from the community should be determined by them which is based on their customary decision-making process and procedure. FPIC does not necessarily mean unanimity and absence of opposition or disagreements within the community. Consent refers to the collective decision reached by the community through a consensus building process and decision-making.</p> <ul style="list-style-type: none"> <li>• Proper FPIC process which also includes "Full participation" and "Meaningful Public Consultation". The "Meaningful Public Consultation" should include at least 8 key elements such as: 1- early notification, 2- accessible information, 3- shared knowledge, 4- sensitivity to community values, 5- reasonable timing, 6- appropriate levels of participation, 7- adaptive processes, and 8- Transparent results.</li> <li>• Requesting to include MOE and MAFF as main actors, because they also involve in the CLT process.</li> </ul> <p>When COVID-19 ended and safe for gathering people; it is suggested to conduct a workshop with all relevant stakeholders to be more clearly understand the framework, in particular, should be some key IPs representatives involved in that workshop.</p>	<p>Please find in Para 82 of IPPF.</p> <p>Please find in Para 57 &amp; 73 of IPPF.</p> <p>Noted with thanks. The project also plans for the comprehensive project launch when the COVID-19 situation improved.</p>
<p><b>IV. Cultural Heritage Protection Framework (CHPF)</b></p>		
	<p><b>(OHCHR) General Comment:</b></p> <ul style="list-style-type: none"> <li>• To include rare reptiles in the mapping exercise</li> <li>• To add communal land management without restriction on size of sacred land and graveyards</li> <li>• To create dispute resolution mechanism</li> </ul> <p>To include CPA, CF, Fisheries Community in the LASED II</p>	<p>To identify potential impact on cultural heritage resources, land use planning will be applied</p> <ul style="list-style-type: none"> <li>- LASED III will follow government law, sub-degree 83, for ICLT</li> <li>- Dispute resolution mechanism will be applied</li> <li>- CPA, CF, and FC will be included if any.</li> </ul>
<p><b>V. Labor and Working Condition Procedures V.5 (LWCP) ESS2:</b>  In general, the Labor and Work Conditions Procedure document is prepared well as this document adopt the most of Government' Law, regulation and guidelines such as provisions on the treatment of direct, contracted, community, and primary supply workers, and government civil servants, provisions on child labor and forced labor etc. (Kim Sopor)</p>		
<p>Para 55 – 56 / p.  55. Gender Based Violence (GBV) is a known risk in rural Cambodia and is often intra-household or intra-community</p>	<p><b>(Kim Sopor, Gov't official, Kratie) 1)</b>  Project should include/mentions how much percentage of women will be</p>	<p>The LWCP includes provisions on equal access to employment. Quotas would not be practical except perhaps where unskilled</p>

<p>in nature. GBV risks related to management of project workers might include:</p> <ul style="list-style-type: none"> <li>a) Potential risks to women project workers travelling in remote areas (management of this risk should not result in any discouragement of employment of women in relevant capacities); and</li> <li>b) Potential risks of GBV committed by contractors' workers, including those temporarily resident in site camps for construction works.</li> </ul> <p>56. It is noted that no specific cases of GBV related to management of project workers in LASED or LASED II have been reported.</p>	<p>hired (minimum percentage), for example, In infrastructure industrial.</p>	<p>labour is hired from the community.</p>
<p><b>7.3 ESCP Related to LWCP</b></p>		
<p>Para 2.1/ P.5 2.1. Labor and Management Procedures The following additional instruments, as Annexes to the LWCP, are to be developed during the Project inception period:</p>	<p><b>(NGOF and Members)</b> Prevention forced labor and restrictions on child labor. Generally, there are more workers without contract</p>	<p>Prevention forced labor and restrictions on child labor are already covered in the Annex 2 of Labour and Working Conditions Procedures (LWCP): Child Labor and Forced Labor Procedures</p> <p>The LWCP says that all workers have to have formal conditions of employment as explained under para 68, 77 and 78.</p>
<p>Para 2.2/ P.6 2.2 Grievance mechanism for project workers</p> <ul style="list-style-type: none"> <li>• Establish, maintain, and operate a grievance mechanism for direct and contracted Project workers, All contracted workers are aware of (a) their rights to express grievances; (b) where to address a grievance in the first instance; (c) what action they can expect as of right when a grievance is expressed; and (d) that they are adequately protected against sanctions or recriminations</li> </ul>	<p><b>(NGOF and Members)</b></p> <ol style="list-style-type: none"> <li>1) Mechanism should be established and operated well.</li> <li>2) Contracted workers are best, but it should think about labor cost and salary cost based on GDP of citizen or JD of project? Contract and respected with rights to advocate for their demands and expressed safety and peacefully.</li> </ol> <p>Requirement an international standard training to contractors and contracted workers and labor worker unions? Refresh training and consultation to reflect and complete documents with both English and Khmer.</p>	<p>The suggestions are already covered in Chapter 8 Worker Grievance Mechanism of the LWCP.</p>
<p><b>VI. Community health and Safety (CHS), ESS4</b></p>		
<p>In the slide ESS4</p>	<p><b>(Kim Sopor, Gov't official, Kratie)</b> LASED III shall consider mobilizing funds for infrastructure implementing (E&amp;S safeguard budgeting in the civil work), it's part of Risk Mitigation on Labor at the workplace.</p>	<p>LASED-III includes funds for infrastructure. Contractors will be obliged to comply with Labour and Working Conditions Procedures, hence any additional costs are covered already in the infrastructure budget.</p>

<b>7.4 ESCP Related to CHS</b>		
<p>Para B/ P.2 <b>INCIDENTS AND ACCIDENTS</b> Promptly notify the ..., the affected communities, .... contractor and supervising entity, as appropriate.</p>	<p><b>(OHCHR)</b> 1) and affected individuals and whistle blowers</p>	<p>Affected communities includes individuals who are members of the communities.</p> <p>Whistle-blowers are normally people who provide information, not people who need to be informed when something happens.</p>
<p>Para 1.3/ P.4 1.3. MANAGEMENT TOOLS AND INSTRUMENTS</p>	<p><b>(OHCHR)</b> In this box should add: 1-The project makes sure physically main basic services (sewage system, water running system/good qualified well pumps, road, health post center, school) are already built before SLC beneficiaries to move in the site. 2-Enforce a circulation of MoI and MLMUPC on banning and voiding all SLC plots be transferred by any form of land sales. 3-The evaluation SLC contract committee does checking, in cooperation with local authority and focal point of SLC site, every three months for stable SLC plot occupations. 4-Project allocates special budget package to support a single family head of woman, family with disabilities...</p>	<p>(1) The first one would be very nice but is not necessarily practical based on previous experience. Procurement and implementation of works is a length process and subject to delays, while, any extra delays before handover of SLC plots increases risk of encroachment. (2) SLC recipients receive full title after 5 years of occupation and should then be allowed to sell their land just like anybody else, (4) is already taken into consideration in settling-in assistance., therefore there is no need to revise the ESCP</p>
<p>Para 4.1/ P.7 ESS4: Community health and safety, Safety of dam high-risk dams</p>	<p><b>(NGOF and Members)</b> A study research shall be conducted if the dam is affected to community livelihoods in the site.</p>	<p>All irrigation infrastructure or small-scaled dams constructed by the project to be subject to a dam safety check (as defined under the World Bank OP. 4.37 safety of dam policy). For large or high-risk dams (unforeseen) this will be carried out by independent experts to the standards of ESS4 All dams will be designed for safety by qualified engineers – see ESMF Table 11.</p>
<p>Para 4.3/ P 8 4.3. PREVENTION OF INFECTIOUS DISEASE TRANSMISSION • Vector-borne disease ... Health awareness training will ... (1) avoidance of water-borne diseases;</p>	<p><b>(OHCHR)</b> and other implicated virus-diseases (Ex. Covid-19..etc.) as well as preventive and protective measures will be taken action rapidly</p>	<p>Mention of COVID-19 added. Health awareness training will be provided to project beneficiaries at all sites and will include (1) avoidance of water-borne diseases; (2) avoidance of vector-borne diseases; ; (3) avoidance of sexually transmitted diseases; and (4) preventing transmission of COVID-19.</p>
<p>Para 4.6/ P.9 4.6. NUTRITION Project to conduct study of impacts of settlement on SLC on diets of children (may prove positive or <u>negative</u>)</p>	<p><b>(OHCHR)</b> women and people with disability.</p>	<p>Added “and other vulnerable groups as: Project to conduct study of impacts of settlement on SLC on diets of children (may prove positive or negative) and other vulnerable groups</p>

<p>4.7 Gender based violence/ P.9 The Project will support formation and / or strengthening of Women and Children’s Committee structures at SLC and ICLT site with a specific activity to identify and support victims of <u>GBV</u>.</p>	<p><b>(NGOF and Members)</b> Ensure gender audit and guidelines of gender development such as gender equality, gender equity, gender justice, gender mainstreaming, gender analysis, women’s empowerment. Please included capacity building plan by year</p> <p><b>(OHCHR)</b> and Gender Equality Empowerment</p>	<p>The project will prepare and implement a gender action plan for gender equality and women’s economic empowerment. Within this, GBV will be addressed as a specific Community Health and Safety issue under ESS4, as identified here.</p>
<p><b>VII. Stakeholder Engagement Plan (SEP)</b></p>		
<p>From SEP, Para 10:</p>	<p><b>(OHCHR)</b> Not only time consuming. This process is also extremely costly and complicated. It is a process that is unrealistic and unaffordable to indigenous communities without external support. The Governmental does not have the resources to guarantee the sustainability of a systematic registration process of IC’s land. Such a process should not be supported as such, it should first be simplified to make it accessible to IPs.</p>	<p>LASED III will support IC that have received recognition from MoI in Phase 2 or have reached any later stage including IC that have completed land titling but need rural development assistance (Phase 2.5 and Phase 3 in Table 2 as explain in para 12.</p>
<p>Para 15/ p 5 15. The <b>objective</b> of LASED III is to provide sustainable access to land and technical services to targeted small farmers including from ICs and selected infrastructure and social services in the project areas</p>	<p><b>(NGOF and Members)</b> Please add the word “land title” and “disadvantaged and vulnerable”</p> <p>The <b>objective</b> of LASED III is to provide sustainable access to land, <b>land title</b>, and technical services to targeted <b>disadvantaged and vulnerable</b> small farmers including from ICs and selected infrastructure and social services in the project areas. LASED III is specifically designed to assist disadvantaged and vulnerable groups in rural areas.</p>	<p>The Project Development Objective is now stated as “to provide access to land tenure security, agricultural and social services and selected infrastructure to small farmers and communities in the project areas.</p>
<p>Para 22 / p 6 22. The project activities which include ..... Project sites will include former forest areas that are assessed by MAFF and MoE as irreversibly degraded, cancelled economic land concessions, and recovered illegally occupied lands; proposed sites would be reviewed by MAFF, MOE, and the Bank to validate that they are not in viable forests or other environmentally sensitive areas.</p>	<p><b>(OHCHR)</b> Indeterminate If local community depends their livelihoods through their access to these identified assessed areas whether it is being an irreversibly degraded or cancelled ELC or recovered illegally occupied lands, the negative impacts to such community on their livelihoods need to be considered, too along the viable forests or other environmental sensitive area.</p>	<p>This suggestion is already considered as explain under para 24 and 25 p 7 of SEP..</p>
<p>Para 27/ p 7 27. MLMUPC, as the project executing agency (EA),.... Dedicated safeguards staff, together with communication expert(s) will ensure that project</p>	<p><b>(OHCHR)</b> What will be their exact role? how will they be selected and trained? in particular how will they guarantee the respect for FPIC?</p>	<p>Their role will be to facilitate and monitor implementation of the procedures in the ESS documents, which are highly detailed.</p>

implementation procedures are well understood and dully followed.		Step 1 of Phase 2.5 and Step 1 of Phase 3 will guarantee the respect for FPIC (as indicated in Table 2 under para 13.
Para 36/ p 9 36. Stakeholder groups consulted include: Civil Society Organizations: 5 participants	<b>(OHCHR)</b> Why this number? how are they selected?	This refers to the actual number of participants. They are selected among NGOs with working experiences on SLC and indigenous communities d) Civil Society Organizations: 5 participants (NGOs with working experiences on SLC and indigenous communities)
Para 38/ p 10 38. The consultation related ESF instrument,... The proposed LASED III consultation during COVID 19 would be organized as following the WB financing project a 3-way approach including online, phone calls / emails and commune office. c) Commune Office All translated documents, ... at commune office. Posters letting people know of documents can also be posted in visible locations such as outside of schools, pagodas and markets	<b>(OHCHR)</b> How could the FPIC principle be respected with indigenous communities who live in remote places with very limited internet or phone connections and who lack IT familiarity?  <b>(OHCHR)</b> Lacks space for discussion with IPs/poor and landless SLC applicants.	Consultation on the ESS documents does not constitute Free, Prior and Informed Consent (FPIC). FPIC will need to be achieved and verified during implementation at each ICLT (Step 1/ Phase 2.5 and Step 1/ Phase 3 as explained above as explained in Table 2 and para 57. It is impossible to do that by remote means, project implementation will need to wait until COVID restrictions are lifted. That may be true, but the consultation was the best that could be achieved in the circumstances (COVID)
Table 4/ p 12 Table 4 Identification of Stakeholders for Social Land Concessions Other Interested Parties	<b>(OHCHR)</b> What about DPs and IOs (like United Nations agencies)?	DPs and IOs can be added under Other Interested Parties International NGOs (including IP, social development, conservation NGOs, UN agencies), and DPs
Table 5 / p.14 Table 5: Identification of Stakeholders for ICLT sites Other Interested Parties	<b>(OHCHR)</b> What about Development Partners and International Organizations?	DPs and IOs can be added under Other Interested Parties International NGOs (including conservation NGOs, UN agencies), and DPs.
Para 48/ p.16 48. Within IC, groups who may find it difficult to have their views on the ICPT process taken into consideration, or to fully benefit from the ICLT, may include poorer households, those who do not understand Khmer or have low literacy, women and other disadvantaged groups within the community.	<b>(OHCHR)</b> These are the same people the project expects to consult trough internet or phone calls. It might not be possible.	Consultations during implementation will be in person, not over internet
Para 51/ p. 17	<b>(OHCHR)</b> How will this be done remotely?	The online consultation will not be done remotely (same as above)

<p>51. Guided by these principles, the objectives for engaging stakeholders for assessing and managing E&amp;S risks include:</p> <ul style="list-style-type: none"> <li>• Enabling understanding: an open, inclusive and transparent process of culturally appropriate engagement and communication will be undertaken to ensure stakeholders are well informed about the proposed development.</li> <li>• Differentiated measures will be used to ensure effective participation of vulnerable stakeholders;</li> <li>• Ensuring compliance: The process is designed to ensure compliance with both local regulatory requirements and international good practice.</li> </ul>	<p><b>(OHCHR)</b> Which differentiated measures?</p> <p><b>(OHCHR)</b> The project should also consider lessons learned. For example, prior assessments have been conducted highlighting the inadequacy of the CLT process for IC communities (too long, too costly, too complicated). Why not take advantage of this process to look at ways to simplify it?</p>	<p>Could add that: differentiated measures will be developed in detail in the site SEP and will be used to ensure effective participation of vulnerable stakeholders;</p> <p>Implementation of the ICLT process will be reviewed early in project implementation and ways to simplify will be identified, consistent with the legal and regulatory framework.</p>
<p>Para 57/ p.18 57. ESS7 requires that Free, Prior, Informed Consent (FPIC) must be obtained in any circumstances in which IPs are affected by (a) adverse impacts on land and natural resources of IP; (see Table 2).</p>	<p><b>(OHCHR)</b> How will this be feasible if the Covid pandemic continues?</p>	<p>As above, LASED-III cannot be implemented until COVID-19 crisis is over.</p>
<p>Para 68 and para 70 p. 20 68. Key results of information disclosure during the SLC process include:</p> <ul style="list-style-type: none"> <li>• Target communities, local authorities and civil society organizations working with affected communities are fully aware of the proposed development of the SLC and all implications, including the requirements of the RPF and RPs;</li> <li>• Land users, including ... are fully aware of the plans for development of the SLC and the requirements of the RPF and RPs;</li> </ul> <p>70. The ICLT process (as defined in the Manual on .... and is community-driven. This process is reflected in the LASED III IPPF with additional measures to enhance the engagement process and obtain FPIC in line with ESS7. Key disclosure and participation requirements are set out in Annex 4.</p>	<p><b>(NGOF and Members)</b> Please add “The compensation must be appropriated and must be agreed by the people who are resettled in advance” to the paragraph 68. Based on the 1993 Constitution and the Law on Appropriation</p> <p><b>(OHCHR)</b></p> <ol style="list-style-type: none"> <li>1) Please add that they are fully aware of the grievance procedures, including WB's grievance process.</li> </ol> <p><b>(OHCHR)</b> Provide exact reference of manual (who published it, which year) and internet link to it</p>	<p>The requested provisions on land compensation etc are detailed in Table 5, para 119 in the RPF.</p> <p>Para 68 was added: Land users...are fully aware of the plans for development of the SLC and the requirements of the RPF and RPs as well as the grievance procedures, including WB's grievance process.</p> <p>Para 70 was added as: In the Manual on Indigenous Communities Identification; Legal Entity Registration; and Communal Land Registration Process in Cambodia, Dec 2018 by OHCHR, MRD, MOI and MLMUPC</p>
<p>Para 96 / p.23 96. To assist in ensuring that women’s voices are heard in the SLC process, the community support groups described above will establish women’s sub-groups in which women members of the community will be assisted to identify ways in which women’s viewpoint or priorities may differ from those of men,</p>		<p>To assist in ensuring that women’s voices are heard in the SLC process, the community support groups described above will establish women’s sub-groups in which women members of the community will be assisted to fully express their views and</p>

and to ensure that these viewpoints are heard and integrated in the SLC and sub-project planning process.	<b>(OHCHR)</b> Please consider this sentence: identify ways in which women's viewpoint or priorities can be fully expressed whether it may or may not differ from those of men, and...	priorities, whether or not these differ from those of men, and to ensure that these viewpoints are heard and integrated in the SLC and sub-project planning process.
P. A10 to A12 Annex 3 Stakeholder Engagement Activities in ICLT Process	<b>(NGOF and Members)</b> Suggest to include NGOs since the first stage of the process. NGOs could mobilize resources, provide technical inputs, and facilitation.	Could be added under Step 1.a of Step 1 of Phase 2 as: The Village Chief, village elders, members of the Community Committee, representatives from neighboring villages, and members from the Commune Council, including the Commune Chief and CSOs should participate at different stages of this activity
<b>VIII. Environment and Social Commitment Plan (ESCP)</b>		
ESS1, 1.2  Undertake an Environmental and Social Assessment (ESA), including site-specific assessments for the first sites identified for SLC	<b>(OHCHR)</b> and adjacent areas of identified first SLC site,	Assessment will include adjacent areas, for all SLC and ICLT sites
ESS1, 1.2 .....Without limitation to the foregoing, site-specific assessments will be undertaken during site planning for sites identified in subsequent phases, following the provisions of the ESMF, as per action 1.3 below	<b>(OHCHR)</b> Human Right based approach, and FPIC principle for indigenous communities will be integrated as certain tools into the ESMF.	Protection of human rights is integrated in the World Bank's Environmental and Social Framework (ESF) which is the basis for the ESCP and other environmental and social risk management instruments of LASED. Therefore, the language used reflects the wording of the ESF.FPIC is an explicit requirement in circumstances defined in the IPPF
ESS1, 1.3	<b>(OHCHR)</b> In the "Timeframe" column:  In this box should add: 1-The project makes sure physically main basic services (sewage system, water running system/good qualified well pumps, road, health post center, school) are already built before SLC beneficiaries to move in the site. 2-Enforce a circulation of MoI and MLMUPC on banning and voiding all SLC plots be transferred by any form of land sales. 3-The evaluation SLC contract committee does checking, in cooperation with local authority and focal point of SLC site, every three months for stable SLC plot occupations. 4-Project allocates special budget package to support a single family head of woman, family with disabilities...	(1) Basic rural infrastructure including water supplies will be provided at all sites. Wherever possible this will be completed before handover of plots, but lengthy delays before handover risk encroachment and so should be avoided. (2) SLC recipients rights to transfer their land will be in accordance with legislation which grants them full title after 5 years occupancy. (3) Occupation will be monitored but it cannot be enforced. (4) The project already includes adequate provision for vulnerable families.

ESS3, 3.2: Encourage use of renewable energy technologies wherever appropriate, including for water pumping in preference to diesel pump	<b>(OHCHR)</b> and solar well pumps.	The wording already includes solar well pumps which are a type of renewable energy technology (RET)
ESS4, 4.3 : Health awareness training will be provided to Project beneficiaries at all sites and will include (1) avoidance of water-borne diseases; (2) avoidance of vector-borne diseases; and (3) avoidance of sexually transmitted	<b>(OHCHR)</b> and other implicated virus-diseases (Ex. Covid-19..etc.) as well as preventive and protective measures will be taken action rapidly.	Avoidance of COVID-19 transmission has been added.
ESS4, 4.6: Project to conduct study of impacts of settlement on SLC on diets of children (may prove positive or negative)	<b>(OHCHR)</b> women and people with disability.	Added “and other vulnerable groups.
ESS4, 4.7: The Project will support formation and / or strengthening of Women and Children’s Committee structures at SLC and ICLT sites, with a specific activity to identify and support victims of GBV.	<b>(OHCHR)</b> and Gender Equality Empowerment.	The project will prepare and implement a gender action plan for gender equality and women’s economic empowerment. Within this, GBV will be addressed as a specific Community Health and Safety issue under ESS4, as identified here.
ESS4, 4.8: All infrastructure to be designed for universal access. Specifically, schools, health facilities etc.	<b>(OHCHR)</b> in spiritual/religious places	Project will not finance construction of religious facilities (ESS para 268)
ESS5, 5.1: Providing compensatory benefits including SLC land allocations where appropriate	<b>(OHCHR)</b> providing fair and satisfactory compensatory.....  .....appropriate Using a negotiation approach with win-win agreement (both parties are satisfactory with the negotiation result, without any threaten/intimidation or pressure action are used before and during compromising).	Fair and satisfactory compensation is provided for in RPF, as is the process.
ESS5, 5.1: Engaging with affected parties to find mutually agreeable solutions including preserving access to CPR.	<b>(OHCHR)</b> Engaging with affected parties to find mutually agreeable and acceptable solutions including preserving access to CPR through a participatory approach and due diligence process.	This is covered in the RPF
ESS5, 5.2 [in Timeframe column]: Prepare, disclose, consult, adopt and implement RPs before implementation of works that involve land acquisition or resettlement.	<b>(OHCHR)</b> This needs to include grievance and appeal process before the adoption as such.	This is covered in the RPF
ESS5, 5.3 [in Timeframe column]” Establish and implement prior to land acquisition and resettlement and throughout Project implementation	<b>(OHCHR)</b> Following criteria of effective grievance mechanism will be complied: 1-Legitimate 2-Acessibility 3-Predictability 4-Equitability 5-Tranparency	The project Grievance Redress Mechanism (GRM) is described in the RPF and SEP and reflects the important principles listed the comment.

	6-Rights-compatibility 7-A source of continuous learning	
Table (A), Page 2: Material measure and action Monitoring and reporting	<b>(NGOF and Members)</b> It should be a three-month basis. For increasing stakeholder and partner engagement.	This refers to project reporting on Environmental and Social Standards to World Bank
Table (B), Page 2: Incident and accident	<b>(NGOF and Members)</b> Please consider to add risks/incidents such as world war trade, EBA and virus, ideological, political changes. External incident (regional and global and internal incident (Cambodia)	This commitment specifies project commitments to report to WB promptly on specifically project-related incidents and accidents.
Identified for SLC investments, Page 3: ESS:1.2 Environmental and social assessment	<b>(NGOF and Members)</b> There are three components of conflict related CPA, SLC and ICLT or if included ELC? Is ESMF include international standards? It is concerned that state public land are risks to mobilize to private land based on legislation adjustment but the rich and powerful people was got benefits more than the poor.	ESMF is prepared to World Bank ESF standards and reflects international best practice.  General point does not seem to relate directly to the commitment in the table.
Social Land Concession sites and ICLT sites, Page 4: ESS1.3 Management tools and instruments	<b>(NGOF and Members)</b> SLC in ELC cancellation is the best for livelihood of the poor according to its purpose.	SLC selection process will be demand-led but requires availability of vacant State land. Some of this is likely to be from cancelled ELC.
Respective ESSs below, Page 4: ESS1.3 Management tools and instruments	<b>(NGOF and Members)</b> The capacity building should be provided to assure that the tools could be implemented by project staff and relevant stakeholders in monitoring.	Capacity building provisions are in the ESMF for this purpose.
Contracts procured at national level and a simplified ESHS specification for contracts for small works procured by Commune Councils, Page 5: ESS1.4 Management and contractor	<b>(NGOF and Members)</b> The procurement documents are concerned about the capacity of CC. If possible, the commune council needs technical staff that fits to experiences of procurement. It was concerns about existing resources person in CC structure	Project will ensure adequate technical assistance for any procurement by CC.
The following additional instruments, as Annexes to the LWCP, are to be developed during the Project inception period, Page 5: ESS2 Labor and working conditions, 2.1 Labor management procedure 5	<b>(NGOF and Members)</b> Prevention forced labor and restrictions on child labor. Generally, there are more workers without contract	LWCP specifies that all contracted project workers must have contracts and has provisions to safeguard against child labour and forced labour.
Establish, maintain, and operate a grievance mechanism for direct and contracted Project workers, Page 6: ESS2: 2.2 Grievance mechanism for project workers	<b>(NGOF and Members)</b> Mechanism should be established and operated well.	The project will establish a Project Worker Grievance Redress Mechanism which is described in the LWCP (separate from the general project GRM described in the SEP)
All contracted workers are aware of (a) their rights to express grievances; (b) where to address a grievance in the first instance; (c) what action they can expect	<b>(NGOF and Members)</b> Contracted workers are best but it should think about labor cost and salary cost based on GDP of citizen or JD of project?	Worker's rights to organise are covered in LWCP.

<p>as of right when a grievance is expressed; and (d) that they are adequately protected against sanctions or recriminations, Page 6:</p> <p>2.2 Grievance mechanism for project workers</p>	<p>Contract and respected with rights to advocate for their demands and expressed safety and peacefully.</p> <p>Requirement an international standard training to contractors and contracted workers and labor worker unions? Refresh training and consultation to reflect and complete documents with both English and Khmer.</p>	<p>Salaries of contracted workers are not controlled by the project except insofar as labour law (minimum wage) must be respected. Provisions for training contractors are in LWCP.</p>
<p>Resource use efficiency measures will be covered in the ESMP for each Project site, Page 7: ESS3: 3.1 Resource efficiency and pollution prevention and management 3.1 Resources efficiency</p>	<p><b>(NGOF and Members)</b> The project make sure infrastructure does not destroy the existing water resources. Existing water resources shall be protected with infrastructure and livelihood plans.</p> <p>Some infrastructure benefits to companies but community lost</p>	<p>ESMF has provisions for environmental impact assessment of infrastructure</p>
<p>Planting of trees in common areas of SLC and ICLT sites, Page 7:</p> <p>Avoid or minimize air, water and land pollution and noise pollution from civil works through control of works, dust prevention measures, proper 3.2 Pollution prevention and management</p>	<p><b>(NGOF and Members)</b> Please consider about water pollution and infection to the health of communities related ELC of mines, industries</p>	<p>This risk is identified in the ESMF (see 4.4)</p>
<p>3.2 Social and environment impact from extractive industry, Page 7</p>	<p><b>(NGOF and Members)</b> Social and environment impact from Extractive industry risk mitigation framework should be develop for mining concessioner to implementation</p> <p>Why serious impact from mining concession included social, environment and economic impact was not mentioned?</p> <p>Environmental Impact Assessment (EIA) and environmental management plan (EMP) and Water quality testing should be conduct before, during and by end of project.</p>	<p>LASED will not support mining operations so will not be a cause of mining pollution. However, the risk that SLC land recipients could be resettled in areas affected by mining pollution is recognized as a CHS risk (ESS4). It is mentioned in ESCP 4.4 and addressed in the ESMF.</p> <p>This is already covered under 4.4 and in ESMF</p>
<p>high-risk dams, Page 7: ESS4: Community health and safety, 4.1 Safety of dam</p>	<p><b>(NGOF and Members)</b> A study research shall be conducted if the dam is affected to community livelihoods in the site.</p>	<p>Point already covered in ESMF</p>
<p>The Project will support formation and / or strengthening of Women and Children’s Committee structures at SLC and ICLT site, Page 9 4.7 Gender based violence</p>	<p><b>(NGOF and Members)</b> Ensure gender audit and guidelines of gender development such as gender equality, gender equity, gender justice, gender mainstreaming, gender analysis, women’s empowerment. Please included capacity building plan by year</p>	<p>4.7 The project will prepare and implement a gender action plan for gender equality and women’s economic empowerment. Within this, GBV will be addressed as a specific Community Health and Safety issue under ESS4, as identified here.</p>

<p>Excluding land for which a legitimate private claim exists, from SLC or ICLT land</p> <p>Providing compensatory benefits including SLC land allocations where appropriate, Page 8:</p> <p>ESS5: Land acquisition, restriction on land use and involuntary resettlement 5.1 Avoidance involuntary resettlement</p>	<p><b>(NGOF and Members)</b> ELC cancellation is better for a project site for SLC or ICLT. Resettlement of SLC need to support the livelihood project with consultation and participation.</p>	<p>See above. Project cannot control what vacant State Land was previously used for, only check it is vacant and suitable for SLC.</p> <p>SLC and ICLT support will include livelihoods projects</p>
<p>Identify biodiversity hotspots and exclude them from land allocated as SLC or ICLT sites, in accordance with law, Page 11:</p> <p>ESS6: Biodiversity conservation and sustainable management of living natural resources 6.1: Biodiversity risks and impacts</p>	<p><b>(NGOF and Members)</b> Ensure that the SLC site are not overlapped with PA.</p>	<p>This is already part of established process and described in ESMF</p>
<p>Implement the capacity building plan for E&amp;S risk management described in the ESMF, Page 13: Capacity support (training), CS1</p>	<p>Capacity on Legal and regulation is very important to assure that project staff understand risk mitigation to NRM.</p>	<p>Capacity building plan is covered in ESMF</p>

## Summary of stakeholder's consultation and key issues

Record	Date	Location of Consultation	Stakeholders Consulted	Key Points Discussed and Follow-up.
1	24 Oct. 2019	Phan Nheum Commune, Balain District, Kampong Thom (Potential SLC)	- Village Chief - Commune Council	- Commune social profile as potential site for SLC and land encroachment on the potential land for SLC.
2	25 Oct. 2019	Kraya Commune, Santuk District, Kampong Thom (Potential SLC)	- Village Chief - Commune Council	- Commune Social profile as potential site for SLC and land encroachment on the potential land for SLC.
3	25 Oct 2019	Dang Kdah Village, Kraya Commune, Kampong Thom (Potential SLC)	- Women FGD - Men FGD	- Village social profile and land encroachment on the potential land for SLC.
4	6 Nov. 2019	Provincial Governor's office	Provincial officials in Kampong Thom	- Focus on experience of SLC implementation, challenges and lessons learned, including the resettlement, labour and working condition as well as community social welfare.
5	7 Nov. 2019	Tipo commune office, Kampong Thom	Commune council members	- Focus on experience of SLC implementation, challenges and lessons learned, including the resettlement. Also, collect basic statistics of demographic characteristics, health and safety conditions.
6	7 Nov. 2019	Tipo 2 (Othom) village, Tipo commune, Kampong Thom (Existing SLC)	Model famer, Ms Huy Chantrea and her husband	- Focus on livelihood as the family has been cultivating the land for cassava, vegetable growing, animal raising, fish raising.
7	7 Nov. 2019	Tipo 1 village, Tipo commune, Kampong Thom (Existing SLC)	FGD villagers	- Village social profile, practice on grievance redress mechanism
8	7 Nov. 2019	Othom village, Tipo commune, Kampong Thom	FGD of land recipients	- Focus on their level of engagement in SLC program, the benefits they obtained, and level of satisfaction.
9	7 Nov. 2019	Katot village, Komphun commune, Sesan district, Stung Treng	FGD with IPCC	- Focus on experience and lesson learned in each steps of ICLT implementation, and also the challenges in responding to internal and external conflict to land.
10	19 Dec 2019	Poutrom village, Rumanea commune, Sen Monorum district, Mondulkiri	FGD with IPCC and members	- Focus on benefits and challenges in ICLT process, and post-ICLT period, regarding to land use, and potential encroachment; and existing infrastructure, social services including health and education.
11	18 Nov 2019	Forestry Administration Office	Mr. Ratanak Komar, Deputy Director	- Focus on the role of Community Forestry and how that program or scheme impact the ICLT land.

<b>Record</b>	<b>Date</b>	<b>Location of Consultation</b>	<b>Stakeholders Consulted</b>	<b>Key Points Discussed and Follow-up.</b>
12	20 Nov 2019	ICSO office	Mr. Sao Vansey, Executive Director	- Focus on experience and lessons learned as ICLT supporter.
13	27 Nov 2019	Coffee shop in Phnom Penh	Dr Thol Dina, Deputy Director, MLMUPC	- Focus on relevant policies and laws, stakeholders, and the lessons and challenges in each ICLT step.
14	18 Nov 2019	MRD Office	Mr. Sot Seung, Director of Dept, MRD	- Focus on the experience and lessons learned in IC identification processes.
15	4 Dec 2019	Hotel in Stung Treng	Workshop on IPs and ICLT	- Focus on the experience and lessons learned of Government agencies and NGOs in ICLT processes.
16	22 Nov 2019	NCDD office at MoI	NCDD team	- Focus on how they engage in SLC process and lessons or gaps they have consolidated. -
17	21 Nov 2019	MLMUPC office	Mr Kolvoan, Director of Dept, MLMUPC	- Focus on lessons learned and process of media and awareness raising strategy in SLC process.
18	21 Nov 2019	Wathanakpheap office	Mr Seng Vork, Program Manager	- Focus on the experience and lessons learned of NGO engagement in SLC process.
19	11 Dec 2019 (morning)	Katot village, Komphun commune, Sesan district, Stung Treng	FGD with IPCC & members	- Focus on experience and lesson learned in each step of ICLT implementation, and also benefits in post-ICLT period
20	10 Dec 2019 (afternoon)	Khmeng village, Yeakpoy commune, Ochum district, Ratanakiri	FGD with IPCC & members	- Focus on experience and lesson learned in each step of ICLT implementation, but they have not obtained the communal title yet, and in the process toward finalizing it.
21	10 Dec 2019 (morning)	Laern Kren village, Ochum commune, Ochum district, Ratanakiri	FGD with IPCC & members	- Focus on experience and lesson learned in each step of ICLT implementation, and also benefits in post-ICLT period, along with infrastructure and social services.
22	11 Dec 2019 (afternoon)	Tipo 1 & 2, Tipo commune, Santuk district, Stung Treng	Village gathering	- Focus on experience and benefits they have gained from SLC, especially the productive use of land and their link to private sectors and markets.