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WATER SUPPLY AND SANITATION IMPROVEMENT PROJECT

CAMBODIA

INDIGENOUS PEOPLES PLANNING FRAMEWORK

Prepared for:

THE WORLD BANK GROUP

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List of Acronyms

ARAP	Abbreviated Resettlement Action Plan
ECOP	Environmental Code of Practice
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
EMP	Environment Management Plan
ESIA	Environment and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESSAF	Environmental and Social Screening and Assessment Framework
IDA	International Development Association
IEIA	Initial Environmental Impact Assessment
IPDP	Indigenous People Development Plan
IPO	Indigenous People Organization
IPPF	Indigenous People Planning Framework
ISDS	Integrated Safeguards Data Sheet
MoE	Ministry of Environment
NGO	Non-Government Organization
RGC	Royal Government of Cambodia
RPF	Resettlement Policy Framework
ROW	Right of Way
SESA	Strategic Environmental and Social Assessment
TEGs	Technical Environmental Guidelines
WB	World Bank

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PREFACE

This safeguard document is called the Indigenous People Planning Framework (IPPF) is prepared for the Water Supply and Sanitation Improvement Project (WaSSIP) in Cambodia. It is developed on a basis of outcomes from the Social Assessment (SA) as a standalone document. The IPPF is part of the overall mitigation instrument namely the Environmental and Social Management Framework (ESMF) for the Water Supply and Sanitation Improvement Project (WaSSIP). This IPPF will be applied to all investments to be financed by the World Bank (WB) Group for technical and/or financial support from the Project.

The Project comprises two components as specified in Section 3 of this document. The Project will be executed by the Ministry of Industry and Handicraft (MIH) and the Ministry of Public Works and Transport (MPWT). Safeguard implementation will be carried out by social and environmental safeguards focal persons at MIH.

This document is considered a living document and shall be modified and updated in line with the changing situation or scope of the activities. Close consultation with the World Bank and clearance of the ESMF will be necessary.

EXECUTIVE SUMMARY

INTRODUCTION

1. **Project Development Objective:** The PDO is to increase access to piped water supply and improved sanitation services and strengthen the operational performance of service providers in selected towns or areas.
2. **Project Components:** The project will have two major components. Component 1 for provincial water supply in Mondulkiri, Stoung town and Phnom Proek district (and other areas to be identified during Project implementation) and Component 2 for provincial sanitation improvement in Siem Reap City and other areas.
3. **Indigenous People Planning Framework:** The World Bank's Operational Policy 4.10 on Indigenous Peoples is triggered for this Project due to the presence of indigenous people in the project area. In compliance with the OP/BP 4.10 and prior to project appraisal stage, an Indigenous Peoples Planning Framework (IPPF) has been prepared, in lieu of an indigenous peoples development plan, as the exact locations of project investments that may impact or directly benefit indigenous people will not be known until the implementation stage. The indigenous peoples planning framework spells out the requirements of OP/BP 4.10 in terms of the preparation of an indigenous peoples plan, as well as ensure that indigenous peoples would be sufficiently and meaningfully consulted on the basis of their free, prior and informed consultation (FPIC) leading to broad community support for project interventions; that they would have an opportunity to share in project benefits, and that any potential negative impacts are properly mitigated. The IPPF will form a basis for project implementation and monitoring and evaluation of how the project deals with indigenous peoples issues. At project implementation stage, an Indigenous People Plan (IPP) will be developed, based on this IPPF, after the location of investments likely to impact or directly benefit indigenous people are confirmed.

BACKGROUND AND POLICY FRAMEWORK

4. **Who are Indigenous Peoples:** The Cambodian government has made reference to indigenous peoples (literal translation: "indigenous minority peoples") in various laws and policies. Indigenous peoples are recognized separately to peoples such as the ethnic Lao living in northeastern Cambodia who are not generally considered "indigenous", nor are the Chams or Vietnamese. However, the concept of indigenous peoples is not that clear-cut and Khmers (the dominant ethnic group) living in some areas share many characteristics with indigenous peoples. In terms of the World Bank's Policy on indigenous people, they are considered people possessing the following characteristics in varying degrees:
 - (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
 - (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories⁷
 - (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
 - (d) an indigenous language, often different from the official language of the country or region.
5. **Indigenous People Groups:** The population of Cambodia is 13.7 million of which 90-95 percent are Khmer ethnicity. The remaining 5-10 percent is composed of ethnic minorities such as the Muslim Cham, Chinese and Vietnamese, and seventeen indigenous ethnic minority groups also called "Khmer Loeu" or "hill tribes" who are ethnically non-Khmer. These groups are estimated to comprise around 120,000 persons and constitute about 1 percent of the Cambodian total population. The seventeen indigenous minority groups which range from 300 to 19,000 members include Phnong, Kouy, Mil, Kraol,

Thmorn, Khaonh, Tompoun, Charay, Kreoung, Kavet, Saouch, Lun, Kachak, Proav, Souy (Sa'ong), Stieng, and Kavet and other minority groups namely Vietnamese, Laotian and Khmer Islam¹. Indigenous groups constitute the majority in the provinces of Rattanakiri (67.9 percent) and Mondulakiri (59.3 percent). Stung Treng and Kratie also share higher percentage of indigenous groups.

Cambodia Policies, Laws, Rules and Regulations Applicable to IPs

6. **National Policy on the Development of Indigenous People:** The Policy was approved by the Council of Ministers April 24, 2009 and sets out government policies related to indigenous peoples in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy. Together with the Land Law (2001) this policy gives recognition to the rights of indigenous peoples to traditional lands, culture and traditions.

7. **A Policy on Registration and Right to Use of Indigenous Communities** in Cambodia was approved by the Council of Ministers on April 24, 2009, and a Sub-decree on procedures of registration of Land of Indigenous communities was signed on June 9, 2009 by the Prime Minister. This policy takes as its basis the recognition in the Land Law of 2001, of the right of indigenous communities to possess and use land as their collective ownership.

8. **Cambodia Constitution (1993):** Article 31.2 stipulates that “Khmer citizens shall be equal before the laws and shall enjoy the same rights, freedom and duties, regardless of their race, color, sex, language, beliefs, religions, political tendencies, birth of origin, social status, resources, and any position”. Indigenous Peoples are Cambodian citizen.

9. **The Land Law 2001** recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. Article 23 in the law defines an indigenous community as:

- A group of people who manifest ethnic, social, cultural and economic unity,
- Who practice a traditional lifestyle, and
- Who cultivate the lands in their possession according to customary rules of collective use

10. **The Forest Law 2002** (Article 11, 15, 16, 40) guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas which these groups traditionally use and to practice their way of living in term of enjoyment of benefits from the forest.

Relevant International Agreements Cambodia Entered

11. Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples², as well as the Convention on Biological Diversity (1992), which recognizes the role of

¹ *Pathways to Justice: Access to Justice with a Focus on Poor, Women and Indigenous People, Ministry of Justice, UNDP, September 2005, p. 59.*

² This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the

indigenous people in protecting biodiversity. In 1992, the Cambodian Government ratified the International Covenant on Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia. **UN Declaration on the Right of Indigenous People** was adopted by the United Nations General Assembly in September 2007. Many countries in the world including Cambodia have voted in favor of this nonbinding declaration. **International Convention on the Elimination of all Forms of Racial Discrimination (“ICERD”)**, Article 5(e) ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training.

World Bank’s Operational Policy: Indigenous People (OP4.10)

12. The WB’s Operational Policy 4.10 (Indigenous Peoples) requires that special planning measures be established to protect the interests of indigenous peoples with a social and cultural identity distinct from the dominant society that may make them vulnerable to being disadvantaged in the development process. As a prerequisite for Project approval, OP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected indigenous peoples and to establish a pattern of broad community support for the Project and its objectives. It is important to note that the OP 4.10 refers to social groups and communities, and not to individuals.

Gap Analysis

13. Despite that Cambodia has a Policy that recognizes the right of indigenous people to culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy, there are few decrees, sub-decree or procedure that specifically safeguards or protect the interest of the indigenous peoples. They have generally been treated equally as Khmer citizens. The exception is, the Cambodia Land Law recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. In practice, the procedure to register collective title takes very long and only few indigenous communities (approx. 5) have received collective title since the land law enacted in 2001. Similarly, the Forest Law also guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas that they traditionally use and practice. Otherwise, the main gap between the World Bank’s requirements and the policies of the Government of Cambodia relates to the absence of sector specific decrees or standard operating procedures. This contrasts with the World Bank’s policy, which requires detailed procedures and plans to safeguard the indigenous peoples. The IPPF, therefore, will be prepared on the basis of the World Bank’s OP4.10 by taking into consideration relevant Cambodia policies and regulation. Clear mechanisms for free, prior and informed consultation in order to seek broad support of the Project activities from the indigenous communities will be used during implementation. Also during implementation, a Grievance Redress Mechanism will be established so that indigenous people can voice their, complaints or suggestions about the project.

KEY ISSUES AND POTENTIAL IMPACTS IN IP

Screening for the presence of indigenous people and initial consultations

14. Fieldwork and desk review conducted by the World Bank social development specialist, in June 2018, found that indigenous peoples are present majority in Rattanak Kiri, Mondul Kiri, Stung Treng and Kratie (the northeastern part of Cambodia). Other minority groups are living in Preah Vihear (Kouy), Kampong Speu (Souy), Sihanouk Ville (Sa’och), Kampong Cham (Stieng), Kampong Thom (Kouy), Banteay Meanchey (Kouy), and Odor Meanchey (mix). All IP communities are located in remote area of

Universal Declaration of Human Rights.

the provinces where accessibility (road) is difficult and infrastructures³ are limited. In Mondul Kiri, house-to-house interviews conducted by the waterworks department confirmed that the majority of IP do not have clean water supply connection and expressed their willingness to use clean water supply.

Preliminary Social Assessment findings

15. Under phase I of the project, even though the extension of water connection network in Sen Monorom will not reach the IP communities, some IPs are residing along the existing roads where new water pipe connection will be installed. Phase II of the works to be financed under the project, will not be designed until the project is under implementation, and it is during this phase that it expected to extend the water network across the IP communities. Overall, the WaSSIP is socially beneficial. The sub-project components are expected to involve simple, appropriate, low cost technologies that do not pose any significant social consequences. The provision of safe drinking water is expected to have a significant positive impact on the improvement of livelihoods. Some minor and temporary negative environmental impacts may occur, resulting mainly from the construction activities. These impacts are readily manageable by standard civil works mitigation measures such as restrictions on working hours, dust management through watering down, and erosion and sediment control.

IMPLEMENTATION ARRANGEMENT, MONITORING, GRIEVANCE MECHANISM AND REPORTING

Implementation Arrangement

16. The ESMF implementation will follow the Project Implementation arrangement. The MIH will establish Component Management Unit 1 (CMU-1) for Component 1. The CMU-1 lead day-to-day project implementation, undertake fiduciary responsibility such as financial management and procurement, monitor project progress and conduct M&E, ensure compliance to project social and environmental safeguards, prepare project reports, oversee civil works, coordinate and collect inputs from relevant ministries related to the project component 1.

17. **Two Safeguard Focal Persons** were appointed by MIH to be in charge of safeguard compliance as per approved ESMF, IPPF, RPF and possible IPP, and RAP. The responsibility include but not limit to (a) implementing activities as per IPPF and ensuring that indigenous and vulnerable peoples at rural and remote area are benefited from the Project; (b) Conducting public consultative meeting and social assessment in IP communities in order to identify needs for each specific project site, any potential adverse impact as result of site specific project's implementation, and possible project intervention; (c) Preparing minute of the meeting detailing information dissemination, discussed issues especially limitation to education access, concern raised by IP and possible project intervention; and (d) conducting consultations and updated social assessment and reporting. The outcome shall be summarized in a report and submitted to the CMU-1, which will compile the report and submit to the Bank.

18. **Provincial Water Supply Authority (PWSA)** is the sub-national level office of MIH. The PWSA is a liaison between MIH and local community/authority.

19. **Social Safeguard Consultants** will be brought on board to support the safeguards focal point in ensuring social assessments are completed; along with a process of free, prior and informed consultations; and that an indigenous peoples plan is prepared and implemented.

Monitoring, Documenting and Disclosure

20. Given the small scope of civil works to be carried out along the existing roads under the Project and the fact that selection of priority investment would follow the participatory planning and consultation process described in this framework, significant adverse negative impacts to indigenous peoples land and

³ Infrastructures includes school, health center, water and electrical supply, and telecom

resources are not expected to occur. The project will therefore seek to strengthen the self-monitoring and problem resolution capacity of local communities, including but not limited to indigenous peoples communities. Participatory Monitoring and Evaluation (M&E) will be carried out during implementation to allow affected population to assess project effects and identify measures to broaden positive benefits and address negative impacts. This will take the form of regular (quarterly/monthly) meetings between the community, the contractor and the waterworks department facilitated by the social safeguards consulted or focal points. Also, whether conflicts involving ethnic groups have occurred and been resolved in compliance with this document will be monitored and reported by project focal person/social safeguards consultant. The CMU-1 through its focal persons will conduct regular internal monitoring and evaluation of the IPPF/IPP including review of monthly progress report submitted by site engineer.

Transparency and Grievance Mechanism

21. The World Bank's indigenous peoples policy requires an investment project to establish mechanism for grievance resolution in order to ensure indigenous peoples' satisfaction with implementation of IPPF related activities, and provide the IPs with a legal platform for on the ground monitoring and reporting on the implementation of IPPF related activities. Specifically, the purpose of the grievance mechanism is to allow IPs and persons who believe they are affected persons to seek satisfactory resolution to grievances they may have in relation possible land acquisition, resource restriction or other project interventions.

22. At the beginning of the project implementation, the grievance redress committees will be established at commune, districts, and provincial levels building on the existing structures consisting of concerned departments, NGOs, community organizations, women and ethnic representatives, if exist. At the village the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, which are largely acceptable to local communities and will be strengthened as the first tier of grievance redress. This arrangement helps ensure that a system is in place to help resolve any grievances to or complaints that may occur after project intervention. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively. The project will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may be raised by PAPs during the course and after the implementation of IPs related activities.

Capacity Building

23. Training need assessment (TNA) will be conducted in order to design training materials that relevant to the need. TNA will be conducted among PMT down to SSC and community. Training will cover the three safeguard policies and compliance, namely environment, involuntary resettlement and indigenous people. With specific to IPPF/IPP training shall include (a) overview of the World Bank OP4.10 and Cambodia relevant laws and regulation; (b) content of IPPF/IPP and its implementation issues; (c) institutional arrangement for the project implementation including role and responsibility; (d) how to conduct public consultation using free, prior and informed approach; (e) grievance redress procedure and issues; and (f) requirement for monitoring and reporting.

Budget

24. Budget for implementing IPPF will be part of the Project budget. It uses to cover costs of project staff allowances and consultants to prepare compliance reports including supervising and monitoring reports, data collection, and preparation of IPP etc. Below is a rough budget estimate for IPPF implementation. Budget for IPP implementation is not part this estimate. Assuming that IPPF will require project staff input of 10 days per target area, 5 days of consultant input for Sen Monorom plus 5 days of transport. Lump sum amount will be used for data collection and other expanses. **Total budget for implementing this IPPF is estimated at US\$4,500.**

PUBLIC CONSULTATION AND DISCLOSURE

Approach used for Initial Social Assessment

25. Firstly, it had been used during consultative meetings with local authorities and communities during SA (at project concept stage). In subsequent stages, this approach will be used for project screening, social assessment (for preparing IPP), and project implementation and monitoring. Detail process and procedure describe in below Subsection.

26. A preliminary social assessment confirmed that the indigenous peoples in the Project areas (Mondulkiri) would receive the overall positive impacts from the Project but may be adversely affected by land acquisition for construction of water supply infrastructure at new water source and some of which may be located in their communities.

Free, Prior, and Informed Consultation

27. The Project will adopt full consultation and stakeholder participation. During project screening, communities, villagers and local authorities will be consulted about benefits and potential impacts. In the process, free, prior and informed consultations will be undertaken in a language spoken by, and location convenient for, potentially affected indigenous peoples. The views of indigenous peoples are to be taken into account during implementation of projects, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the periodical reports and submitted to the Bank for review. During implementation of the project, an updated social assessment shall also be carried out to monitor the positive and negative impacts of the project, and obtain feedback from the project-affected people. Prior to consultation, the Provincial Departments will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek support of the project intervention and to determine potential adverse impacts as well as possible support from the project in order to address the potential impact. The notice will request that the communities shall invite to the meeting representatives of farmers, women association and village leaders. During the visit, the community leaders and other participants will present their views with regards to the proposed activities. During the consultation, detailed procedures would be determined on a village-by- village basis to determine the potential impact and possible supports under the project.

28. A **Social Assessment** will be conducted with target areas where potential impacts on indigenous peoples, land and other resources are identified.

29. A **conflict resolution system**, through established grievance mechanism, would be defined to ensure reflection of voices of the affected people (particularly for land acquisition).

1. INTRODUCTION

30. Cambodia has achieved its Millennium Development Goals (MDGs) water supply target, and made progress towards the sanitation target. Access to improved water source and improved sanitation are 76 percent and 42 percent respectively. Access to improved water supply and sanitation was 57 percent and 41 percent respectively for the poor, compared to 63 percent and 59 percent among the non-poor. Both the access to, and quality of, water supply and sanitation remain below regional peers, with only 21 percent of people enjoying piped water supply (30 percent and 20 percent of the population source water from generally lower quality tube wells and surface water respectively). Achieving the substantially more ambitious Sustainable Development Goals (SDGs) on clean water and sanitation is a huge challenge. The SDGs include progressively addressing inequalities, achieving universal access by 2030 and also aspiring to a higher level than basic services i.e., safely managed sanitation and water supply. Water provided safely through a piped system has characteristics closest to the SDG definition of safely managed water services. Increasing access to safe water through piped systems will help Cambodia progress faster toward SDG targets. The impact of rapid urbanization is exacerbated by climate change where water resource is getting scarcer, dirtier and less predictable. In this regards, managing wastewater from densely populated areas, in addition to ensuring safe water is provided to people, could reduce pollution to water source and environment.

31. In addition, the SCD highlighted that the lack of access to water and sanitation in the Cambodia is among major contributors to stunting. Global evidence suggests that access to safe water supply improves the overall disease environment and enables behaviors that influence child health and nutrition. Additionally, access to piped water in urban areas has been shown to decrease child and infant mortality not just because of improving water quality for drinking but also increasing the availability of water for other hygiene practices. There is also emerging evidence pointing to the role of environmental enteropathy in the causal pathway between poor sanitation and hygiene and undernutrition. Children living in household with poor sanitation facilities are exposed to high concentrations of fecal bacteria and end up ingesting more bacteria than children living in relatively cleaner households.

32. The new Country Partnership Framework (CPF) is currently under development with expected approval by FY18. As part of the CPF discussion with the government, this proposed operation is requested by the government under the new CPF. According to Systematic Country Diagnostics (SCD) (Report number 115189-KH, 2017), three main development challenges need to be addressed for the country to sustain growth, and to achieve poverty reduction and shared prosperity. Three development pathways were proposed: (i) Increasing economic competitiveness and diversification to sustain strong growth and create jobs, (ii) Building human assets to facilitate economic mobility and shared prosperity, and (iii) Ensuring a sustainable growth pattern by investing in natural capital, climate resilience and urban. The proposed project is in response to the proposed policy action outlined in the SCD where improving water and sanitation is an important element addressing early childhood development through improved nutritional status among children under second development pathway “Building human assets to facilitate economic mobility and shared prosperity”.

33. The project will also directly contribute to the Sustainable Development Goals (SDG) 6 which focuses on safely managed water supply and sanitation for all. SDG6 calls for efforts to go beyond the access to improved water and sanitation, but the sustainability and quality of services.

2. PURPOSE OF THE FRAMEWORK

34. The World Bank's Operational Policy 4.10 on Indigenous Peoples is triggered for this project as there are indigenous people in the project area. In compliance with the OP 4.10 and prior to project appraisal stage, an Indigenous Peoples Planning Framework (IPPF) is developed to ensure that indigenous peoples would be sufficiently and meaningfully consulted leading to their free, prior and informed consultation (FPIC) to project interventions, that they would have equal opportunity to share the project benefits, and that any potential negative impacts are properly mitigated. The IPPF will form a basis for project implementation and monitoring and evaluation of how the project deals with indigenous peoples issues. At project implementation stage, Indigenous People Plan (IPP) will be developed, based on this IPPF, after the target areas are well defined and results of social screening confirmed adverse impact on IP communities.

3. PROJECT DESCRIPTION

35. The Project Development Objective (PDO) is to increase access to piped water supply and improved sanitation services and strengthen the operational performance of service providers in selected towns or areas.

1. **The proposed project has two major components**, (i) to support provincial water supply in selected towns and communes, (ii) to support provincial sanitation improvement in Siem Reap City and other areas. **A third additional Contingent Emergency Response component** has been provisioned for the Bank to provide emergency support in the event of a natural disaster, emergency and/or catastrophic event. Each of the major component is in turn subdivided into an infrastructure investment subcomponent and an associated institutional strengthening, policy and project implementation subcomponent.

Component 1: Provincial water supply (IDA - US\$30.23 million)

2. This component is focused on supporting the expansion of water supply services to selected urban areas. It will support public provincial water service providers in selected main provincial towns to augment and expand water distribution networks to serve more customers (including developing additional water production facilities as needed). This component will also support the development of small-scale piped water supply systems in selected communes outside the main provincial towns that are not yet served but where the population has reached the size and density suitable for piped water supply. Private sector financing and operations of small-scale piped water supply systems will be explored and leveraged where technically, economically and financially feasible. The project will help develop a mechanism to screen proposed small-scale piped water supply systems in communes, consider options for private and/or public financing, operations and management, and then to develop designs as appropriate. It is envisaged that a rolling program of design and investment support for the water supply schemes would be carried out. Investment will commence with a first priority scheme, which has been designed during project preparation, to test out and pave the way for a smooth rolling investment program. A technical assistance to identify, assess and design further selected town and commune schemes will commence in parallel. Given the water security and sustainability issues linked to climate change risks, optimal design for energy efficiency through proper sizing of electrical-mechanical equipment, demand management for water conservation, development of alternating water sources, and source protection and sustainability will be pursued.

3. Technical assistance will be provided to augment and support the project management and supervision capacity of the implementing agency. Additionally, this component will also include capacity and performance improvement technical assistance to the selected public provincial water service providers to manage and operate the systems to ensure technical and financial sustainability, to integrate climate change risk considerations in the O&M of the system, and to ensure better gender representation in the management of water supply system. The component will provide technical assistance to study, recommend and develop a water connection program (including output-based as appropriate) focused on helping poor and nutrition sensitive households (e.g., households with children under five) to access clean water supply services. A program of nutrition-sensitive communications and promotion of safe water handling / treatment and other hygiene behavior will be carried out. All communication messages will be

informed by gender analysis to optimize the benefits of women and girls. This communications program will seek to collaborate and coordinate with other nutrition and stunting related communication programs, including to improve and strengthen common health, nutrition and hygiene messaging in targeted towns and communes. Where the project areas converge with the proposed Cambodia Nutrition Project (currently under preparation), joint activities will be conducted by leveraging common delivery platform and monitoring of beneficiaries receiving joint interventions. A technical assistance to support the MIH develop urban water supply strategy and investment plan will also be provided.

Component 2: Provincial sanitation improvement in Siem Reap City and other areas (IDA - US\$23.27 million)

4. This component is focused on supporting the development and construction of branch sewers to the existing main sewer transmission lines in Siem Reap City, to enable household and businesses to connect directly to the city sewerage system. A large wastewater treatment plant and primary transmission mains were built in 2008 without secondary and tertiary sewers. Currently, only major premises close to the main sewers are connected, and there is instead reliance on interceptors to collect sewage from main drains. Limited collection and damage to the transmission lines resulted in little sewage reaching the treatment plant. Where climate change induced flooding in the city occurs, there is high fecal contamination of flood water creating health risks across many neighborhoods in the city. The construction of branch sewers coupled with a household connections program will improve the collection and transmission of household excreta to the wastewater collection and treatment facilities, reducing the exposure pathway of fecal contamination to the population in the event of floods. This component will also support rehabilitation and the augmentation of the existing sewerage system to improve its operational efficiency, including rehabilitation and upgrading of sewage pumping stations and fecal sludge receiving and management systems.

5. This component will support sanitation promotion and/or investments in communes where water supply is supported under Component 1 to address wastewater generated as a result of increased availability of water supply. Given the small sizes of these water supply scheme, the focus will likely be the promotion of household sanitation and good drainage around households. Where feasible, small scale decentralized wastewater treatment systems will be developed.

6. Technical assistance will be provided to augment and support the project management and supervision capacity of the implementing agency. Additionally, this component will also include capacity and performance improvement technical assistance to the Siem Reap Wastewater Treatment Plant unit to ensure adequate operations and maintenance of the sewer lines and sanitation facilities, management of fecal sludge services including collection and treatment, to ensure wastewater effluent meeting discharge standards, and to ensure better gender representation in the management of the utility. Necessary equipment for operations and maintenance will be also provided. A program of communications (to be informed by gender analysis) and promotion will be carried out to encourage households and businesses to connect to the sewerage system. A technical assistance to support the MPWT develop urban sanitation strategy and investment plan will also be provisioned.

Component 3: Contingent Emergency Response (IDA - US\$0.00 million)

7. The objective of this contingent emergency response component, with a provisional zero allocation, is to enable immediate response through the reallocation of project proceeds in accordance with the IDA Immediate Response Mechanism in order to provide an immediate response to an eligible crisis or emergency, as needed. An Emergency Response Manual (ERM) will be developed for activities under this component, detailing streamlined FM, procurement, social and environmental safeguards, and any other necessary implementation arrangements. In the event that the component is triggered, the results framework would be revised to include appropriate indicators related to the emergency response activities.

8. **Project Beneficiaries.** The direct beneficiaries will be the population of towns and districts where water supply and/or sanitation schemes will be financed by the project. Currently, water supply investments are expected to directly benefit about 105,000 people in various towns and communes. Among people residing within the service area of the urban sanitation networks in Siem Reap city, additional 22,000 people are expected to have access to improved quality of sanitation services through connection to sewer network

or have their sludge safely collected and treated. Additional beneficiaries include people benefiting from hygiene behavior change messages in the project location and beyond, staff (both men and women) of the water supply and sanitation operators receiving capacity building support from the project.

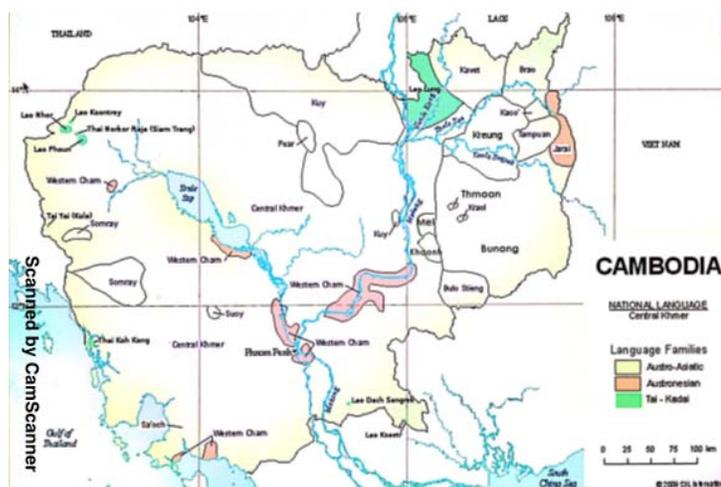
36. **Citizen engagement will be implemented throughout the project.** During the project implementation, ongoing government public forum at the concerned localities will be leveraged, where possible, so as to provide project information as much as possible to the citizens and to receive suggestions for the project. Waterworks and wastewater operators supported by the project would also implement social accountability framework, through engaging people benefitting from the service to: (a) understand minimum water supply and sanitation service standards, (b) monitor and provide feedback on service provider performance, and (c) identify and agree on actions to be taken by service providers to improve the quality of services. The MIH also has a complaint mechanism whereby public can submit their complaints to the MIH and track how their complaints are being addressed in regard to water supply service provision. The project will also leverage on this platform by disseminating this mechanism to wider public and by supporting the MIH in timely handling of the complaints.

4. OVERVIEW OF INDIGENOUS PEOPLES IN CAMBODIA

37. The Cambodian government has made reference to indigenous peoples (literal translation: “indigenous minority peoples”) in various laws and policies. Indigenous peoples are recognized separately to other minority groups such as the ethnic Lao living in northeastern Cambodia who are not generally considered “indigenous”, nor are the Chams or Vietnamese. However, the concept of indigenous peoples is not that clear-cut and Khmers (the dominant ethnic group) living in some areas share many characteristics with indigenous peoples.

38. The population of Cambodia is 13.7 million of which 90-95 percent are Khmer ethnicity. The remaining 5-10 percent is composed of ethnic minorities such as the Muslim Cham, Chinese and Vietnamese, and seventeen indigenous ethnic minority groups also called “Khmer Loeu” or “hill tribes” who are ethnically non-Khmer. These groups are estimated to comprise around 120,000 persons and constitute about 1 percent of the Cambodian total population. The seventeen indigenous minority groups which range from 300 to 19,000 members include Phnong, Kouy, Mil, Kraol, Thmorn, Khaonh, Tompoun, Charay, Kreoung, Kavet, Saouch, Lun, Kachak, Proav, Souy (Sa’ong), Stieng, and Kavet. Indigenous groups constitute the majority in the provinces of Rattanakiri (67.9 percent) and Mondulkiri (59.3 percent). Stung Treng and Kratie also share higher percentage of indigenous groups.

Figure 1: Indigenous Peoples and Ethnic Minority Map



Source: UNESCO Poster on Ethnolinguistic Group of Cambodia, December 2011

39. In Mondulkiri, there are 13,257 households, with total population of 62,218 (NCDD 2010). Among these, 70.70 percent are contributed from 9 indigenous people groups and 3 minority groups namely: Phnong (36,992 persons, equals to 59.46 percent of the total population within the province), Kuoy (23 persons, equals to 0.04 percent), Stieng (492 persons, equals to 0.79 percent), Mil (355 persons, equals to 0.57 percent), Kraol (1081 persons, equals to 1.74 percent), Thmorn (49 persons, equals to 0.08 percent), Tompoun (32 persons, equals to 0.05 percent), Charay (225 persons, equals to 0.36 percent), Kreang (80 persons, equals to 0.13 percent) and other minority group namely Khmer Islam (3,455 persons, equals to 5.54 percent), Vietnamese (87 person, equals to 0.13percent) and Laotian (1.130 persons, equals to 1.82 percent).

Table 1: Indigenous Peoples and Ethnic Minority Groups

Estimated EGIDS values for languages in Cambodia						
Name (English)	Name (Khmer)	Population	Primary Location	EGIDS	Khmer Orthography	Bilingual Education
Cham [cja]	ចាម	204,080	Multiple	6a	none	none
Kuy, Kui [kdt]	កួយ	28,612	Preah Vihear	7	Yes, INL recognized	pilot NFE
Bunong, Phnong [cmc]	ធុង	37,507	Monduliri	5	Yes, INL recognized MOEYS approved	NFE, pilot FE
Tampuan [tpu]	ចំពួន	31,013	Ratanakiri	6b	Yes, INL recognized MOEYS approved	NFE, pilot FE
Jarai [jra]	ចារ៉ាយ	26,335	Ratanakiri	5	In process	none
Kreung (Brao Tanap) [krr]	គ្រឿង	18,214	Ratanakiri	6a	Yes, INL recognized MOEYS approved	NFE, pilot FE
Brao Ombae [brb]	ប្រាំ	7,027	Ratanakiri	6a	Yes, INL recognized MOEYS approved	NFE
Brao Kavei [krv]	កាវ៉ៃ	5,258	Stung Treng / Ratanakiri	6a	Yes, INL recognized MOEYS approved	NFE, pilot FE
Kachok [kkk]	កាចក់	3,365	Ratanakiri	6b	none	none
Stieng [sti]	ស្ទឹង	6,541	Kralie	6b	none	none
Kraol [ka]	ក្រោល	4,202	Kralie	6b	none	none
Mel	មែល (ព្រៃក្រ)	1,697	Kralie	8b	none	none
Thmoan	ថ្ម	865	Kralie	7	none	none
Khaonh	ខោង	743	Kralie	8b	none	none
Somray [amu]	សំរាយ	4,100	Pursat	8b	none	none
Pear [pcb]	ជ័រ	1,674	Preah Vihear	8a	none	none
Sa'ong (Suoy)	សាអុង (ស្វយ)	857	Kampong Speu	7	none	none
Ch'ung (Saoch) [scz]	ជួង	445	Kampong Som	8b	none	none
Lao [lao]	លាវ	18,515	Stung Treng	6b	none	none
Vietnamese [vie]	វៀតណាម	72,775	Multiple	4	none	private
Hakka [hak]	ចិនខី (ហាក់ក)	5,000	Multiple	6b	none	none (private Mandarin)
Cantonese [yue]	ចិនកឡុង	55,000	Multiple	6b	none	none (private Mandarin)
Hokkien [nan]	ចិនហ៊ុកអ៊ិន	5,000	Multiple	6b	none	none (private Mandarin)
Teochiu [nan]	ចិនចាធី	440,000	Multiple	6b	none	none (private Mandarin)
Hainanese [nan]	ចិនហៃណាំ	15,000	Multiple	6b	none	none (private Mandarin)

Source: UNESCO Poster on Ethnolinguistic Group of Cambodia, December 2011

40. In terms of ethnic relations, the Cambodian people in Monduliri often refer to themselves as Nek Srok Lue (literally 'uplanders') which denotes people who inhabit the agricultural zone and who grow rice and cash crops for either their own consumption or for sale. Hill tribes or Khmer Lue, as they are collectively known, are concentrated in the mountainous regions of northeast Cambodia.

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Table 2: Existence of Indigenous Peoples in Cambodia by Provinces (2006)

No	Ethnicity	Rattana k Kiri	Mondol Kiri	Krache h	Preah Vihear	Kamp ong Thom	Stung Treng	Odor Meanc hey	Kampo ng Cham	Pursat	Kamp ong Spue	Bante ay Meanc	Batta mba ng	Sih ano uk	S ie m	Koh Kong	Total
1	Kuoy			5,939	16,731	13,044	1,644	2,203				1,712	8				41,281
2	Phnong	267	26,866	12,454	24		430	699					3				40,743
3	Tumpoun	31,088	388		5		4	281					16				31,782
4	Charaay	20,170	84				12	158					14				20,438
5	Kroeung	18,442	57				278	124									18,901
6	Stieng		648	10,593				27	2,564								13,832
7	Praov	7,968					444										8,412
8	Kaveat	2,379					2,710	18									5,107
9	Kraol		659	3,411				29									4,099
10	Mel			3,172													3,172
11	K'chak	2,887					1	52									2,940
12	Por				1,329					1,207							2,536
13	Kaonh			1,529									433				1,962
14	Chong									774						1,064	1,838
15	Souy										1,833						1,833
16	Thmoon		148	448				5									601
17	Lon	289					251										540
18	S'ouch													106			106
19	Raadear	2						16									18
20	Kek							15									15
21	Ro Ong																0
22	Stung																0
23	L'oeun																0
24	Samrae																0
Total		83,492	28,850	37,546	18,089	13,044	5,774	3,627	2,564	1,981	1,833	1,712	474	106	0	1,064	200,156

Source: Department of Indigenous Minority Development

5. RELEVANT LEGAL FRAMEWORK AND REGULATIONS

5.1 Cambodia Policies, Laws, Rules and Regulations Applicable to IPs

41. **National Policy on the Development of Indigenous People:** The Policy was approved by the Council of Ministers April 24, 2009 and sets out government policies related to indigenous peoples in the fields of culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy. Together with the Land Law (2001) this policy gives recognition to the rights of indigenous peoples to traditional lands, culture and traditions.

42. **A Policy on Registration and Right to Use of Indigenous Communities** in Cambodia was approved by the Council of Ministers on April 24, 2009, and a Sub-decree on procedures of registration of Land of Indigenous communities was signed on June 9, 2009 by the Prime Minister. This policy takes as its basis the recognition in the Land Law of 2001, of the right of indigenous communities to possess and use land as their collective ownership. The policy states that the registration of indigenous communities as collective ownership is different from the registration of individual privately owned land parcels because the land registration of the indigenous communities is the registration of all land parcels belonging to the communities as a whole, consisting of both State Public Land and State Private Land in accordance with the articles 25, 26, and 229 of the Land Law and related Sub-decrees. These land parcels are different in size and can be located within the same or different communes/sangkat. Therefore, the registration of land parcels of indigenous communities requires a separate Sub-decree supplementing existing procedure of sporadic and systematic land registration.

43. **Cambodia Constitution (1993)** supports the right to education, Education for All and 9 years basic education (Article 65, 66, 67 and 68). Article 48 states “the State shall protect the rights of children as stipulated in the Convention on Children, in particular, the right to life, education, protection during wartime, and from economic or sexual exploitation.” Article 46 states “the state and society shall provide opportunities to women, especially to those living in rural areas without adequate social support, so they can get employment, medical care, and send their children to area, and to have decent living conditions.” Article 31.2 stipulates that “Khmer citizens shall be equal before the laws and shall enjoy the same rights, freedom and duties, regardless of their race, color, sex, language, beliefs, religions, political tendencies, birth of origin, social status, resources, and any position”. Article 44 guarantees the legal right to own land equally for all Khmer citizens: “All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall have the right to own land”.

44. **Law on Education** was enacted by the National Assembly on the 19th of October 2007. The objective of this law is to develop human resources of the nation by providing lifelong education for the learners to acquire knowledge, skills, capacities, dignity, good moral behaviors and characteristics, in order to encourage learners to know, love and protect the national identity, cultures and language.

45. **The Land Law 2001** recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. Article 23 in the law defines an indigenous community as:

- A group of people who manifest ethnic, social, cultural and economic unity,
- Who practice a traditional lifestyle, and
- Who cultivate the lands in their possession according to customary rules of collective use ^[1]_[SEP]

46. Article 25 in the law defines indigenous community lands: “The lands of indigenous communities are those lands where the said communities have established their residencies and where they carry out their traditional agriculture”, and these lands “include not only lands actually cultivated but also includes reserves necessary for the shifting cultivation which is required by the agricultural methods they currently

practice". Article 25 also states "the measurement and demarcation of boundaries of immovable properties of indigenous communities shall be determined according to the factual situations as asserted by the communities, in agreement with their neighbors". Article 26 states that "ownership of the immovable properties described in Article 25 is granted by the State to indigenous communities as collective property. This collective property includes all the rights and protections of ownership as are enjoyed by private owners".

47. **The Forest Law 2002** (Article 11, 15, 16, 40) guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas which these groups traditionally use and to practice their way of living in term of enjoyment of benefits from the forest.

5.2 Relevant International Agreements Cambodia Entered

48. Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples⁴, as well as the Convention on Biological Diversity (1992), which recognizes the role of indigenous people in protecting biodiversity. In 1992, the Cambodian Government ratified the International Covenant on Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia.

49. **UN Declaration on the Right of Indigenous People** was adopted by the United Nations General Assembly in September 2007. Many countries in the world including Cambodia have voted in favor of this nonbinding declaration.

50. **International Convention on the Elimination of all Forms of Racial Discrimination ("ICERD")**, Article 5(e) ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training. Article 13 of the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, includes the provision of free primary education irrespective of gender, ethnicity or any other consideration. Article 13 further commits the State Party to make secondary education generally available and accessible to all, including through the progressive introduction of free education, and to working towards the provision of equal access to tertiary education, including through the provision of free secondary education. Government of Cambodia ratified the ICESCR in 1992.

51. **UN Convention on the Rights of the Child (Article 28 - Right to Education)**, rectified by the Cambodia Government in 1992: Every child has the right to an education. Primary education must be free. Secondary education must be available to every child. Discipline in areas must respect children's dignity. Richer countries must help poorer countries achieve this.

5.3 World Bank's Operational Policy: Indigenous People (OP4.10)

52. The WB's Operational Policy 4.10 (Indigenous Peoples) requires that special planning measures be established to protect the interests of indigenous peoples with a social and cultural identity distinct from the dominant society that may make them vulnerable to being disadvantaged in the development process.

53. The Policy defines that indigenous peoples can be identified in particular geographical areas by the presence in varying degrees of the following characteristics:

- a) Self-identification as members of a distinct indigenous cultural group and recognition of this identity

⁴ This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the Universal Declaration of Human Rights.

- by others;
- b) Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
 - c) Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
 - d) An indigenous language, often different from the official language of the country or region.

54. As a prerequisite for Project approval, OP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected indigenous peoples and to establish a pattern of broad community support for the Project and its objectives. It is important to note that the OP 4.10 refers to social groups and communities, and not to individuals. The primary objectives of OP 4.10 are:

- To ensure that such groups are afforded meaningful opportunities to participate in planning project activities that affects them;
- To ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and
- To ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

5.4 Gap Analysis

55. Despite the fact that Cambodia has a Policy that recognizes the right of indigenous people to culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy, there are no decrees, sub-decree or procedure for specific safeguards or protect the interest of the indigenous peoples, other than those related to land or forestry. Cambodia Land Law recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. In practice, the procedure to register collective title take very long and only few indigenous communities (approx. 5) have received collective title since the land law enacted in 2001. Similarly, the Forest Law also guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas that they traditionally use and practice. Thus, while there is some complementarity between Cambodia laws and regulations related to indigenous people and the World Bank's OP4.10, there is not a sufficiently detailed regulations or operating procedures to facilitate full implementation. The IPPF, therefore, will be prepared on the basis of the World Bank's OP4.10 by taking into consideration relevant Cambodia policies and regulation. Clear mechanism for free, prior and informed consultation in order to establish broad support of the Project from the indigenous communities are outlined in this IPPF, along with procedures for conducting social assessment and preparing an indigenous peoples plan. During implementation, a Grievance Redress Mechanism will be established so that every indigenous people can bring his/her voice, complaint or any un-satisfaction about the project.

6. Screening and Preliminary Social Assessment

6.1 Screening

56. Fieldwork and desk review found that indigenous peoples are present majority in Rattanak Kiri, Mondul Kiri, Stung Treng and Kratie (the northeastern part of Cambodia). Other minority groups are living in Preah Vihear (Kouy), Kampong Speu (Souy), Sihanouk Ville (Sa'och), Kampong Cham (Stieng), Kampong Thom (Kouy), Banteay Meanchey (Kouy), and Odor Meanchey (mix). Most IP communities are located outside town area of Mondul Kiri province where water connection is not available. As a result, local communities are facing difficulty in collecting water, especially during the dry season. While most men are busy with their daily jobs, women and children need to carry water away from their home.

6.2 Results of Preliminary Social Assessment

57. In June 2018, a team comprises of MIH's officers in charge and officials of the provincial waterworks conducted series of assessment in Sen Monorom as part of the Social assessment (SA). Consultation participatory approach was used in the form of the participatory rapid appraisal (PRA) technique. This preliminary participatory assessment aimed to determine the need for clean water by local residents including IP communities, key issues encountered by their communities, and support the indigenous peoples screening process by providing additional data to identify ethnic minority communities in the project areas and also to confirm that the installation of new pipes and construction of water supply infrastructure within their communities receive broad and strong support from local communities and benefit them. Participants of such consultations expressed initial support to the project. A preliminary social assessment (SA) report was prepared as a standalone document and its outcomes were used to prepare safeguard documents (including this IPPF and ESMF) of the Project.

6.2 Potential Impacts on IPs

58. The following views were expressed as being potential positive impacts by the stakeholders in different areas visited:

- ✓ Water will boost local economic development
- ✓ Increased numbers of people with access to safe drinking water
- ✓ Reduction in water-borne diseases
- ✓ Improved nutritional status
- ✓ Enhanced food security
- ✓ Reduced vulnerability levels
- ✓ Reduced poverty levels
- ✓ Improved levels of cleanliness, sanitation and hygiene.
- ✓ Reduced work loads and distances by women to the river to fetch water
- ✓ Time freed from fetching water for women is re-directed to other development initiatives
- ✓ Better access to water by milk cows boosting household income and household food security
- ✓ Grand children will no longer be left in the care of grandparents when women and girls go to fetch water

59. Local people including Indigenous Peoples met identified a set of possible negative project impacts that included:

- ✓ Concentration of people and livestock around constructed water points
- ✓ Increase in soil erosion
- ✓ Loss of biodiversity
- ✓ Payment for water (which is currently fetched by women free of charge)
- ✓ Increase of mosquitoes – so remedial measures need to be put in place
- ✓ Wildlife exists and would destroy the water works
- ✓ Water source needs to be taken care of

60. In this context, the IPPF sets out processes and procedures to be followed during the project screening and implementation to make sure that the indigenous peoples are adequately consulted with project activities, given an opportunity to voice concerns and participate in and benefit from the Project. Subsections below describe the activities that will be undertaken during preparation of WaSSIP and those to be carried out during implementation.

7. IMPLEMENTATION ARRANGEMENT, MONITORING, GRIEVANCE MECHANISM

7.1 Implementation Arrangement

61. The IPPF implementation will follow the Project Implementation arrangement. The MIH and the MPWT will establish Component Management Unit 1 (CMU-1) for Component 1 and Component Management Unit 2 (CMU-2) for Component 2 respectively. The CMU-1 and CMU-2 will, for their respective component, lead day-to-day project implementation, undertake fiduciary responsibility such as financial management and procurement, monitor project progress and conduct M&E, ensure compliance to project social and environmental safeguards, prepare project reports, oversee civil works, coordinate and collect inputs from relevant ministries related to their project component.

Component Management Unit 1

62. The CMU-1 will be led by a Component Director (CD-1) assigned by MIH who, for Component 1 of the project, will be responsible for overall management and administration of the Component 1, ensuring project development objective is achieved. The CD-1 shall approve and sign all contracts and other important project documents, undertake fiduciary responsibility including ensuring timely execution of procurement activities, approval of project component expenditures, ensure timely implementation and compliance with the POM, ensure the proper use of project assets making sure the project team has all required means for executing their respective tasks and report within ministry structure about project progress. The Component Manager (CM-1) assigned by MIH from GDPWS will be responsible for day-to-day activities of project implementation to ensure project is progressing according to schedule under Component 1. The CM-1 will undertake procurement activities, ensure compliance with safeguards requirements and prepare relevant project reports in timely manner.

63. The Department of Technical and Project Management (DTPM) of the MIH will provide technical inputs to the CMU-1, monitor project progress and support CMU-1's project management. The DTPM will also be responsible, in collaboration with the NCDD-S, for ensuring the implementation of the social accountability framework (SAF) in Component 1. It will support and empower the relevant district administrations (located within some selected water supply service areas of the project) through provision of technical assistance to assist districts implement the SAF. The DTPM will also ensure the delivery nutrition sensitive communication campaign by working with the MOH to get relevant technical inputs and guidance, and by working with district administration to deliver the campaign with the support of a technical assistance (through resource agency). The Department of Planning and Data Management will support project's M&E ensuring that the data and information is being collected on time for reporting in CMU-1. The Department of Water Supply Regulations will provide support overseeing private sector engagement in the project ensuring the compliance with the government policy and regulations, preparing contracts, and supporting development of any policy or regulation required to enable more active private sector engagement.

64. The Department of Accounting and Finance of the MIH will support CMU-1 in all financial management aspects of the project Component 1. The Procurement Unit of the MIH will support CMU-1 in all procurement aspects of the Component 1. While the MIH does not have environmental and social division within the ministry, environmental safeguards and social safeguards focal points will be nominated by MIH from DTPM to support CMU-1 in monitoring the environmental and social safeguard requirement respectively. A gender focal point nominated from Gender Mainstreaming Action Group (GMAG) in the MIH will be responsible for all gender aspects of the project including ensuring the gender-related indicators are achieved.

65. The CMU-1 is supported by Project Support Team 1 (PST-1) at the provincial level. The team will be assigned by MIH from relevant provincial DIH and relevant waterworks directly involved in the project. The PST-1 will provide support to CMU-1 in day-to-day supervision of the civil works on the ground,

monitoring of activity progress, coordination at provincial level, communication consultation on the project and reporting to the Component Manager of CMU-1.

Component Management Unit 2

66. The CMU-2 will be led by a Component Director (CD-2) assigned by MPWT from the General Directorate of Public Works (GDPW) who, for Component 2 of the project, will be responsible for overall management and administration of the Component 2, ensuring project development objective is achieved. The CD-2 shall approve and sign all contracts and other important project documents, undertake fiduciary responsibility including ensuring timely execution of procurement activities, approval of project component expenditures, ensure timely implementation and compliance with the POM, ensure the proper use of project assets making sure the project team has all required means for executing their respective tasks and report within ministry structure about project progress. The Component Manager (CM-2) assigned by MPWT from GDPW will be responsible for day-to-day activities of project implementation to ensure project is progressing according to schedule under Component 2. The CM-2 will undertake procurement activities, ensure compliance with safeguards requirements and prepare relevant project reports in timely manner.

67. The Sewerage Management and Construction Department (SMCD) of the MPWT will be responsible for technical inputs and quality of the Component 2, monitoring of progress of the project, supporting CMU-2's project management, and collecting data and information for M&E and reporting for CMU-2. The SMCD will also be responsible, in collaboration with the NCDD-S, for ensuring the implementation of the SAF in Component 2. It will support and empower the Siem Reap City Administration through provision of technical assistance to assist the implementation of the SAF. The Department of Finance of the MPWT will support CMU-2 in all financial management aspects of the project Component 2. The Procurement Unit of the MPWT will support CMU-2 in all procurement aspects of the Component 2. Environmental and Social Division in General Department of Planning and Policy in the MPWT will support CMU-2 in monitoring the environmental and social safeguard requirement. A gender focal point nominated from GMAG in the MPWT will be responsible for all gender aspects of the project including ensuring the gender-related indicators are achieved. Department of Information Technology and Public Relations will be responsible for communications on the Component 2 of the project including disclosure of all relevant project safeguard documents.

Project Coordination Unit

68. The Project Coordination Unit (PCU) will be established to coordinate the CMU-1 and CMU-2. The PCU does not have oversight responsibility over CMU-1 and CMU-2, since each CMU is responsible for all the implementation aspects and fiduciary and safeguard requirements. The PCU, however, is responsible for coordinating the project implementation, consolidating all project progress reports, and ensuring overall project audits. The PCU chair will be nominated by the MPWT, and the PCU members are the Component Director and Component Manager of CMU-1 and CMU-2. The project will provision limited financial support to the operations of the PCU.

Steering Committee

69. A Steering Committee (SC) will be established to provide overall project guidance and coordination. The Steering Committee will include high level representation from the MPWT, the MIH, the Ministry of Economy and Finance (MEF), the MOH, the NCDD-S and the MRD. The SC will be chaired by a Secretary of State from the MPWT. The Steering Committee will hold semi-annual meetings, facilitate inter-ministerial coordination, oversee overall project progress, lead policy discussion, and provide strategic guidance. The MOH will join the SC to provide guidance on the nutrition aspects of the project. The NCDD-S will provide inputs and guidance on the implementation of the social accountability in the projects. The MRD will guide on the implementation of the communication campaign for sanitation and hygiene as MRD is the main developer of the communication package.

Subnational authorities and civil society organizations

70. Subnational authorities (i.e. district administrations and communes), civil society organizations and volunteer facilitators would be engaged to implement the social accountability elements of the project under both Component 1 and 2. District/city administration will be the taking the lead in ensuring the civil society organizations contracted by the CMU-1 and CMU-2 in implementing SAF mobilizing citizen for monitoring of service and follow up key actions agreed between service providers and citizen. The communes/Sangkats will provide coordination support to the district and civil society organizations in engaging citizen in SAF.

71. The district administrations and communes will also be responsible to deliver nutrition-sensitive communication campaign for safe water handling and other hygiene practices with the support from resource agencies contracted by CMU-1. Relevant health centers will be engaged at the locality in delivering the communication messages, where relevant.

72. **Provincial Waterworks** is, the sub-national level office of MIH, liaison between MIH and local community/authority.

73. **Social Safeguards Consultant** with the necessary expertise supports the process of social assessment, consultation, and the preparation and monitoring.

7.2 Monitoring, Documenting, Reporting for WaSSIP

74. Given the small scope of civil works to be carried out within the target areas under the WaSSIP and the fact that selection of priority investment would follow the participatory planning and consultation process described in this policy, significant adverse negative impacts to indigenous peoples land and resources are not expected to occur. The WaSSIP will therefore seek to strengthen the self-monitoring and problem resolution capacity of local communities including but not limited to indigenous peoples communities. Participatory Monitoring and Evaluation (M&E) will be carried out during implementation to allow affected population to assess project effects and identify measures to broaden positive benefits and address negative impacts. Also, whether conflicts involving ethnic groups have occurred and been resolved in compliance with this document will be monitored and reported by project focal person. This will involve regular (monthly/quarterly) meetings between the villages, waterworks department, and the contractor, which will be facilitated by the social safeguards focal persons / social safeguards consultant. These meetings will be documented, and the feedback will be shared with the CMU-1.

75. The PMT through its focal person will conduct regular internal monitoring and evaluation of the IPPF/IPP including review of monthly progress report submitted by site engineer. The said monitoring and evaluation is intended to help ensure that the IPPF/IPP are prepared according to the OP4.10 and relevant Government law and regulations and that it is implemented as planned. Internal monitoring will be bi-monthly conducted by the social safeguard focal person. All findings of the internal monitoring should be reported to the PMC (bi-monthly) and incorporated into project progress report submitted to the World Bank every six month. Monitoring indicators shall be clearly specified in the IPP document.

76. **A social safeguard specialist of the World Bank** will be providing supports for monitoring and implementation of IPPF/IPP, and compliance. The social specialist can (a) conduct regular site visit to project sites (at least twice per year) in order to check IPPF/IPP progress and compliance issues; (b) check whether or not the free, prior, and informed consultation with the affected Indigenous Peoples' communities was conducted by the PMC's focal person; (c) coordination of IPPF/IPP activities with construction schedule; (d) measure level of satisfaction of IP with the provisions and implementation of the IPPF/IPP's activities; (e) check grievance redress mechanism and procedure; and (f) conduct social safeguard training for MIH and MPWT.

7.3 Transparency and Grievance Mechanism

77. The World Bank's resettlement policy requires an investment project to establish mechanism for grievance resolution in order to ensure indigenous peoples' satisfaction with implementation of IPPF related activities, and provide the IPs with a legal platform for on the ground monitoring and reporting on the implementation of IPPF related activities. Specifically, the purpose of the grievance mechanism is to allow IPs and persons who believe they are affected persons to seek satisfactory resolution to grievances they may have in relation possible land acquisition, resource restriction or other project interventions. The key principles of the grievance mechanism are to ensure that:

- (a) The basic rights and interests of IPs are protected
- (b) The concerns of IPs arising from the project implementation process are adequately addressed; and
- (c) Entitlements or livelihood support for IPs are provided on time and accordance with the above stated government and World Bank's safeguard policies.
- (d) IPs are aware of their rights to access and shall have access to grievance procedure free of charge for the above purposes.
- (e) The grievance procedure will be part of the overall Commune/Sangkat's Planning Committee, Chief and Council mechanism and form an important part of the conflict resolution mechanism that is community-based, involving representatives of vulnerable groups, and therefore, collectively managed.

78. At the beginning of the WaSSIP implementation, the grievance redress committees will be established at commune, districts, and provincial levels built on the existing structures consisting of concerned departments, NGOs, community organizations, women and ethnic representatives, if exist. A focal person in the waterworks department will be one of the committee members at district level and the social safeguards focal persons will also be part of the grievance redress committee at national level. At the village the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, which are largely acceptable to local communities and will be strengthened as the first tier conflict resolution mechanisms of the Commune/Sangkat Council. This arrangement helps ensure that a system is in place to help resolve any grievances to or complaints that may occur after project intervention. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively. The WaSSIP will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may be raised by PAPs during the course and after the implementation of IPs related activities.

79. As a normal practice if project involve implementation of land acquisition a Grievance Redress Committee is established for the WaSSIP. The GRC will deal all aspects of a proposed sub-project including, environment, resettlement and indigenous issues, if exist, through negotiations with the aim to reach a consensus. MIH, MPWT or IRC (if IRC is involved in ARAP/RAP implementation) requests to the Provincial Governor to establish the Grievance Redress Committee (s) at local (provincial, district, and commune) levels to be headed respectively by the Provincial Governor or Provincial Vice-Governor, Chief of District, and Chief of Commune. At GRM Commune level, the members of GRM also comprise of representative of AH/IP (the representative of AH/IP shall be chosen among the PAPs or IP community). These committees will receive, evaluate and facilitate the resolution of PAP/IP and PAH concerns, complaints and grievances. The grievance redress committees will function, for the benefit of PAP/IP and PAH, during the entire life of WaSSIP and beyond.

80. PAPs or IPs, if not satisfied or unclear about the implementation of resettlement/IPPF related activities including the provision of compensation or livelihood improvement, may raise their complaints to the village committees or direct to commune council, the lowest level of GRC and can be brought further to provincial level if PAP/IP does not satisfy with the solution or clarification.

81. **At Commune level:** An aggrieved PAP/IP may bring his/her complaint to the commune chief directly. The commune chief will call for a meeting of the group to decide the course of action to resolve

the complaint within 15 days, following the lodging of complaint by the aggrieved PAP/IP. The meeting of the group would consist of the commune chief, representative(s) from community including traditional leader. The commune chief is responsible for documenting and keeping file of all complaints that are directed through him/her. If after 15 days the aggrieved PAP/IP did not hear from Commune Council or if the PAP/IP is not satisfied with the decision taken at the first stage, the complaint may be brought to the District Office either in writing or verbally.

82. **At District level:** The District office has 15 days within which to resolve the complaint to the satisfaction of all concerned. If the complaints cannot be solved in this stage, the district office will bring the case to the Provincial Grievance Redress Committee.

83. **At Provincial level:** The Provincial Grievance Redress Committee, which consists of Provincial Governor or Deputy Governor as a committee chairman and Directors of relevant Provincial Departments as members will meet with the aggrieved party and tries to resolve the complaint. Within 30 days of the submission of the grievance to the Provincial Grievance Redress Committee a written decision must be made and inform to the PAP/IP in writing.

84. **Provincial Court:** If the aggrieved PAP/IP is not satisfied with the solution made by the Provincial Grievance Redress Committee based on the agreed policy in the RPF-RAP or IPPF-IPP, the PAP/IP can bring the case to the Provincial court. During the litigation of the case, RGC will request to the court that the project proceed without disruption while the case is being heard. If any party is unsatisfied with the ruling of the provincial court, that party can bring the case to a higher court. The RGC shall implement the decision of the court.

85. In the target areas where Indigenous People (IP) are affected directly or indirectly, all complaints shall be discussed among the villagers in the presence of traditional village leader or elder and negotiations is carried out in the community or village where the PAP and PAH live. Where necessary, the construction proponents will provide assistance so that the rights of indigenous minorities are protected.

7.3 Capacity Building

86. Training need assessment (TNA) will be conducted in order to design training materials that relevant to the need. TNA will be conducted among PMT down to SSC and community. Training will cover the three safeguard policies and compliance, namely environment, involuntary resettlement and indigenous people. With specific to IPPF/IPP training shall include (a) overview of the World Bank OP4.10 and Cambodia relevant laws and regulation; (b) content of IPPF/IPP and its implementation issues; (c) institutional arrangement for the project implementation including role and responsibility; (d) how to conduct public consultation using free, prior and informed approach; (e) grievance redress procedure and issues; and (f) requirement for monitoring and reporting.

7.4 Schedule

87. An IPP shall be prepared as soon as the site-specific projects are selected and adverse impact on IP community and submitted to the Bank as part of the implementation plan. Prior to the commencement of the implementation, the IPP shall be disclosed on MIH and/or MPWT website and the World Bank InfoShop. A copy of IPP with local language shall be placed in commune council of the target areas where indigenous peoples can access to.

7.4 Budget

88. Budget for implementing IPPF will be part of the Project budget. It uses to cover costs of project staff allowances and consultants to prepare compliance reports including supervising and monitoring reports, data collection, and preparation of IPP etc. Below is a rough budget estimate for IPPF

implementation. Budget for IPP implementation is not part of this estimate. A few target areas in Sen Monomrom are located in the IP communities or IP with attachment to the location where target areas are located. Assuming that IPPF will require project staff input of 10 days for Sen Monorom, 5 days of consultant input per plus 5 days of transport. Lump sum amount will be used for data collection and other expanses.

Table 3: Budget estimate for IPPF implementation

No.	Items	Quantity	Rate	Amount
1	Staff allowance	36	40	1,440
2	Consultant fee	5	3,000	15,000
3	Transport	5	500	2,500
4	Data collection	Lump sum	10,000	10,000
5	Others	Lump sum	500	500
TOTAL (in US Dollars)				29,440

89. The IPP will include information on detailed cost of mitigation measures and other rehabilitation entitlements for indigenous peoples in the affected areas; and administrative and monitoring costs. Sources of funding for the various activities and financing plans for IPP will be indicated later when IPP is developed. Costs for land expropriation, if any, shall be financed by the counterpart funds, while the training and consultation cost shall be financed by the Bank (IDA).

8. Social Assessment and Preparation of Indigenous Peoples Plans

8.1 Approach Used for Social Assessment and

90. A participatory approach is required in all stages of the WaSSIP. Firstly, it had been used during consultative meetings with local authorities, communities during preliminary social assessment). In subsequence stages, this approach will be used for project screening, design stage social assessment (for preparing IPP), and project implementation and monitoring. Detail process and procedure describe in below Subsection.

91. The preliminary consultation confirmed that the indigenous peoples in the Project areas (Mondulkiri) would receive the overall positive impacts from the Project but may be adversely affected by land acquisition for construction of water supply infrastructure at new water source and some of which may be located in their communities;

92. During implementation the following steps will be followed in terms of screening, social assessment, and preparation of an indigenous peoples plan.

- a) Screening jointly by the MIH and the Bank to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area, the target areas (see screening form is in Annex 2).
- b) Conducting social assessment by the MIH, with assistance from consultant who have social safeguard background, if the screening concludes that the indigenous peoples are present in, or have collective attachment to, the project area. The breadth, depth, and type of analysis in the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples, whether such effects are positive or adverse. Free, prior and informed consultation approach is used.

- c) Preparing Indigenous Peoples Plan (IPP) based on outcomes of the social assessment and consultation with the affected indigenous peoples. The IPP will ensure that Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for; and
- d) Disclosure of the draft Indigenous People Plan to the public. The draft IPP will be uploaded into the World Bank InfoShop and the MIH website and translated into local language and place a copy at the commune office and another copy at area where the indigenous peoples will have access to.
- e) Updating social assessment during project implementation as part of monitoring process in order to identify unexpected adverse impacts and to propose mitigation measures. If the impact is significant the IPP will also be updated to cover the current impacts. Likely, free, prior and informed consultation approach is used.

8.2 Free, Prior, and Informed Consultation

93. Participation is a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them. The decision to participate is the start of the whole participatory process in the project cycle. The Bank's OP/BP4.12 and the Government Law on Expropriation and IRC's practical resettlement implementation procedure provide clear guidance and direction to project proponents in both the public and private sectors, on the need for public consultation and participation and underscore the importance of getting PAPs informed about the project and, more importantly, getting their actual and active involvement in the planning and implementation.

94. Participation is an active and continuous process of interaction among the key stakeholders, including the communities directly affected (whether positively or adversely), national agencies and line ministries, the project consultants, civil society and international donor agencies. Participation as a generic term usually encompasses two distinct dimensions: information exchange (i.e., dissemination and consultation) and varying forms of joint decision-making (i.e., collaboration or participation):

95. The WaSSIP will adopt full consultation and stakeholder participation for both Components 1 and 2. During project screening (project area selection process) communities, teachers, parents and local authorities are full consulted about benefits and potential impacts. A Social Assessment will be conducted with target areas where potential impacts on indigenous peoples, land and other resources are identified. Two public consultation meetings will be conducted. The WaSSIP activities, project impacts and mitigation measures will be presented during the first meeting. Then, the second public consultation meeting will be conducted to determine whether there is support for the project activities and mitigation plans.

96. Prior to consultation, the CMUs will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek support of the project intervention and to determine potential adverse impacts as well as possible support from the project in order to address the potential impact. The notice will request that the communities shall invite to the meeting representatives of farmers, women association and village leaders. During the visit, the community leaders and other participants will present their views with regards to the proposed activities.

97. During the consultation, detailed procedures would be determined on a village-by- village basis to determine the potential impact and possible supports under the WaSSIP. Further, a conflict resolution system, through established grievance mechanism, would be defined to ensure reflection of voices of the affected people (particularly for land acquisition). If a beneficiary community includes ethnic minority communities that do not belong to the majority ethnic group of the community, their representatives will be included in the conflict resolution mechanisms. This will ensure cultural appropriateness, and community involvement particularly of the ethnic groups in decision-making processes.

98. In the process, free, prior and informed consultations will be undertaken in a language spoken by, and location convenient for, potentially affected indigenous peoples. The views of indigenous peoples are to be taken into account during implementation of WaSSIP, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the periodical reports and submitted to the Bank for review.

99. During implementation of the WaSSIP, an updated social assessment shall also be carried out to monitor the positive and negative impacts of the project, and obtain feedback from the project-affected people. Based on the outcome of the social assessment, further measures shall be taken to ensure full benefits and mitigation of the negative impacts envisaged. If necessary, additional activities for institutional strengthening and capacity building of indigenous people communities living within the project area shall be carried out. If unexpected impacts are so significant the IPP and/or RAP may need to be updated.

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**ANNEX 1- TECHNICAL GUIDELINES FOR CONSULTATION, AND PREPARATION OF IPP AND
OTHER SAFEGUARD DOCUMENTS**

ANNEX 1: Technical Guidelines for Consultation, and Preparation of IPP and Other Safeguard Documents

1. The consultation framework is designed to help to ensure that indigenous peoples are well informed, consulted and mobilized to participate in the investments to be supported under the WaSSIP. Their participation will not only make water supply management more sustainable but also provide benefits with more certainty, or protect them from any potential adverse impacts of investments to be financed by the project. The main features/process of the consultation framework includes an environmental and social impact assessment to determine the degree and nature of impact supported by the project. An Indigenous Peoples Plan (IPP) will be developed if indigenous peoples communities are found to be present in or have collective attachment to areas affected under the respective project implementation plan. Consultations with and participation of indigenous peoples, their leaders and local government officials will be an integral part of the overall IPP, which should be prepared along with other required project reports.

2. Selection of the target areas will be carried out during project screening using the below criteria:

- (i) Areas that exhibit a strong commitment to the project concept and are willing to meet the project preconditions for selection; and
- (ii) Areas with high demand in water supply.

3. A free, prior, and informed consultation process involving indigenous groups would provide a comprehensive baseline data on social, economic and technical aspects of each investment particularly for those areas that have been identified with ethnic groups during the project screening (preparation). This also includes participatory mapping to determine exact location of construction sites, land size requirement and also location of IP communities. The checklist for screening indigenous people will indicate whether or not the indigenous peoples exist in the project area and further identify potential social issues on indigenous peoples because of the investments. The MIH/MPWT will undertake specific measures to consult with, and give opportunity to indigenous populations to participate in decision making related to the investments, should they so desire.

4. All target areas that have indigenous people communities and are candidates for project support will be visited (at the time of first consultation with communities) by the PMC's team including social safeguard focal person and relevant local authorities, including personnel with appropriate social science training or experience. Prior to the visit, the PMC will send notice to the communities informing their leaders that they will be visited by the respective focal person and local authorities and that consultation will be conducted to seek support of the project intervention and to determine potential adverse impacts as well as possible support from the project in order to address the potential impact. The notice will request that the communities shall invite to the meeting representatives of farmers, women association and village leaders. During the visit, the community leaders and other participants will present their views with regards to the proposed activities.

5. The WaSSIP will identify and utilize the existing community grievance mechanism to take into account specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving issues— to ensure that the concerns of different ethnic groups are received and addressed during project preparation, implementation and beyond project completion. To achieve this, projects would (a) identify and determine culturally acceptable ways to address grievances from significantly different ethnic groups within affected communities, including different ethnic or cultural groups within the project-affected area; (b) understand cultural attributes, customs, and traditions that may influence or impede their ability to express their grievances, including differences in the roles and responsibilities of subgroups (especially women) and cultural sensitivities and taboos; and (c) agree on the best way to access grievance mechanisms, taking into consideration the ways communities express and deal with grievances.

6. At this visit, the PMC’s focal person or relevant official with social expertise will undertake a screening for indigenous peoples with the help of indigenous people leaders and local authorities. The screening will check for the following:

- a) Names of ethnic groups in the affected villages/commune;
- b) Total number of ethnic groups in the affected villages/commune;
- c) Percentage of ethnic people in affected villages/communes; and
- d) Number and percentage of ethnic households within a described zone of influence of the proposed investments. (The zone of influence should include all areas in which investments-related benefits and adverse impacts are likely to be relevant.)

7. Once target areas have been selected by the MIH/MPWT through screening process and impact on indigenous peoples is potential, a social impact assessment will be conducted using inventory of affected assets, baseline socioeconomic survey, and PRA method. Social and economic profile of beneficiary population or project-affected people will be collected. Free, prior and informed consultations will be carried out for each of the beneficiary/affected communities/villages and the respective communes, ascertaining their broad community support and determining the potential impacts and possible support under the Project. The outcome of this process will be the basis to develop safeguard documents as part of the project implementation plan that include:

- **Indigenous People’s Plan (IPP)** is to be developed under the WaSSIP. The outline of the IPP is described below subsection of this document;
- **Resettlement Action Plan** is to be developed provided that land acquisition exists. Outline of RAP and guideline for preparation is described in the Resettlement Policy Framework (RPF); or
- **Due Diligent Report** is to be prepared if no land acquisition or impact on indigenous peoples.

8. If unexpected impacts (both on indigenous or land acquisition) occur during project implementation (particularly during construction) and it is significant the IPP and RAP will be updated. IPP and RAP shall be implemented prior to construction commencement.

Table 1A: Matrix of Project Phase Vs. Safeguard Documents Required

Project Phase	Pre-selection of target areas (Project Concept)	Selection of target areas (Project Screening)	Selected target areas with potential impact (Approval of target areas)	Construction of water supply facilities (Project Implementation)
Assessment	Social assessment	Safeguard Screening	Social Assessment	Updated Social Assessment
Safeguard Required	Preparation of IPPF and RPF input into ESMF	<ul style="list-style-type: none"> • List of target areas with potential impacts • Prepare DDR for areas with no impact • Documentation of consultative meetings 	<ul style="list-style-type: none"> • Prepare IPP; • Prepare RAP if land is acquired; 	<ul style="list-style-type: none"> • Update and Implementation of IPP and RAP; • Monitoring reports

Social Assessments

9. In addition to the social assessment that was carried out at the pre-selection of the target areas, a social assessment will be undertaken among the selected target areas that have potential impact. The SA will be conducted by qualified social development specialist knowledgeable about the culture of the concerned ethnic minorities. At this stage, the social assessment will not only gather relevant information on demographic data; social, cultural and economic situation, but also project impacts covering and social and economic aspects, either positive or negative. The breadth, depth, and type of analysis required for the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples. Outcomes of the assessment will be used to prepare IPP.

10. The social assessment includes the following elements, as needed:

- (a) A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples.
- (b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (c) Taking the review and baseline information into account, the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples at each stage of project preparation and implementation.
- (d) An assessment, based on free, prior, and informed consultation, with the affected Indigenous Peoples' communities, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples' communities given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.
- (e) The identification and evaluation, based on free, prior, and informed consultation with the affected Indigenous Peoples' communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

11. Free, prior and informed consultations will be conducted through a series of meetings, including separate group meetings: ethnic village chiefs; ethnic men; and ethnic women, especially those who live in the zone of influence of the proposed work under the target areas. All consultation will be conducted in easily accessible locations. All will be carried out in relevant local languages. Discussions will focus on investments impacts, positive and negative; and recommendations for design of investments. If during the series of consultation meetings the communities reject the proposal even after all measures to mitigate negative impacts are considered, the investments will not be approved (and therefore no further action is needed).

12. Updated social assessment will also be carried out periodically during project implementation as part of monitoring process in order to identify unexpected adverse impacts and to propose mitigation measures. Experience from previous projects indicates unexpected adverse impacts occurred during construction or cause by overlooked issues during the project screening. If the impact is significant IPP will be updated based on outcome of updated social assessment. Likely, the free, prior and informed consultation process will be applied.

Indigenous People Plan (IPP)

13. On the basis of the social assessment and in consultation with the affected Indigenous Peoples' communities, the PMT will prepares an Indigenous Peoples Plan (IPP) that sets out the measures through which the WaSSIP will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples

are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. The IPP is prepared in a flexible and pragmatic manner and its level of detail varies depending on the specific project and the nature of effects to be addressed. The borrower integrates the IPP into the project design. When Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, the elements of an IPP should be included in the overall project design, and a separate IPP is not required. In such cases, the Project Appraisal Document (PAD) includes a brief summary of how the project complies with the policy, in particular the IPP requirements.

14. The IPP includes the following elements, as needed:

- (a) A summary of the information about (a) legal and institutional framework applicable to Indigenous Peoples and (b) baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (b) A summary of the social assessment.
- (c) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during project preparation and that led to broad community support for the project.
- (d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during project implementation.
- (e) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.
- (f) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- (g) The cost estimates and financing plan for the IPP.
- (h) Accessible procedures appropriate to the project to address grievances by the affected Indigenous Peoples' communities arising from project implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- (i) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

15. To prepare IPP below information is required:

- The basic census, socio-economic data and inventory of affected assets;
- Household ownership of economic and productive assets
- Annual income from primary and secondary employment opportunities
- Economic information of community (e.g. brief information on economic and natural resources, production and livelihood systems, tenure systems)
- Social information of community (e.g. description of kinship, value system, types of social organizations of formal and informal groups)
- Potential impact of proposed project activities on basic social services (e.g. water supply, clinics and schools)

Potential impact of project activities on the social and economic livelihood.

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ANNEX 2- PRELIMINARY SCREENING OF INDIGENOUS PEOPLES

