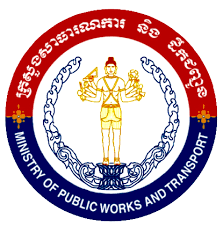
KINGDOM OF CAMBODIA

Nation Religion King

Ministry of Public Works and Transport



Cambodia Road Connectivity

Improvement Project

**ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN: NR 7 PK300+00-331+25  
*DRAFT***

March 2020

**LIST OF ACRONYMS**

|  |  |
| --- | --- |
| AH  BRP  CED  COI  CRCIP DDIS  DED  DRP  EIA | Affected Household  Basic Resettlement Plan  Conceptual Engineering Designs  Corridor of Impact  Cambodia Road Connectivity Improvement Project  Detailed Design Implementation and Supervision (Consultants)  Detailed Engineering Designs  Detailed Resettlement Plan  Environmental Impact Assessment |
| ESCP | Environment and Social Commitment Plan |
| ESF | Environment and Social Framework |
| ESMF | Environmental and Social Management Framework |
| ESMP | Environmental and Social Management Plan |
| ESO  ESS | Environment and Social Office  Environment and Social Standard |
| FPIC  GBV  GDR | Free Prior and Informed Consent  Gender-Based Violence  General Department of Resettlement |
| HIV/AIDS | Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome |
| IDA  IP | International Development Association  Indigenous Peoples |
| IPF | Investment Project Financing |
| IRC  LAR  MEF | Inter-Ministerial Resettlement Committee  Land Acquisition and Involuntary Resettlement  Ministry of Finance |
| MPWT | Ministry of Public Works and Transport |
| MRD | Ministry of Rural Development |
| RGC | Royal Government of Cambodia |
| ROW | Right of Way |
| SA | Social Assessment |
| SEP  SOP  UXO  VLD | Stakeholder Engagement Plan  Standard Operating Procedures on LAR  Unexploded Ordinance  Voluntary Land Donation |
| VAC | Violence Against Children |
| WB | World Bank |

**TABLE OF CONTENTS**

[1 PROJECT DESCRIPTION 9](#_Toc34456309)

[1.1 Overview 9](#_Toc34456310)

[1.2 Detailed Description of Components 9](#_Toc34456311)

[1.3 Socioeconomic and Environment Overview of Project Province 16](#_Toc34456312)

[1.3.1 Socioeconomic and Environment Overview NR7: PK 300+00-330+250 17](#_Toc34456313)

[1.4 Purpose and Scope of the ESMP 19](#_Toc34456314)

[1.5 Application of the ESMP 20](#_Toc34456315)

[1.6 Revision / Modification of the ESMP 20](#_Toc34456316)

[2 INSTITUTIONAL AND LEGAL FRAMEWORK 21](#_Toc34456317)

[2.1 RGC Environmental Laws, Regulations, Guidelines, and Standards 21](#_Toc34456318)

[2.1.1 Law on Environmental Protection and Natural Resources Management 21](#_Toc34456319)

[2.1.2 Sub-Decree on Environmental Impact Assessment Process #72 ANRK.BK (1999) 21](#_Toc34456320)

[2.1.3 Guidelines on the Delegation of Power to Municipal/Provincial Departments of Environment (2005) 22](#_Toc34456321)

[2.1.4 Sub-Decree on the Control of Air Pollution and Noise Disturbance, #42 ANK/BK (2000) 22](#_Toc34456322)

[2.1.5 Sub-Decree on Water Pollution Control #27 ANRK.BK (1999) 23](#_Toc34456323)

[2.1.6 Sub-Decree on Solid Waste Management (No. 36 ANRK.BK 2009) 24](#_Toc34456324)

[2.2 RGC Laws, Regulations and Standards on Social and Land Matters 24](#_Toc34456325)

[2.2.1 Labor Law 24](#_Toc34456326)

[2.2.2 Prakas on the Prohibition of Hazardous Child Labour(MoSALVY #106, April 28, 2004) 24](#_Toc34456327)

[2.2.3 Prakas on Light Work (2008) 25](#_Toc34456328)

[2.2.4 Law on the Prevention of Domestic Violence and the Protection of Victims, (NS/RPM/1005/031), 2005 25](#_Toc34456329)

[2.2.5 Law On Road Traffic, PREAH REACH KRAM NS/RKAM/0115/001, 2015 25](#_Toc34456330)

[2.2.6 Law on the Protection and Promotion of the Rights of Persons with Disabilities 2009 (Royal Kram NS/RKM/ 0709/010)) 25](#_Toc34456331)

[2.2.7 Expropriation Law (2010) 25](#_Toc34456332)

[2.2.8 Standard Operating Procedures for Externally Financed Projects in Cambodia on Land Acquisition and Involuntary Resettlement (2018), Sub-Decree No. 22 ANK/BK 25](#_Toc34456333)

[2.2.9 The Land Law (2001) 26](#_Toc34456334)

[2.3 Institutional Responsibilities on RGC Legislation 26](#_Toc34456335)

[2.4 Applicable World Bank Environment and Social Standards (ESS) 26](#_Toc34456336)

[2.5 Project Environment and Social Risks (referenced by WB ESS) 27](#_Toc34456337)

[2.5.1 ESS1: Assessment and Management of Environmental and Social Risks and Impacts 27](#_Toc34456338)

[2.5.2 ESS2: Labor and Working Conditions 28](#_Toc34456339)

[2.5.3 ESS3: Resource Efficiency and Pollution Prevention and Management 28](#_Toc34456340)

[2.5.4 ESS4: Community Health and Safety 28](#_Toc34456341)

[2.5.5 ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement 29](#_Toc34456342)

[2.5.6 ESS10: Stakeholder Engagement and Information Disclosure 29](#_Toc34456343)

[2.6 Gap Analysis: WB ESF and RGC Legislation 29](#_Toc34456344)

[3 ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN 33](#_Toc34456345)

[3.1 HIV/AIDS Prevention and Gender Based Violence 43](#_Toc34456346)

[3.1.1 HIV-AIDS Prevention 43](#_Toc34456347)

[3.1.2 Gender-Based Violence 43](#_Toc34456348)

[3.2 Capacity Assessment and Needs 47](#_Toc34456349)

[3.3 Institutional Arrangements 48](#_Toc34456350)

[3.3.1 Ministry of Public Works and Transport (MPWT) 48](#_Toc34456351)

[3.3.2 Implementation Support Works Supervision Consultant 50](#_Toc34456352)

[3.3.3 Civil Works Contractor 50](#_Toc34456353)

[3.3.4 Ministry of Economy and Finance 51](#_Toc34456354)

[4 CONSULTATION AND STAKEHOLDER ENGAGEMENT 52](#_Toc34456355)

[4.1 Consultations During Project Preparation 53](#_Toc34456356)

[4.2 Consultations During Project Implementation 54](#_Toc34456357)

[4.3 Reporting Back to Stakeholders 54](#_Toc34456358)

[5 GRIEVANCE REDRESS 56](#_Toc34456359)

[5.1 Steps in Grievance Redress 56](#_Toc34456360)

[5.2 Recording Grievances 57](#_Toc34456361)

[6 MONITORING AND REPORTING 58](#_Toc34456362)

[6.1 Internal Monitoring 58](#_Toc34456363)

[7 BUDGET 60](#_Toc34456364)

**ANNEXES**

Annex 1 – Environment and Social Baseline of Project Provinces

Annex 2 – Chance Find Procedures

Annex 3 – Sample Monitoring Checklist

Annex 4 – Environment & Social Codes of Practice for Construction Workers

Annex 5 – Labor Management Procedures

Annex 6 – OHS Guidelines

Annex 7 – Manager’s Code of Conduct

Annex 8 – Individual Code of Conduct

Annex 9 – Guidance for Worker’s Camps

Annex 10 – GBV Stakeholders in Kratie Province

**EXECUTIVE SUMMARY**

**Project Description**

The Cambodia Road Connectivity Improvement Project (CRCIP) will support the improvement of climate resilient road accessibility in targeted provinces. The RGC has requested the World Bank (WB) provide an Investment Project Financing (IPF). Targeted provinces under the proposed investment include Kampong Cham, Kratie, and Tboung Khmum with a total population of over 2.3 million people. The design of the proposed project builds on a network connectivity approach to improve road accessibility in rural areas, between rural areas and urban centers, and to the main network. The project provinces were selected considering several criteria including density of rural population, agricultural potential, vulnerability to floods, condition of roads, and connectivity of provincial road networks to cover larger geographic area.

Road works will help to improve climate resilience and safety of road infrastructure. Roads will be improved along the existing alignment of the carriageway and shoulders. Component 1 implemented by the MPWT will use an Output and Performance Based Road Contract (OPBRC) approach covering detailed design, road improvement and maintenance (*Design, Build and Maintain*). The NR7 (31.25km) road component subject of this ESMP is the last section of NR7 before entering Kratie province from Kampong Cham province (PK300+00-331+250) . The rest of NR7 has been rehabilitated under the World Bank Road Asset Management Project II (RAMP II). The road runs mostly through open space. The 31.250 km of road works are located in Kratie province, in Snuol and Chet Borei districts and Svay Chreach and Kantuot communes.

The scope of works consists of asphalt concrete (AC) overlay and upgrading the side drainage system including inlet and outlet structures. All works are limited within the existing constructed road. Thus, environmental and social impacts of the project as a result of construction are expected to be small, manageable and only for the duration of project construction. The Corridor of Impact (COI) is the area that will need to be cleared of all structures and trees during and after civil works. The COI for NR 7 is detailed in Table 1.

**Table 1. Corridor of Impact NR7 PK 300-331.250km[[1]](#footnote-1)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Road No.** | **ROW**  **(m)** | **Distance each side from Centerline (m)** | **COI**  **(m)** | **Distance each side from Centerline (m)** | **Section** | **Remarks** |
| **NR7** | 60 | 30 | 11.0 | 5.5 | PK300+000 to PK317+870 | General Section[[2]](#footnote-2) |
| 16.8 | 8.4 | PK317+820 to PK318+200 | General Section |
| 11.0 | 5.5 | PK318+200 to PK331+000 | Kantout Market Area |
| 15.0 | 7.5 | PK331+000 to PK331+250 | Intersection Area |

**Purpose of the ESMP**

The World Bank is supporting the Royal Government of Cambodia (RGC) to deliver the CRCIP. This ESMP sets out the environment and social risks and impacts of Component 1: NR 7 of the CRCIP. The ESMP contains measures and plans to reduce, mitigate and/or offset adverse risks and impacts, the costs of such measures, and information on the agency or agencies responsible for addressing project risks and impacts, in line with Environment and Social Standard (ESS) 1, Assessment and Management of Environmental and Social Risks and Impacts, of the World Bank’s Environment and Social Framework (ESF).

The ESMP sets out the following:

1. Brief Project description
2. Overview of the Project location
3. Legislative Framework
4. Identifying all anticipated adverse environmental and social impacts
5. Describing in detail each mitigation measure
6. Monitoring objectives and the type of monitoring
7. Stakeholder Engagement
8. Description of the Grievance Redress Mechanism
9. Description of institutional arrangements
10. Implementation Schedule and Cost Estimates.

In addition to this ESMP, the MPWT has prepared, consulted[[3]](#footnote-3) and disclosed[[4]](#footnote-4) the following environmental and social documents relevant to Component 1-NR 7: a Basic Resettlement Plan (BRP), and a project-wide Stakeholder Engagement Plan (SEP).

This ESMP includes as annexes Chance-Find Procedures, Labor Management Procedures, Codes of Conduct and Monitoring checklists, among others.

**Potential Impacts and Mitigation Measures**

No major environmental and social impacts are envisaged because the proposed road works will be carried out on the existing road alignments and within the ROW, most of which is already clear from encumbrances. However, some inconveniences may occur during construction such as dust, noise, construction debris and short-term disturbance to the daily business activities of road-side households/businesses, which can be mitigated by applying good construction practices and close supervision. Some additional potential impacts are expected as a result of labor influx for construction (for instance, GBV) but there are also potential benefits expected, such as construction-related jobs and improved road condition (which will also improve dust levels in the medium and long-term). Most project impacts are expected during construction, though some may be relevant during the maintenance phase, and life, of the project, in particular road safety.

Based on the World Bank’s ESS1, the NR7 section has been designed with a mitigation hierarchy to:

1. Anticipate and avoid risks and impacts;
2. Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels;
3. Once risks and impacts have been minimized or reduced, mitigate; and
4. Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible.

Road improvement is expected to bring significant benefits to the communities: reduce the travel time to reach schools, health, and other public service centers, expand access to markets and work opportunities, enhance connectivity during rainy season, improve road safety and improve air quality due to dust dispersion from unpaved road surfaces. Full description of expected impacts and mitigation measures are detailed in Table 10.

**Consultations and Stakeholder Engagement**

Component 1:NR 7 of the CRCIP will conduct consultation activities and stakeholder engagement as per the project’s Stakeholder Engagement Plan (SEP). The SEP seeks to ensure that Project communities, as well as other Project stakeholders, are informed and involved in all the stages of the Project. Full description of stakeholders and methods to engage them is detailed in the SEP. Local-level consultations on land acquisition impacts on Component 1: NR7 were conducted January 16-17, 2020 and further consultations and census on February 1-10, 2020. Local-level consultations on the SEP and ESMP were held by MPWT on XX. The minutes of the consultation can be found in Annex 4 of the SEP. The ESMP, SEP and BRP have also been publicly disclosed in the MPWT and WB websites, and hard copies of all Executive Summaries are available in Khmer language at MPWT and Kratie Provincial Departments of Public Works and Transport.

**Grievance Redress**

The grievance mechanism seeks to resolve concerns promptly, using an understandable process that is culturally appropriate and readily accessible at no cost. Grievances can be submitted if someone believes the Project is having a detrimental impact on the community, the environment, or on their quality of life. The GRM is described in full in the project’s SEP, as well as in Section 5 of this report.

In the CRCIP it is envisaged there could be three types of grievances:

1. Grievances relating to land acquisition, that follow the Resettlement Plan’s GRM (detailed in the project’s BRP);
2. Grievances directly related to program implementation (including relating to environmental and social impacts, health, road safety, etc.), detailed in this ESMP, and
3. Worker-related disputes (detailed in the LMP in Annex 5).

The GRM described in this ESMP is specifically relevant to (b).

The name and contact number of representatives of MPWT and Contractor shall be placed on the notice board outside the construction site and at local government office.

**Monitoring and Reporting**

Monitoring is the method of ensuring mitigation measures are being implemented and are effective. Monthly, quarterly- and semi-annual monitoring reports will need to be undertaken in order to:

* Improve environmental and social management practices;
* Ensure the efficiency and quality of the environmental and social assessment processes;
* Establish evidence- and results-based environmental and social impact assessment; and
* Provide an opportunity to report the results of the implementation of mitigation measures in future ESMPs and other project related documents.

During road sub-project implementation, the MPWT Environment and Social Officer (ESO) will conduct monthly internal monitoring activities on the ESMPs to determine how mitigation measures are being implemented and the extent of their effectiveness. Assisted by the ISWSC, the MPWT ESO will monitor that the required mitigation measures of the ESMP and other applicable documents are considered and implemented by the civil works contractor and/or other responsible agency. The ESO will also monitor grievance redress, implementation of land acquisition activities and/or voluntary donations and the implementation of the SEP consultation and disclosure activities.

**Budget**

ESMP implementation cost will include specific mitigation measures which are part of the contractor’s bidding documents and are therefore not included here. In addition, there will be staff costs, travel, consultation workshops, translation and trainings that will come under MPWT. The total indicative cost is estimated at 99,000 USD. Funds will be sourced from the project management component.

# PROJECT DESCRIPTION

## Overview

The Cambodia Road Connectivity Improvement Project (CRCIP) will support the improvement of climate resilient road accessibility in targeted provinces. The RGC has requested the World Bank (WB) provide an Investment Project Financing (IPF). Targeted provinces under the proposed investment include Kampong Cham, Kratie, and Tboung Khmum with a total population of over 2.3 million people. The design of the proposed project builds on a network connectivity approach to improve road accessibility in rural areas, between rural areas and urban centers, and to the main network. The project provinces were selected considering several criteria including density of rural population, agricultural potential, vulnerability to floods, condition of roads, and connectivity of provincial road networks to cover larger geographic area.

Road works will help to improve climate resilience and safety of road infrastructure. The scope of works will include paving/sealing of the roads with climate adaptation and resilience measures and improving bridges and other road structure to climate-resilient standards. The technical design will ensure that the identified climate-resilient measures reduce transportation costs and flooding risks and achieve the target of creating durable access to the main road network, markets, and services for the rural population.

Roads will be improved along the existing alignment of the carriageway and shoulders. Engineering designs will aim to avoid, and if not possible minimize, land acquisition. In cases where there would be no land acquisition, wider alignment could be considered to improve road safety and reduce congestion. Road safety will be improved by sealing shoulders, through better marking and signage, specific traffic calming measures at critical locations, and close consultations with communities living close to the road as is described in the project’s Stakeholder Engagement Plan (SEP). Full description of the CRCIP, including rationale for the project, can be found in the World Bank’s Project Appraisal Document (PAD).

For its environmental and social aspects, the World Bank’s new Environmental and Social Framework (ESF), which came into effect in October 2018, is applied to this project.

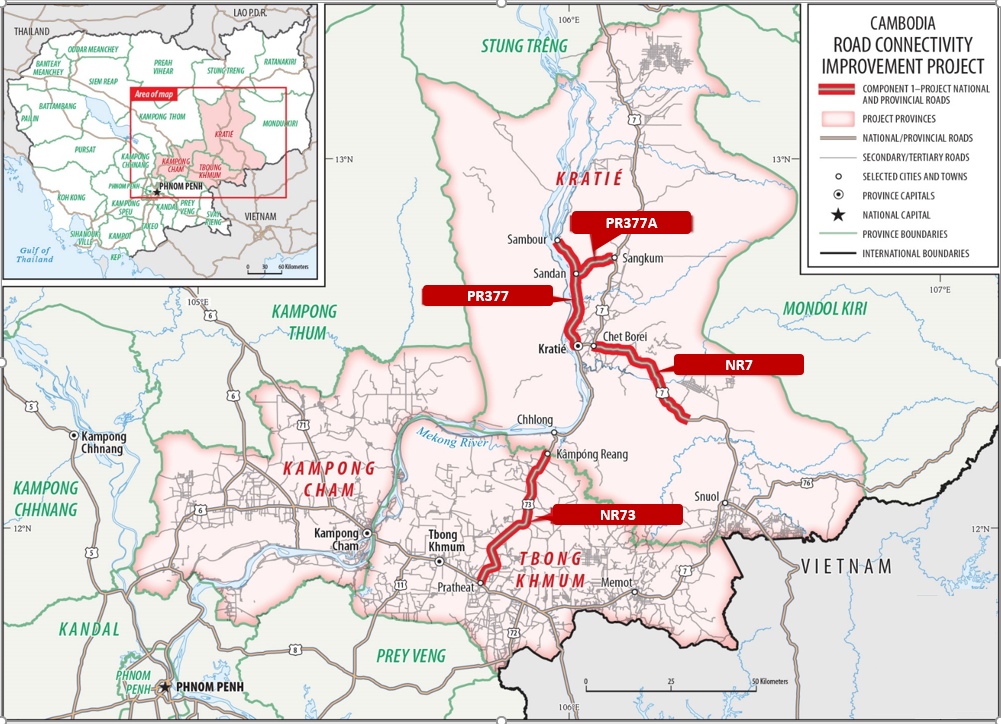
## Detailed Description of Components

The CRCIP consists of four project components[[5]](#footnote-5): two of which are institutional components and two of which are project investments; of the latter, only one is the subject of this Environment and Social Management Plan (ESMP). The project investment component being implemented by the Ministry of Rural Development (MRD) [[6]](#footnote-6), will not be discussed in this ESMP as this component does not have specific project locations yet and has prepared an Environment and Social Management Framework (ESMF). This ESMP will only apply to one of the project investment components being implemented by the Ministry of Public Works and Transport (MPWT): Component 1, NR 7. The other three project investments under Component 1, are the subject of two separate ESMPs[[7]](#footnote-7).

Component 1 implemented by the MPWT will use an Output and Performance Based Road Contract (OPBRC) approach covering detailed design, road improvement and maintenance (*Design, Build and Maintain*). OPBRC bidding documents will include the Conceptual Engineering Design (CEP) prepared during project preparation[[8]](#footnote-8). As per OPBRC requirements and based on CED, the contractor will prepare detailed engineering design (DED) within 3 months after contract award. Preparation of DED by the contractor enables efficient risk allocation between the contractor and employer under OPBRC scheme. The CEP has identified the Corridor of Impact (COI) based on detailed studies[[9]](#footnote-9) to inform preparation of DED by contractor as part of OPBRC.

The NR7 (31.25km) road component subject of this ESMP is the last section of NR7 before entering Kratie province from Kampong Cham province (PK300+00-331+250). The rest of NR7 has been rehabilitated under the World Bank Road Asset Management Project II (RAMP II). Therefore, rehabilitating the road section is key to complete the NR7 road corridor. The road runs mostly through low density areas such as empty private lands and agriculture lands (rice paddy/small farms); mixed use medium density areas (scattered residences and shops), and urban communities. The 31.250 km of road works are located in Kratie province, in Snuol and Chet Borei districts and Svay Chreach and Kantuot communes, made up of thirteen villages. Small land acquisition impacts, as noted in the project’s Basic Resettlement Plan, are only expected in Kantuot commune (Chet Borei district).

Figure 1: MPWT Road Sections



The scope of works consists of asphalt concrete (AC) overlay and upgrading the side drainage system including inlet and outlet structures[[10]](#footnote-10). In locations where side drainage system exists and can be used, the project will only restore the system by cleaning it if the condition is not good. All side drains will discharge to existing stream or canal or open rice field. Seven water courses (both seasonal and perennial) crossed by existing eleven bridges were identified, but these are unlikely to require rehabilitation or expansion (unless found to be structurally damaged).

All works are limited within the existing constructed road. Thus, environmental and social impacts of the project as a result of construction are expected to be small, manageable and only for the duration of project construction. The Corridor of Impact (COI) is the area that will need to be cleared of all structures and trees during and after civil works. The COI for NR 7 is detailed in Table 1.

**Table 1. Corridor of Impact NR7 PK 300-331.250km[[11]](#footnote-11)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Road No.** | **ROW**  **(m)** | **Distance each side from Centerline (m)** | **COI**  **(m)** | **Distance each side from Centerline (m)** | **Section** | **Remarks** |
| **NR7** | 60 | 30 | 11.0 | 5.5 | PK300+000 to PK317+870 | General Section[[12]](#footnote-12) |
| 16.8 | 8.4 | PK317+820 to PK318+200 | General Section |
| 11.0 | 5.5 | PK318+200 to PK331+000 | Kantout Market Area |
| 15.0 | 7.5 | PK331+000 to PK331+250 | Intersection Area |

The sub-project will contribute to the ongoing rehabilitation and upgrading of the national and international/ region road network as NR7 is also designated part of ASEAN Highway 11. The proposed works will contribute to improving the MPWT road sections categorisation from Class III to class II. In doing so, the subproject will improve the climate resilience and longevity of about 31.25 km of National Road 7 through the strengthening, repair/ upgrading and maintenance (of road surfaces), improved enhancements (by the installation of road side-drainage in flood prone areas and in settlements along the road, and the installation of, and improvement in, necessary road safety furniture, particularly in proximity to the three schools and one commune health centre located along the target road section.

This sub-project will evolve and build on the approaches applied in the ongoing Road Asset Management Project –phase two (RAMP-II). It will undertake maintenance and strengthening of about 31.25 km of existing bitumen-sealed roads by providing an overlay of asphalt concrete, replacement of the current pavement with concrete pavement at flood prone areas). Additionally, where sections of the sub-base and base have failed, or are failing, they will be rehabilitated and improved to bear traffic loads. Necessary ancillary road infrastructure will also be repaired if needed and additional road safety signage installed. Road Safety, HIV/AIDS and Gender-Based Violence training, among others, will also be provided to communities along the road.

MPWT will be responsible for the overall technical supervision, execution and management of the project. The General Department of Public Works (GDPW) will be responsible for the day to-day implementation, supervision and operation of the project, including contracting and direction of all consultants, and will be the employer for all civil works contracts. The General Department of Administration and Planning (GDAP) will carry out the financial, environment and social, capacity development, training and public disclosure matters on the project. The General Department of Transport (GDT) will be responsible for Road Safety aspects.

Figure 2: Project Layout of NR7

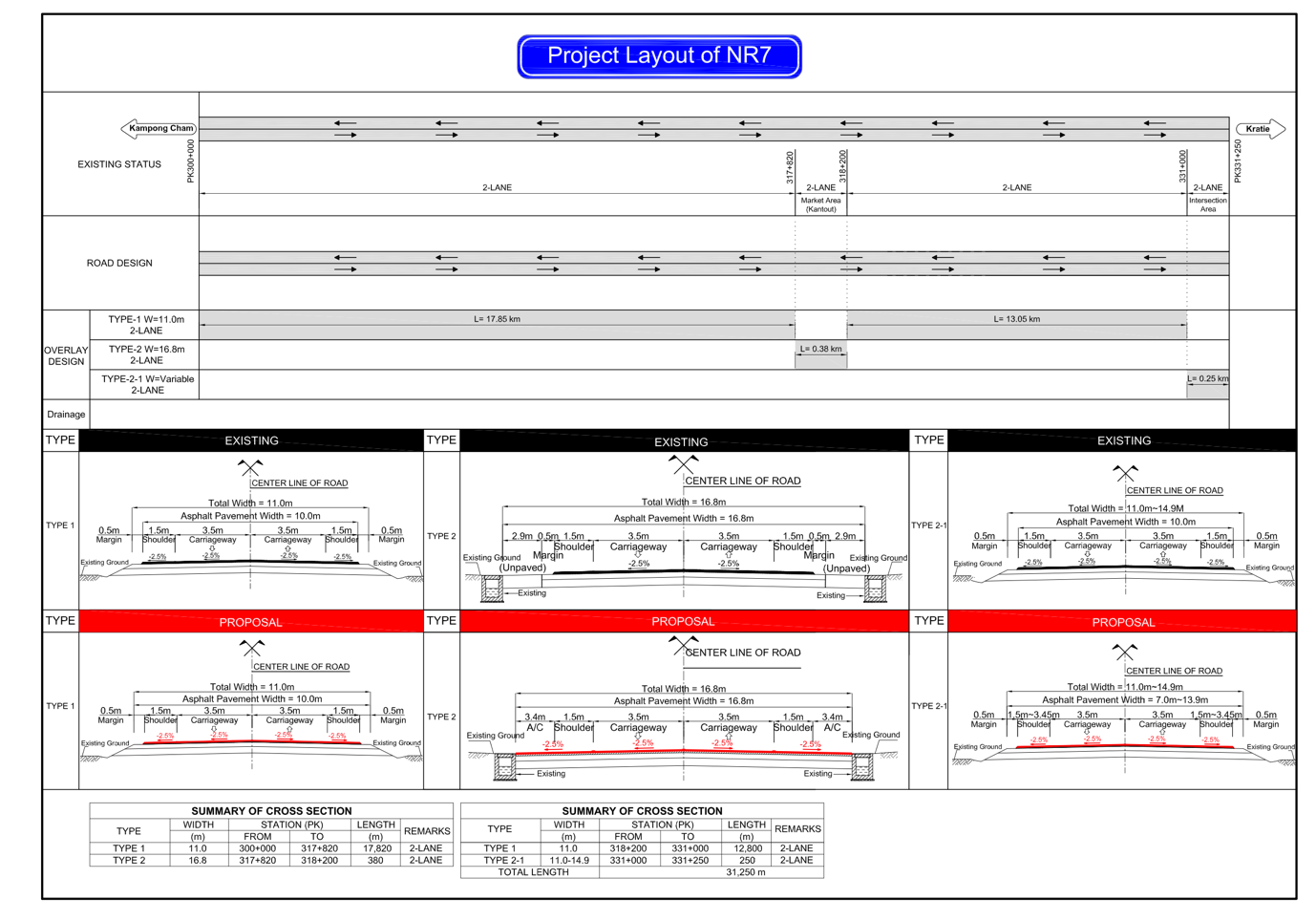
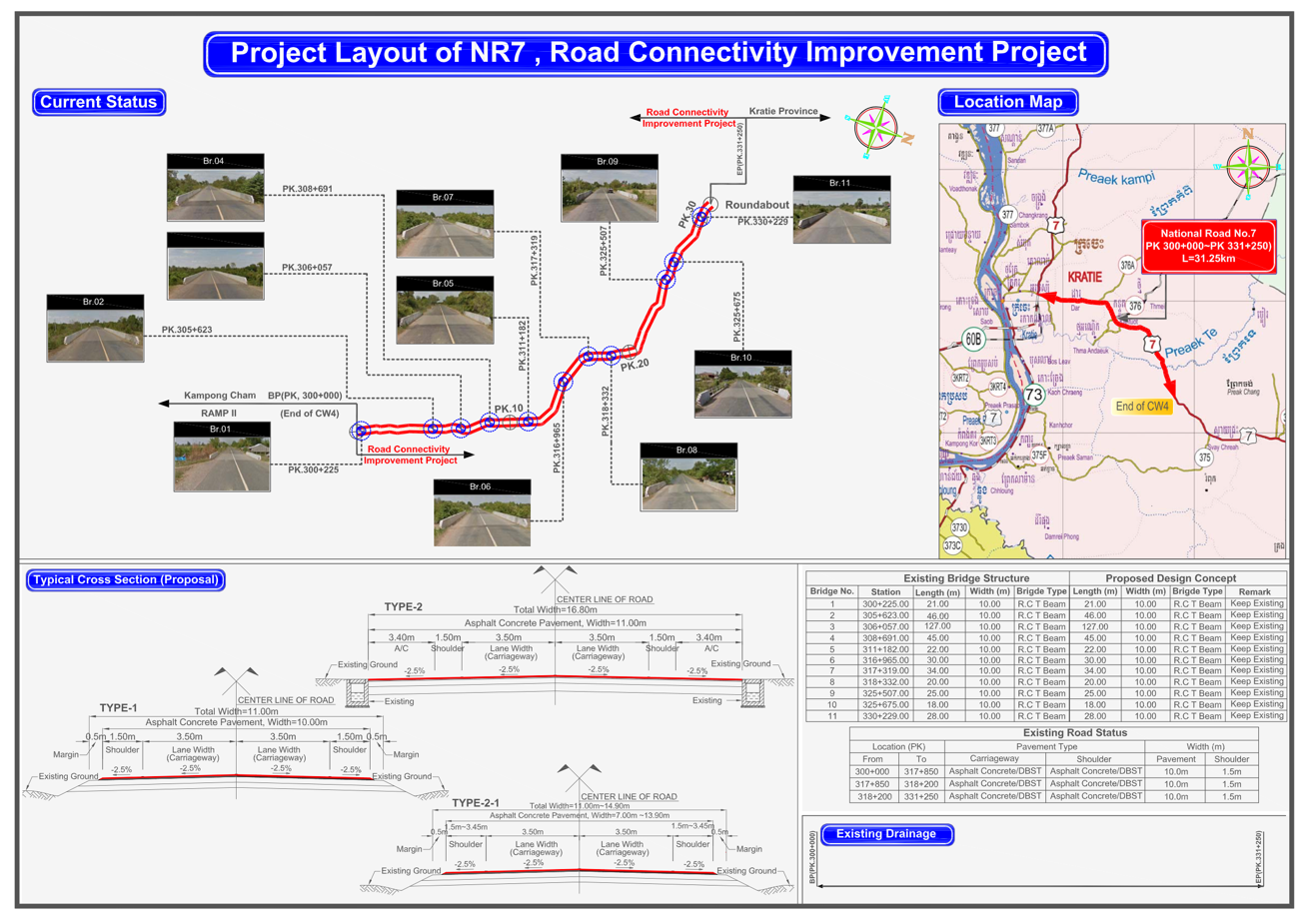


Figure 3: Additional Details: Project Layout of NR7



**Figure 4: Typical Cross Section: NR7**

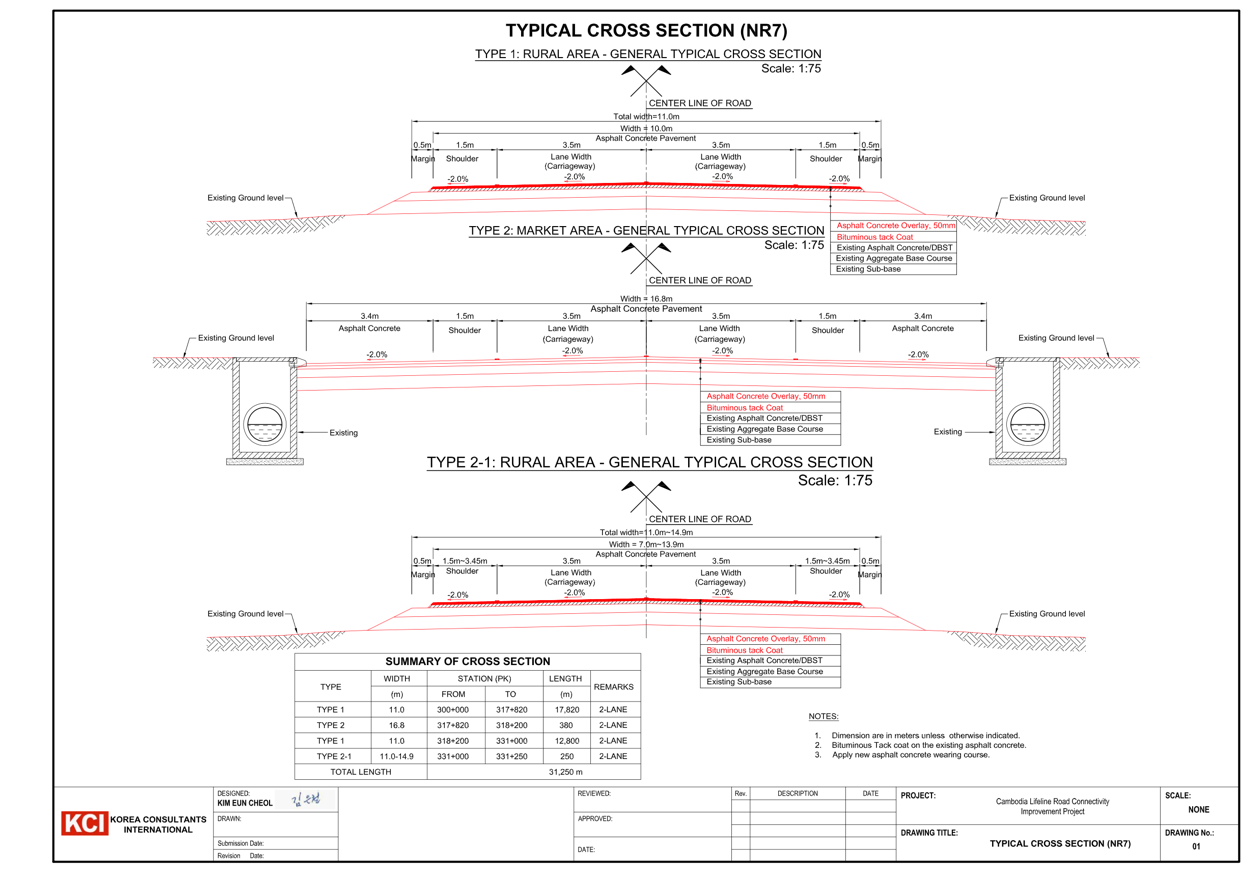


Figure 5: Photos of NR7 PK 300-331.25

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|  |  |
|  |  |

## Socioeconomic and Environment Overview of Project Province

Kratie province is located in the central and eastern lowlands of Cambodia with the Mekong River flowing through it. Agriculture and industrial crops are the most common land use in the province, followed by forest, flooded land, plain land, and red soils. There is large fluctuations in water levels between dry and rainy seasons. Periodic floods are a common cause of temporary loss of connectivity, mainly in rural areas. Kratie province has significant forest cover (61 percent) and consists of rich natural resources such as forests, Ramsar sites, wetland areas, IBA and Mekong dolphin protected area, though none are along the NR7 section.

In general, Cambodia's climate is dominated by the monsoon which causes distinct wet and dry seasons. The southwest monsoon typically brings the rainy season from May to October. The northeast monsoon brings drier and cooler air from early November to March, then hotter air prevails in April and early May. Flooding is quite common in the country, often damaging roads and disconnecting villages for weeks or months.

From a social point of view, Kratie province remains mostly rural with significant economic and social exchanges with its neighbor Vietnam (trade, migrations, family networks, etc). The province’s significant forest, grazing and farming lands are being increasingly converted to plantations and rice paddies due to economic development pressures. Tourism is also an increasing source of revenue in the province, mainly due to the presence of the Irrawady Dolphin. The Poverty Provincial Surveys conducted between 2014 and 2016 by the Government of Cambodia reported above-average percentages of poor households (level 1 & 2 poverty categories) for Kratie (24.6 percent). While the 2018 Commune Database notes a number of IP minority groups in Kratie province, in particularly Kuoy, Phnong, Mil, Kruol, Thmor, Khaonh, Kroal and Stieng groups, primarily in Chetr Borei and Sambour Districts, as well as Snuol District, none were found in the project area of CRCIP: NR 7 as noted below. Additional socioeconomic details are included in Annex 1.

Table 2: Main Characteristics of Kratie Province

|  |  |
| --- | --- |
| **Characteristics** | **Kratie Province** |
| Rural population (percentage) | 81.5 |
| Female population (percentage) | 50.3 |
| Schools (total urban and rural areas) | 419 |
| including high schools | 10 |
| Health facilities (total urban and rural areas) | 47 |
| including referral hospitals | 3 |
| Commune Health Centres | 30 |
| Reported road crash-related fatalities (2018) | 147 |
| Total rural road network (km) | 2,120 |
| Rural roads vulnerable to floods (km) | 311 |
| Rural roads unpaved (percentage) | 99 |
| Markets (total urban and rural areas) | 7 |
| Main economic activities | Agriculture, tourism |

*Sources:*MPWT, MoI/MoP/NCDD-CDB data World Bank staff calculations.

### Socioeconomic and Environment Overview NR7: PK 300+00-330+250

No significant social impacts and issues are envisaged from the subproject since the proposed road improvement section will be carried out on the existing road alignments and within the ROW. Some inconveniences may occur during construction such as dust, noise, construction debris and short-term disturbance to the daily business activities, which however can be mitigated by applying good construction practices and close supervision.

**Location.** This 31.25km subproject will across Svay Chreah Commune in Snuol District and Kantuot Commune in Chetr Borei District in Kratie Province. Svay Chreah Commune consists of 8 villages and Kantuot Commune has 5 villages. The area along the road is a mixture of residential, business and farm land. There are no protected areas near by or significant natural landmarks. The road crosses 11 bridges and passes through the Prek Tek river, a tributary of the Mekong.

**Services.** There are three schools (one primary and two high school) located along the proposed 31.25 km road section with entrances onto the national road[[13]](#footnote-13). In addition to these, there is one commune health centre in PK324+000. There are also two Buddhist pagodas and one Christian church located adjacent to the road but outside of the ROW, which will not be impacted by construction, aside from general disturbance (dust, noise, traffic). The main entrance to Chet Borei District Office is located at PK322 with a number of provincial line department district offices located at PKs 321 and 322. There is also one market in Kantout Commune at PK317+500.

**Population, IPs and Poverty.** Majority of households in both communes are ethic Khmer. According to the Cambodia-Socio-Economic Survey (CSES), Svay Chreah Commune has one village – Thnal village – while Kantuot Commune has two villages - A loch and Srae Non – with Indigenous Peoples. However, during field visits it was corroborated that: (i) the households in the commune did not live in the vicinity of the road section, and were not considered within the project area, and (ii) in any case the households did not fulfil the World Bank’s criteria for Indigenous Peoples[[14]](#footnote-14). Most households are Buddhist and only few are Cham. The average household size in these 4-5 persons. The household poverty rate is high with 23.5 – 33.8% of households reportedly under the national poverty line. However, this does not mean that households along the road are considered poor, given that the communes expand not just the road but areas behind the road. In Cambodia it is generally common that the more well-off members of a village will live along the road (those most likely to be affected by the project), and the poorer farther from the road (those likely less impacted, though could still be impacted by labor influx). In the NR7 section those living along the road are not considered to be below the poverty line, as the price for land along a major national road is high. Land prices are likely to increase further after road rehabilitation.

Table 3: Population of Communes Crossed by NR7 Section

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Commune** | **Village** | **Household** | | | **% Female HH headed** | **HH Poverty rate %** |
| **Total** | **Male**  **%** | **Female**  **%** |
| Kantuot | A Loch | 388 | 38 | 42 | 10 | 24.6 |
| Kantuot | Antong Vien | 350 | 49 | 51 | 7 | 19.9 |
| Kantuot | Chrava | 351 | 49 | 51 | 16 | 17.2 |
| Kantuot | Kantuot | 257 | 54 | 46 | 45 | 22.3 |
| Kantuot | Srae Non | 1068 | 66 | 34 | 6 | 33.6 |
| **Total** | | **2414** | **51** | **45** | **16.8** | **23.5** |
| Svay Chreah | Thnal | 152 | 47 | 53 | 11 | 9.1 |
| Svay Chreah | Voat | 851 | 54 | 46 | 10 | 48 |
| Svay Chreah | Sambuor | 375 | 51 | 49 | 10 | 21.6 |
| Svay Chreah | Ta Saom | 121 | 53 | 47 | 12 | 29.2 |
| Svay Chreah | Srae Char | 253 | 49 | 51 | 35 | 42.5 |
| Svay Chreah | Ta Pum | 225 | 42 | 37 | 14 | 39.2 |
| Svay Chreah | Doun Mea | 465 | 48 | 52 | 18 | 49.2 |
| Svay Chreah | Rumpuk | 341 | 51 | 49 | 18 | 32.2 |
| **Total** | | **2783** | **49** | **48** | **16** | **33.8** |

**Livelihoods and Income.** Most households in the subproject communes practice farming while some households run small businesses. The household average monthly income varies from US$ 70 to 300; the low income was attributed to poor land productivity, lack of cultivable land, lack of family labor force and unemployment, disease or death in family. However, for those households living along the road, main source of livelihoods are businesses/shops given their access to passer-by’s and tourists.

**Electricity and source of energy for cooking.** All households along the road in the subproject area have access to electricity. However, there are several villages away from the road that have no grid connection and used solar and/or batteries for electricity. Fuelwood is the most common energy source for cooking followed by electricity and Liquid Petroleum Gas (LPG).

**Water sources for household use.** Only a small number of households in the subproject area have access to improve sources of drinking water[[15]](#footnote-15). Most of the households access drinking water from unimproved sources, such as unprotected dug well, vendor-provided water or water tanker.

**Gender-Based Violence.** According to the 2018 Commune Database, eight of the 11 villages transited by the road section reported incidents of domestic violence in the preceding year in their villages. This is indicative of the systematic problem of Gender-Based Violence in the country, mostly perpetrated at home by spouses or family members. While the project could exacerbate these risks due to labor influx, it is important to note that incidences of GBV are already high.

**HIV/AIDS.** The 2018 Commune Database lists four villages with households who have members living with HIV/AIDS.

**Road Safety.** The CDB2018 also reported a total of 11 traffic related deaths across the 11 villages in the preceding year of data collection (2017/8), with 45% of deaths being children (under 18 years of age). This will be an important consideration in this ESMP in terms of road safety.

## Purpose and Scope of the ESMP

The World Bank is supporting the Royal Government of Cambodia (RGC) to deliver the CRCIP. This ESMP sets out the environment and social risks and impacts of Component 1: NR 7 of the CRCIP. The ESMP contains measures and plans to reduce, mitigate and/or offset adverse risks and impacts, the costs of such measures, and information on the agency or agencies responsible for addressing project risks and impacts, in line with Environment and Social Standard (ESS) 1, Assessment and Management of Environmental and Social Risks and Impacts, of the World Bank’s Environment and Social Framework (ESF).

The ESMP sets out the following:

1. Brief Project description
2. Overview of the Project location
3. Legislative Framework
4. Identifying all anticipated adverse environmental and social impacts
5. Describing in detail each mitigation measure
6. Monitoring objectives and the type of monitoring
7. Stakeholder Engagement
8. Description of the Grievance Redress Mechanism
9. Description of institutional arrangements
10. Implementation Schedule and Cost Estimates.

In addition to this ESMP, the MPWT has prepared, consulted[[16]](#footnote-16) and disclosed[[17]](#footnote-17) the following environmental and social documents relevant to Component 1-NR 7: a Basic Resettlement Plan (BRP), and a project-wide Stakeholder Engagement Plan (SEP).

This ESMP includes as annexes Chance-Find Procedures, Labor Management Procedures, Codes of Conduct and Monitoring checklists, among others.

## Application of the ESMP

The ESMP will be integrated into the preparation and implementation stages of Component 1:NR7. It must be complied through the entire project cycle from design, implementation and operation/maintenance, to attain the above outlined purpose and objectives.

## Revision / Modification of the ESMP

The ESMP will be a ‘living document’ enabling revision, when and where necessary. Any unexpected situations and/or relevant changes in the design of Component 1:NR7 would be assessed and appropriate management measures would be incorporated by updating the ESMP. Revisions will be reviewed the World Bank.

# INSTITUTIONAL AND LEGAL FRAMEWORK

## RGC Environmental Laws, Regulations, Guidelines, and Standards

The Constitution of the Royal Kingdom of Cambodia (1993) is the overarching legal framework for the country and guarantees all Khmer citizens the same rights regardless of race, color, language and religious belief.

Aside from the Constitution, the Government of Cambodia has established specific laws and regulations for forests, protected areas, and land law to ensure sustainable development. The national agencies that oversee environment and natural resources management are listed below:

* Ministry of Environment (MOE)
* Ministry of Agriculture, Forestry and Fisheries (MAFF)
* Ministry of Water Resources and Meteorology (MOWRAM)
* Ministry of Mines and Energy (MOME)
* Ministry of Industry, Science, Technology, and Innovation (MISTI)
* Ministry of Land Management, Urban Planning and Construction (MLMUPC)
* Ministry of Tourism (MOT)
* Ministry of Public Works and Transport (MPWT)
* National Climate Change Committee (NCCC)

The MOE is the primary agency tasked to promote environmental protection and conservation of natural resources, thus contributing to improvement of environmental quality, public welfare, and the economy. The EIA Department of the MOE oversees and regulates the Environmental Impact Assessment (EIA) process, quality control on EIA report and coordinates the implementation of projects in collaboration with project executive agencies and concerned ministries. The MOE has the following responsibilities:

* Review, evaluate, and approve submitted environmental impact assessments in collaboration with other concerned ministries; and
* Monitor to ensure a project owner (the executing agency of the project) satisfactorily implements the Environment Management Plan (EMP) throughout pre-construction, construction and operational phases of the projects.

### Law on Environmental Protection and Natural Resources Management

In 1996, the Law on Environmental Protection and Natural Resources Management (NS/RKM/1296/36) came into force. The law requires the government to prepare national and regional environmental plans and sub-decrees concerning a wide range of environmental issues, including EIAs, pollution prevention and control, public participation, and access to information. The Law on Environmental Protection and Natural Resource Management (1996) is the enabling legislation which allows the MOE to pass sub-decrees and regulations to protect the environment.

### Sub-Decree on Environmental Impact Assessment Process #72 ANRK.BK[[18]](#footnote-18) (1999)

This Sub-decree sets out the current statutory requirements for Environmental Impact Assessment (EIA) process for private or public projects, including providing avenues for public participation (in particular Prakas on Public Participation in the EIA Process 2017). It sets out the minimum requirements for the nature and size of projects and activities (both existing and proposed) that shall be subject to EIAs. The Prakas on Categorization of EIA for Development Project[[19]](#footnote-19) issued on 03 February 2020, classifies the road improvements projects: for 10 to <30 km requires Environmental Management Contract and 30 to <50 km requires Initial Environmental Impact Assessment (IEIA) and >100 km requires Full Environmental Impact Assessment (Full EIA). The guidance for preparing IEIA / EIA report is provided in the Prakas on General Guideline for Preparing IEIA and Full EIA, 2009 N. 376 BRK.BST. The Guidelines also list the specific content required in EIA reports, including: (i) introduction (ii) legal framework, (iii) project description, (iv) description of the baseline environment, (v) public participation/stakeholder engagement, (vi) assessment of impacts and mitigation measures, (vii) environmental management plan, (viii) economic assessment and valuation of environmental damages and losses, (ix) conclusion and recommendations.

The Project Proponents/Owner (public or private) is required to submit the necessary project document (IEIA / Full EIA Report) to the MOE for review and approval. The IEIA / Full EIA report shall be prepared by a registered company authorized by the MOE on behalf of the Project Proponent / Owner.

### Guidelines on the Delegation of Power to Municipal/Provincial Departments of Environment (2005)

Guidelines stipulate that the provisional and municipal authorities shall review EIAs for all investment capital less than US$2 million as well as “follow up, monitor, and take appropriate measures to ensure that Project's Owner will follow the EMP during project construction, operation and closure as stated in the EIA report approved.”

### Sub-Decree on the Control of Air Pollution and Noise Disturbance, #42 ANK/BK[[20]](#footnote-20) (2000)

This sub-decree outlines the measures for protecting environment quality and public health from air pollutants and noise disturbance through monitoring, curbing and mitigating activities. It lists air quality standards and noise emission levels. For dust control, there should no visible emissions from stockpiles of materials, crushers or batching plants. All vehicles should be well maintained and comply with the air quality regulations. The noise regulations do not stipulate a level of noise from construction sites but refer to mixed commercial and/or industrial and residential property or type of land use in the immediate vicinity that maybe affected by noise (see Tables 2 and 3).

Table 4. Ambient Air Quality Standard

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Parameter** | **1-Hour Average (mg/m3)** | **8-Hour Average (mg/m3)** | **24-Hour Average (mg/m3)** | **1-Year Average (mg/m3)** |
| Carbon monoxide |  | 20.0 | - | - |
| Nitrogen dioxide |  | - | 0.1 | - |
| Sulphur dioxide |  | - | 0.3 | 0.1 |
| Ozone | 0.2 | - | - | - |
| Lead | - | - | 0.005 | - |
| Total Suspended Particulate | - | - | 0.33 | 0.1 |
| PM10 |  |  | 0.05 |  |
| PM2.5 |  |  | 0.025 |  |

*Source: Praksa on the Implementation of the Term of Reference for Infrastructure and Tourism Development Project, 11 April 2018*

Table 5. Maximum Permitted Vehicle Noise in Public and Residential Areas

|  |  |
| --- | --- |
| **Category of Vehicle** | **Maximum Noise Level Permitted [dB(A)]** |
| Motorcycles, cylinder capacity of the engine does not exceed 125cm3 | 85 |
| Motorcycles, cylinder capacity of the engine exceeds 125cm3 | 90 |
| Motorized tricycles | 90 |
| Cars, taxis, passenger vehicle of not more than 12 passengers | 90 |
| Passenger vehicle constructed for carriage of more than 12 passengers | 85 |
| Truck permitted maximum weight does not exceed 3.5 tons | 85 |
| Truck permitted maximum weight exceeds 3.5 tons | 85 |
| Truck engine is more than 150 kilowatts | 89 |
| Tractor or any other truck not classified here | 91 |

*Source: ADB, Cambodia Rural Road Improvement Project III*

Table 6. Maximum Permitted Ambient Noise [dB(A)]

|  |  |  |  |
| --- | --- | --- | --- |
| **Area** | **Period of Time (hours)** | | |
| **16:00-18:00** | **18:00-22:00** | **22:00-06:00** |
| Quiet areas: hospitals, libraries, school, kindergarten | 45 | 40 | 45 |
| Residential area: hotels, administration offices, houses | 60 | 50 | 45 |
| Commercial and service areas and mix | 70 | 65 | 50 |
| Small industrial factoring intermingling in residential areas | 75 | 70 | 50 |

*Source: ADB, Cambodia Rural Road Improvement Project III*

### Sub-Decree on Water Pollution Control #27 ANRK.BK[[21]](#footnote-21) (1999)

This sub-decree regulates water pollution control measures in order to prevent and reduce the water pollution of the public water areas. As a minimum, all discharges of liquid wastes from construction camps, work sites or operations, to streams or water courses should conform to standards listed in Table 7. Also see Annex 1, and Sub-Decree on Solid Waste Management, which give details of classifications of what are defined as hazardous wastes and substances. Any hazardous wastes and substances must be stored correctly and only disposed in a manner approved by MOE.

Table 7. Selected Effluent Standard for Pollution Sources Discharging Wastewater to Public Areas or Sewer Access

|  |  |  |  |
| --- | --- | --- | --- |
| **Parameter** | **Unit** | **Allowable limits for pollutant substance discharging to** | |
| **Protected public water area** | **Public water area and sewer** |
| Biochemical oxygen demand | mg/l | <30 | <80 |
| Chemical oxygen demand | mg/l | <50 | <100 |
| Total suspended solids | mg/l | <50 | <80 |
| Detergent | mg/l | <5.0 | <15 |
| Total dissolved solids | mg/l | <1,000 | <2,000 |
| Temperature | °C | <45 | <45 |
| pH |  | 6-9 | 5-9 |
| Oil and grease | mg/l | <5.0 | <15 |
| Dissolved oxygen | mg/l | >2.0 | >1.0 |

*Source: ADB, Cambodia Rural Road Improvement Project III*

### Sub-Decree on Solid Waste Management (No. 36 ANRK.BK 2009)

Under Article 7 of the Sub-Decree on Solid Waste Management, “the disposal of waste in public sites or anywhere that is not allowed by authorities shall be strictly prohibited”[[22]](#footnote-22).

## RGC Laws, Regulations and Standards on Social and Land Matters

### Labor Law

This is the overarching legal instrument that regulates and protects workers in Cambodia. The law governs relations between employers and workers. The Law considers that the rules, obligations and rights are the same for casual or permanent workers. The law prohibits discrimination in any form, including by sex, religion, social origin, or ethnicity (art 12). Employers are required to make available a copy of the Law to workers at all business locations/ operations (art 15) and forced compulsory or the hiring of workers to pay off debts is prohibited (art 16). Article 106 reaffirms equal conditions and wage for all work regardless of origin, age and sex for the same types of work. The Law establishes the limit for working hours to 8 hours per day and 48 hours per week as well as rates for working overtime and on public holidays.

The allowable minimum age for wage employment is set at 15 years (art 177). Children from 12-15 years of age can be hired to do light work (see Section 2.24) provided that (a) the work is not hazardous to their health or mental and physical development, and (b) the work will not affect their regular school attendance, their participation in guidance programmes or vocational training approved by a competent authority. The Law recognises statutory maternity leave on half wages (art 183), and for the performance of light duties for a further two months. Employers are prohibited from laying off women during their maternity leave (art 182).

Chapter eight of the Labor Law covers the health and safety of workers and requires maintaining standards of hygiene and sanitation in working environments and requirements for individual protective instrument and work clothes, lighting and noise levels (art.229). Machinery, mechanisms, transmission apparatus, tools, equipment and machines must be installed and maintained in the best possible safety conditions. All enterprises and establishments covered by this Law and employing at more than fifty workers must have a permanent infirmary on the premises/workshop/ or work sites (art.242). Workplaces/ sites with more than 200 workers must have areas for hospitalising injured or sick workers before transferring to a health facility and must be able to handle two per cent of the workers at the site. The Law requires that every manager of a workplace shall have someone take all appropriate measures to prevent work related accidents (art. 248). The Law also mandates that a general insurance system obligatory for workers shall be set up and this system shall be managed under the insurance of the National Social Security Fund (art. 256).

### Prakas on the Prohibition of Hazardous Child Labour(MoSALVY #106, April 28, 2004)

The Prakas prohibits the employment of anyone under the age of 18 in any of the 38 scheduled hazardous works / activities listed in the Prakas. Nine of the 38 are likely related to some aspects of road construction including:

1. Operating cranes, hoists, scaffold winches or other lifting machines;
2. Lifting, carrying, handling and moving of heavy loads;
3. Operating or assisting to operate transportation equipment such as bulldozers, pile driving equipment, trailers, road rollers, tractor lifting appliances, excavators, loading machines, trucks, buses, and taxis;
4. Maintenance of heavy machinery;
5. Work carried out at construction sites, except in designated and safe areas for a child as permitted by a labour inspector;
6. Demolition work;
7. Work carried out on a ladder or scaffold at a height of over 2.5 meters;
8. Work involving exposure to harmful chemical, physical, electromagnetic or ionizing agents, including tar, asphalt or bitumen;
9. Operating power-driven spinning and winding machine.

### Prakas on Light Work (2008)

Outlines 15 categories of light work that children between 12-15 years are allowed to do, limited to 12 hours per week outside of school time and 35 hours during periods of school holidays. It prohibits hazardous labor as noted above.

### Law on the Prevention of Domestic Violence and the Protection of Victims, (NS/RPM/1005/031), 2005

The objective of the law is to prevent domestic violence, protect victims, and strengthen the culture of non-violence.

### Law On Road Traffic, PREAH REACH KRAM NS/RKAM/0115/001, 2015

This law is intended to ensure road traffic safety and order, and protection of human and animal health and lives, properties and environment. Its establishment a requirement for all motor vehicles, trailers, and semi-trailers moving on the road to obtain a technical inspection certificate. It also outlines road safety requirements.

### Law on the Protection and Promotion of the Rights of Persons with Disabilities 2009 (Royal Kram NS/RKM/ 0709/010))

The goal of the law is to protect and promote the rights of persons with disabilities in the country, and prevent, reduce and eliminate discrimination against persons with disabilities. The law also seeks to ensure that persons with disabilities are able to participate fully and equally in activities within society and provide equal opportunities for employment.

### Expropriation Law (2010)

This is the main legal framework that governs land acquisition and involuntary resettlement. It lists the development of public infrastructure as one of its objectives. The expropriation of the ownership of immovable property and real right to immovable property can be exercised only if the Expropriation Committee has paid fair and just compensation in advance to the owner and/or holder of real right.

### Standard Operating Procedures for Externally Financed Projects in Cambodia on Land Acquisition and Involuntary Resettlement (2018), Sub-Decree No. 22 ANK/BK

The SOP reflects RGC’s laws and regulations relating to the acquisition of land and the involuntary resettlement of affected households and the safeguard policies and procedures of Development Partners (DPs). Where appropriate, the SOP includes references to international good practices in resettlement planning, implementation, monitoring and reporting. It includes details on how land acquisition must be conducted, consultation procedures, provision of entitlements and disclosure of information, among others. The SOP applies to all externally financed projects in the Kingdom of Cambodia, such as the proposed CRCIP.

### The Land Law (2001)

The Land Law sets out the legal rights of natural persons and legal entities in land ownership. The government can acquire private land for public purposes but has to pay a fair and just compensation in advance of the land acquisition.

## Institutional Responsibilities on RGC Legislation

There are a number of different government departments responsible for the areas highlighted in the legislation above. The Ministry of Public Works and Transport (MPWT) has responsibility for national and provincial roads while the Ministry of Rural Development (MRD) has responsibility for the construction, maintenance and rehabilitation of rural roads. The Ministry of Environment (MOE) is responsible for approving EIAs and monitoring compliance on environmental matters, as well as enforcing environment-related legislation such as on protected area management. Responsibility with issues relating to water is with the Ministry of Water Resources and Meteorology (MOWRAM).

Meanwhile the Ministry of Women’s Affairs (MOWA) is the leading agency responsible for promoting gender equality and preventing violence against women[[23]](#footnote-23), but other departments may also play a role, such as the Cambodian National Council for Women (CNCW). The Ministry of Labor and Vocational Training (MLVT) is the leading ministry in charge of labor and workforce-related matters, including minimum age of workers, wages and rights of labourers. On land acquisition, the General Department of (GDR) in the Ministry of Economy and Finance (MEF), is the main agency responsible.

In Cambodia, national-level ministries have departments at the provincial level. For instance, MPWT will have a Kratie Provincial Department of Public Works as will MOWA, MRD and others. These Provincial-level departments will also have District-level counterparts. There will also need to be coordination with elected government representatives, such as Commune and Village chiefs, who are an important link between the national, provincial and district-level government departments and the local communities. For instance, the commune and village level will be essential for the effective management of issues that may directly affect communities, such as those related to Gender-Based Violence (GBV) and Violence Against Children (VAG), among others. At the Commune level there may also be various important committees, such as the Commune Committee for Women and Children who are responsible for the welfare of women and children in their commune. Civil society and NGOs may also play an important role in supporting the project and the government to implement some of the mitigation measures that will be outlined in this ESMP. The project’s SEP analyses these stakeholders and outlines the best methods, and timings, to engage them (a summary is provided in Section 4 of this ESMP).

The project’s Institutional Arrangements are further described in Section 3 of this ESMP.

## Applicable World Bank Environment and Social Standards (ESS)

The key Environmental and Social Standards (ESS) that are deemed relevant to Component1: NR7 are:

* ESS1 – Assessment and Management of Environmental and Social Risks and Impacts;
* ESS2 – Labor and Working Conditions;
* ESS3 – Resource Efficiency and Pollution Prevention and Management;
* ESS4 – Community Health and Safety;
* ESS5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, and
* ESS10 – Stakeholder Engagement and Information Disclosure.

The following ESS are not relevant to Component 1: NR7 of the CRCIP:

* ESS6 – Biodiversity Conservation and Sustainable Management of Living Natural Resources: *the road does not pass through any conservation or protected areas or areas with significant natural resources[[24]](#footnote-24);*
* ESS7 – Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities: *no IPs based on the WB criteria are found in the project area of the NR7 component. This was corroborated by triangulating secondary data (Commune Database), with interviews with key informants (local authorities) and interviews with people living along the road.*
* ESS8 – Cultural Heritage: *while the road section passes some pagodas and churches, these are out of the ROW and will not be impacted by road rehabilitation. Nevertheless, a Chance Find Procedure is annexed to this ESMP.*
* ESS9 – Financial Intermediaries: *there are no financial intermediaries.*

As a result of this assessment, at this stage of project preparation the Ministry of Public Works and Transport is required to prepare the following instruments in accordance with the World Bank’s Environmental and Social Framework (ESF):

* Environment and Social Management Plan (this document);
* Basic Resettlement Plan (and future Detailed Resettlement Plans if needed);
* Stakeholder Engagement Plan (SEP) – this Plan is shared with MRD’s component and covers the entire project;
* Environmental and Social Commitment Plan (ESCP) – this Plan is shared with MRD’s component and covers the entire project.

This ESMP is an integral part of compliance with the ESF. MPWT has prepared this ESMP to comply with World Bank requirements under ESS 1. At this stage of project planning the World Bank has assessed the potential for environment and social risks and impacts as substantial. Mitigation measures for risks below are outlined in Section 3, Table 10.

## Project Environment and Social Risks (referenced by WB ESS)

### ESS1: Assessment and Management of Environmental and Social Risks and Impacts

Component 1:NR7 of the CRCIP will support road improvement and maintenance with works consisting of asphalt concrete (AC) overlay and upgrading the side drainage system including inlet and outlet structures. All works are limited within the existing constructed road and road shoulder. Conceptual Engineering Designs (CED) have ensured that necessary rehabilitation is conducted while preserving the road corridor and avoiding and/or minimizing environmental impacts. Based on this, environmental impacts are expected to be minimal but there may be potential adverse impacts from labor influx, dust, noise, vehicle emissions, generation of various streams of wastes and other forms of pollution (e.g. accidental spills of oil) at the construciton sites and project facilities such as construction camps, material plants and borrow pits, drainage blockage/flooding, traffic interruption, removal of vegetation, as well as increased traffic flow and speed during operations. There are also expected impacts related to temporary labor influx of workers in low density areas, and risk of Gender-Based Violence (GBV), Violence Against Children (VAC), and potentially child labor. These impacts are expected to be mostly temporary and manageable.

The social benefits of improved road connectivity are increased access to schools, markets and health centres and better connectivity to family, friends and main towns. This is particularly beneficial to those who may be considered vulnerable due to disabilities, pregnant women, children, farmers and roadside vendors, among others, as it connects them with needed services, reduces travel time, brings in customers, etc. Beneficiaries may be those living directly on the road, or living near by the road and using it for access. Social risks are mainly expected during civil works due to labor influx, although an ongoing and future risk is speeding and road safety. This will need to be managed carefully as road accidents are the number one source of death in the country.

### ESS2: Labor and Working Conditions

This ESMP includes a Labor Management Procedure (see Annex 5) to address any gaps between the national Labor Law with the ESS2, including a mininum age requirement of 18 years for all project workers. The LMP will need to be an integral part of the bidding documents and construction contracts. In addition, the ESMP has as annexes on Occupational Health and Safety (OHS) (Annex 6), Codes of Conduct (Annexes 7 and 8) and guidelines for Worker’s Camps (Annex 9). The main risks relating to labor and working conditions in the project are: i) unequal payment for the same job for female and male workers; ii) discrimination of women and/or vulnerable; iii) payment for unskilled workers below the minimum wage; iv) inadequate working facilities for workers, in particular lack of sanitation facilities for women; v) risks of child labor or indentured labor, especially in the supply chain.

### ESS3: Resource Efficiency and Pollution Prevention and Management

Typical pollutions generated from road improvement activities include: (i) dust and other forms of air pollution from construction site, transportation (including of materials) and auxiliary facilities; (ii) noise and vibration; (iii) solid waste (domestic waste and construction waste including used oil and lubricant); and (iv) wastewater from workers camps. These impacts are temporary, site-specific and can be managed.

It is important to note that the project is expected to *improve* air quality, in particular dust. At present, the poor state of the roads means that there is a lot of dust along the road section, often causing problems for communities living along the road corridor. Once the road is sealed, the amount of dust generated by road traffic is expected to decrease drastically.

### ESS4: Community Health and Safety

Community health and safety issues are particularly expected to include road safety and pedestrian safety, both during construction and operations. There is also the potential for Gender-Based Violence (GVB) and Violence Against Children (VAC) as a result of labor influx and higher incidence of HIV/AIDS due to a market for sex workers to service construction workers. However, given the fact that NR7 is a national road, centrally located within Kratie province, it is not expected that project works could cause significant negative social impacts to the community. While there could also be risks due to a violation of labor rights and/or child labor, the risk is lower given the central location of the road, the ease of monitoring project activities, the enhanced access to information and CSOs that local people have, etc. The project may actually impact women positively by empowering them with jobs, access to services and increasing their awareness on GBV issues. As noted above, there are also pollution risks, in particular water and air quality, though the latter is expected to improve in the long-term, as a result of the project.

Temporary workers’ camps may have to be installed, depending on the workforce, or the contractor may rent accomodation. A criteria for selection of camp sites is provided in Annex 9 which includes guidelines for distance from water resources, schools, pagoda and/or physical cultural resources, land leasing/purchasing agreement/records, etc. This ESMP also details with clear procedures and institutional responsibilities to help minimize community conflicts, misunderstandings, and exposure to communicable diseases.

While the project may exacerbate road safety risks – as an improved road often leads to higher speeds – the project uses a comprehensive approach to improve road safety. On the physical side, the technical design of roads will incorporate recommendations of the road safety audit and public feedback provided by residents during consultations. Traffic safety aspects will be embedded in the performance criteria and service levels under the OPBRC. Road safety will be improved by widening and sealing shoulders, where land is available, through better marking and signage, introducing traffic calming measures at critical locations. Physical features also include enhanced measures to safeguard pedestrians’ safety, including for women and children from local communities who use roads to travel to and from schools, markets, and hospitals. To complement the physical measures, the project will also support implementation of social measures focusing on communication and awareness raising on road safety during project implementation. Road safety measures will need to take place during civil works as well, to ensure the safety of people travelling on the roads, especially children who are going to/from school.

Detailed Engineering Designs (DED) by the contractor will also include road traffic plans that will be reviewed and approved by MPWT and will be implemented starting during project construction, and through operation. These should take into consideration challenges faced by road users, such as high speeding, lack of lighting and overtaking by big trucks, among others. Special attention should be paid in areas of sensitive receptors, especially schools and markets. Consultations with local people will also be important during the preparation of road traffic plans.

### ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

Only one Affected Household (AH) is expected to be impacted by land acquisition, given that most land acquisition has been avoided by rehabilitating along the existing alignment. The one AH, a female along PK 318, owns an estimated 5m² of corrugated iron roof and 5m² of concrete driveway that is protuding too close to the road shoulder. At this stage of project design the AH has agreed to voluntarily donate the affected asset, due to the small extent of impact and the benefit she will derive from an improved road. Nevertheless, this impact (and any other unexpected impacts in the road section) is captured and covered by the Basic Resettlement Plan prepared by MPWT.

### ESS10: Stakeholder Engagement and Information Disclosure

Stakeholder engagement is important to ensure that project communities, as well as other project stakeholders, are informed and involved in all the stages of project preparation and implementation. MPWT, together with MRD, has prepared a Stakeholder Engagement Plan (SEP). The SEP will be implemented and updated by MPWT throughout the different phases of the project life cycle. The project's SEP includes a Project Grievance Mechanism. The SEP, and this ESMP, was disclosed by MPWT during local-level consultations on XX, 2020. The consultation’s report/minutes are included in the SEP.

## Gap Analysis: WB ESF and RGC Legislation

While Cambodia has a relatively strong regulatory and planning framework on environment, several opportunities remain to further strengthen its legal instruments and the Government’s capacity to enforce and implement the identification and mitigation of environmental impacts. There are also existing legal frameworks in Cambodia to cover the rights of workers, deal with occupational and safety hazards, as well as traffic laws and measures that seek to protect women against violence. However, some of these regulations are sometimes weakly enforced and may need enhanced monitoring. On land acquisition, the WB’s ESS5 and the RGC’s SOP both cover objectives and principles of land acquisition and involuntary resettlement, and the principles of both are largely similar. These gaps are further analysed in Table 8 below.

**Table 8: Summary of Main Gaps Between RGC’s SOP and WB’s ESS5**

|  |  |  |  |
| --- | --- | --- | --- |
| **Items with Difference** | **RGC** | **WB’s ESF** | **Measures to Address Differences** |
| Assessment of project impacts | RGC legislation focuses on project impacts from an environmental point of view and does not consider social, gender and labor impacts, among others, as well as cumulative and transboundary impacts. Also does not consider the specific needs of vulnerable people (the poor, elderly, women-headed households, people living with a disability, etc.) | ESS1 is comprehensive and considers the full scope of project impacts from an environmental and social perspective, integrating all these aspects. In addition, the ESF has particular standards that deal with labor, gender and community health and safety, among others, as well as ensuring disadvantaged and vulnerable people/ groups are not disproportionately affected by projects’ adverse impacts or disadvantaged in sharing development benefits. | This ESMP covers both direct, indirect and cumulative environment and social risks/impacts and proportionate mitigation measures, taking a holistic approach to the project and looking at impacts in an integrated way, including considering the needs of disadvantaged and vulnerable persons or groups. |
| Mitigation hierarchy | There is no mitigation hierarchy in RGC legislation. | WB ESF, in particular ESS1 (but also ESS 5), discusses the need to have a mitigation hierarchy when planning projects, in order to avoid, minimize or, if not possible, mitigate project impacts. Having a mitigation hierarchy allows project planners to plan their projects with potential for environment and social impacts in mind. | This ESMP discusses a mitigation hierarchy to be followed by project planners when choosing road sections for rehabilitation and conducting detailed engineering designs. |
| Minimum working age | Minimum working age in Cambodia is 15, though according to the legislation children between 12-15 years can perform light work that does not conflict with schooling. No hazardous work is permitted for children under 18. However, stricter enforcement is needed. | * ESS 2 para 19, and footnote 13, notes that a child under the age of 18 may be employed or engaged in connection with the project if there is no hazardous work, an appropriate risk assessment is conducted prior to the work commencing, and the Borrower conducts regular monitoring of health, working conditions, hours of work. | This ESMP sets a minimum working age of 18 years due to the potential for hazardous work related to road rehabilitation. The ESMP provides monitoring guidelines and requirements of the Borrower and contractors (see LMP in Annex 5). |
| Traffic safety | No regulations in infrastructure projects to consider traffic safety. | * Ensuring the safety of the community, including relating to traffic accidents, is under the provisions in ESS4. | The ESMP suggests measures to ensure pedestrian safety during construction and over the life of the road, including undertaking road safety trainings and public awareness activities, which will be included in DED. |
| Voluntary Donations | RGC’s SOP deals with land acquisition and *involuntary* resettlement and therefore does not provide guidance on voluntary donations. | According to footnote 10 of ESS5, voluntary land donations are acceptable if: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor’s remaining land area below that required to maintain the donor’s livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. | The BRP developed provides guidance on when voluntary donations would be appropriate and the process of carrying out the donations, including documentation which will need to be followed by MPWT. |
| Stakeholder Engagement | While there are provisions for stakeholder engagement in various legislation (including EIA and SOP), there are gaps in maintaining stakeholder relations during the length of the project cycle, ensuring appropriate disclosure of information, meaningful consultations and means to grievance redress. | WB ESS 10 stresses the importance of stakeholder engagement at all stages of the project cycle. Stakeholders must be meaningfully consulted and engaged, have opportunities to provide inputs to projects and be informed how this their concerns were considered, have avenues to voice their grievances and seek resolution, and receive information disclosed in an appropriate manner, place and language. | A Stakeholder Engagement Plan (SEP) has been developed following the guidelines of ESS10. |

Table 9: Additional Areas for Strengthening

|  |  |  |  |
| --- | --- | --- | --- |
| **Items for Strengthening** | **RGC Legislation** | **WB’s ESF** | **Clarifications** |
| Gender, Gender-Based Violence (GBV), Violence to Children (VAC) and HIV/AIDs | There are regulations in Cambodia that protect the rights of women, violence against women and children, and the information dissemination on HIV/AIDS. However, this is not directly required in road projects. | ESS2, for workers, and ESS4 for the wider community, protect the rights of all community members, but in particular women and children and the vulnerable, from violence and other forms of abuse, as well as the risks of sexually transmitted diseases. Due to an influx of labor, these issues are particularly relevant in road projects. | This ESMP provides guidelines on how to address the identification and mitigation measures associated with these issues. Specific guidelines will be provided in terms of Labor Management Procedures and Staff Code of Conduct (see Annexes 5 and 7-8). |
| Forced labor | Regulations against forced labor exist in Cambodia. However, there are claims that this is not strictly enforced, and there are particular “hotspot” areas such as brick kilns. | WB ESS2 strictly prohibits any form of forced labor. ESS2 and ESS4 requirements are embedded in the Standard Bidding Document (SBD) of the Bank, requiring contactors to comply with. | The ESMP provides provisions to monitor compliance by contractors and of their primary suppliers in bidding documents and supervision contracts (see Annex 5). |
| Grievance Redress Mechanism | There is not GRM described in the environment legislation or as a requirement in the labor legislation.  On land acquisition, Appendix 8 of the SOP provides the structure and details on the operating guidelines and procedures of an effective functioning Grievance Redress Mechanism. It provides a 3-step process including, the registration and recording of complaints and the judicial process if, the complaints remain unresolved at the administrative level. The detailed procedures for at each step are also provided in the SOP. | ESS10 requires a Grievance Mechanism in place for all project as part of the SEP, including covering areas such as environmental impacts, worker’s grievances, grievances of IPs and grievances on land acquisition. | A SEP has been developed which details a GRM for the project covering all project aspects, including concerns about environmental and social impacts. This is included in Section 5 of this ESMP. A specific GRM for land acquisition is detailed in the BRP. The LMP (Annex 5) in this ESMP also describes a specific GRM for workers that contractors must have in place.  All GRMs must be accessible to all APs, in particular vulnerable APs and women. |
| Consultations and Stakeholder Engagement | There are some provisions for consultations on environmental impacts as part of the EIA regulations.  On land acquisition, the SOP details steps to carry out consultations at various stages of the land acquisition process and compensation. SOP also discusses disclosure of project documents. | ESS1 requires that stakeholder engagement with affected and interested stakeholders will be throughout the project cycle in line with the project’s Stakeholder Engagement Plan (SEP), including ongoing consultations and document disclosure. This applies to all aspects of the project including environment, social impacts, land acquisition and indigenous peoples, among others. | This ESMP discusses the requirements of the SEP in terms of consultations and disclosure. A SEP consistent with ESS 10 has been prepared for the CRCIP. |

# ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN

MPWT carried out environmental and social screening along NR7 between September 2019 and February 2020. Outcomes of the screening process reveal that no major environmental and social impacts are envisaged because the proposed road works will be carried out on the existing road alignments and within the ROW, most of which is already clear from encumbrances. This was confirmed after CED was completed in December 2019, and during an initial census of land acquisition impacts in February 2020, it was found that only one household would have assets affected due to construction[[25]](#footnote-25).

However, some minor impacts may occur during construction such as dust, noise, construction debris and short-term disturbance to the daily business activities of road-side households/businesses, which can be mitigated by applying good construction practices and close supervision. Some additional potential impacts are expected as a result of labor influx for construction (for instance, GBV) but there are also potential benefits expected, such as construction-related jobs and improved road condition (which will also improve dust levels in the medium and long-term). Most project impacts are expected during construction, though some may be relevant during the maintenance phase, and life, of the project, in particular road safety.

Based on the World Bank’s ESS1, the NR7 section has been designed during CED – which will be followed in DED – with a mitigation hierarchy to:

1. Anticipate and avoid risks and impacts;
2. Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels;
3. Once risks and impacts have been minimized or reduced, mitigate; and
4. Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible.

Road improvement is expected to bring significant benefits to the communities: reduce the travel time to reach schools, health, and other public service centers, expand access to markets and work opportunities, enhance connectivity during rainy season, improve road safety and improve air quality due to dust dispersion from unpaved road surfaces.

The environmental and social impacts and mitigation measures outlined in Table 10 will be further detailed as part of DED. During DED, Table 10 must be updated as needed, with particular care to address the following:

* Impacts associated with the use/borrowing of construction materials, including requirements for operating borrow pits versus purchasing from private operators, and requirements for reinstating borrow pits;
* Impacts associated with setting and operation of material plants;
* Impacts associated with setting and operation of construction camps (whether separate from, or combined with, workers’ camps);
* Environmental and administrative requirements for the allocation of sites for disposal of various waste streams.

Table 10: Site-Specific Environmental and Social Management Plan

| **Location** | **Sensitive Area**  **or Activities** | **Potential Impacts/Concerns** | **Mitigation Measures** | **Responsibility** | |
| --- | --- | --- | --- | --- | --- |
| **Implementation** | **Monitoring** |
| **Design Stage** | | | | | |
| PK300+000 – PK331+250 | All along the project road section with special attention to areas vulnerable to flooding as found during DED | - Climate change and flood prevention | - During Detailed Engineering Design, climate resilient measures must be taken into consideration to ensure roads can withstand potential climate change impacts, in particular flooding. | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All along the road, with special attention to areas close to sensitive receptors, especially schools, Kantout market, roundabout in PK 330 and other areas deemed risky | - Road Safety | - Road design should make safety a priority, such as by widening and sealing shoulders, where land is available, through better marking and signage, introducing traffic calming measures at critical locations, and measures to safeguard pedestrians’ safety, including for women and children from local communities who use roads to travel to and from schools, markets, and hospitals. | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All along the project road section | - Lack of mechanism to address social and environmental complaints | Establish grievance redress mechanism (GRM)  - Make public awareness of GRM  - Ensure that name and contact number of representatives of MPWT and Contractor are place on the notice board outside the construction site and at local government office (provincial and commune levels), may have in the form of poster  - Ensure Contractor’s compliance to ESMP and Annexes is in the contract agreement  - Ensure this ESMP, BRP and the SEP, including Grievance Redress Mechanism, is shared and consulted with local communities. | MPWT/  ESO | Consultant  Contractor |
| **Construction and Maintenance** | | | | | |
| PK300+000 – PK331+250 | Worker’s camp (if applicable) | Labor influx, OHS in labor camps | - Minimize labor influx as much as possible promoting local recruitment  - If setting up a worker’s camp, provide adequate housing for all workers at the construction camps and establish clean canteen/ eating and cooking areas as per Annex 9.  - Portable lavatories for male and female, shall be installed and open defecation shall be prohibited. Lavatories should be kept clean. Toilet facilities for women should be accessible from place of work.  - Compliance with Labor Management Procedures (LMP) (Annex 5) and Codes of Conduct. | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All along the project road section | Labor rights, gender, child labor, discrimination, vulnerable groups | - LMP (Annex 5) should be adhered by all contractors/ sub-contractors which includes protection of all workers engaged to work on and or supply the project related activities in compliance with the Labor Law and WB ESS2, including prohibition on child labor, zero tolerance of GVB and VAC, awareness and protection of all workers from HIV/AIDS and OHS.  - Ensure salaries and/or daily rates are in line with guidelines in Labor Law and that at least the minimum wage in Cambodia is paid for unskilled jobs, and that workers are paid consistent rates (i.e. the same type of work should be paid the same, whether done by a male or female worker).  - Encourage the hiring of local labor, in particular for unskilled jobs in construction, as well as for providing services to the worker’s camps if applicable (i.e. food preparation or cleaning services).  - Encourage the hiring of women and make at least 15-20% of unskilled jobs available to them.  - When feasible, encourage people living with a disability or other vulnerable people to apply to jobs that may be available.  - Adopt a minimum working age of 18 and check identities/birth records when hiring.  - Conduct screening of providers of materials for road construction (and other primary supply workers) to ensure they do not engage in child or indentured labor.  - All persons hired by the contractor must be paid a fair and adequate salary as per provisions in ESS2 (see LMP Annex 5).  - Ensure access to grievance redress mechanism. | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All along the project road section with special attention around schools and residential areas | Gender-Based Violence (GBV) and Violence to Children (VAC) | - Strict Code of Conduct for workers with no tolerance for physical or verbal abuse of women or children (see Annexes).  - Training to workers on maintaining good community relations, with emphasis on proper conduct around women and children, GBV and VAC.  - Ensuring workers sites are situated (at least 500m) from schools and/or other areas where children congregate.  - Children prohibited from construction site and worker’s camp.  - A Gender Action Plan has been developed, included in the World Bank Project Appraisal Document, and should be adhered to.  - Support (in the form of training, awareness raising, etc.) to local law enforcement to act on community complaints regarding GBV and VAC.  - Provision of information to local communities about the contractor’s policies and responsibilities, including the Contractor’s Code of Conduct and minimum working age.  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities.  - Additional guidelines on GBV are provided in Table 11. | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All along the project road section | Occupational Health & Safety | - Appoint an Environmental Health and Safety Officer (EHSO) responsible for training, monitoring and reporting on EHS and implementing health and safety related-programs.  - Conduct orientation for construction workers regarding emergency response procedures and equipment in case of accidents; health and safety measures; prevention of HIV/AIDS; GBV, VAC as well as Code of Conduct.  - Provide fire extinguish equipment and appropriate emergency response equipment.  - Provide first aid kits at each camp and working sites as applicable.  - Provide workers with appropriate safety equipment/devices and strictly require them to use these as necessary.  - Provide training to workers on traffic safety.  - Ensure work areas have proper signs to alert traffic and that flagmen and speed limits are used, as necessary, to ensure the safety of workers. | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All along the project road section | Damage to community facilities and/or trees | - Immediately repair any damage caused by the Project to community and/or private facilities and/or trees. The contractor to pay adequate compensation to affected parties, as necessary.  - Access roads damaged during transport of construction materials and other project- related activities shall be reinstated upon completion of construction works. | Contractor | Consultant  MPWT/ESO |
| PK 300+000 –  PK 302+000 | - Route passes through rice field and sparsely residential | - Waste generation from construction activities  - Canal/stream water pollution  - Land/rice field contamination | - Collection of waste, especially oil, not dumped into canal or any water body around construction site  - Excavated soil shall be transported away and not dumped in the rice field  - Compensation in case of adverse impacts to land/rice field | Contractor | Consultant  MPWT/ESO |
| PK 302+000 –  PK 305+100 | - Route passes through residential areas and Anlong Kaes Primary School | - Siting of various project  facilities could adversely affect sensitive receptors (residential areas, etc.) due to dust emission, solid waste and wastewater generation, etc. | - When construction passes through residential areas particularly area near school, traffic safety, dust and noise restriction (no noisy equipment/activity during study hour near school) measures should be applied  - During construction stage, collecting and not dumping waste into canal or natural stream  - Construction activities should be limited to working hours only  - Apply dust control and noise restriction  - Drainage installation must be planned and not delayed to minimize business disruption  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities.  - Collection of waste, especially oil, not dumped into canal or any water body around construction site | Contractor | Consultant  MPWT/ESO |
| PK 305+100 –  PK 306+300 | - The route passes through rice field and sparsely resident | - Waste generation from construction activities  - Canal/stream water pollution  - Land/rice field contamination | - Collection of waste, especially oil, not dumped into canal or any water body around construction site  - Excavated soil shall be transported away and not dumped in the rice field  - Compensation in case of adverse impacts to land/rice field | Contractor | Consultant  MPWT/ESO |
| PK306+300 – PK308+500 | - The route passes through residential, agriculture and small shop | - Siting of various project  facilities could adversely affect sensitive receptors (residential areas, etc.) due to dust emission, solid waste and wastewater generation, etc.  - Business disruption  - Solid waste generation from construction activities | - Apply traffic safety, dust (spray water on road surface to prevent airborne dust, which may be 3-6 times/day or as otherwise needed depending on weather and traffic) and noise restriction  - Collecting and not dumping waste into canal or natural stream  - Construction activities should be limited to working hours only  - Drainage installation must be planned and not delayed to minimize business disruption  - It is suggested that in small shop area where side drain is installed, the shallow drain should apply to (a) minimize resettlement impact, (b) minimize waste dumping practice into drainage system and (c) be easy for maintenance purposes  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities.  - Compensation to businesses if affected by civil works disruption | Contractor | Consultant  MPWT/ESO |
| PK317+500 – PK317+950 | -The route passes through Kantout Market and small shop | - Siting of various project  facilities could adversely affect sensitive receptors (business owners) due to dust emission, solid waste and wastewater generation, etc.  - Business disruption  - Solid waste generation from construction activities | - Apply traffic safety, dust (spray water on road surface to prevent airborne dust, which may be 3-6 times/day or as otherwise needed depending on weather and traffic) and noise restriction  - Collecting and not dumping waste into canal or natural stream  - Construction activities should be limited to working hours only  - Drainage installation must be planned and not delay to minimize business disruption  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities.  - It is suggested that in market area (Kantout Market) shallow drain should apply to (a) minimize resettlement impact, (b) minimize waste dumping practice into drainage system and (c) be easy for maintenance purposes  - Compensation to businesses if affected by civil works disruption | Contractor | Consultant  MPWT/ESO |
| PK317+950 – PK323+000 | -The route passes through residential area, petroleum station, Subba Sa-Khza Friendship Primary School, pagoda, agricultural field, and small shop | - Siting of various project  facilities could adversely affect sensitive receptors (residential areas, etc.) due to dust emission, solid waste and wastewater generation, etc. | - When construction passes through residential areas particularly area near pagoda and religious area should apply traffic safety, dust and noise restriction (no noisy equipment/activity during ceremonial day near pagoda area)  - During construction stage, collecting and not dumping waste into canal or natural stream  - Construction activities should be limited to working hours only  - Apply dust control and noise restriction  - Drainage installation must be planned and not delayed to minimize business disruption  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities  - Compensation to businesses if affected by civil works disruption  - Collection of waste, especially oil, not dumped into canal or any water body around construction site | Contractor | Consultant  MPWT/ESO |
| PK323+000 – PK326+000 | -The route passes through Da Health care center, Da Primary School, Pagoda, small shop and residential houses | - Siting of various project  facilities could adversely affect sensitive receptors (residential areas, etc.) due to dust emission, solid waste and wastewater generation, etc. | - When construction passes through residential areas particularly area near pagoda and religious area should apply traffic safety, dust and noise restriction (no noisy equipment/activity during ceremonial day near pagoda area)  - During construction stage, collecting and not dumping waste into canal or natural stream  - Construction activities should be limited to working hours only  - Apply dust control and noise restriction  - Drainage installation must be planned and not delayed to minimize business disruption  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities.  - Compensation to businesses if affected by civil works disruption  - Collection of waste, especially oil, not dumped into canal or any water body around construction site | Contractor | Consultant  MPWT/ESO |
| PK326+000 – PK331+250 | - The route passes through residential area, small shop, and agricultural field | - Siting of various project  facilities could adversely affect sensitive receptors (residential areas, small shop etc.) due to dust emission, solid waste and wastewater generation, etc. | - When construction passes through residential areas should apply traffic safety, dust and noise restriction  - During construction stage, collecting and not dumping waste into canal or natural stream  - Construction activities should be limited to working hours only  - Apply dust control and noise restriction  - Drainage installation must be planned and not delayed to minimize business disruption  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities.  - Collection of waste, especially oil, not dumped into canal or any water body around construction site | Contractor | Consultant  MPWT/ESO |
| PK300+000 – PK331+250 | All road sections but especially those vulnerable to flooding | Climate Change | - Periodic monitoring and maintenance of roads is of utmost importance, to ensure any problems are fixed promptly and not allowed to worsen with time. |  |  |
| **Mitigation Measures During Operation** | | | | | |
| PK300+000 – PK331+250 | - Sections of the road that may pose risks, especially the turn-around sections and residential area |  | - All vehicles must go through checking regularly  - Material load shall be covered and secured during transportation to prevent scattering of soil, sand, materials or dust  - Vehicle owners are required to follow national regulation on traffic and traffic safety  - Relevant traffic signs and road bumper need to be installed at right location of the road | MPWT | MPWT/ ESO |
| PK300+000 – PK331+250 | All road sections but especially those close to residential areas, schools and other sections considered important | Road Safety | - Road Safety plan in place and operational from civil works and throughout operation  - If side drain is constructed, provide temporary/safe access to shops, schools, hospitals, etc. and ensure safety to school kids, hospital/clinic personals, etc. at the entrance of the facilities. | Contractor/ MPWT | Consultant  MPWT/ ESO |

## HIV/AIDS Prevention and Gender Based Violence

Aside from the information in Table 10 above, it is important to note specific provisions relating to GBV as well as prevention of HIV/AIDS.

All employees, including managers, will be required to attend training prior to commencing work to reinforce the understanding of HIV/AIDS, GBV and VAC. Subsequently, employees must attend additional courses and refresher sessions, as detailed in the LMP (Annex 5).

Managers will be required to attend an additional manager training prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in ensuring the HIV/AIDS, GBV and VAC standards are met on the project (also see Annex 5, 7 & 8). This training will provide managers with the necessary understanding and technical support needed to begin to develop a plan for addressing HIV/AIDS, GBV and VAC throughout the lifetime of the civil works, including monitoring and reporting. A Manager’s Code of Conduct, as well as Individuals Code of Conduct, are provided in Annex 7 & 8. All staff will be required to sign these.

### HIV-AIDS Prevention

While mobilized for work, the Contractor shall produce and conduct an HIV-AIDS Information, Education and Consultation Communication (IEC) campaign undertaken by a recognized service provider. The cost of the campaign shall be funded by the Contractor from the provisional sum provided in the bill-of-quantity.

The Contractor shall undertake such other measures as are specified in the Contract, including the LMP, to reduce the risk of the transfer of the HIV virus between and among the Contractor’s personnel and the local community, to promote early diagnosis and to assist affected individuals. The Contractor shall not discriminate against people found to have HIV/AIDS as part of the campaign.

Prior to contractor mobilization, the contractor (and service provider as relevant) shall submit to the MPWT for approval an action plan that will indicate:

1. The types and frequency of education activities to be done;
2. The target groups (as a minimum to all the Contractor's employees, all Sub-Contractors and Consultants' employees, and all truck drivers and crew making deliveries to the project site for construction activities, as well as immediate local communities);
3. Whether condoms shall be provided;
4. Whether STI and HIV/AIDS screening, testing, diagnosis, counselling and referral to a dedicated national STI and HIV/AIDS program, (unless otherwise agreed) of all Site staff and labour shall be provided;
5. Budget.

The IEC campaign shall be conducted while the Contractor is mobilized in accordance with the approved approach. It shall be addressed to all target groups identified concerning the risks, dangers and impact, and appropriate avoidance behaviour with respect to Sexually Transmitted Diseases (STD) and HIV/AIDS in particular.

### Gender-Based Violence

In bidding documents and contracts, the Contractor will be required to implement the Labor Management Plan (Annex 5) and Codes of Conduct (Annexes 7 & 8). The Contractor must arrange for trainings on GBV/IEC campaign to be provided by a recognized agency or NGO. The cost of the campaign shall be funded by the Contractor from the provisional sum provided in the bill-of-quantity. The contractor shall ensure that at least one refresher for workers is conducted each month to review materials provided.

Table 11: Actions to Address GBV Risks

| Action to Address GBV Risks | Timing for Action | Who is Responsible for Action | Ongoing Risk Management |
| --- | --- | --- | --- |
| The Stakeholder Engagement Plan of the project, which will be implemented over the life of the project to keep the local communities and other stakeholders informed about the project’s activities, to specifically address GBV related issues. | Consultations need to be continuous throughout the project cycle, from preparation through operations | MPWT | Monitoring of implementation of Stakeholder Engagement Plan.  Ongoing consultations. |
| Make certain the availability of an effective grievance redress mechanism (GRM) with multiple channels to initiate a complaint. It should have specific procedures for GBV including confidential reporting with safe and ethical documenting of GBV cases. Parallel GRM outside of the project GRM may be warranted for substantial to high risk situations. | Prior to contractor mobilizing. | MPWT | Ongoing monitoring and reporting on GRM to verify it is working as intended. |
| Clearly define the GBV requirements and expectations in the bid documents. | Procurement | MPWT | Review by WB |
| Based on the project’s needs, the Bank’s Standard Procurement Documents (SPDs), and the IA’s policies and goals, define the requirements to be included in the bidding documents for a CoC which addresses GBV. | Procurement | MPWT | Review by WB |
| For National Competitive Bidding (NCB) procurement, consider integrating the ICB SPD requirements for addressing GBV risks. | Procurement | MPWT | MPWT with review by WB |
| The procurement documents should set out clearly how adequate GBV costs will be paid for in the contract. This could be, for example, by including: (i) line items in bill of quantities for clearly defined GBV activities (such as preparation of relevant plans) or (ii) specified provisional sums for activities that cannot be defined in advance (such as for implementation of relevant plan/s, engaging GBV service providers, if necessary) | Procurement | MPWT | Review by WB |
| Clearly explain and define the requirements of the bidders CoC to bidders before submission of the bids. | Procurement | MPWT | Review by WB |
| Evaluate the contractor’s GBV response proposal and confirm prior to finalizing the contract the contractor’s ability to meet the project’s GBV requirements | Procurement | MPWT | Review by WB |
| Review that the GRM receives and processes complaints to ensure that the protocols are being followed in a timely manner, referring complaints to an established mechanism to review and address GBV complaints. | Implementation | MPWT | Ongoing reporting.  Monitoring of complaints and their resolution. |
| Codes of Conduct signed and understood   * Ensure requirements in CoCs are clearly understood by those signing.   + Have CoCs signed by all those with a physical presence at the project site.   + Train project-related staff on the behavior obligations under the CoCs.   + Disseminate CoCs (including visual illustrations) and discuss with employees and surrounding communities. | Initiated prior to contractor mobilization and continued during implementation | Contractor, Consultant, MPWT | Review of GBV risks during project supervision (e.g., Mid-term Review) to assess any changes in risk.  ISWSC reporting that CoCs are signed and that workers have been trained and understand their obligations.[[26]](#footnote-26)  Monitoring of GRM for GBV complaints.  Discussion at public consultations. |
| Have project workers and local community undergo training on OHS, GBV and VAC | Implementation | Contractor, Consultant, MPWT | Ongoing reporting. |
| Undertake regular M&E of progress on GBV activities, including reassessment of risks as appropriate. | Implementation | MPWT, Contractor, Consultant | Monitoring of GRM.  Ongoing reporting. |
| Implement appropriate project-level activities to reduce GBV risks prior to civil works commencing such as:   * + Have separate, safe and easily accessible facilities for women and men working on the site. Locker rooms and/or latrines should be located in separate areas, well-lit and include the ability to be locked from the inside.   + Visibly display signs around the project site (if applicable) that signal to workers and the community that the project site is an area where GBV is prohibited.   + As appropriate, public spaces around the project grounds should be well-lit. | * + Prior to works commencing. | Contractor/ Supervision Consultant | Ongoing reporting.  Reviews during implementation support missions. |

#### GBV Response Services and Stakeholders

While section 3.3 further discusses the project’s institutional arrangements, this section details specific agencies in charge at the national and local level for GBV response, which may be helpful when planning GBV trainings and/or other interventions.

##### National Level

The Ministry of Women’s Affairs (MoWA) is the government agency responsible for women’s issues. Under the MoWA, there is a sub-working group on GBV under the Technical Working Group on Gender (TWG-G), which was established in order to work in partnerships with other government ministries, development partners and non-governmental organization. The Ministry of Interior (MOI) has the authority on the GBV mechanism via the Cambodian National Police, and the provincial, district and commune councils/governors, namely the provincial and district Women and Children’s Consultative Committee and the Commune Committee for Women and Children.[[27]](#footnote-27)

Cambodian National Council for Women (CNCW) is a national mechanism which was established in 2001, aimed at coordinating and providing advice to the RGC on matters related to the promotion of Cambodian women's status, roles and welfare of women to reduce and eliminate of all forms of discrimination against women. The MoWA and GMAG are accountable to this mechanism with regard to mainstreaming gender and the elimination of GBV.

Gender Mainstreaming Action Groups (GMAG) have been formed in all ministries since 2005 including MPWT. This mechanism is led by a Secretary of State or Under Secretary of State level, Director General or Deputy Director General level, and includes members from all line departments.

Technical Working Group on Gender (TWG-G) TWG-G was established in 2004 and it is chaired by MoWA, and UNDP and JICA as co-facilitators. Members of the TWG-G are representatives from 31 government agencies, 14 development partners and 15 civil society organizations.

Sub-Group on GBV Response was initiated in 2012 by the Ministry of Women’s Affairs in order to explore support and coordination in gender mainstreaming for the reduction of violence against women.[[28]](#footnote-28) This mechanism is lead by the representative of MoWA and other relevant ministries, including the MOI, MOH, MoSVY and others. Members of these working group are Development Partners and Non-Governmental Organizations, which are leading and active on GBV work, such as UNWOMEN, UNDP, UNFPA, UNICEF, DFAT (Australia), GIZ, AECID, PYD, CARE, GADC, ADHOC, and HI.

##### Sub-National Level

Provincial and District WCCCs. In 2009, the Provincial/Capital and Municipal/Khan/District WCCCs were established by the MOI’s Prakas in order to provide advice and recommendations to the councils, boards of governors, governors, and other committees of the councils on issues related to gender equality, women, youth and children within the authority, functions and duties of the councils. These mechanisms are advisory bodies which are chaired by women councilors at the provincial and district councils. Of the duties outlined, WCCCs can make suggestions and recommendations to the councils or boards of governors, which are executive bodies, to take measure to prevent harm to women, youth, and children. Members of WCCCs also include those representatives of the boards of governors, police, provincial departments of women’s affairs (PDoWA), health, and social affairs.

GBV sub-group is a multi-stakeholder GBV working group which was established in seven provinces and eight districts [[29]](#footnote-29). These working groups are chaired by the Head of PWCCC, the Deputy Provincial Governor, and permanently vice-chaired by the Directors of PDoWA. There are three main roles of these working groups. First, they strengthen sub sector services in responding to GBV effectively and on timely manner. Next, they support institutions to share and report on GBV issues. Finally, they monitor, manage GBV data and follow up progress on GBV issues.

Commune/Sangkat Committee for Women and Children (CCWC) is the lowest level and closest mechanism for GBV response which stays close to the communities. The CCWCs are advice-giving committees for a range of women’s and children’s issues, such as maternal and child health, community pre-school, hygiene and sanitation, gender equality and child protection.[[30]](#footnote-30) This mechanism comprises of the Commune/Sangkat Chiefs (chairs), the Second Vice Chief (Vice-chairs) and the Commune Women and Children Focal Point (permanent members); the focal points are under the structure of the Municipal/Khan/District Office of Women’s Affairs. Member of the CCWCs include Secretaries of the Commune/Sangkat, and representative of police post, schools, health centres/posts, and Village Chiefs. It is interesting to note that the CCWC structure is in line with the Village Commune Safety Policy. This policy provides that one of the five criteria of the safety commune/sangkat is “no women and children are trafficked or suffer from domestic violence.” Therefore, the role of CCWCs are of great significant as they are working closely with citizens in terms of providing services and implementing the Village Commune Safety Policy so that they can respond to any GBV issues appropriately.

NGOs working on GBV include three national networks on gender, namely the Cambodian NGO Committee on CEDAW (NGO-CEDAW), Gender and Development Network (GADNet), and the Committee to Promote Women in Politics (CPWP). Other active organizations include GIZ, UNWOMEN, UNFPA, ACCESS, The Asia Foundation, CARE, Hagar, LAC, TPO, and ACTED.

Annex 10 maps out the GBV-related stakeholders in Kratie province, and their responsibilities.

## Capacity Assessment and Needs

MPWT has significant experience with the application of the World Bank’s safeguards policies through a number of similar road rehabilitiation projects that have been implemented during the last years, in particular the Road Assest Management Program (RAMP) and RAMP II. Moreover, MPWT has extensive experience working with numerous development partners in Cambodia undertaking road rehabilitation. MPWT keeps improving the internal capacities of their Environment and Social Office (ESOO) in terms of staffing, qualifications and committment. Some of the ESOs have experience in the field of engineering, environment, social or public administration, and all, or most, have received training by the World Bank and MPWT international consultants on environment and social topics. The MPWT ESO consists of 3 staff assigned for the project, as well as two national consultants. The MPWT ESO will need continous support from the national consultants throughout the implementation of Component 1:NR 7 and from the ISWSC.

While there is strong commitment in the MPWT to ensure environment and social impacts are well identified and mitigated, additional training and support for the ESO is required to ensure they can perform their role as will be described in Section 3.3.1.1. While the ESO has already undergone some initial training on the scope of the project and project documents, including on the new World Bank ESF, it will be important for the ISWSC to continue to train the ESO in order to ensure they can strengthen their skills and their ability to monitor compliance with environment and social measures. The ISWSC may need to conduct a capacity assessment to have a better understanding of what support is needed as well as work alongside the ESO during project implementation.

At this stage, it is envisioned that training delivered by the ISWSC to the ESO will need to be holistic and cover all aspects of the project, including (but may be expanded):

1. Implementing the ESMP;
2. Monitoring E&S compliance, including reporting;
3. Gender-Based Violence, including how to conduct awareness raising on this topic;
4. Violence Against Children, including how to conduct awareness raising on this topic;
5. HIV/AIDS awareness, including how to conduct awareness raising on this topic;
6. Occupational Health & Safety, including how to monitor and enforce this aspect;
7. Labor Management Procedures, including how to monitor and enforce this aspect;
8. Grievance Redress, including how to oversee and implement the GRM;
9. Road Safety, including how to conduct awareness raising on this topic;
10. Voluntary donations, including proper documentation.

Additional training for the ESO by the World Bank on the ESF may also be desirable.

Training for the ESO on the topics above must commence as soon as ISWSC are engaged, and it is envisioned that an international E&S expert(s) will be engaged full time by ISWSC for two months during DED. Additional support by the E&S officer(s) will be needed on a quarterly basis during construction and annually during maintenance to ensure the ESO is able to effectively monitor project compliance with the ESMP. An indicative budget for capacity training is described in Section 7.

There are no MPWT ESO staff at the provincial or district level. Therefore, ISWSC will also need to conduct training of Provincial Public Works and Transport staff, as they will be instrumental in ensuring adequate field supervision. ISWSC must also support the ESO to deliver training and/or awareness raising activities at the local level. MPWT senior management will need to make sure that the ESO has adequate time and budget to perform their role, including frequent travel to the provinces, and estimated budget provisions are made in Section 7.

## Institutional Arrangements

At this stage of project planning, the following institutional arrangements and responsibilities are envisioned. Additional details are provided in the Basic Resettlement Plan and Stakeholder Engagement Plan.

### Ministry of Public Works and Transport (MPWT)

The MPWT is the Implementing Agency responsible for CRCIP Component 1:NR 7 and will implement project activities using their existing institutional setup and departments. The MPWT will be the final responsible to ensure the implementation of the provisions of the ESMP by all parties, such as sub-project Borrowers and Contractors, including environmental and social monitoring, evaluation and reporting.

The Project Director (PD) at MPWT will be responsible for overall guidance and policy advice, internal coordination, discussion and resolution of project matters with counterparts in the ministry and other government agencies, donor alignment and harmonization, and public disclosure and civil society involvement. The project manager (PM) at MPWT will provide day-to-day support to the PD and will have the responsibility to ensure that the Project Operation Manual (POM) is followed, environment and social activities are implemented, all consultants follow their terms of reference and delivery schedule, project activities are carried out on schedule and within budget, and financial management reports are submitted on time.

As the IA, MPWT is responsible for:

1. Ensuring the project has adequate staffing (PD, PM and ESO);
2. Provide agreed counterpart funds for project activities in a timely manner;
3. Comply with the Environment and Social Commitment Plan (ESCP).

The PD and PM at MPWT are specifically responsible for:

1. Effective communication between all stakeholders;
2. Ensuring all requirements of contractors and contract clauses as per this ESMP are included in bidding documents;
3. Recruiting consultants;
4. Finalizing needed surveys, detailed design, bidding documents, and contract awards;
5. Monitoring and evaluating project activities and outputs, including periodic reports;
6. Involving stakeholders in all stages of project design and implementation as per the SEP;
7. Conducting consultations and disclosure of project documents as per the SEP;
8. Assuring quality of works, and services of consultants and counterpart staff;
9. Establishing a strong financial management system and submit timely withdrawal applications to WB, conduct timely financial audits as per agreed timeframe and take recommended actions;
10. Establishing and monitoring project grievance redress mechanism in accordance with the SEP;
11. Providing monitoring reports to the World Bank on a quarterly basis, and a project evaluation at the end of the project.

#### MPWT’s Environment and Social Officers (ESO)

MPWT’s ESO will be instrumental in ensuring the environmental and social performance of Component 1:NR 7 of the CRCIP. The MPWT will assign at least one Environmental Specialist and one Social Specialist. They will be responsible for ensuring compliance with the ESMP by carrying out document reviews, site visits and interviews with the Contractor, Construction supervisors, workers, provincial-level government staff, local authorities and local communities. Upon completion of each site visit, the ESO should prepare a Monitoring Report (see Section 6 and Annex 3) reflecting the main issues, and arrangements and timing for their solution. It is also recommended to hold regular meetings with the Project Manager, Contractor, ISWSC and the ESO on a monthly basis.

The ESO will report to the PM and PD and work under the guidance of the PM. The ESO is expected to work together with the Environment and Social Officer(s) of the ISWSC. The ESO will be responsible for:

1. Monitor environmental and social activities of the project, in particular the implementation of the ESMP;
2. Implementing required areas of the ESMP as per Table 10;
3. Conducting trainings on road safety, gender, GBV, VAC, labor rights, HIV/AIDS and the grievance redress mechanism to project communities, and monitoring the contractor in their delivery of trainings on GBV, Code of Conduct and HIV/AIDS to workers;
4. Coordinate the Grievance Redress Mechanism and include updates in monthly reports;
5. Lead consultations, disclosure and stakeholder engagement as per the provisions of the SEP and the ESMP;
6. Work collaboratively with the Kratie Provincial Department of Public Works and Transport and other line ministries and/or departments as necessary (such as the General Department of Resettlement);
7. Other requirements as per the BRP and SEP;
8. Provide monthly reports on implementation to the PM and PD.

#### Kratie Provincial Department of Public Works and Transport (PDPWT)

The Kratie PDPWT will be responsible for working with MPWT in project planning and implementation of specific road sections at the provincial level. The PDPWT will also work and supervise project officers at the District level and be responsible for:

1. Executing and/or monitoring civil works in the respective provinces;
2. Provide effective coordination between all the stakeholders of the project at the provincial level including ESO, consultants, contractors, local authorities, provincial departments and project communities;
3. Assist project officers to monitor and evaluate the progress and performance of consultants and contractors;
4. Work with the ESO to conduct trainings on labor, gender, GBV, VAC, HIV/AIDS and road safety;
5. Work with the ESO to disseminate project information and conduct consultation activities, as well as ensuring the efficacy of the Grievance Redress Mechanism;
6. Liaise with village authorities in relevant road sections to encourage women to apply to road jobs;
7. Responsibilities as per BRP and/or SEP.

### Implementation Support Works Supervision Consultant

The ISWSC consultant will be responsible for detailed design, construction supervision, implementation monitoring, as well as project performance monitoring and evaluation of the CRCIP: NR7. It is expected that the ISWSC team with have an Environment and a Social officer(s) as part of the team. The ISWSC E&S officer(s) will be responsible for:

1. Supporting the ESO to fulfil their roles, including by conducting capacity building training, helping with work plans, monitoring reports, conducting site visits, etc.;
2. Working collaboratively with PDPWT and other related departments such as GDR as needed;
3. Ensuring minimum disruption/damage to the environment and local communities by approval of contractors' work statement/methodology on implementation of the ESMP, including monitoring the impact of construction works on the environment and local communities and assisting the ESO to provide monthly progress reports;
4. Assist MPWT in establishing the Grievance Redress Mechanism as described in the SEP and summarised in this ESMP;
5. Implement all mitigation and monitoring measures for various project phases specified as ISWSC’ tasks in the ESMP;
6. Undertake environmental and social management capacity building activities for the ESO and others as required;
7. Undertake regular monitoring of the contractor’s environmental and social performance as scheduled in the ESMP;
8. Supervise Contractors’ compliance with site-specific ESMPs and organize site visits to each sub-project;
9. Prepare Environmental and Social Monitoring Reports including Project Progress reports for each ongoing sub-project;
10. Participate in regular supervision missions and respond on WB requirements and MPWT;
11. Other responsibilities as outlined in the BRP and/or SEP.

ISWSC should have additional staff tasked with E&S compliance on site, such as Supervision Engineers tasked with ongoing supervision and compliance of ESMP mitigation measures.

### Civil Works Contractor

The Contractor is responsible for preparing Detailed Engineering Designs (DED) based on the Conceptual Engineering Designs (CED) that have been prepared during project preparation. As part of finalization of DED, the contractor is expected to follow CED requirements following approved COI and the existing road alignment. No significant changes in design in terms of the COI are expected[[31]](#footnote-31). The mitigation hierarchy described (avoiding, minimizing, mitigating), will be followed by the Contractor in preparation of DED.

The Civil Works contractor is expected to be responsible for implementing most of the measures recommended in the ESMP to mitigate environment and social impacts as per Table 10. The contractor may also have responsibilities linked to other documents such as the BRP and SEP. The contractor will:

1. Incorporate into the project design the environmental protection and mitigation measures identified in the ESMP for the design/pre- construction stage;
2. Designate a full-time Environment Health and Safety Officer for the assigned contract project;
3. Incorporate all environmental and social requirements and mitigation measures from the ESMP, including conducting relevant trainings for their staff on GBV, VAC, HIV/AIDS, labor rights and the project GRM;
4. Prepare and submit a management plan for review by ISWSC, and for approval by the MPWT and the WB on how the contractor will comply with the ESMP (Contractor’s ESMP – CESMP) and other project documents if required (BRP, SEP);
5. Provide sufficient funding and human resources for implementation of the ESMP;
6. Ensure proper and timely implementation of required pre-construction and construction mitigation measures in the ESMP;
7. Implement additional environmental and/or social mitigation measures as necessary (this may include clearance of the COI after land acquisition activities have taken place), including having in place a grievance redress system and complying with other measures in the SEP.

### Ministry of Economy and Finance

The Ministry of Economy and Finance (MEF), through its Inter-Ministerial Resettlement Committee (IRC), is responsible for land acquisition activities which are described in detail in the BRP. The permanent Secretariat of the IRC is the General Department of Resettlement (GDR), which is the lead agency for the preparation, implementation, and monitoring and reporting of land acquisition and resettlement activities. There is also an IRC-Working Group at the provincial level and Provincial Resettlement Sub-Committees (PRSC) and their working groups, which are established when there are land acquisition activities. The MPWT ESO and ISWSC, and to some extent the contractor, will need to work collaboratively with these agencies in case of land acquisition as detailed in the BRP.

# CONSULTATION AND STAKEHOLDER ENGAGEMENT

Component 1:NR 7 of the CRCIP will conduct consultation activities and stakeholder engagement as per the project’s Stakeholder Engagement Plan (SEP). The SEP seeks to ensure that Project communities, as well as other Project stakeholders, are informed and involved in all the stages of the Project. The Project recognizes the need to seek representative and inclusive feedback and the SEP looks to establish the role of women and vulnerable groups firmly within the consultation process. The Project also recognizes the importance of ensuring affected people are involved in mitigation measures, road safety programs, as well as continuing monitoring of project activities.

The objectives of the SEP are:

* To identify all project stakeholders including their priorities and concerns, and ensure the project has ways to incorporate these;
* Identify strategies for information sharing and communication to stakeholders, including project information on social risks and impacts, as well as consultation of stakeholders in ways that are meaningful and accessible throughout the project cycle;
* To specify procedures and methodologies for stakeholder consultations, documentation of the proceedings and strategies for feedback;
* To establish an accessible, culturally appropriate and responsive grievance mechanism, and
* To develop a strategy for stakeholder participation in the monitoring of project impacts.

The SEP is a living document and will continue to be updated as the project progresses from pre-civil works to civil works and operation. In general, there are two kinds of stakeholders, affected and interested stakeholders:

**Affected Stakeholders:** Those who will be likely impacted by the project positively or negatively. These stakeholders are mainly project communities or local businesses living or operating along the project roads. Impacts will vary depending on the stage of the project (design, civil works, post-civil works). For instance, civil works impacts may relate to dust/noise, labour influx and any land acquisition, while post-civil works impacts may relate to increased traffic or speeding cars. A guiding principle is that engagement with these stakeholders will be commensurate with the level of impacts they suffer. Affected stakeholders include:

* People living or running businesses along the road;
* AH whose asset will be acquired, likely through voluntary donation, given proximity to road shoulder;
* People close to area of worker’s camp (if applicable).

**Interested Stakeholders:** Those who are not impacted by the project but who may be interested in the Project outcomes and who may have an influence in the project. These stakeholders include local people who are not directly impacted, government authorities working in relevant areas, road users and the media. Interested stakeholders are expected to include:

* Regular road users, such as people living in/close to the area or using the roads to go to markets, hospitals, schools;
* Contractors in charge of civil works, and their staff;
* Relevant government departments at the national and provincial level involved in road rehabilitation including Ministry of Public Works and Transport (MPWT); Kratie Provincial Departments of Public Works and Transport (DPWT); Provincial, District (2), Commune (2) and Village (13) Authorities in Kratie;
* MEF’s General Department of Resettlement (GDR), Inter-Ministerial Resettlement Committee (IRC), Provincial Resettlement Sub-Committee (PRSC) and Working Groups;
* Representatives of Provincial, District and relevant Commune Women and Children’s Committees and Women’s Affairs, Gender Management Action Group (GMAG) in MPWT;
* Relevant government departments at the provincial level that may be interested in, or may need to be consulted on, road rehabilitation including: District Police; Electricite du Cambodge; Kratie Provincial Department of Health; Kratie Provincial Department of Environment; Kratie Provincial Department of Education Youth and Sport; Kratie Provincial Department of Rural Development; Kratie Provincial Department of Labour and Vocational Training; Kratie Provincial Department of Water Resources and Meteorology; Kratie Provincial Department of Women’s Affairs; Kratie Provincial Department of Cult and Religion; Kratie Provincial Department of Planning; Kratie Provincial Department of Land Management Urban Planning and Construction;
* NGOs and civil society groups with an interest in gender, including gender-based violence, such as Bantey Srey NGO, NGO Forum;
* Road Safety Network;
* Supply chain providers of road materials for construction.

More detail and analysis of project stakeholders, and suggested methods and timing for engagement, is provided in the SEP.

## Consultations During Project Preparation

Local-level consultations on land acquisition impacts were conducted January 16-17, 2020 and further consultations and census on February 1-10, 2020. Additional details and minutes of the consultation are available in the BRP.

|  |  |
| --- | --- |
| Consultations to discuss land acquisition and voluntary donations were attended by both men and women in Kantout Village, Chet Borei District | Participants were handed Project Information Booklets which summarized the key points from the Basic Resettlement Plan |

Local-level consultations on the SEP and ESMP were held by MPWT on XX in order to disclose and discuss the draft versions of the ESMP and SEP with interested stakeholders. The minutes of the consultation can be found in Annex 4 of the SEP. The ESMP, SEP and BRP have also been publicly disclosed in the MPWT and WB websites, and hard copies of all Executive Summaries are available in Khmer language at MPWT and Kratie Provincial Departments of Public Works and Transport.

INSERT PHOTOS/SUMMARY

## Consultations During Project Implementation

It is expected that consultations and information disclosure will be an ongoing process as detailed in the SEP. There will be ongoing local consultations with affected people, project workers, local authorities and vulnerable people, among others. Consultations will focus on the environmental and social impacts of the project, potential land acquisition impacts, procedures for voluntary donations, trainings on Gender-Based Violence, Worker’s Code of Conduct, labor rights and available job opportunities, among others. Specific details, including details of stakeholders, methods of consultations and timings, are provided in the SEP.

Table 12: Expected Timeline of Consultation and Disclosure Activities as per the SEP

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Activity** | **Project Phase** | **Timeline** | **Responsibility** | **Location** |
| Field visits, initial consultations, local-level meetings to introduce project, information gathering for ESMP and RP, information and documentation of voluntary land donations, local consultations and disclosure and discussion on Draft RPs and ESMP | Conceptual Design, Prior to World Bank Appraisal | Field visits and initial discussions during the second-fourth quarter 2019. Formal local consultations took place on January 16-17 2020 and additional consultations and initial census on February 1-10, 2020. Consultations on SEP and ESMP took place on XX. | MPWT, ESOs, consultants and GDR (for land acquisition) | Snuol and Chet Borei Districts, Kratie Province |
| Detailed measurement of land acquisition impacts. Preparation of Detailed Resettlement Plans, consultations with affected people, updating of voluntary land donations, etc. | Implementation: Detailed Design | January – July 2021 | Design contractor, GDR, ESOs and ISWSC | Snuol and Chet Borei Districts, Kratie Province |
| Works commence; where relevant implementation of Detailed RP ahead of civil works (i.e delivery of entitlements) and/or voluntary donation records, hiring of local workers, trainings on gender, trainings for contractors and staff, road safety, etc. | Implementation: Civil Works | March 2021 - onwards | ESOs, Contractor, ISWSC, GDR (for land acquisition), | Snuol and Chet Borei Districts, Kratie Province |

## Reporting Back to Stakeholders

Consultations with stakeholders will be the main mechanism to inform them of the project and to get their feedback. MPWT ESOs, with the support of ISWSC or other consultants as and where appropriate, will be responsible for ensuring there are notes of project meetings and consultations, and incorporation of comments into project documents when applicable. Stakeholders who provide specific suggestions will be followed up with after consultations with feedback on how their comments were considered. There will be particular attention to consider and incorporate gender aspects in the project.

The method of reporting back to stakeholders will depend on the stakeholder itself. There are essentially two main methods:

* For National-level stakeholders, an email and/or official letter will be sent after workshops on how comments/suggestions were considered;
* For local stakeholders, follow-up meetings/consultations will be conducted to let stakeholders know on how comments/suggestions were considered.

# GRIEVANCE REDRESS

The grievance mechanism seeks to resolve concerns promptly, using an understandable process that is culturally appropriate and readily accessible at no cost. Grievances can be submitted if someone believes the Project is having a detrimental impact on the community, the environment, or on their quality of life. Stakeholders may also submit comments and suggestions. The GRM is described in full in the project’s SEP.

The MPWT ESO will be responsible for receiving and resolving in a fair, objective, and constructive manner, all concerns or complaints raised by people affected by the project. The broad responsibilities of the ESO in terms of grievance management include:

* Developing and publicizing the grievance management procedures;
* Receiving, reviewing, investigating and keeping track of grievances (logbook to be established by clients);
* Adjudicating grievances;
* Monitoring and evaluating fulfilment of agreements achieved through the grievance mechanism;
* Ensuring the name and contact number of representatives of MPWT and Contractor are placed on the notice board outside the construction site and at local government office i.e. provincial and commune office.

For the interest of all parties concerned, the grievance mechanism is designed with the objective of solving disputes at the earliest possible time. GRM shall be made ready (in local language) before starting the civil works, consulted and phone/office contacts are made available/visible on sites. A recommended timeframe for the resolution of a complaint should be sought within two weeks.

In the CRCIP it is envisaged there could be three types of grievances:

1. Grievances relating to land acquisition, that follow the Resettlement Plan’s GRM (detailed in the project’s BRP);
2. Grievances directly related to program implementation (including relating to environmental and social impacts, health, road safety, etc.), described in this ESMP, and
3. Worker-related disputes (detailed in the LMP in Annex 5).

The GRM described below is specifically relevant to (b).

The name and contact number of representatives of MPWT and Contractor shall be placed on the notice board outside the construction site and at local government office i.e. provincial and commune offices. This may be in the form of posters for ease of understanding.

## Steps in Grievance Redress

* Wherever possible, the contractor will seek to resolve the complaint as soon as possible and on the spot, and thus avoid escalation of issues.

However, where a complaint cannot be readily resolved, then it must be escalated.

* If the complaint cannot be solved on the spot, it should be referred directly with the ESO. The ESO will be able to record the grievance and offer a solution within 15 days, consulting with the MPWT Project Manager and Director, as needed. This may include a visit to the project site by the ESO if necessary. There are no fees or charges levied for the lodgement and processing of grievances.

In cases where the grievance still cannot be resolved, or not resolved to the satisfaction of the person making the complaint, the person has the right to submit a complaint to the District or Province authorities, as desired by the complainant. The Complainant could also decide to submit a complaint directly to the Courts. The complainant will bear the cost for these steps, but will be reimbursed for their expenses by the IA if their complaint is successful.

## Recording Grievances

Established and managed by the ESO, a complaints register will be established as part of the project to record any concerns raised by any stakeholder during the implementation of this project. Any serious complaint will be advised to the World Bank within 24 hours of receiving the complaint. A summary list of complaints received, and their disposition, along with key statistics on the number of complaints and duration taken to close out, must be reported yearly. Grievances will be recorded in a Grievance Logs (see Table 13). This information will include:

* Stakeholder name and contact details (if not anonymous);
* Details of the nature of the grievance;
* Date received, manner in which it was responded to, and
* How it was submitted, acknowledged, responded to and closed out.

Grievances can be submitted anonymously or the aggrieved person can also request their name be kept confidential. Responsibility for the Grievance Log will be with the ESO office and Project Directors/Managers in MPWT.

Table 13: Sample Grievance Log based on SEP

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Grievance Log** | | | | | | | | |
| Name of Complainant (or anonymous) | Sex (M/F) | Contact info | Date Received | Details of the nature of the grievance  (environmental impacts, social impacts, labor, health, etc.) | To whom was grievance submitted | Actions to resolve grievance | Date grievance was settled  (and what stage) | How was the response provided? |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
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# MONITORING AND REPORTING

Monitoring is the method of ensuring mitigation measures are being implemented and are effective. Monthly, quarterly- and semi-annual monitoring reports will need to be undertaken in order to:

* Provide an opportunity to report the results of the implementation of mitigation measures in future ESMPs and other project related documents;
* Improve environmental and social management practices;
* Ensure the efficiency and quality of the environmental and social assessment processes, and
* Establish evidence- and results-based environmental and social impact assessment.

## Internal Monitoring

During road sub-project implementation, the MPWT ESO will conduct monthly internal monitoring activities on the ESMPs to determine how mitigation measures are being implemented and the extent of their effectiveness. The ESO reports will be reviewed by the project PM and PD and submitted to the World Bank on a monthly basis for their review. The ESO will be assisted by the ISWSC in this process.

The MPWT ESO, assisted by ISWSC, will monitor that the required mitigation measures of the ESMP and other applicable documents are considered and implemented by the civil works contractor and/or other responsible agency. During the road sub-project preparation phase, compliance monitoring activities will focus on ensuring effective ESMP implementation – i.e. ensuring that all mitigation measures described (as in Table 10) are being adhered to.

The ESO will also monitor grievance redress, implementation of land acquisition activities as described in the BRP, and the implementation of the SEP consultation and disclosure activities.

Monitoring and evaluation of the social impacts should at least measure the following:

* Land Acquisition impacts, and/or voluntary land donation, and ensuring those affected by land acquisition have at least maintained their pre-project standard of living, as well as other related monitor indicators described in the BRP;
* Number of women working on road construction jobs and other Project non-construction jobs;
* Number of trainings provided to women and vulnerable groups, and the impacts of these trainings (i.e. whether knowledge on a topic was enhanced, on HIV/AIDS for example);
* Efficacy of the grievance redress mechanism (for the community and for workers);
* Efficacy of road safety measures;
* Incidence of GBV and whether community members feel grievance redress methods are appropriate;
* Age of workers and that all workers have contracts in place with adequate pay that is at least the minimum wage;
* Other monitoring indicators as per Table 10 of the ESMP or other related project documents.

Meanwhile, monitoring of environmental impacts should focus on ensuring that all environmental mitigation measures are implemented as per the ESMP.

Data should be gender-disaggregated as much as possible. Monthly reports on monitoring should be provided by MPWT ESO with the support of ISWSC. A sample monitoring checklist is in Annex 3.

Provisions for reporting on accidents/incidents are included in Annex 6 (section 4) and should be complied with.

Table 14: Proposed Monitoring Measures

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Parameter to be Monitored** | **Location** | **Means of Monitoring** | **Schedule/ Frequency** | **Responsible Agency for Monitoring** |
| Completion of detailed design in accordance with ESMP, BRP and SEP requirements | Phnom Penh | Review of detailed design documentation | Prior to approval of detailed design | MPWT ESO |
| Implementation of all mitigation measures specified in the ESMP (based on guidance in Table 10) | Snuol and Chet Borei Districts, Kratie Province | Site visits to check contractor’s facilities, environmental management practices, reviewing worker’s contracts arrangements, conducting focus groups with women workers, conducting focus groups in the community to inquire about contractor- community relations, etc. | From DED onwards, expected monthly at the start and thereafter quarterly | MPWT ESO and ISWSC |
| Implementation of the SEP | Snuol and Chet Borei Districts, Kratie Province | As defined in the SEP | As defined in the SEP | MPWT ESO and ISWSC |
| Implementation of all mitigation measures specified in other project documents that may be required, such as BRPs | Snuol and Chet Borei Districts, Kratie Province | As defined in BRP | As defined in BRP | MPWT ESO and ISWSC |

Table 15: Example of Monitoring in Environment and Social Management Plan (also see Annex 3)

|  |  |  |  |
| --- | --- | --- | --- |
| **Monitoring Plan** | | | |
| Mitigation Measure being Monitored | Location | When | Who |
| Example: Watering of roads 2x per day to minimize dust | Province / District / Village/ PK (Road Section) | Monthly – X Month | MPWT ESO and ISWSC |
|  |  |  |  |
|  |  |  |  |

# BUDGET

ESMP implementation cost will include specific mitigation measures which are part of the contractor’s bidding documents and are therefore not included here. In addition, there will be staff costs, travel, consultation workshops, translation and trainings that will come under MPWT. The total indicative cost reviewed by the World Bank and MPWT is estimated at 99,000 USD (Table 16). Funds will be sourced from the project management component.

Table 16. Estimated Budget for the ESMP

|  |  |
| --- | --- |
| **Item** | **Estimated Cost**  **(to be updated in the ESMP)** |
| Consultants (ISWSC) on E&S to:   * Ongoing monitoring of ESMP, BRP and SEP, including assisting ESO to provide regular reports   (Additional budget for ISWSC will be required to for other aspects of their work) | USD 20,000 |
| Training for the ESO, as well as contractors, provincial departments and other staff, as relevant, on (but may be expanded):   * Implementing the ESMP; * Monitoring E&S compliance, including reporting; * Gender-Based Violence, including how to conduct awareness raising on this topic; * Violence Against Children, including how to conduct awareness raising on this topic; * HIV/AIDS awareness, including how to conduct awareness raising on this topic; * Occupational Health & Safety, including how to monitor and enforce this aspect; * Labor Management Procedures, including how to monitor and enforce this aspect; * Grievance Redress, including how to oversee and implement the GRM; * Road Safety, including how to conduct awareness raising on this topic; * Voluntary donations. | USD 20,000 |
| Budget for ESO office to conduct travel to provinces to conduct monitoring, training activities, etc. | USD 30,000 |
| Translation of E&S documents, printing and/or materials for consultations or trainings | USD 5,000 |
| Local consultations | USD 5,000 |
| Construction-phase mitigation measures of ESMP | To be calculated by contractor |
| Budget for land acquisition | See BRP |
| Budget to implement Grievance Redress Mechanism, including associated trainings and any additional staff that may be required | USD 10,000 |
| Contingency (10%) | USD 9,000 |
| **Total** | USD 99,000 |

**ANNEX 1 – Environment and Social Baseline of Project Provinces**

**KRATIE PROVINCE**

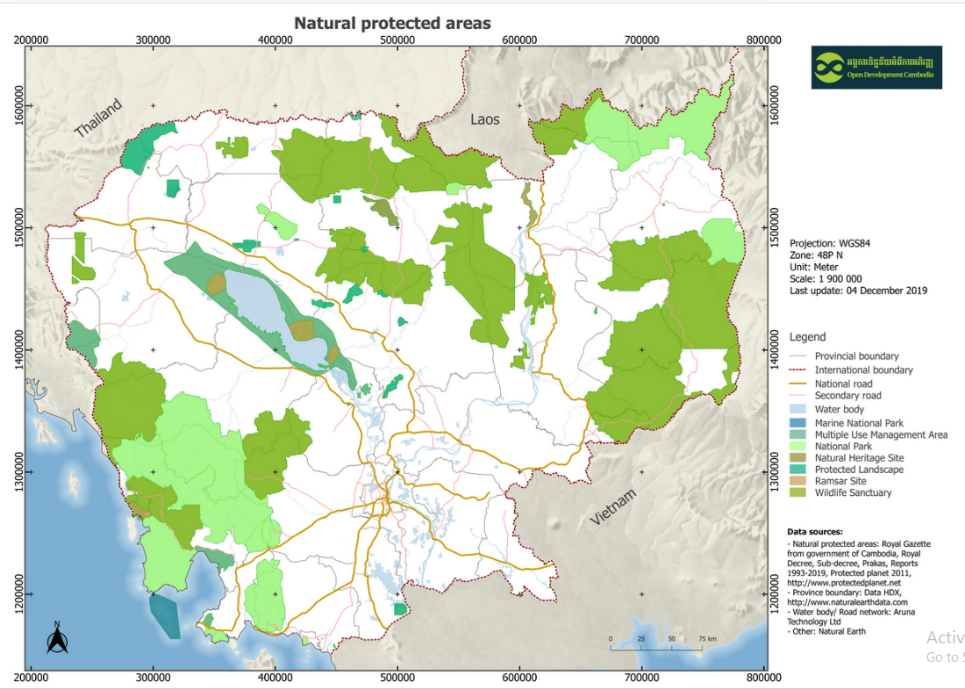
**Environment**– Kratie is a province located in the northeast of Cambodia. The province encompasses an area of 11,094 square km with coordinates of 1229’ N and 1061’ E. Kratie borders the provinces of Stung Treng to the north, Mondulkiri to the east, Kampong Thom and Kampong Cham to the west, and Tboung Khmum and Viet Nam to the south. The province is subdivided into five districts and one city, Chhloung, Preaek Prasab, Sambour, Snuol, Chitr Borie, and Krong Kratie. The provincial capital is Kratie located in Kratie District. The Mekong River bisects the province from north to south resulting in narrow floodplains. Most of the province is covered in dense forests, though some are more open and generally consist of deciduous trees that lose their leaves during the dry season. The province also consists of undulating uplands and lowlands. Land use patterns in the upland area of Kratie province consists of forest, grazing, shrub and farming land. Due to economic development pressures, the use and control of the forests have significantly changed. Forest lands have been converted into plantations and rice paddies by farmers. Agriculture in Kratie, while not as abundant as in other provinces, continues to grow and produces maize, cassava, sesame, sweet potato, sugarcane and soya beans, among others. There are two protected areas in Kratie province: Keo Seima Wildlife Sanctuary and Snoul Wildlife Sanctuary. The Keo Seima Wildlife Sanctuary encompasses over 298,160 ha, although more than half is within Mondulkiri province. Adjacent to the Keo Seima Wildlife Sanctuary is the Snoul Wildlife Sanctuary. The Snoul Wildlife Sanctuary in Kratie encompasses 61,943 ha.

**Climate and Extreme Weather**– Kratie province follows a monsoonal climate, with a cool season from November to March, a hot season from March to May, and a rainy season from May to October. Temperatures may range from 22 Celsius (C) to 36 C annually. The province’s climate has three seasons: a cool season from November to March (22 – 28C), a hot season from March to May (28– 36C), and a rainy season from May to October (24 – 32C, with humidity up to 90%). The annual flow of the Mekong River in Kratié province from 1985 to 2009 has been determined to be 401 cubic kilometers[[32]](#footnote-32). The Mekong River may overflow its riverbanks by as much as 4 meters (m) during the rainy season, resulting in frequent and prolonged flooding. The peak of the flood is during September where the monthly discharge averages in excess of 36,000 cumecs (cubic metres per second)[[33]](#footnote-33). High flood years in Kratie have included 1961, 1978, and 2000. However, the Mekong floods at Kratie have been declining for the past two decades, and in 2012, flood volumes were almost 40% below the normal rate. Kratie is increasingly experiencing severe drought, which has affected rice production and other agricultural crops. Notable drought years have included 1977, 2004, and 2008.

**Social**– The population of Kratie province is approximately 320,000 people, or over 2% of the total population of Cambodia. The province’s population is split nearly evenly between males and females[[34]](#footnote-34). Approximately 70% of residents live along the Mekong River and the remaining 30% live in mountainous areas. The majority of the population are Khmer, the largest ethnic group in Cambodia. There is a significant Vietnamese minority living in Kratie. There are also indigenous groups, including Bunong, Kouy, Mil, Khonh, Kraol and Steang. The majority of Kratie’s residents are subsistent farmers or fishers. Around three-quarters (78%) of the population are engaged in agriculture, both for livestock (i.e. poultry, swine and cattle) and crop production. Crops include cassava, maize, sesame, sweet potato, sugarcane and soya beans, among others[[35]](#footnote-35). Tobacco is one of the major products of Kratie, representing almost twenty percent of Cambodia’s crop. Around 20,000 ha are dedicated to rubber plantations where the latex is exported to countries such as Viet Nam, Japan, and Korea. Kratie’s proximity to both Phnom Penh and Viet Nam provides efficient access and opportunities for trade between both growth poles. Other key industries include a growing tourism sector – particularly linked to the endangered Mekong Dolphin – and natural attractions, contributing over USD 3 million per year. There is potential for hydro-electric power and mineral resources.

**PROTECTED AREAS**

There are 4 Protected Areas in Kratie Province, of 66 Protected Areas in the country.



*Source:*<https://data.opendevelopmentcambodia.net/dataset/e6083924-df52-4249-a044-9dfcde3e7245/resource/ae81c331-e6c7-47a4-b6b2-b7d71a2fa1a1/download/npas.jpeg>

**Protected Areas in Kratie Province**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name** | **Size (Ha)** | **Province** | **District** | **Category** | **Reference** |
| Snuol Wildlife Sanctuary | 75,000 | Kratie | Snoul | Wildlife Sanctuary | Royal\_Decree\_on  Protected Areas 01.11.1993 |
| Sor Sor Sdom Tao Multiple Use Area | 839 | Kratie | Sambour | Multiple Use Management Area | Sub\_decree\_no\_201\_  28.11.2017 |
| Preaek Prasab Wildlife Sanctuary | 12,770 | Kratie | Sambor; Preaek Prasab | Wildlife Sanctuary | Sub\_Decree\_No\_128\_  05.10.2018 |
| Sambor Wildlife Sanctuary | 50,093 | Kratie | Sambor | Wildlife Sanctuary | Sub\_Decree\_No\_129\_  05.10.2018 |

*Source:* <https://data.opendevelopmentcambodia.net/en/datastore/dump/fa3ba0a0-4be1-4477-8167-242e282fd3ff>

In addition to the PAs, international conservation organisations (including IUCN/WWF/WCS/ UN-GEF/ Birdlife and others) have identified 47 Key Biodiversity Areas (KBA) throughout Cambodia, with parts in Kratie province.

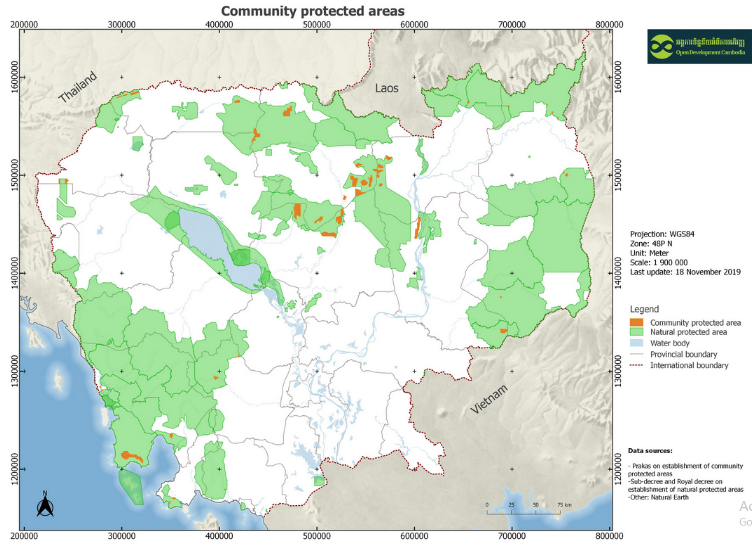
**Key Biodiversity Areas (KBA) Identified by Conservation NGOs**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **#** | **SiteID** | **Province** | **National Name** | **International Name** | **Total KBA Area (ha)** |
| 1 | 16674 | Kratie | Mekong River from Kratie to Lao PDR | Mekong River from Kratie to Lao PDR | 83,501 |
| 2 | 16675 | Kratie | Lomphat | Lomphat | 306,397 |
| 3 | 16677 | Kratie | Mondulkiri - Kratie Lowlands | Mondulkiri - Kratie Lowlands | 383,233 |
| 4 | 16678 | Kratie | Snoul / Keo Sema / O Reang | Snoul / Keo Sema / O Reang | 257,843 |
| 5 | 23304 | Kratie | Central Cambodia Lowlands | Central Cambodia Lowlands | 69,000 |
| 6 | 31502 | Kratie & Tboung Khmum | Prek Chhlong | Prek Chhlong | 18,000 |

*Source:* http: //www.keybiodiversityareas.org/site/mapsearch

There are also some **Community Protected Areas** in Kratie Province. One in Snoul covers 2,250 ha and

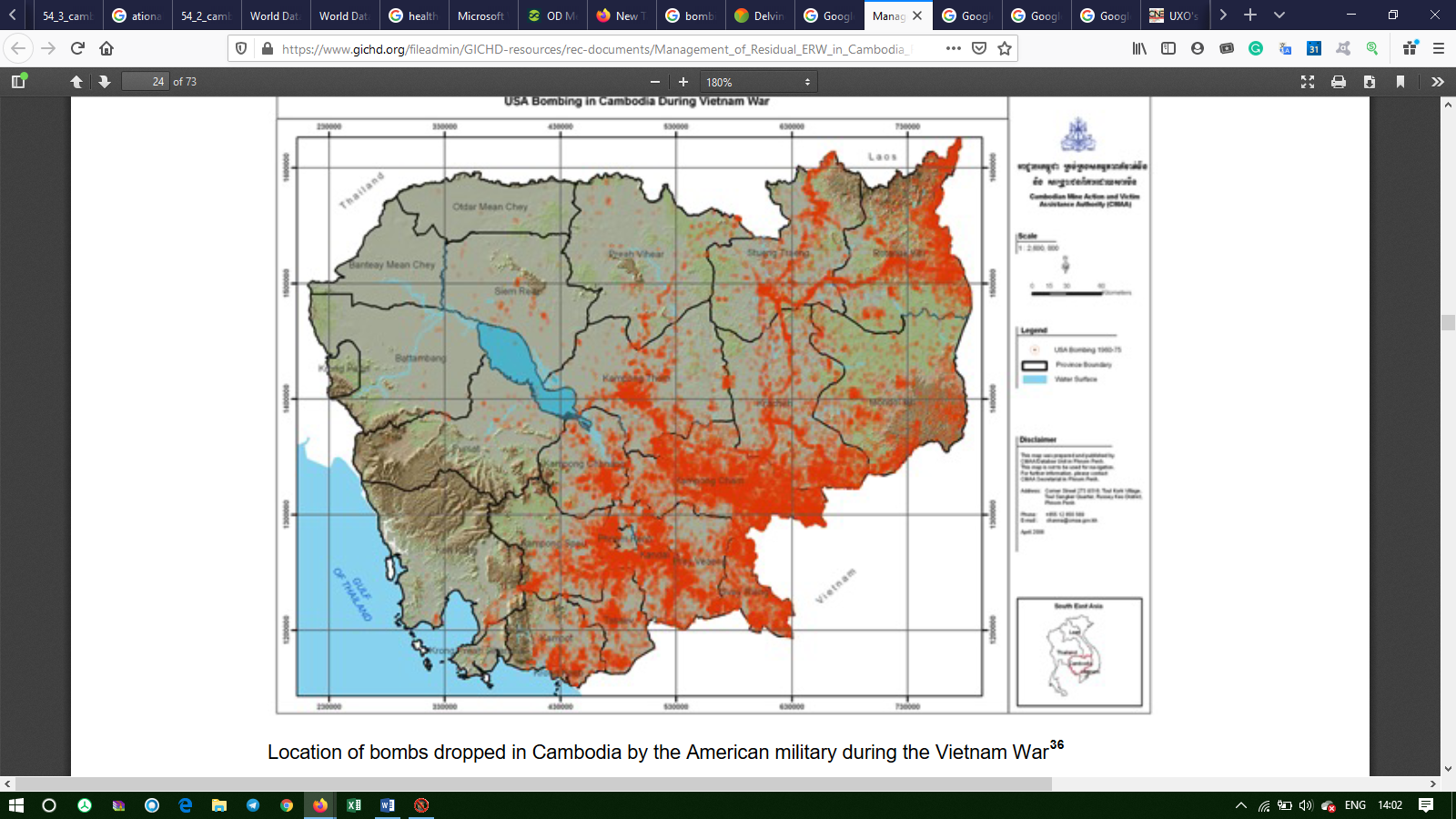
four recently approved areas (2019) in Sambour district, which cumulatively cover 4,969 ha.



*Source:* <https://data.opendevelopmentmekong.net>

**RISK OF UXOs**

|  |  |  |  |
| --- | --- | --- | --- |
| **Province** | **Total # Communes /Sangkats** | **Communes Reporting the Presence of UXOs** | **%** |
| Kratie | 47 | 34 | 72% |
| *Source: RGC Commune Database 2018* | |  |  |



**GENDER-BASED VIOLENCE**

As the project’s gender assessment highlights, GBV in Cambodia remains widespread. As can be seen, a significant number of villages (60%) in Kratie reported incidence of GBVs in the preceding year.

|  |  |  |  |
| --- | --- | --- | --- |
| **Province** | **Total # of Villages** | **Villages Reporting Incidence in Domestic Violence (CDB 2018)** | **%** |
| Kratie | 258 | 154 | 60% |
| *Source: Commune Database 2018* | | | |

### 

**PRESENCE OF HIV/AIDS**

Kratie reportedly has 26% of families with someone living with HIV/AIDS.

|  |  |  |  |
| --- | --- | --- | --- |
| **Province** | **Total # of Villages** | **Villages Reporting HHs family member living with HIV/AIDS** | **%** |
| Kratie | 258 | 66 | 26% |
| *Source: Commune Database 2018* | | | |

### 

**TRAFFIC DEATHS**

Traffic accidents are one of the leading sources of death tolls in the country, and the biggest victims are young males riding motorbikes.

|  |  |  |  |
| --- | --- | --- | --- |
| **Province** | **Total # of Villages** | **Villages Reporting Traffic Related Deaths in 2017 (CDB 2018)** | **%** |
| Kratie | 258 | 29 | 11% |
| *Source: Commune Database 2018* | | | |

**ANNEX 2 – Chance Find Procedures**

Since Component 1: NR7 is based on repair and rehabilitation, it is not expected to yield archaeological, paleontological or cultural findings of any significance because infrastructure works will occur in the existing road alignment and ROW and existing pagodas, churches and mosques are outside of the ROW. However, there remains a possibility for (as yet undiscovered) sites of local cultural significance (i.e. sacred sites, cemeteries) and archaeological sites to exist with sub-project areas.

Bidding and contract documentation for Contractors will include a clause on chance find procedures and includes the following measures:

1. Stop construction activities in the area of the chance find;
2. Delineate the discovered site or area;
3. Secure the site to prevent any damage or loss of removable objects;
4. Notify the supervisory Engineer who, in turn, will notify the responsible local authorities;
5. Responsible local authorities would conduct a preliminary evaluation of the findings to be performed by archaeologists who will assess the significance and importance of the findings according to various criteria, including aesthetic, historic, scientific or research, social and economic values;
6. Decisions on how to handle the finding shall be taken by the responsible authorities which could result in changes in layout, conservation, preservation, restoration and salvage;
7. Implementation for the management of the finding communicated in writing; and
8. Construction work could resume only after permission is given from the responsible local authority concerning safeguard of the heritage.

**ANNEX 3 – Sample Monitoring Checklist**

|  |  |  |  |
| --- | --- | --- | --- |
| **PROJECT ROAD:** |  | **LOCATION:** |  |
| **DATE:** |  | **CONTRACTOR:** |  |
| **PREPARED BY:** |  | **SUPERVISION :CONSULTANT** |  |

**Inspection Participants:** (insert names and positions)

| **ESMP Items** | **Applies** | | **Compliance** | | | **Issues** | **Status (R)/ (O)** | **Action Required/Taken** | **Target/ Actual Date** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** |  |  |  |
| **Mitigation & Management Measures: Construction Phase** | | | | | | | | | |
| *Example: Spraying road surface to avoid airborne dust (3-6 times/day or as needed)* | X |  |  | | | *The dry season has lasted longer than expected and contractor is not spraying frequently enough to control airborne dust.* | *O* | *Contractor must spray at least an additional 2 times/day, but this may need to be increased if it is still not enough to control airborne dust.* | *Starting immediately* |
|  |  |  |  | | |  |  |  |  |
|  |  |  |  | | |  |  |  |  |
|  |  |  |  | | |  |  |  |  |
| **Mitigation & Management Measures: Operation and Maintenance Phase** | | | | | | | | | |
|  |  |  |  | | |  |  |  |  |
|  |  |  |  | | |  |  |  |  |
|  |  |  |  | | |  |  |  |  |
|  |  |  |  | | |  |  |  |  |

Compliant, Minor Non-Compliance, Significant Non-Compliance

Status: (R) Resolved Issues, (O) Ongoing Issues

**ANNEX 4 – Environmental and Social Codes of Practice for Construction Works**

Generic contract clauses are provided to assist with environmental and social management works. These clauses are intended to be included as requirements in the works contract and shall remain in force throughout the contract period.

Clause on ESMP

The Contractor is required to implement this ESMP and requirements under Table 10. The Contractor is responsible for the implementation of construction and rehabilitation activities for the sites and for implementing the impact mitigation measures in the construction phase. The Contractor’s approach shall be detailed in the Contractor’s Management Plan.

The Contractor shall include a suitably qualified and experienced Environmental, Occupational Health and Safety Officer (and other staff or consultants as necessary) to be specifically responsible for preparation and regular update and supervision of the ESMP. The Environmental, Occupational Health and Safety Officer is responsible for the daily supervision and monitoring of the Contractors implementation of the Plan and compliance with the Project ESMP for the duration of the contract. The Contractor’s approach to comply with the ESMP shall be approved by MPWT and ISWSC prior to the Contractor’s mobilization to the site.

The Contractor will be required to report on the implementation status of the ESMP to MPWT. The damages due to the violation of the stipulations by the Contractor shall be compensated and/or restored by the Contractor at his or her own expense. Performance will be monitored by MPWT and will be enforced by withholding of payments (refer to relevant clause in the bid documents).

Other Standard Clauses

*Permits and Approvals*

The contractor shall be responsible for ensuring that he or she has all relevant legal approvals and permits required to commence works.

*Site Security*

The contractor shall be responsible for maintaining security over the construction site including the protection of stored materials and equipment. In the event of severe weather, the contractor shall secure the construction site and associated equipment in such a manner as to protect the site and adjacent areas from consequential damages. This includes the management of onsite, construction materials, construction and sanitary wastes, additional strengthening of erosion control and soil stabilization systems and other conditions resulting from contractor activities which may increase the potential for damages.

*Discovery of Antiquities and Cultural Heritage*

If, during the execution of the activities contained in this contract, any material is discovered onsite which may be considered of historical or cultural interest, such as evidence of prior settlements, native or historical activities, evidence of any existence on a site which may be of cultural significance, all work shall stop and the supervising contracting officer shall be notified immediately and the Chance Find Procedures followed. The area in which the material was discovered shall be secured, cordoned off, marked, and the evidence preserved for examination by the local archaeological or cultural authority. No item believed to be an artefact must be removed or disturbed by any of the workers. Work may resume, without penalty of prejudice to the contractor upon permission from the contracting officer with any restrictions offered to protect the site.

*Worker Occupational Health and Safety*

The contractor shall ensure that all workers operate within a safe environment. Sanitation facilities shall be provided for all site workers. All sanitary wastes generated as a result of project activities shall be managed in a manner approved by the contracting officer and the local authority responsible for public health. The contractor shall ensure that there are basic medical facilities on site and that there are staff trained in basic first aid. Workers must be provided with the necessary protective gear as per their specific tasks such as hard hats, overalls, gloves, goggles, boots, etc. The contractor shall provide the contracting officer with an occupational health and safety plan for approval prior to the commencement of site activities.

The contractor must ensure that all workers operate within a safe environment. All relevant Labor and Occupational Health and Safety regulations must be adhered to ensure worker safety. Sanitary facilities must be provided for all workers on site. Appropriate posting of information within the site must be done to inform workers of key rules and regulations to follow.

*Noise Control*

The contractor shall control noise emissions generated as a result of contracting activities to the extent possible. In the case of site locations where noise disturbance will be a concern, the contractor shall ensure that the equipment is in good working order with manufacturer supplied noise suppression (mufflers etc.) systems functioning and in good repair.

Where noise management is a concern, the contractor shall make reasonable efforts to schedule activities during normal working hours (between 7 am and 5 pm). Where noise is likely to pose a risk to the surrounding community either by normal works or working outside of normal working hours or on weekends, the contractor shall inform the contracting officer and shall develop a public notification and noise management plan for approval by the contracting officer.

*Use and Management of Hazardous Materials, fuels, solvents and petroleum products*

The use of any hazardous materials including pesticides, oils, fuels and petroleum products shall conform to the proper use recommendations of the product. Waste hazardous materials and their containers shall be disposed of in a manner approved by the contracting officer in accordance with State and/or national laws and the Project ESMP. A site management plan will be developed by the contractor if the operation involves the use of these materials to include estimated quantities to be consumed in the process, storage plans, spill control plans, and waste disposal practices to be followed. Any plans required shall be approved by the contracting officer.

Elements of the hazardous materials management shall include:

* Contractor must provide temporary storage on site of all hazardous or toxic substances in safe containers labeled with details of composition, properties and handling information;
* Hazardous substances shall be placed in a leak-proof container to prevent spillage and leaching; and
* Wastes shall be transported and disposed of in a manner outlined in the ESMP, and cleared by the CIU Safeguards Team compliant with national laws and policies and the ESMP.

*Use and Management of Pesticides*

Any use of pesticides shall be approved by the contracting officer and shall conform to the manufacturers’ recommendations for use and application. Any person using pesticides shall demonstrate that they have read and understood these requirements and are capable of complying with the usage recommendations to the satisfaction of the contracting officer. All pesticides to be used shall conform to the list of acceptable pesticides that are not banned by the relevant local authority.

If termite treatment is to be utilized, ensure appropriate chemical management measures are implemented to prevent contamination of surrounding areas, and use only licensed and registered pest control professionals with training and knowledge of proper application methods and techniques.

*Use of Explosives*

No explosives shall be used on the Project.

*Site Stabilization and Erosion Control*

The Contractor shall implement measures at the site of operations to manage soil erosion through minimization of excavated area and time of exposure of excavated areas, preservation of existing ground cover to the extent possible, provision of approved ground cover and the use of traps and filtration systems. Where excavations are made, contractor shall implement appropriate stabilizing techniques to prevent cave-in or landslide. Measures shall be approved by the contracting officer.

The contractor must ensure that appropriate erosion control measures such as silt fences are installed. Proper site drainage must be implemented. Any drain clogged by construction material or sediment must be unclogged as soon as possible to prevent overflow and flooding. The use of retaining structures and planting with deep rooted grasses to retain soil during and after works must be considered. The use of bio-engineering methods must be considered as a measure to reduce erosion and land slippage. All slopes and excavated areas must be monitored for movement.

The contractor will establish appropriate erosion and sediment control measures such as hay bales, sedimentation basins, and / or silt fences and traps to prevent sediment from moving off site and causing excessive turbidity in nearby streams, rivers and wetlands. Construction vehicles and machinery will be washed only in designated areas where runoff will not pollute natural surface water bodies.

*Air Quality*

The Contractor shall comply with the Project ESMP requirements for dust management.

*Traffic Management*

In the event that construction activities should result in the disruption of area transportation services, including temporary loss of roadways, blockages due to deliveries and site related activities, the contractor shall provide the contracting officer with a traffic management plan including a description of the anticipated service disruptions, community information plan, and traffic control strategy to be implemented so as to minimize the impact to the surrounding community. This plan shall consider time of day for planned disruptions, and shall include consideration for alternative access routes, access to essential services such as medical, disaster evacuation, and other critical services. The plan shall be approved by the contracting officer.

Elements of the traffic management plan to be developed and implemented by contractor shall include:

* Alternative routes will be identified in the instance of extended road works or road blockages;
* Public notification of all disturbance to their normal routes;
* Signage, barriers and traffic diversions must be clearly visible, and the public warned of all potential hazards;
* Provision for safe passages and crossings for all pedestrians where construction traffic interferes with their normal route;
* Active traffic management by trained and visible staff at the site or along roadways as required to ensure safe and convenient passage for the vehicular and pedestrian public; and
* Adjustment of working hours to local traffic patterns, e.g. avoiding major transport activities during rush hours or times of livestock movement.

*Water Quality*

The Contractor shall comply with the Project ESMP requirements for water quality. Under no circumstances shall the contractor permit the collection of standing water as a consequence of contractor activities to ensure that it does not create breeding grounds for any pests such as mosquitoes.

*Management of Solid Wastes and Construction Debris*

The contractor shall provide a solid waste management plan that conforms to the national solid waste management policies and regulations and the Project ESMP for approval by MPWT (see Annex 5). The site waste management plan shall include a description of waste handling procedures including collection, storage and disposal through the national waste management system. There will be no open burning of waste material and the contractor shall endeavor to recycle wastes as appropriate. Under no circumstances shall the contractor allow construction wastes to accumulate so as to cause a nuisance or health risk due to the propagation of pests and disease vectors.

*Management of Workers*

The Contractor will prepare a specific Code of Conduct (see Annex 7 & 8) to describe the expected behaviors of their project worker in relation to the local communities and their social sensitivities. This is to avoid creating demand for illegal sex work, avoid Gender-Based Violence and Violence Against Children, manage alcohol consumption and avoid the use of illegal substances, and abide by cultural and social norms of the host community. The Contractor is to ensure no children (persons under the age of 18) are hired to work in the project.

The Contractor is to ensure that all overseas project staff undergo a training on the Staff Code of Conduct. Gender based violence and HIV/AIDS and communicable disease awareness raising and resources shall also be provided to all workers. MPWT shall provide to the Contractor a list of approved service providers, which shall include recognized NGOs and others for conducting this training.

The Contractor is to stipulate the conditions under which visitors may attend the workers’ accommodation, including curfews. The Contractor shall ensure that basic social/collective rest and recreation spaces and activities within the workers accommodation to help minimize the impact that the workers would have on the leisure and recreational facilities of the nearby communities. The Contractor must comply with the Labor Management Procedures (Annex 5).

As per guidelines in the ESMP, the Contractor must ensure that Worker’s Camps are located at least 500m from nearby communities and schools (see Annex 9).

**ANNEX 5 – Labor Management Procedures**

**Instructions:** Site- Specific ESMPs will update this information.

Labor Management Procedures (LMP) are mandated by WB ESS2 to identify the main labor requirements and risks associated with a project and to determine the resources necessary to address project labor issues. The LMP is a living document to be reviewed and updated throughout development and implementation of the project. The LMP applies to all project workers, irrespective of contracts being full-time, part-time, temporary or casual.

**USE OF LABOR IN THE PROJECT**

The World Bank ESS2 defines four categories of project workers:

* **Direct workers** - people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project.
* **Contracted workers** - people employed or engaged through third parties to perform work related to core functions of the project, regardless of location. These could be either international or national workers.
* **Primary supply workers** - people employed or engaged by the Borrower’s primary suppliers (primary supply workers).
* **Community workers** - people employed or engaged in providing community labor, generally voluntarily. There will be no community workers engaged on the Project.
* **Civil Servant**- those employed directly by the Government.

Component 1:NR7 of the CRCIP is expected to have the following type of workers:

|  |  |  |  |
| --- | --- | --- | --- |
| **Category of worker** | **Estimated Number of Project Workers** | **Characteristics of Project Workers** | **Timing of Labor Requirements** |
| Civil servant | 22 | Workers at MPWT in Phnom Penh, the Department of Public Works and Transport in the Kratie province, District level staff in Snuol and Chet Borei. May also include staff from MEF/GDR and other line ministries. | Throughout the whole project cycle |
| Direct Workers | 5-10 | ISWSC E&S Specialist, ISWSC design engineers as well as ISWSC supervisors on site and other ISWSC staff. | Throughout the whole project cycle |
| Direct worker and Contracted worker | 50-60 (of which 35-45 unskilled, and of unskilled female target is 6) | Contractor team engaged to build road section. Contractor may sub-contract staff to work in construction, both skilled and unskilled staff. Contractor will be encouraged to hire locally and/or in Cambodia. Contractor will need unskilled workers and they will be encouraged to hire from the community (to avoid having migrant workers), including that 15% of unskilled workers are women. | Design, Construction and maintenance |
| Supply workers | TBD | Those working in companies/factories supplying materials for construction, in particular raw materials. | Construction and potentially maintenance |
| Direct workers | 2 national consultants working at MPWT plus additional TBD | Civil society, NGO or consultant staff may be hired to deliver training activities such as HIV/AIDs or GBV, or conduct additional assessments, ideally Cambodian and/or Cambodia-based | Construction and potentially maintenance |

The project will ensure that no workers of any type is under 18 years.

**ASSESSMENT OF KEY POTENTIAL LABOR RISKS**

The project will hire a range of workers for the overall delivery of the project. Construction workers are deemed to be the highest labor risk, both due to the informal nature of their work (usually short-term contracts) and their presence in the community, which can heighten risks of GBV and VAC.

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| **Project Activity** | **Key Labor Risks** |
| General project administration and implementation (hiring of consultants, monitoring and reporting, financial management, audits, E&S management, project coordination) | * Road travel to provinces (OHS) * Sedentary work (OHS) * Air travel (OHS) * Presence of foreign workers |
| Design of project roads, including consultation activities and conducting surveys (if needed) | * Road travel to provinces (OHS) * Sedentary work (OHS) * GBV and VAC when designers and/or project consultations close to communities * Presence of foreign workers |
| Construction works/ rehabilitation of project roads, including procuring materials for road works, as well as potentially project maintenance | * Operating heavy machinery (OHS) * Traffic hazards (OHS) * Accidents or emergencies (OHS) * Risks of workplace accidents, particularly when operating construction equipment, when working at height on building construction, and when handling heavy equipment and materials * Risks from exposure to hazardous substances (dust, cement, chemicals used in construction etc.) * Risks associated with living conditions in site camps, which may include inadequate provision of water and sanitation as well as the risk that construction camps become locations for transmission of sexually transmitted diseases (STD) or expose workers to vector-transmitted diseases such as malaria and dengue and to risk of snakebites and insect stings * Potential risks from encountering UXOs during construction works * GBV and VAC risks for workers and community * Spread of sexually-transmitted diseases * Unequal pay for men and women workers, in particular unskilled * Discrimination of women and other vulnerable persons, in particular for unskilled jobs * Pay below the minimum wage, in particular for unskilled jobs * Presence of migrant workers, in particular for unskilled job * Presence of foreign workers, both for skilled and unskilled jobs * Indentured labor in supply chain * Child labor (in supply chain and contracted staff) |
| Delivering trainings for community | * GBV and VAC to workers and community * Spread of sexually-transmitted diseases |

**BRIEF OVERVIEW OF THE LABOR LEGISLATION: TERMS AND CONDITIONS**

Cambodia has national legislation that outlines worker’s rights. The Labor Law (1997) remains the key document governing the regulatory framework for labor in Cambodia.

The **1997 Labor Law** defines non-discrimination in employment and in wages. It establishes a minimum wage level, which may vary among regions. Working hours are limited to 8 hours per day, 6 days a week. There are strong regulatory provisions against discrimination in the work place, enhancing from a legal point of view fair treatment, non-discrimination and equal opportunity, special protection and assistance to vulnerable workers. A whole chapter in the Law is dedicated to health and safety in the workplace. The Law also covers those who work for subcontractors.

Child labor remains a noticeable gap in the legal framework despite many years of participation in related international programs. The Labor Law defines 12 years old as the minimum working age for children, though 12-15 year olds are meant to only engage in certain light jobs, but this is not always closely monitored. The Prakas on the Prohibition of Hazardous Child Labor (2004) allow hazardous work for well-trained children above 16, provided it is not night work. The ESMP details the relevant legislation and a gap analysis with the World Bank ESF.

**OVERVIEW OF THE LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY**

The Labor Law (1997) includes provisions on Occupational Health and Safety (OHS) mostly consistent with ESS2 of the World Bank’s Environmental and Social Framework (ESF).

**RESPONSIBLE STAFF**

These following individuals/agencies are expected to work in the different aspects of Component 1:NR7 of the CRCIP.

**Engagement and Management of Contractors/Subcontractors.** The Ministry of Public Works and Transport is responsible for contractor engagement and compliance with contract conditions. The MPWT will address all LMP aspects as part of procurement for works and consultancy/technical assistance activities. MPWT (PD, PM, ESO and others as relevant) will be responsible for overseeing all aspects of implementation of the project, including compliance and contractor induction.

Meanwhile the Contractor is responsible for management of its staff and subcontractors in accordance with contract specific Labor Management Plans (LMP).

**Labor and Working Conditions**. Contractors will keep records in accordance with specifications set out in this LMP. MPWT may at any time require records to ensure that labor conditions are met. MPWT will review records against actuals, at a minimum on a monthly basis, and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

**Training of Workers**. Contractors are required to, at all times, have a qualified safety officer on board. If training is required, this will be the contractor’s responsibility. The safety officer will provide instructions to contractor staff. The contractor will be obligated to make staff available for any mandatory trainings required by MPWT, as specified by the contract.

**Addressing Worker Grievances**. The Contractors will be required to implement a Grievance Redress Mechanism (GRM) for workers which responds to the minimum requirements in this LMP. The MPWT’s ESO will review records on a monthly basis. MPWT will keep abreast of GRM complaints, resolutions and reflect in quarterly reports to the World Bank.

**Occupational, Health and Safety**. Contractors must designate a minimum of one safety representative to ensure day-to-day compliance with specified safety measures and records of any incidents. Minor incidents and near misses should be reported to MPWT on a monthly basis; serious incidents should be reported immediately. Minor incidents should be reflected in the quarterly reports to the World Bank, and major issues should be flagged to the World Bank immediately.

MPWT and all workers under Component 1:NR 7 of the CRCIP will:

* Comply with Cambodia legislation, WB’s ESS2 requirements and other applicable requirements which relate to OHS hazards (see Annex 6: OHS Guidelines);
* Enable active participation in OHS risks elimination through promotion of appropriate skills, knowledge and attitudes towards hazards;
* Continually improving the OHS management system and performance;
* Communicate this policy statement to all persons working on the project with emphasis on individual OHS responsibilities; and
* Make this policy statement available to all interested parties.

**Contractor’s** Safety Officer(s) will be responsible for:

* Identification of potential hazards to project workers, particularly those that may be life threatening;
* Provision of preventative and protective measures, including modification, substitution, or elimination of hazardous conditions or substances;
* Training of project workers and maintenance of training records;
* Documentation and reporting of incidents;
* Emergency prevention and preparedness and response arrangements to emergency situations; and
* Remedies for adverse impacts such as occupational injuries, deaths, disability and disease.

The **contractor(s)** will be required to:

* Develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment and processes under their control are safe and without risk to health;
* Actively collaborate and consult with project workers in promoting understanding and methods for implementation of OHS requirements;
* Provide OHS training to all employees involved in works or site supervision;
* Provide laminated signs of relevant safe working procedures in a visible area on work sites, in English and local language as required;
* Provide PPE as suitable to the task and hazards of each worker, without cost to the worker;
* Put in place processes for project workers to report work situations that they believe are not safe or healthy and to remove themselves from situations they have reasonable justification to believe are unsafe;
* Confirm appropriate measures are in place for working in communities with known risk of conflict / violence;
* Ensure availability of first aid boxes in all work locations;
* Provide employees with access to toilets (separate for male and female) and potable drinking water; and
* Properly dispose of solid waste at designated permitted disposal/landfill sites.

Further to enforcing the compliance of environmental and social management, contractors will be responsible and liable for the safety of site equipment, laborers and daily workers attending to the construction site and safety of citizens for each subproject site, as mandatory measures.

**POLICIES AND PROCEDURES**

MPWT will incorporate standardized environmental and social clauses in the tender documentation and contract documents in order for potential bidders to be aware of environmental and social performance requirements that shall be expected from them, are able to reflect that in their bids, and required to implement the clauses for the duration of the contract. MPWT will enforce compliance by contractors with these clauses.

As a core contractual requirement, the contractor is required to ensure all documentation related to environmental and social management, including the LMP, is available for inspection at any time by the MPWT. The contractual arrangements with each project worker must be clearly defined. All environmental and social requirements will be included in the bidding documents and contracts.

All workers must be aware and sign the Manager’s Code of Conduct (Annex 7) and/or the Individual Code of Conduct (Annex 8), as applicable.

**Occupational Health and Safety (OHS)**

OHS strategy will include specific measures to ensure the safety of workers travelling to remote sites, including (1) project cars to be driven by professional drivers only; (2) compulsory helmet use for drivers and passengers on  project motorcycles at all times, and on private motorcycles when used for project-related tasks; (3) travel by motorcycle for project-related purposes to be in daylight hours only; and (4) measures to monitor, anticipate and avoid potential security risks while travelling, including liaison with local police and authorities and encouraging project workers to share any concerns they may have.

UXO risks will be assessed for all sites with the assistance of Cambodia Mines Action Centre / Cambodia Mines Action Authority and appropriate risk mitigation measures adopted.

The Health and Safety specifications will include the following provisions:

* Ensuring workplace health and safety standards in full compliance with Cambodian law, at a minimum, and including (1) basic safety awareness training to be provided to all persons as a pre-condition for presence at an active construction site; (2) all vehicle drivers to have appropriate licenses, and all construction equipment operators to be trained including in safety procedures; (3) Safe management of the area around operating equipment (e.g. turning circle of excavators), including stationing a flag-person where necessary; (4) all workers on construction sites to be equipped with hard helmets, safety boots and protective gloves; (5) secure scaffolding and fixed ladders to be provided for work above ground level; (6) First aid equipment and facilities to be provided in accordance with the Labour Law; (7) at least one supervisory staff trained in safety procedures to be present at all times when construction work is in progress; and (8) adequate provision of hygiene facilities, resting areas etc.
* All workplace health and safety incidents to be properly recorded in a register which will be shared with the supervising engineer. The register should include (1) time and place of incident; (2) type of incident; (3) type of injury or other impact occurring, and number of workers affected; and (4) actions taken (first aid, evacuation etc.).
* All workers to be covered by insurance against occupational hazards.
* All work sites to have a health and safety plan including identification of potential hazards and actions to be taken in case of emergency, including location of accident and emergency facilities.
* Any on-site accommodation to be safe and hygienic, including provision of an adequate supply of potable water, washing facilities, sanitation, accommodation and cooking facilities. Location and layout of site camps to be agreed with construction supervisors and risk assessment conducted.
* Workers residing at site accommodation to receive training in preventing prevention of infection through contaminated food and / or water and or through vector-borne diseases; and in avoidance of sexually transmitted diseases.
* Fair and non-discriminatory employment practices. Where contractors hire workers from the beneficiary community, disadvantaged and vulnerable community members are to have equal access to opportunities. Where large numbers of community members are employed, childcare facilities to be provided.
* Employment of children under 18 is prohibited.
* Under no circumstances will contractors, suppliers or sub-contractors engage forced labor.
* Construction materials manufactured in Cambodia be procured only from suppliers able to certify that no forced labour (including debt bondage labour) or child labour (except as permitted by the Labour Law) has been used in production of the materials.
* All employees to be aware of their rights under the Labour Law, including the right to organize;
* All employees to be informed of their rights to submit a grievance through the Project Worker Grievance Mechanism.

Additional guidelines on OHS can be found in Annex 6.

**A****ge of Employment**

For this project, the minimum age will be 18 years. This rule will apply for both national and international workers. Workers will be required to provide proof of their identify and age before commencing any works on site.

**Terms and Conditions and Equal Opportunities**

All terms and conditions as outlined in the World Bank Environmental and Social Framework (ESF) ESS2, paragraphs 10 to 15 apply to contracted workers. In addition,

* In line with national law, the maximum working hours are limited to 8 hours per day, 6 days a week.
* Employers shall guarantee that the workers shall have at least one resting day per week. The employers shall also make arrangements for the employees to take vacation according to law during Khmer New Year, Pchum Ben and any other holidays prescribed by laws and regulations.
* Employment opportunities will be available to all. This includes equal pay for equal work, regardless whether the person performing the work is male or female.
* The wages paid by the employers to the workers shall not be lower than the local Cambodian minimum wage.
* Provisions of the Labor Law must be followed, including maternity leave for females if applicable.

The labor contract shall be provided to workers writing and shall have the following provisions:

1. The term of the labor contract;
2. Work content;
3. Labor protection and working conditions;
4. Remuneration for labor;
5. Labor discipline;
6. Conditions for termination of the labor contract;
7. Responsibility for breach of labor contract;
8. Individual Staff Code of Conduct;
9. Grievance Redress Mechanism.

**Grievance Mechanism**

There will be a specific Grievance Redress Mechanism (GRM) for project workers as per the process outlined below. This considers culturally appropriate ways of handling the concerns of direct and contracted workers. Processes for documenting complaints and concerns have been specified, including time commitments to resolve issues.

In addition, this GRM should be communicated to all relevant stakeholders (such as workers and the community) as part of project engagement (for example with posters with contact numbers in visible locations). Special communications will be held with the vulnerable groups identified at each location.

All project workers will be informed of the Grievance Mechanism process as part of their contract and induction package.

The process for the Worker GRM is as follows:

* The first step is that the Aggrieved Person/Party may report their grievance in person, by phone, text message, mail or email (including anonymously if required) to the Contractor as the initial focal point for information and raising grievances. For complaints that were satisfactorily resolved by the Aggrieved Person/Party or Contractor, the incident and resultant resolution will be logged and reported to the MPWT ESO.
* As a second step, where the Aggrieved Person/Party is not satisfied, the Contractor will refer the aggrieved party to the MPWT ESO. Grievances may also be referred or reported to the MPWT Management if deemed suitable. The MPWT ESO endeavors to address and resolve the complaint and inform the Aggrieved Person/Party in two weeks or less. For complaints that were satisfactorily resolved by the MPWT ESO, the incident and resultant resolution will be logged by the MPWT ESO. Where the complaint has not been resolved, the MPWT ESO will refer to the Project Manager/Director for further action or resolution.
* As a third step, if the matter remains unresolved, or the Aggrieved Person/Party is not satisfied with the outcome, the MPWT PM/PD should refer the matter to the CRCIP Project Steering Committee for a resolution, which shall aim to resolve the grievance in three weeks or less. The MPWT ESO will log details of issue and resultant resolution status.

Up until the third stage there will be no fees for the lodgement of grievances. However, if the complaint remains unresolved or the complainant is dissatisfied with the outcome proposed by the Project Steering Committee, the Aggrieved Person may refer the matter to the appropriate legal or judicial authority, at the complainant’s own expense. A decision of the Court will be final.

Each grievance record should be allocated a unique number reflecting year and sequence of received complaint (for example 2020-01, 2020-02 etc.). Complaint records (letter, email, record of conversation) should be stored together, electronically or in hard copy. The MPWT ESO will be responsible for undertaking a regular (at least monthly) review of all grievances to analyze and respond to any common issues arising. The MPWT ESO is also responsible for oversight of the GRM.

**CONTRACTOR MANAGEMENT**

The tendering process for contractors will require that contractors can demonstrate their labor management and OHS standards, which will be a factor in the assessment processes.

Contractual provisions will require that contractors:

* Monitor, keep records and report on terms and conditions related to labor management;
* Provide workers with evidence of all payments made, including benefits and any valid deductions;
* Keep records regarding labor conditions and workers engaged under the Project, including contracts, registry of induction of workers including Code of Conduct, hours worked, remuneration and deductions (including overtime);
* Record safety incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, etc.);
* Report evidence that no child labor is involved;
* Training/induction dates, number of trainees, and topics;
* Details of any worker grievances including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken. Grievances listed should include those received since the preceding report and those that were unresolved at the time of that report;
* Sign the Manager’s Code of Conduct (Annex 7) and/or the Individual Code of Conduct (Annex 8), as applicable.

Monitoring and performance management of contractors will be the responsibility of MPWT and ISWSC. MPWT/ISWSC will be responsible for oversight of labor management provisions as well as contract supervision.

**PRIMARY SUPPLY CHAIN WORKERS**

The Contractor will be responsible for conducting due diligence on the primary supply workers (those providing key materials for road construction, in particular raw materials), to ensure there is no indentured/forced or child labor (as per the Labor Law).

In conducting due diligence, the contractor (or contractor’s staff) should:

* Inform the provider, that the Contractor will not engage a provider who has forced or child laborers;
* When possible, visit the company/factory, and conduct interviews with key personnel about their working conditions, as well as informal random interviews with workers;
* Conduct secondary due diligence, by asking information from others who may be familiar with the provider, to make sure there are no reported instances of forced or child labor;
* If necessary, and when possible, engage the Ministry of Labor to conduct checks on supplier to ensure no child labor or forced labor;
* Keep records of the information and include in reporting to MPWT.

**CAPACITY BUILDING**

While the provisions outlined in this LMP are in most respects consistent with the requirements of the Labour Law 1997, with only limited additional provisions (for example, the Worker Grievance Redress Mechanism) to meet the requirements of ESS2, the LMP considerably exceeds actual practice in labor management in Cambodia, particularly in the Cambodian construction industry. Therefore, to ensure that project partner agencies, contractors and suppliers, and particularly local construction contractors, can meet these obligations, the project will develop and deliver trainings and simple awareness raising materials. This will be the responsibility of ISWSC.

Key project personnel who will require training include:

* Human resources staff or administration staff responsible for recruitment of direct project workers in MPWT;
* Procurement staff in MPWT;
* MPWT ESO;
* Kratie Provincial Public Works staff;
* Management Focal Points in each project partner agency;
* Staff, consultants and consultants’ staff acting as contract supervisors and responsible for monitoring compliance with the policy;
* Commune and village leaders.

ISCWS and MPWT will develop and deliver a short training course for contractors and / or contractors site managers, explaining the obligations of the contractor as set out in the Health and Safety specifications. Supervising engineers are also to attend these courses. Courses will be delivered by ISCWS and MPWT ESO.

ISCWS/MPWT ESO will also prepare a simple booklet, in Khmer language and with easy-to understand illustrations, explaining the requirements of the LMP as applicable to contracted workers in the project. The booklet will include details of the Worker Grievance Redress Mechanism. This booklet will be disseminated to all project direct workers.

**ANNEX 6 – OHS Guidelines**

The objective of this guideline is to provide guidance on the:

* Key principles involved in ensuring the health and safety of workers is protected;
* Preparation of Health and Safety plans

The key reference document for this Guideline is the World Bank Group’s *Environmental, Health, and Safety (EHS) Guidelines* (April 2007)[[36]](#footnote-36) and the World Bank’s ESS 4.

1. **Principles**

Employers must take all reasonably practicable steps to protect the health and safety of workers and provide and maintain a safe and healthy working environment. The following key principles are relevant to maintaining worker health and safety:

* 1. **Identification and assessment of hazards**

Each employer must establish and maintain effective methods for:

* Systematically identifying existing and potential hazards to employees;
* Systematically identifying, at the earliest practicable time, new hazards to employees;
* Regularly assessing the extent to which a hazard poses a risk to employees.
  1. **Management of identified hazards**

Each employer must apply prevention and control measures to control hazards which are identified and assessed as posing a threat to the safety, health or welfare of employees, and where practicable, the hazard shall he eliminated. The following preventive and protective measures must be implemented order of priority:

* Eliminating the hazard by removing the activity from the work process;
* Controlling the hazard at its source through engineering controls;
* Minimizing the hazard through design of safe work systems;
* Providing appropriate personal protective equipment (PPE).

The application of prevention and control measures to occupational hazards should be based on comprehensive job safety analyses (JSA). The results of these analyses should be prioritized as part of an action plan based on the likelihood and severity of the consequence of exposure to the identified hazards.

* 1. **Training and supervision**

Each employer must take all reasonably practicable steps to provide to employees (in appropriate languages) the necessary information, instruction, training and supervision to protect each employee's health and to manage emergencies that might reasonably be expected to arise in the course of work. Training and supervision includes the correct use of PPE and providing employees with appropriate incentives to use PPE.

* 1. **General duty of employees**

Each employee shall:

* Take all reasonable care to protect their own and fellow workers health and safety at the workplace and, as appropriate, other persons in the vicinity of the workplace;
* Use PPE and other safety equipment supplied as required; and
* Not use PPE or other safety equipment for any purpose not directly related to the work for which it is provided.
  1. **Protective clothing and equipment**

Each employer shall:

* Provide, maintain and make accessible to employees the PPE necessary to avoid injury and damage to their health;
* Take all reasonably practicable steps to ensure that employees use that PPE in the circumstances for which it is provided; and
* Make provision at the workplace for PPE to be cleaned and securely stored without risk of damage when not required.

1. **Design**

Effective management of health and safety issues requires the inclusion of health and safety considerations during design processes in an organized, hierarchical manner that includes the following steps:

* Identifying project health and safety hazards and associated risks as early as possible in the project cycle including the incorporation of health and safety considerations into the worksite selection process and construction methodologies;
* Involving health and safety professionals who have the experience, competence, and training necessary to assess and manage health and safety risks;
* Understanding the likelihood and magnitude of health and safety risks, based on:
  + The nature of the project activities, such as whether the project will involve hazardous materials or processes;
  + The potential consequences to workers if hazards are not adequately managed;
* Designing and implementing risk management strategies with the objective of reducing the risk to human health;
* Prioritising strategies that eliminate the cause of the hazard at its source by selecting less hazardous materials or processes that avoid the need for health and safety controls;
* When impact avoidance is not feasible, incorporating engineering and management controls to reduce or minimize the possibility and magnitude of undesired consequences;
* Preparing workers and nearby communities to respond to accidents, including providing technical resources to effectively and safely control such events, in particular relating to traffic;
* Improving health and safety performance through a combination of ongoing monitoring of facility performance and effective accountability.

1. **Implementation**
   1. **Documentation**

A Health and Safety Plan must be prepared and approved prior to any works commencing on site. The H&S Plan must demonstrate the Contractor’s understanding of how to manage safety and a commitment to providing a workplace that enables all work activities to be carried out safely. The H&S Plan must detail reasonably practicable measures to eliminate or minimise risks to the health, safety and welfare of workers, contractors, visitors, and anyone else who may be affected by the operations. The H&S Plan must be prepared in accordance with the World Bank’s EH&S Guidelines and the relevant country health and safety legislation.

* 1. **Training and Awareness**

Provisions should be made to provide health and safety orientation training to all new employees to ensure they are apprised of the basic site rules of work at / on the site and of personal protection and preventing injury to fellow employees. Training should consist of basic hazard awareness, site-specific hazards, safe work practices, and emergency procedures for fire, evacuation, and natural disaster, as appropriate. Training should also include HIV/AIDS awareness training.

Visitors are not permitted to access to areas where hazardous conditions or substances may be present, unless appropriately inducted.

* 1. **Personal Protective Equipment (PPE)**

Personal Protective Equipment (PPE) provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems.

PPE is considered to be a last resort that is above and beyond the other facility controls and provides the worker with an extra level of personal protection. The table below presents general examples of occupational hazards and types of PPE available for different purposes. Recommended measures for use of PPE in the workplace include:

* Active use of PPE if alternative technologies, work plans or procedures cannot eliminate, or sufficiently reduce, a hazard or exposure;
* Identification and provision of appropriate PPE that offers adequate protection to the worker, co-workers, and occasional visitors, without incurring unnecessary inconvenience to the individual;
* Proper maintenance of PPE, including cleaning when dirty and replacement when damaged or worn out. Proper use of PPE should be part of the recurrent training programs for Employees
* Selection of PPE should be based on the hazard and risk ranking described earlier in this section, and selected according to criteria on performance and testing established

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| **Objective** | **Workplace Hazards** | **Suggested PPE** |
| Eye and face protection | Flying particles, molten metal, liquid chemicals, gases or vapors, light radiation. | Safety Glasses with side-shields, protective shades, etc. |
| Head protection | Falling objects, inadequate height clearance, and overhead power cords. | Plastic Helmets with top and side impact protection. |
| Hearing protection | Noise, ultra-sound. | Hearing protectors (ear plugs or ear muffs). |
| Foot protection | Falling or rolling objects, pointed objects. Corrosive or hot liquids. | Safety shoes and boots for protection against moving & falling objects, liquids and chemicals. |
| Hand protection | Hazardous materials, cuts or lacerations, vibrations, extreme temperatures. | Gloves made of rubber or synthetic materials (Neoprene), leather, steel, insulating materials, etc. |
| Respiratory  protection | Dust, fogs, fumes, mists, gases, smokes, vapors. | Facemasks with appropriate filters for dust removal and air purification (chemicals, mists, vapors and gases). Single or multi-gas personal monitors, if available. |
| Oxygen deficiency | Portable or supplied air (fixed lines).  On-site rescue equipment. |
| Body/leg protection | Extreme temperatures, hazardous materials, biological agents, cutting and laceration. | Insulating clothing, body suits aprons etc. of appropriate materials. |

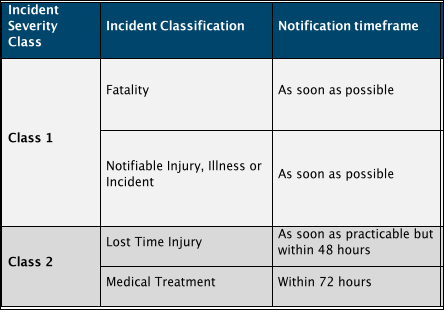
1. **Monitoring**

Occupational health and safety monitoring programs should verify the effectiveness of prevention and control strategies. The selected indicators should be representative of the most significant occupational, health, and safety hazards, and the implementation of prevention and control strategies. The occupational health and safety monitoring program should include:

* **Safety inspection, testing and calibration**: This should include regular inspection and testing of all safety features and hazard control measures focusing on engineering and personal protective features, work procedures, places of work, installations, equipment, and tools used. The inspection should verify that issued PPE continues to provide adequate protection and is being worn as required.
* **Surveillance of the working environment**: Employers should document compliance using an appropriate combination of portable and stationary sampling and monitoring instruments. Monitoring and analyses should be conducted according to internationally recognized methods and standards.
* **Surveillance of workers health**: When extraordinary protective measures are required (for example, against hazardous compounds), workers should be provided appropriate and relevant health surveillance prior to first exposure, and at regular intervals thereafter.
* **Training**: Training activities for employees and visitors should be adequately monitored and documented (curriculum, duration, and participants). Emergency exercises, including fire drills, should be documented adequately.
* **Accidents and Diseases monitoring**. The employer should establish procedures and systems for reporting and recording:
  + Occupational accidents and diseases
  + Dangerous occurrences and incidents

These systems should enable workers to report immediately to their immediate supervisor any situation they believe presents a serious danger to life or health. Each month, the contractor shall supply data on trainings delivered, safety incidents prevented and any accidents to the Client’s Consulting Engineer for reporting to the MPWT. These data are to also include incidents related to any sub-contractors working directly, or indirectly, for the Contractor.

The MPWT, ISWSC and World Bank shall be notified of any incident in accordance with the standards below:



All Class 1 and Class 2 health and safety incidents must be formally investigated and reported to the MPWT, ISWSC and World Bank through an investigation report. This report shall be based on a sufficient level of investigation by the Contractor so that all the essential factors are recorded. Lessons learnt must be identified and communicated promptly. All findings must have substantive documentation. As a minimum the investigation report must include:

* Date and location of incident;
* Summary of events;
* Immediate cause of incident;
* Underlying cause of incident;
* Root cause of incident;
* Immediate action taken;
* Human factors;
* Outcome of incident, e.g. severity of harm caused, injury, damage;
* Corrective actions with clearly defined timelines and people responsible for implementation;
* Recommendations for further improvement.

**ANNEX 7 – Manager’s Code of Conduct**

**Instructions:** This Code of Conduct should be included in bidding documents for the civil works contractor(s) and in their contracts once hired. This Code of Conduct should also be included in bidding documents, and the contracts, of ISWSC. This Code of Conduct is to be signed by the main party (head or manager) in the Contractor/ISWSC.

**Manager’s Code of Conduct**

The contractor/ ISWSC is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The contractor/ ISWSC is also committed to creating and maintaining an environment where children under the age of 18 will be protected, and where sexual abuse and sexual harassment have no place. Improper actions towards children, Violence Against Children (VAC), sexual abuse/harassment, and/or acts of Gender Based Violence (GBV) will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Staff at all levels have a responsibility to uphold the contractor’s/ ISWSC’s commitment. Contractors/ ISWSC need to support and promote the implementation of the Code of Conduct. To that end, staff must adhere to this Code of Conduct and also to sign the Individual Code of Conduct. This commits them to supporting the implementation of the Contractor’s Environmental and Social Management Plan, the OHS Management Plan, and developing systems that facilitate the implementation of the GBV Action Plan.

Staff, in particular Managers, need to maintain a safe workplace, as well as a GBV-free environment at the workplace and in the local community. Their responsibilities to achieve this include but are not limited to:

**Implementation**

1. To ensure maximum effectiveness of the Code of Conduct:
   1. Prominently displaying the Code of Conduct in clear view at workers’ camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
   2. Ensuring all posted and distributed copies of the Code of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
2. Verbally and in writing explain the Code of Conduct to all staff, including in an initial training session.
3. Ensure that:
   1. All staff sign the ‘Individual Code of Conduct’, including acknowledgment that they have read and agree with the Code of Conduct.
   2. Staff lists and signed copies of the Individual Code of Conduct are provided to the OHS Manager and the MPWT ESO.
   3. Participate in training and ensure that staff also participate as outlined below.
   4. Put in place a mechanism for staff to:
      * report concerns on ESHS or OHS compliance; and,
      * confidentially report GBV incidents through the Grievance Redress Mechanism (GRM)
   5. Staff are encouraged to report suspected or actual ESHS, OHS, GBV, VAC issues, emphasizing the staff’s responsibility in compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all employees nor ordinarily resident in the country where the works are taking place.
4. Ensure that when engaging in partnership, sub-contractor, supplier or similar agreements, these agreements:
   1. Incorporate the ESHS, OHS, GBV, VAC Codes of Conduct as an attachment.
   2. Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.
   3. Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures against GBV and VAC, to investigate allegations thereof, or to take corrective actions when GBV or VAC has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct but also termination of agreements to work on or supply the project.
5. Provide support and resources to the E&S team to create and disseminate staff training and awareness-raising strategy on GBV, VAC and other issues highlighted in the ESMP.
6. Ensure that any GBV or VAC complaint warranting Police action is reported to the Police, the client and the World Bank immediately.
7. Report and act in accordance with the agreed response protocol any suspected or actual acts of GBV or VAC.
8. Ensure that any major ESHS or OHS incidents are reported to the client and the supervision engineer immediately, non-major issues in accordance with the agreed reporting protocol.
9. Ensure that children under the age of 18 are not present at the construction site or engaged in any hazardous activities.

**Training**

1. The managers are responsible to:
   1. Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-contractors and suppliers; and,
   2. Ensure that staff have a suitable understanding of the ESMP and are trained as appropriate to implement the Contractor’s ESMP requirements.
2. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV and VAC elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the GBV Action Plan for addressing GBV issues.
3. Managers are required to attend and assist with the project facilitated monthly training courses for all employees.
4. Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on:
   1. OHS and ESHS, and,
   2. GBV and VAC.
5. During civil works, ensure that staff attend ongoing OHS and ESHS training, as well as the monthly mandatory refresher training course required of all employees on GBV.

**Response**

1. Managers will be required to take appropriate actions to address any ESHS or OHS incidents.
2. Regarding GBV:
   1. Maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
   2. If a manager develops concerns or suspicions regarding any form of GBV by one of his/her direct reports, or by an employee working for another contractor on the same work site, s/he is required to report the case using the GRM.
   3. Once a sanction has been determined by the GRM, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made by the GRM.
   4. If a Manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, he/she must notify the Company and the GRM. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
   5. Ensure that any GBV issue warranting Police action is reported to the Police, the client and the World Bank immediately.
3. Managers failing address ESHS or OHS incidents or failing to report or comply with the GBV provisions may be subject to disciplinary measures, to be determined and enacted by the Company. Those measures may include:
4. Informal warning;
5. Formal warning;
6. Additional Training;
7. Loss of up to one week's salary;
8. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
9. Termination of employment.
10. Ultimately, failure to effectively respond to ESHS, OHS, VAC and GBV cases on the work site by the company’s managers may provide grounds for legal actions by authorities.

*I do hereby acknowledge that I have read the Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, VAC and GBV requirements. I understand that any action inconsistent with this Code of Conduct or failure to act mandated by this Code of Conduct may result in disciplinary action.*

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ANNEX 8 – Individual Code of Conduct**

**Instructions:** This Code of Conduct should be included in bidding documents for the civil works contractor(s) and in their contracts once hired. This Code of Conduct should also be included in bidding documents, and the contracts, of ISWSC. This Code of Conduct is to be signed by all contractor and ISWSC staff, including managers, working on Component 1:NR7 of the CRCIP.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project’s occupational health and safety (OHS) requirements, and preventing Violence Against Children (VAC) and Gender Based Violence (GBV) is important.

The Contractor/ISWSC considers that failure to follow ESHS and OHS standards, or to partake in activities constituting VAC or GBV—be it on the work site, the work site surroundings, at workers’ camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project I will:

1. Consent to a background check in any place I have worked for more than six months.
2. Attend and actively partake in training courses related to ESHS, OHS, VAC and GBV as requested by my employer.
3. Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
4. Take all practical steps to implement the environmental and social management plan (ESMP).
5. Implement the OHS Management Plan.
6. Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
7. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
8. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
9. Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
10. Not engage in sexual harassment of work personnel and staff —for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited: i.e. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
11. Not engage in sexual favors —for instance, making promises of favorable treatment (i.e. promotion), threats of unfavorable treatment (i.e. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
12. Not use prostitution in any form at any time.
13. Not participate in sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
14. Unless there is the full consent[[37]](#footnote-37) by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
15. Consider reporting through the GRM or to my manager any suspected or actual GBV by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

With respect to children under the age of 18:

1. Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
2. Wherever possible, ensure that another adult is present when working in the proximity of children.
3. Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
4. Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
5. Refrain from physical punishment or discipline of children.
6. No hiring of children for any CRCIP project activity (no persons under the age of 18).
7. Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s safeguard policies on child labor and minimum age.
8. Take appropriate caution when photographing or filming children (see x-bb below). Photos or films of children should generally not be taken in Component 1:NR7 of the CRCIP, except potentially in instances showing the benefits or impacts of road works, such as impacts to schools or school safety trainings.

**Use of children's images for work related purposes**

When photographing or filming a child for work related purposes, I must:

1. Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
2. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
3. Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
4. Ensure images are honest representations of the context and the facts.
5. Ensure file labels do not reveal identifying information about a child when sending images electronically.

**Sanctions**

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

1. Informal warning;
2. Formal warning;
3. Additional Training;
4. Loss of up to one week’s salary;
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
6. Termination of employment;
7. Report to the Police if warranted.

*I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviors that could be construed as VAC or GBV. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, VAC and GBV issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.*

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ANNEX 9 – Guidelines for Worker’s Camps**

If relevant, these guidelines will help the contractor when setting up worker’s camps.

GENERAL

The Workers Camp Management Plan will be compliant with the specific prescriptions of the ESMP.

WORKER RECRUITMENT

The Contractor is required to minimise the number of skilled workers that are recruited from overseas. No unskilled labour will be sourced from overseas. Local communities should be prioritized for unskilled labor, including a target of 15% female unskilled workers. The Contractor will maximise the number of skilled and unskilled workers that are recruited from the communities along the project site. The Contractor will be required to provide justification for any skilled workers recruited from overseas and explain why this position cannot be filled locally/ in Cambodia.

WORKERS CAMP FACILITIES

All facilities in the Workers Camp must be complaint with the stipulations of the ESMP. The camp shall be provided with the following minimum facilities:

* Eating space and dormitories as required shall be constructed of suitable materials to provide a safe healthy environment for the workforce and which facilitate regular cleaning and the provision of ventilation and illumination.
* At least one water closet toilet, one urinal and one shower per 10 personnel engaged either permanently or temporarily on the project. Separate toilet and wash facilities shall be provided for male and female employees, including ensuring that toilets are available close to working sites/road sections where women are working.
* A sick bay and first aid station.
* Sewage collection facilities to allow for the treatment of black and grey wastewater discharge from toilets, wash rooms, showers, kitchens, laundry and the like. The management of all camp wastewater water shall be as prescribed in the ESMP.
* All camp facilities shall be maintained in a safe clean and or appropriate condition throughout the construction period.
* Throughout the period of the contract the employer, the engineer, or their representatives shall have uninterrupted access to and from the camp for the purpose of carrying out routine inspections of all buildings, facilities or installations of whatever nature to ensure compliance with this specification.

WORKERS CAMP OPERATIONS

* The Contractor will be required to provide adequate provisions for the workers for the duration of the project so as not to be a burden on the food or water security of the surrounding communities. The Contractor will strive to hire local labor to provide cleaning and food services.
* All wastewater, solid waste, freshwater usage, noise levels, handling and storage of hazardous materials shall be as prescribed in the ESMP.

MANAGEMENT OF OFF DUTY WORKERS

* The Contractor will prepare ensure all staff sign and adhere to the Individual Code of Conduct to describe the expected behaviours of their project worker in relation to the local communities and their social sensitivities.
* The Contractor is to ensure that all overseas project staff, not already living in Cambodia, undergo a cultural familiarisation session as part of their induction training. The purpose of this induction will be to introduce the project staff to the cultural sensitivities of the local communities and the expected behaviours of the staff in their interactions with these communities.
* The Contractor is to stipulate the conditions under which visitors may attend the workers camp. Strict visiting hours should be enforced and all visitors will be required to sign in and out of the workers camp. No overnight visitors will be allowed.
* The Contractor shall ensure that basic social/collective rest spaces are provided equipped with seating within the Workers Camp to help minimise the impact that the workers would have on the leisure and recreational facilities of the nearby communities. Provisions should also be made to provide the workers with an active recreation space within the camp.

WORKERS CAMP MANAGEMENT PLAN

A Worker’s Camp Management Plan shall be submitted by the Contractor to MPWT. The Workers’ Camp Management Plan shall describe how this document and the ESMP shall be implemented in the following:

* Recruitment strategy
* Accommodation
* Canteen and dining areas
* Ablutions
* Water supply
* Wastewater management system
* Proposed power supply
* Code of Conduct for Workers
* Recreational/leisure facilities for workers
* Visitors to the Workers Camp
* Interactions with the local communities.

**ANNEX 10 – GBV Stakeholders in Kratie Province**

| **Functions & Services** | **Kratie** | |
| --- | --- | --- |
| **Government**  **Responsibility** | **Stakeholder Actions: who is doing what?** |
| **Coordination** | | |
| Implement Policy, Guidelines, Laws  And Advocacy: | CWWW (province and district)  PDOWA  Vice governor,  Sub working group on social moral | UNICEF: child protection  OXFAM: Voices for Change  PDP: The National Alcohol Policy Act  Child fund: Child protection  WVA: Gender |
| **Prevention** | | |
| Women’s empowerment | PDOWA  DPSAVY | OXFAM: Voices for Change  FLO: Forestry livelihood Improvement, self-help group.  KWWA: gender economic  UNCHEF: Child Survival & Development (CSD) |
| Men’s awareness | PDOWA  Police  Provincial, district  Focal point,  CCWC | PDP: The National Alcohol Policy Act  SP: Health  KWWA: Community base prevention care and support |
| Integrated GBV/SRHR | PDoH  DPOWA  CWCC  Health Post officer | KWWA: RPDH  Save the children: heath  SP: Health  CHADA: Health |
| **Response: Essential Services** | | |
| Health | DoH,  DPoWA | DFAT/ACCESS: grants to partners  KWWA: Gender Heath  Save the children: heath  CHADA: Health |
| Justice, Policing | Provincial Police JPA/JOP  DPOWA  Provincial prosecutor | ADHOC: access to justice for women  Child fund: Child protection  OXFAM: Voices for Change  CPU: Legal support  Provincial Red Cross: budget support |
| Social Services: Counselling and PSS | DPOWA,  DoSVY,  DPoH,  Referral hospital,  CCWC | UNICEF: primary Counselling information training  KWWA: primary counselling  SP: Health  Child Fund : Reintegration |
| Shelter/safe house/  OSSC | DoSVY,  DPOWA,  Provincial police | AFESIP: Shelter  HAGAR: Shelter  Provincial Red Cross: emergency respond  Women Business:  Women Association |
| Legal Aid &  Access to Justice | WCCC,  DPOWA,  Provincial prosecutor | PM’s Volunteer Lawyers  CPU: Lawyer  ADHOC : access to justice for women |

1. Several other sections of NR7 (158 km) are being improved under the ongoing World Bank-financed Road Asset Management Project II (RAMPII). [↑](#footnote-ref-1)
2. General section: low density areas with no or very minor and temporary impacts, i.e. during construction. [↑](#footnote-ref-2)
3. Local level consultations took place in January-March of 2020. [↑](#footnote-ref-3)
4. http://rcip.mpwt.gov.kh/safeguards/ [↑](#footnote-ref-4)
5. Full description of the CRCIP, including rationale for the project, can be found in the World Bank’s Project Appraisal Document (PAD).  [↑](#footnote-ref-5)
6. For information on Component 2, please refer to the World Bank’s Project Appraisal Document (PAD) and Environment and Social Management Framework (ESMF) prepared by MRD. [↑](#footnote-ref-6)
7. See ESMP for Component 1: NR 73 and ESMP for Component 1: PR 377 & PR 377a. [↑](#footnote-ref-7)
8. Conceptual Engineering Designs include (a) technical studies: topographic survey, geotechnical design for road and structures, pavement design, hydrology study and hydrology design for side drainage, cross-drainage (culvert), structures and flood plains (including implementation drawings and supporting calculations), design for bridges and culverts, with at least plan view, general layout plan and elevation, study of existing utilities and their need for relocation, proposed road furniture and road safety equipment; and (b) drawings: road alignment and profile, at a scale of 1/1000, typical cross-sections as required with their location of application as well as actual cross-sections at max. 25m intervals, proposed arrangements in main junctions and typical designs for accesses (1/500 or less), typical drawings for drainage structures and ancillaries, design drawings for bridges and culverts, including proposed steelwork and reinforcement drawings, relocation plans of existing utilities, drawings of proposed road furniture and road safety equipment. [↑](#footnote-ref-8)
9. May need to modify the exact COI after DED finish the Topographic Survey. [↑](#footnote-ref-9)
10. No firewood shall be used for melting asphalt. Contractors for example can apply Diesel Oil to steam/melt asphalt. MPWT does not recommend the use of HDO-heavy Diesel oil. [↑](#footnote-ref-10)
11. Several other sections of NR7 (158 km) are being improved under the ongoing World Bank-financed Road Asset Management Project II (RAMPII). [↑](#footnote-ref-11)
12. General section: low density areas with no or very minor and temporary impacts, i.e. during construction. [↑](#footnote-ref-12)
13. Located in PK 303, Sambour Sen Chey P.S.; PK 306 Anglong Ke P.S.  PK307 A Loch P.S.; PK311 Anhchanh P.S.; PK.317 Kanout P.S., and a High School; PK322 Sopaksa P.S.; PK 324 Eng Cham P.S.; and P.K 329 another Primary School. [↑](#footnote-ref-13)
14. Following ESS7, to be considered as Indigenous Peoples by this project, groups need to possess the following characteristics in varying degrees: (a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and (b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and (c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and (d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside. [↑](#footnote-ref-14)
15. “Improved” source of drinking water refers to bottle water, piped water supply in dwellings or premise, public taps, tubed/piped well or borehole, protected dug well or rainwater collection [↑](#footnote-ref-15)
16. Consultations at the province and district level to present and discuss a draft version of the BRP, SEP and ESMP were held in January, February and March 2020. The consultation’s report has been included in the BRP, this ESMP and SEP as relevant. [↑](#footnote-ref-16)
17. http://rcip.mpwt.gov.kh/safeguards/ [↑](#footnote-ref-17)
18. http://www.cambodiainvestment.gov.kh/sub-decree-72-anrk-bk-on-environment-impact-assessment-process-pdf\_990811.html [↑](#footnote-ref-18)
19. <http://www.cambodiainvestment.gov.kh/wp-content/uploads/2020/02/WhatsApp-Image-2020-02-07-at-10.22.26-AM.jpeg> [↑](#footnote-ref-19)
20. http://www.bigpond.com.kh/Council\_of\_Jurists/a00-Anukret/ANK00\_07\_42\_E.htm80 [↑](#footnote-ref-20)
21. http://www.cambodiainvestment.gov.kh/wp-content/uploads/2011/09/Sub-Degree-27-on-Water-Pollution-Control\_990406.pdf [↑](#footnote-ref-21)
22. While the Sub-Decree on Waste Management has no quantitative parameters, sensible practice is expected. Such practices would include (i) all general waste and food waste should be removed to a government approved landfill; (ii) all demolition waste must be removed to a government-approved location; (iii) all waste oil and grease should be disposed by a registered sub-contractor; (iv) the final destination of the oily wastes should be established. [↑](#footnote-ref-22)
23. See National Action Plan to Prevent Violence Among Women (2014-18). [↑](#footnote-ref-23)
24. No firewood shall be used for melting asphalt. Aggregates and other construction materials will be sourced from licensed operators only. The RGC imposes strict permits for businesses doing extraction, including sand and crushed stones. [↑](#footnote-ref-24)
25. Full details are included in the Basic Resettlement Plan. [↑](#footnote-ref-25)
26. Civil works supervision consultant’s monthly reports should confirm all persons with physical presence at the project site have signed a CoC and been trained. [↑](#footnote-ref-26)
27. Ministry of Interior “Prakas No. 4275 BrK on the Establishment and Functioning of the Women’s and Children’s Consultative Committees at Capital Council, Provincial Councils, Municipal Councils, District Councils and Khan Councils” (30 December 2009), Phnom Penh, Cambodia. [↑](#footnote-ref-27)
28. Ministry of Women’s Affairs “Decision 009 on the Establishment of Working Group on Gender Based Violence Response” (14 February 2012), Phnom Penh, Cambodia. [↑](#footnote-ref-28)
29. Coffey International Development *“Ending Violence Against Women 2012–2017 Program Completion Report*” (2017), p.2. [↑](#footnote-ref-29)
30. Ministry of Women’s Affairs “Gender: Gender Mainstreaming-Institutional, Partnership and Policy Context- Cambodia Gender Assessment” (2014), Phnom Penh, Cambodia, p.9. [↑](#footnote-ref-30)
31. Some minor changes to design could be considered if there is a need to improve road safety or resilience of the road to heavy rains and floods (i.e. to include additional culverts).   [↑](#footnote-ref-31)
32. http://www.mrcmekong.org/assets/Publications/basin-reports/Annual-Mekong-Flood-Report-2012.pdf [↑](#footnote-ref-32)
33. http://www.mrcmekong.org/assets/Publications/report-management-develop/MRC-IM-No2-the-flow-of-the-mekong.pdf [↑](#footnote-ref-33)
34. https://www.statsmonkey.com/sunburst/37217-total-population-statistics-of-Kratié-by-gender-cambodia-stats.php [↑](#footnote-ref-34)
35. http://pdf.usaid.gov/pdf\_docs/Pnadn800.pdf [↑](#footnote-ref-35)
36. [www.ifc.org/ehsguidelines](http://www.ifc.org/ehsguidelines) [↑](#footnote-ref-36)
37. **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense. [↑](#footnote-ref-37)