

KINGDOM OF CAMBODIA  
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***Cambodia Sustainable Landscape and Ecotourism  
Project (CSLEP)***

***Indigenous People Planning Framework (IPPF)***

***Prepared for:***

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## LIST OF ACRONYMS

AF	Additional Financing
ARAP	Abbreviated Resettlement Action Plan
EIA	Environmental Impact Assessment
EMP	Environment Management Plan
ESIA	Environment and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FPIC	Free Prior and Informed Consultations
GEF	Global Environment Facility
IDA	International Development Association
IP	Indigenous Peoples
IPDP	Indigenous People Development Plan
IPO	Indigenous People Organization
IPPF	Indigenous People Planning Framework
ISDS	Integrated Safeguards Data Sheet
MOE	Ministry of Environment
MRD	Ministry of Rural Development
NGO	Non-Government Organization
RAP	Resettlement Action Plan
RGC	Royal Government of Cambodia
RPF	Resettlement Policy Framework
ROW	Right of Way
SA	Social Assessment
TEGs	Technical Environmental Guidelines
WB	World Bank

## **PREFACE**

This safeguard document is called the Indigenous People Planning Framework (IPPF) and it has been prepared for the Cambodia Sustainable Landscape and Ecotourism Project (CSLEP). The IPPF is part of the overall CSLEP and part of the CSLEP's Environment and Social Management Framework (ESMF). This IPPF will be applied to all investments financed by the World Bank (WB) Group for technical and/or financial support for CSLEP.

The Project will be implemented by the Ministry of Environment (MOE) and the Ministry of Rural Development (MRD). Safeguard implementation will be carried out by social and environmental safeguards focal persons of MOE and MRD.

This document is considered a living document and shall be modified and updated in line with the changing situation or scope of the activities. Detailed Indigenous Peoples Plans (IPP) will be developed when and if necessary, in close consultation with stakeholders and the World Bank. Clearance of future IPPs by the World Bank will be necessary.

## **PURPOSE OF THE FRAMEWORK**

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

## **PROJECT OBJECTIVE**

The project development objective (PDO) is to improve protected areas management, and to promote ecotourism opportunities and Non Timber Forest Products (NTFP) value chains in the Cardamom Mountains-Tonle Sap landscape.

## **PROJECT COMPONENTS**

The CSLEP has five components and several subcomponents, summarized below. For more detailed information, please see the Project Appraisal Document (PAD) and other relevant project documentation.

The project is piloting a landscape approach in Cambodia, within the Cardamom Mountains-Tonle Sap, and is undertaking strategic investments that are strongly aligned with RGC's development plans, in targeted areas within this landscape. The project aims to improve the sustainability of economic growth and ecosystem services across the landscape. Ecotourism and NTFP value chains are strategic activities for economic growth and sustaining/ improving ecosystem services in the Cardamom Mountains and Tonle Sap landscape.<sup>1</sup> The Cambodia Sustainable Landscape and Ecotourism Project (CSLET) comprises the following five components: (a) Strengthen Capacity for PA Landscape Planning and Management; (b) Strengthen Opportunities for Ecotourism and NTFP Value Chains; (c) Improve Access and Connectivity; (d) Project Management, Coordination, and Monitoring and Evaluation; and (e) Contingent Emergency Response.

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<sup>1</sup> Management of fisheries in the Tonle Sap Lake is recognized as an important component of sustainable landscape management of the Cardamom Mts. Tonle Sap Lake landscape, and activities supporting the improved management of Lake fisheries are covered under the EU grant.

The scope and sequencing of project activities is consistent with the development objective of the project. The activities will address a logical combination of: (i) strengthening the conservation and management of natural resources in the forest landscape with zoning, boundary demarcation, and land registration of PAs; development of PA management plans that include subsidiary plans for ecotourism and NTFP development; (ii) strengthening the enabling policy framework for ecotourism and NTFP value chain development, and private sector participation; (iii) enhancing communities' participation in the use and management of forest resources with the development of CPA management plans linked to ecotourism and/or NTFP development; and (v) strategic infrastructure investments to improve connectivity to ecotourism sites in the Cardamom Mountains and Tonle Sap landscape, and enhance ecotourism and NTFP value chains.

Within the CMTS landscape, seven PAs have been identified for development and management activities in this project, based on government priority, and relative importance. The government has prioritized the Tonle Sap Biosphere Multiple Use Area, Phnom Sankos, Phnom Aural, Tatai Wildlife Sanctuaries, Central Cardamom Mountains and Southern Cardamom Mountains National Parks, and the Cardamom BCC for development by 2022 as part of its National Protected Areas Strategic Management Plan (NPASMP). Project activities relating to ecotourism and NTFP value chains have also focused in on these priority PAs.

In addition to that, The Global Environment Facility (GEF) has provided to the project 4.42 million of USD as Additional Financing (AF) in order to help mitigate critical project risks, mainly environmental and social risks, through the delivery of capacity building and technical assistance activities to communities, which are an essential part of the Cardamom Mountains Protected Area Landscape. The additional activities proposed by the AF are not expected to affect the parent project's development objectives and design. It would not trigger a new safeguard policy or change the environmental category of the parent project. The AF is not expected to expand to new areas not covered by the original project or requires new safeguard instruments. The GEF financed activities which largely focused on technical assistance. As a result, there would be no major additional risks beyond what have been identified as part of the parent IDA project (P165344). Therefore, the environmental and social safeguards instruments of the parent project (P165344) is valid for the AF.

The AF will also help to mitigate environmental risks by further strengthening forest governance in the Protected Areas. With the participation of the Recipient in the Global Wildlife Program, additional financial resources will enable MoE to increase the efficiency of the monitoring system of biodiversity and better interlink wildlife and biodiversity with ecotourism attractions. The project will also have access to better technological solutions for forest, biodiversity and wildlife monitoring and will be able to better interact with conservation Non-Government Organizations (NGOs) active in the Cardamom Mountains by engaging them in key natural resource management activities of the Project.

**Component 1. Strengthen Capacity for PAs Landscape Planning and Management** *(Revised costs US\$ 8.5 million, of which US\$ 6.8 will be financed by IDA and US\$ 1.52 will be financed by GEF grant).*

Since the large forest areas have been transferred from MAFF to MoE, effective from April 2016,<sup>2</sup> overall good progress has been made in managing PAs, but challenges still remain to effectively manage them including: incomplete zoning of PAs; lack of MoE-approved management plans; inadequate capacities, specifically at the local level, among staff of MoE and PDoEs for PAs planning and law enforcement in PAs; inadequate system for data and information sharing to support PAs law enforcement; yet ineffective cross-Ministerial coordination; and an inadequate revenue management system for managing PAs revenues to provide sustainable finance for can support PAs management. This component will help

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<sup>2</sup> 2016 Sub-decree on the Transfer of Protected Forest, Forest Conservation and Production Forest Areas, and ELCs

address these issues through strategic investments in: information and decision support systems for PAs planning and management and that support PA law enforcement; strategy development, training, logistical support, and equipment for PA law enforcement; protected area zoning, boundary demarcation, and development of management plans; and the PAs revenue management model for Cambodia.

### **Subcomponent 1.1: Information Systems and Decision Support (ISDS)**

The project will support development of an ISDS that will help bring together and analyze relevant information to support decision-making for the protection and management of PAs, and landscape planning in the CMTS.<sup>3</sup> The ISDS will be developed as a cloud-based geospatial platform that can integrate data and information that is critical for PA planning and management for example biodiversity, land use spatial information, and systematically organize information collected by PDoE, rangers and communities for e.g. patrolling reports, illegal activities, and observations) that will support better planning, coordinating and implementing PA enforcement. The ISDS is aligned with MoE's strategy for Geospatial Data and Information Management and will build on existing work supported by UNDP and WCS to develop a decision support system for zoning of PAs.<sup>4</sup> *In order to support this component, MoE will establish an inter-sectoral working group for the ISDS.* The project will finance:

- i. Technical support for MoE to develop and implement the ISDS;
- ii. Hardware and software needed for implementation of ISDS; and
- iii. Training for MoE staff to operate and manage the ISDS, and for stakeholders (PDoE, communities, development partners; NGOs) to use the ISDS.

### **Subcomponent 1.2: PAs Landscape Planning, Management and Enforcement**

The Additional Financing from GEF for component 1.2 is to support PA Landscape Planning, Management and Enforcement.

Protected Areas Planning and Management. This project will support the RGC in developing PAs and PAs and CPAs management plans in close cooperation with subnational authorities, NGOs and local communities.<sup>5</sup> The Government's NPASMP includes a strategic objective on the development of PAs, which this subcomponent will support. *To support activities within this sub-component, the draft NPASMP will be finalized and approved by the MoE Minister.*

- (i) The project will support MoE in enhancing the guidelines for: (i) PAs zoning; (ii) developing CPAs management plans. To support this, MoE will also identify and request the additional budget needed for monitoring the implementation of PA and CPA management plans after they are developed (planned for 2020);
- (ii) The project will undertake different activities in the PAs of the CMTS to support zoning, PA management plan development, boundary demarcation, and land registration of PAs' zoned boundaries (Table 2). Specifically:
  - The project will support activities in different types of PAs – national protected areas, wildlife sanctuaries, multiple use areas and biodiversity conservation corridor. The PA Law provides guidance on the types of activities that are allowed in each PA, and therefore this has an influence on how these different types of PAs are zoned and managed.<sup>6</sup>

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<sup>3</sup> Support to spatial landscape planning in the CMTS is important given the dependence of rice fields in Pursat and Battambang provinces, and fisheries in the Tonle Sap lake on hydrological and sediment regulation ecosystem services provided by forests in the Cardamom Mountains.

<sup>4</sup> MoE, 2018. Strategy for Environmental Geospatial Data and Information Management of Ministry of Environment, 2018-2022.

<sup>5</sup> The PA Law and Draft Environmental Code provide guidance on the types of plans that can constitute landscape plans in Cambodia. These include community PA plans, community forest area plans, commercial activity management plans and river basin plans.

<sup>6</sup> National park: A natural area in land and/or water territories, which is established to: Protect the area's role or roles in the ecosystem for the benefits of people of all generations; Limit the use that may harm or destroy biological resources, natural resources, cultural resources, and functions/roles of the area in relation to the objectives of the established area; Serve as bases for

- Zoning will be undertaken in all PAs of the CMTS except the Cardamom BCC.<sup>7</sup> A preliminary map of zones was developed as part of a joint exercise between Wildlife Alliance and MoE. This activity will build on the preliminary zone map, by integrating additional biophysical spatial information through the ISDS, and undertaking additional consultations with stakeholders in PAs. Wildlife Alliance and Conservation International are working in Southern Cardamom National Park, Central Cardamom National Park, and Tatai Wildlife Sanctuary, and have already held consultations with communities on zoning.
- PA management plans will be developed for Southern Cardamom National Park, Central Cardamom National Park, Phnom Sankos Wildlife Sanctuary, Phnom Aural Wildlife Sanctuary, Tatai Wildlife Sanctuary, Tonle Sap Multiple Use Area, and Cardamom BCC. These protected areas were selected for development of management plans for several strategic reasons: i) these protected areas together comprise 81% of the CMTS protected areas land area, and bringing these areas under MoE approved management plans will be a significant step towards improving management of PAs there; (ii) the work of development partners in these PAs have helped with the readiness of communities and stakeholders in these PAs for PA management planning.

**Table 2: Landscape Planning Activities Supported by the Project**

Targeted Protected Areas	Activity supported by the project			
	Zoning	PA Mgt. Plans	Boundary Demarcation	Land Registration
Central Cardamom	X	X		
Southern Cardamom	X	X		
Tatai	X	X	X	
Phnom Sankos	X	X	X	X
Phnom Aural	X	X	X	X
Cardamom BCC		X		
Tonle Sap Biosphere Multiple Use Area	X	X		
Other PAs in CMTS	X			

Notes:

1. X denotes activities that will be supported by the project for the PAs
2. Management plan, boundary demarcation and land registration were prioritized for selected PAs based on discussions with the government and several non-government stakeholders including those that work in the CMTS.

- Boundary demarcation will be undertaken in Tatai, Phnom Sankos and Phnom Aural Wildlife Sanctuaries. MoE has prioritized these PAs for boundary demarcation given their importance as wildlife sanctuaries and the need to prevent encroachment, destruction and disturbance of habitats.
- Land registration of zone boundaries will be undertaken in Phnom Sankos and Phnom Aural Wildlife Sanctuaries. MoE has prioritized land registration for these areas given the threats of land encroachment and habitat disturbance and destruction already experienced there.

(iii) The project will also finance participatory stakeholder processes for zoning and management plan development for priority CPAs that are within the target PAs. A list including 34 CPAs in the target PAs has been compiled, and CPAs for project intervention will be determined based on their

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recreation, visits, education, research, and belief, provided that these activities do not cause threats to the natural environment and local culture.

Wildlife Sanctuary: An area in land and/or water territories, which requires active interventions for management purposes to ensure maintenance of habitats and/or to meet necessary conditions for any species of animals or plants.

Multiple Use Area: An area in land and/or water territories, which is rich in natural resources that are intact and require management activities to ensure long-term protection and maintenance of biological resources and ecosystem. In the meantime, it provides natural products and services for use to meet the community needs.

<sup>7</sup> BCCs are not zoned.

readiness. Criteria for readiness are drawn from MoE's 8-step CPA development process and will include: (i) CPA is established according to MoE CPA guidelines<sup>8</sup>; (ii) CPA has a management committee approved by the Commune Sangkat; and (iii) CPA has initiated boundary demarcation and by law development.

- (iv) Project financing will support training for MoE, local government, rangers and other stakeholders on PA development, and development of the various plans, and on coordinating and monitoring the implementation of these plans.

Protected Areas Enforcement. The project will finance technical assistance (TA) to the RGC for developing and implementing a PA enforcement framework which will include the processes, roles and responsibilities, and institutional arrangements for PA enforcement. It will develop an overall law enforcement strategy that will guide and coordinated actions in all PAs, develop priorities and action plans. An accompanying toolkit will be developed and include guidance for: ranger patrolling; use of SMART approaches;<sup>9</sup> data gathering linked to the ISDS; collaborating with law enforcement including the judicial system; using drone, satellite, and remote sensing imagery and, telecommunications in forest monitoring.

The strategy and toolkit will be developed through a participatory process with government agencies, and NGO partners such as Wildlife Alliance (WA) and Conservation International (CI) that support ranger patrolling in CMTS. Equipment for forest patrolling and monitoring, and rehabilitation of ranger centers in CMTS will be supported by the project, as well as training of MoE, local government, forest communities, and other stakeholders on forest monitoring and enforcement, and support for logistical coordination by provincial government on law enforcement. To accompany this strengthening of PA enforcement, MoE will determine the number of additional rangers needed for each of the targeted PAs, and additional 2020 budget needed.

Sustainable Finance and Revenue Management. Management of PAs are challenged by lack of adequate funding for planning, capacity development, monitoring and engagement with communities. Many activities are currently co-funded by international NGOs and other partners, which is not a sustainable concept in the medium-term. The collection of ecotourism fees from tourists will contribute to the financial sustainability of the targeted PAs. Fees are currently applied for tourists visiting selected PAs (e.g. Kirirom PA), but there are not yet clear policies and guidelines on adequate fees, collection and management of revenues, and an agreement on the use of the fees of the resources. International best practice shows that benefit-sharing arrangements need to be developed to determine revenue allocations from tourism activities.

Beyond tourism fees, the project will analyze several other financing opportunities (Payment for Environmental Services – PES and REDD+) and will promote studies on valuation of hydrological ecosystem services in the context of natural accounting (WAVES). The Project will also enhance design and support the Environmental and Social Fund created by MoE.

The project will support the design and implementation of a financial management framework for the CMTS PAs. Specifically:

- i. Analytical work to support RGC to assess current practices of fee collection and handling, analyze different financial models, learn from best practice, and design an integrated financial management system for the Environmental and Social (E&S) Fund to receive and manage fees and other potential resources from REDD+ and PES;

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<sup>8</sup> MoE, 2017. Guideline on Procedure and Process for Community Protected Area Establishment.

<sup>9</sup> Spatial Monitoring and Reporting Tool (SMART) is a suite of best practices aimed at helping PA and wildlife managers better monitor, evaluate, and adaptively manage patrolling activities. SMART is being used in selected PAs in Cambodia.



- ii. Convene multi-stakeholder discussions on financing mechanisms (such as PES, REDD+ and tourism fees). Valuation of hydrological ecosystem services, and in the CMTS is being undertaken with support from WAVES to prepare technical underpinning for PES;
- iii. Workshops and hands-on training for capacity development at the subnational and national levels to manage fee collection and management of benefit sharing.

The Additional Financing (AF) would allow the Project to further strengthen following additional activities under subcomponent 1.2 in the project area (CMTS):

- i. Accelerate and strengthen the preparation process of more CPA Management Plans and increase the quality of existing Plans. These plans will enable communities to better map and understand their natural resources and biodiversity, identify and implement conservation compatible economic activities, and improve community organization and management. The management plan processes will be enhanced by facilitated engagements with all communities, targeted capacity building and training, and implementation at the CPA level. The grant will provide resources for additional stakeholder consultations, targeted capacity building and training for CPA implementation, hiring of additional regional community facilitators to support the coordination of all project activities at the community level, and the development and implementation of CPA management plans in an accelerated fashion;
- ii. The AF will allow to conduct a comprehensive biodiversity assessment that covers all PAs in the Cardamom Mountain landscape. Findings will help strengthen the preparation and implementation of zoning and forest management processes, identify and manage wildlife, identify possible entry points for ecotourism and birdwatchers, and define action to reduce illegal wildlife trade. This activity will be accompanied by additional training for rangers, communities, and ecotourism entrepreneurs as well as by the preparation of communications tools and the integration of results in the information system;
- iii. In response to the wildlife crime and encroachment on forest areas in PAs, a more systematic approach on law enforcement will be needed. The project will support the development of a law enforcement strategy. The AF will allow to support a comprehensive participatory approach using the Law Enforcement Planning Toolkit (LEPT) to assess risks and current capacities to propose an Action Planning Framework for the Cardamom Mountain's PAs. Similar assessments are and will be undertaken in other PA landscapes in the country, leading to a national law enforcement strategy. This comprehensive approach will then also allow to support national policies on law enforcement strategies, by working closely with other PA program outside the CMTS landscape;
- iv. The AF will provide additional resources to law enforcement activities, specifically to purchase and apply surveillance technology and training for rangers in applying the SMART (Spatial Monitoring and Reporting Tool) Patrolling App for PA law enforcement. This tool will allow local rangers to increase patrolling efficiency and effectiveness by enabling the detection of hotspots and providing and managing information. The aim of this activity is to deploy scarce resources more rationally to intervene in any illegal activity rather than only monitoring border crossings and major roads. In addition to focusing on the use of the SMART Patrolling App, training for rangers will also strengthen their capacity to engage with local communities.

The AF will furthermore commit to develop and review PA management plans in two additional PAs (Kirirom National Park and Phnom Kulen National Park).

**Component 2: Strengthen Opportunities for Ecotourism and NTFP Value Chains** *(Revised Project cost US\$19.75 million, of which US\$ 16.75 will be financed by IDA and US\$ 2.70 will be financed by GEF grant)* This component aims to finance critical investments as well as to strengthen the enabling environment for expanding opportunities for ecotourism and NTFP value chains in Cambodia. A specific

focus within this (and Component 3) will be to enhance and strengthen the enabling environment for private sector engagement, as well as invest in critical infrastructures (connectivity, visitor centers, etc.). The resulting improvements in governance, management and regulations relating to the target areas, coupled with investments in connectivity, ecotourism/NTFP infrastructure and value addition, are expected to stimulate private sector investments.

### **Sub-Component 2.1: Strengthen Opportunities for Ecotourism Development**

Central to optimizing Cambodia's ecotourism potential is establishing linkages between the main tourism gateways of Siem Reap and Phnom Penh to the natural asset base of the CMTS through a "hub-and-spoke" model of tourism development. The hub-and-spoke model, first, enhances access to and mobility in and around the urban centers, or hubs, and then develops the "spokes"—ecotourism sites closely linked to the hubs. This approach establishes new itineraries for tourists in a way that disperses tourism-related socioeconomic benefits to communities near ecotourism locations.

Four "hubs" for ecotourism development have been identified through geospatial analysis and stakeholder consultation. Geospatial analysis was used to determine spatial clusters of potential sites for ecotourism development, existing ecotourism development, community protected areas, and community groups. The four hubs identified are in Koh Kong, Siem Reap, Pursat and Kampong Speu. Initial criteria have been developed to help identify and prioritize ecotourism locations for potential financing from this project. These criteria include accessibility, attractiveness, land use/ tenure, sensitivity of location, access to services, existing ecotourism sites, socioeconomic, market demand, biodiversity, and diversity of ecotourism offering.

Improving Enabling Environment for Ecotourism. TA will be provided to develop a framework for the improvement, coordination and formalization of existing ecotourism management contracts/ agreements and the creation of national guidelines and best practices, as well as to strengthen the enabling environment for small and medium enterprise (SME) growth. This will include support to assist the RGC to design clear and consistent "*ecotourism management agreement*" modalities, to help towards the finalization of MoE policy guidelines (*prakas*) for ecotourism development in PAs (expected to be approved by the Minister by December 2019) and then in its implementation. Effectively, the project will help RGC to apply these guidelines (including on management, monitoring, benefit sharing mechanisms etc.) in the various ecotourism sites (selected using standardized criteria) within PAs.

The project will also support the development of business development services (BDS) within the multi-use centers, which comprise of training and technical guidance on business development for ecotourism and NTFP value chain enterprises. These BDS will help fill gaps in entrepreneurial skills and business advice and will promote competitiveness among private sector and community ecotourism groups. The facilities will provide training on business development needs including market identification and marketing, product development and management, and will assist private sector and community groups in preparing robust business plans. The BDS will include targeted services for women entrepreneurs to encourage their participation in ecotourism and related value chains.

Ecotourism Infrastructure. This component will be used to finance investments related to *establishing/ rehabilitating ecotourism infrastructure* in the target landscapes. As ecotourism is an activity based on the natural environment, supporting infrastructure must be designed to minimize human impacts and be in harmony with the landscape. The type and extent of infrastructure will depend upon the area's natural and cultural attributes and sensitivity as well as the style of ecotourism encouraged. Facilities will vary according to the style of ecotourism desired and the land tenure. In each ecotourism "*hub and spoke*", potential activities will include developing: (i) appropriate parking facilities, food stalls, solid waste

management, shops and kiosks selling handicrafts in the community adjacent to site, (ii) visitor information centers, (iii) walking trails, observation towers, boardwalks, interpretive displays as needed at the ecotourism sites.

For community-based ecotourism (CBET) sites, additional financing will be available for (i) community-managed lodging (eco-lodges), (ii) potential handicraft facility and related equipment; and (iii) other environmentally appropriate facilities around the site. Communities/ CPAs can also use funds for equipment (e.g. tents, radios), and information and advertisement products

Initial discussions have pointed to two potential ecotourism hub-and-spoke areas ---one at Siem Reap, and a second around Koh Kong. With Siem Reap as the hub, "spokes" would be developed/ enhanced to several nearby ecotourism sites ---expanding the range of offerings that showcase the natural capital. These include areas such as the Prek Toal bird sanctuary, several sites within the Kulen Mountains National Park, and across and around the Tonle Sap. Potential investments include the following:

- Floating/ lake-side interpretation center with interactive displays relating to the history, ecology, lake biodiversity, communities and heritage of the Tonle Sap;
- Improvement of nearby ecotourism facilities (accommodation, catering, services).
- Improvement of lake circuits to visit floating villages, upgrading lake cruise facilities; and
- Development of trails between Siem Reap and Tonle Sap relating to specialized ecotourism such as mountain biking, photo-hunting, special interest visitors (bird-watching, wildlife);

In the Koh Kong Ecotourism Hub, several offerings will be extended into the Cardamom Mountains, including potential options for private sector managed ecotourism. Connectivity will also take advantage of a planned private international airport to diversify current ecotourism attractions. Some examples include:

- Interactive center showcasing the biodiversity, ecosystems, communities of the Cardamom mountains;
- Upgrading/ improving shelters and demarcated trails for specialized ecotourism, such as mountain biking, for photo-hunting, and special interest visitors (bird-watching, wildlife);
- Facilities at ecotourism locations including parking, water and sanitation, handicraft and food stalls etc.
- Forest canopy walkways, viewpoints and observation stations; and
- Safety infrastructure at waterfalls and cliff/overlook-sites.

## **Component 2.2: Promotion of NTFP value chains**

The development of NTFP value chains has potential for supporting sustainable income generation for local communities but must be well developed and managed to prevent over-exploitation and to create jobs and income in the project areas. Opportunities range from extraction of resins and rattan, collection of fruits, cardamom, medicine plants, processing of vegetable oils to sustainable management of agarwood and bamboo. Although, some products have interesting market perspectives, several policies or incentives are yet poorly designed (fees, export taxes, management plans or licenses) which are considered prohibitive for formal businesses to engage in NTFP at large scale.

The Additional Financing from GEF for component 2.2 (Promotion of NTFP Value Chains) of the Project. The implementation arrangements and indicators from the Project will remain the same.

Under Component 1, the project will support the CPAs and PAs management plans (including NTFP and restoration plans), which will help orient economic activities within community areas in the target PAs. Priority for project interventions will be those CPAs that are closely located to ecotourism activities.

Under this sub-component the project will promote (1) policy reforms for, and (2) small-scale investments in a few selected value chains. NTFP value chains will be selected that (i) provide the highest financial opportunities for local communities and (ii) highest growth potential. As mentioned in the context section above, there are several nascent NTFP value chains in the CMTS with potential for further development, including the sustainable production of rattan, resin, bamboo and agarwood.

The project will assess NTFP value chains, existing policy gaps, demand structures, value chains, viability and current production of NTFPs within and around the project area, community knowledge and ownership, level of community organization and capacity. The project will prioritize policy reforms, enabling environment for SMEs and will work with different Ministries to promote a more comprehensive enabling environment for NTFPs in general, but will focus on a few more promising value chains (first assessments point to bamboo, cardamom and yellow resin), over the lifetime of the project, including aspects of licensing, requirements for management plan, credit finance, underlying M&E and remove trade restrictions.

The project will also finance small-scale investments for activities related to sustainable harvesting, cultivation, processing and marketing of NTFPs with the overall objective to expand livelihood opportunities for local communities in the CPAs within the targeted PAs. The project will finance a consultancy to support MoE in policy assessment and a process to act as an honest broker between communities and companies to build partnerships with local, national and potentially international companies to access high priced markets, including with ecotourism companies active in the PAs and surroundings and (iv) skill development and capacity training for value added process and marketing for selected NTFP value chains.

Furthermore, finance can also be used to enhance opportunities for the private sector in select value chains and increase the income-earning opportunities for communities participating in the value chains and linked to the ecotourism industry. The types of investments that will be promoted and supported include: provision of processing equipment (e.g. hand-powered equipment), development including rehabilitation of facilities (e.g. processing factories and storage) to meet sanitation standards and to be fit for purpose, and packaging/ branding equipment.

The Additional Financing (AF) would allow the Project to go beyond the initial scope of NTFPs under 2.2, and look at economic activities more comprehensively:

- i. AF will provide additional TA to community producer groups in key CPAs and strengthen and coordinate public-private partnerships (PPPs) to support livelihood and NTFP development in the Cardamom Mountains. Specifically, this TA will be used to support community-based planning, prepare value chain assessments and feasibility studies, generate and disseminate market information, and promote private/community partnerships for specific products;
- ii. AF will provide additional TA to support entrepreneurial skills development and the creation of formal jobs. Skills training will include business and financial management, marketing, and operational management. The project will also support the establishment and development of private and group-owned enterprises through incubator programs for conservation-compatible economic activities, including priority NTFP and agricultural products;
- iii. AF will provide additional grants for small investments in selected conservation-compatible agricultural, agroforestry, and NTFP value chains to expand livelihood opportunities for local communities in the CPAs within the targeted PAs. Eligible activities could include sustainable cultivation, harvesting, processing, and marketing of conservation-compatible activities, including agroforestry, NTFPs, sustainable rice, and food production for ecotourism as well as small-scale water and sanitation systems;

- iv. AF will support landscape restoration activities in select PAs and CPAs. This activity will support planning and implementation of targeted restoration. Support will be provided for different interventions in selected areas, and in close cooperation with local communities: (i) training/skill development on sustainable land management practices that promote intensification of land already under agriculture production and climate-resilient, tree-based livelihood activities in selected CPAs and in the BCC; (ii) incentives for and development of partnerships with local private initiatives to support community-based agroforestry activities and productive restoration and reforestation activities; (iii) inputs to communities to implement agroforestry and other tree-based value chains (seedlings, TA) in CPAs and the BCC; (iv) incentives and inputs to restore degraded watersheds and riparian forests within the BCC and CMTS PAs, in close cooperation with local communities, and to restore forests alongside roads to increase their climate resilience; and (v) incentives for restoring priority forest areas for ecotourism development.

**Component 3: Improving Access and Connectivity** *(total estimated cost US\$23.86 million; to be fully financed by IDA Credit).*

Rural roads in Cambodia lack adequate all-weather road surfaces, width, and capacity, and they are not adequate to accommodate the growing need for goods and people transport. Over 80 percent of rural roads in Cambodia are still receiving laterite or gravel surface covers, causing significant problems during the wet season due to road deformation and destruction as well as high operation and management costs and during dry season due to major dust development.

Extending ecotourism opportunities in the CMTS will require enhancing connectivity infrastructure to allow for an increase in visitor numbers from the identified gateways. These improvements are aimed at increased, sustainable visitor volume and reduced seasonality due to all-weather access. Specific investments may include the rehabilitation of rural roads and other related rural infrastructure to help in the development of ecotourism corridors, and linkages with main markets.

By adding last-mile access and support infrastructure, visitors will be offered public domain facilities that enable an appreciation of the destination. Combined with branded signage, this will help create a sense of place and comprises the (free) public domain side of a destination. The project will finance the upgrading and rehabilitation of select rural roads to all-season and climate resilient standards; road signage; and small-scale sanitation infrastructure. Cost-effective road design will be used, identifying where all-weather access is needed for the most critical road stretches, while less critical links will be sealed with concrete, accepting that they may be inundated for a few weeks each year but will not be washed away. Opportunities will also be explored to use the rural road network to strengthen flood control measures, by enhancing drainage canals and culverts and possibly raising the road levels to use as embankments. Sound engineering designs, sufficient drainage, and greening approaches will be applied to enhance the resilience of the road structures in these specific prioritized locations.

**Component 4. Project Management, Coordination, Monitoring and Evaluation** *(Revised Project cost US\$6.0 million, of which US\$5.8 million will be financed by IDA, and US\$0.2 million will be financed by GEF grant)*

MoE will be the main executing agency for implementation of all three components and overall project management/coordination arrangements. MoE will closely cooperate with the Ministry of Rural Development (MRD) as implementing partner that will take responsibility for the construction of rural access roads infrastructure. Support will be provided establishing a MoE-led project coordination and implementation unit. A high-level Steering Committee will be formed to advise on and deal with emerging cross-sectoral issues. Details are elaborated in the Project Implementation Manual (PIM).

Component 4 will support overall project management through: (a) providing necessary key contract staff and consultants in the coordination and implementation unit to assist MoE in managing project implementation; (b) monitoring and evaluation (M&E) of project implementation; and (c) consultant and advisory services to support project implementation and capacity building of MoE and other key stakeholders.

The AF would allow the Project to further strengthen its knowledge management, which is building on the dialogue between the World Bank, RGC, UNDP, and NGOs, and can be clustered in three main areas:

- i. Provision of good practices to the RGC on GWP-related topics such as biodiversity and ecotourism;
- ii. Extraction of lessons learned and systematization of knowledge on the Project, which will feed into the World Bank's upcoming regional work on forest landscapes and serve as a basis for the RGC's engagement in international and regional networks;
- iii. Capture and dissemination of information at the community level to produce user-friendly tools and guidelines in Khmer.

#### **Component 5: Contingent Emergency Response** (*US\$0 million*)

The objective of the contingent emergency response component, with a provisional zero allocation, is to allow for the reallocation of financing to provide immediate response to an eligible crisis or emergency, when/if needed. An Emergency Response Manual (ERM) will be developed for activities under this component, detailing streamlined FM, procurement, safeguard, and any other necessary implementation arrangements. In the event the component is triggered, the Results Framework will be revised through formal restructuring to include appropriate indicators related to the emergency response activities.

#### **OVERVIEW OF INDIGENOUS PEOPLES IN CAMBODIA**

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

As of 2013, the population of Cambodia is 14.7 million of which 90-95 percent are Khmer ethnicity. The remaining 5-10 percent is composed of ethnic minorities such as the Muslim Cham, Chinese and Vietnamese, and twenty two indigenous ethnic minority groups also called "Khmer Loeu" or "hill tribes" who are ethnically non-Khmer. These groups are estimated to comprise around 184,000 persons and constitute about 1.25 percent of the Cambodian total population. The twenty two (22) indigenous minority groups which range from under 100 to 19,000 members include Phnong, Kouy, Mil, Kraol, Thmorn, Khaonh, Tompoun, Jarai, Kreoung, Kavet, Saouch, Lun, Kachok, Proav, Souy (Sa'ong), Stieng, and Kavet, and are further detailed in Tables 1-3.

**Figure 1: Indigenous Peoples and Ethnic Minority Map**



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

**Table 1: Number of indigenous minority people by ethnic groups in Cambodia**

Number of indigenous minority people by ethnic groups				
Ethnic minority group		2008	2013	Change
1	Bunong	37,507	47,296	9,789
2	Tumpoun	31,013	51,947	20,934
3	Kuoy	28,612	13,530	-15,082
4	Jarai	26,335	13,326	-13,009
5	Kreung	19,988	22,385	2,397
6	Brao	9,025	13,902	4,877
7	Stienh	6,541	1,279	-5,262
8	Kavet	6,218	5,618	-600
9	Kroul	4,202	7,413	3,211
10	Ja'ong	1,831	266	-1,565
11	Poar	1,827	215	-1,612
12	Mel	1,697	1,905	208
13	L'moon	865	763	-102
14	Souy	857	0	-857
15	Khonh	743	270	-473
16	Kleung	702	208	-494
17	S'och	445	837	392
18	Kajrouk	408	731	323
19	Lun	327	436	109
20	Radae	21	1,003	982
21	Mon	19	174	155
22	Kachok	10	328	318

Source: Final Draft Report of Census of Indigenous Peoples in Cambodia, Ministry of Planning, 2018

## OVERVIEW OF INDIGENOUS PEOPLES IN THE GENERAL PROJECT AREA

The project area will cover seven provinces located in the Cardamom Mountains and Tonle Sap Landscape in Cambodia—Pursat, Koh Kong, Battambang, Kampong Speu, Kampong Thom, Siem Reap, and Kampong Chhnang. Given that these provinces have IPs living in the area (see Tables 1-3), and given the nature of the CSLEP, the project considers that there is a likelihood that IPs may be found in areas where project subcomponents are developed. However, since project locations are not known at this stage, an IPPF has been developed. Specific IPP plans, with detailed information on the relevant IP groups, will be developed as necessary as project subcomponents are defined. Given that the subcomponents are still being defined, a Social Assessment (SA) has not been prepared at this stage. A SA will be conducted during project implementation begins and there is certainty on location of the subcomponents. In the meantime, this IPPF will guide the Project's consultative approach with IPs.

The project's direct beneficiaries will be local households and communities living within the project area who benefit from both the economic opportunities and ecosystem services supported and sustained through the project's investments. In addition to supporting individuals, project interventions will also benefit community groups, including CBETs and members of CPAs and CFs in the project area, as well as private enterprises, including ecotourism operators and NTFP enterprises that add value through processing and marketing. Therefore, the project will likely directly benefit and impact the indigenous people present in these provinces, especially those depending on natural resources and tourism activities for their livelihoods. The Project will work to ensure that relevant IP groups are regularly consulted and participate in project activities, including training and skill development when relevant. For example, IP groups or their representatives should be consulted and informed about MOE's landscape, management and enforcement plans. IP Plans will need to ensure, for example, that there is free, prior and informed consultation about PA and CPA zoning plans and any restrictions for IPs.

While specific information on the extent of IPs in the project area, as well as detailed information about their beliefs, traditions, benefits and impacts of the project, among others, will be forthcoming in the SA, some general information is available about these ethnic groups.

Cambodia's ethnic minorities are vulnerable to environmental changes and degradation given their tight relationship to their environment. As forest cover declines, natural resources are unsuitably used, and pressure on land grows, IPs reliant on the forest for their livelihoods are especially vulnerable. It is not uncommon in Cambodia for land disputes to arise involving IPs, in particular when their access to forest resources are limited without appropriate consultation and agreement. IPs in Cambodia generally lead more simple lives than the majority Khmer, being more reliant on the forest and on natural resources. They may also speak their own language or dialect and have different religious beliefs. They may also live in more remote areas<sup>10</sup>.

For example, the Jarai are a minority group living in northeastern Cambodia and the Central Highlands of Vietnam. They have inhabited these areas for thousands of years. Unlike all of the other indigenous minorities in Cambodia, the Jarai language is not related to Khmer. Rather, it is distantly related to the languages spoken in the island nations of Malaysia, Indonesia, and the Philippines. Most Jarai engage in subsistence agriculture, growing rice and vegetables. Their diet is further supplemented by hunting, fishing, and gathering wild foods from the forest and they may also have oxen, buffalo, pigs and ducks. These sources are diminishing with increased population and environmental degradation. Jarai religious beliefs are animistic. Objects in the natural world - trees, mountains, rivers, etc. - are believed to be inhabited by spirits<sup>11</sup>.

The Stieng are a patriarchal society and are generally monogamous. Today the Stieng are integrated into local and national administrative system. They generally intermarry with other ethnic groups and Khmer. They are animist and have strong beliefs in spirits and their relations with humans. For instance they may

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<sup>10</sup> Schliesinger, Joachim. *Ethnic Groups of Cambodia Vol 1: Introduction and Overview*. 2011.

<sup>11</sup> Schliesinger, Joachim. *Ethnic Groups of Cambodia Vol 3: Profile of Austro-Thai and Sinitic-Speaking Peoples*. 2011.



belief that illnesses or natural disasters are caused by spirits as a result of poor human behavior<sup>12</sup>.

Meanwhile the Poar people belong to the Pearic-speaking group and often live in very remote locations with a very natural and basic lifestyle preserving most of their ancient customs and habits. While most ethnic Poar live in Preah Vihear province, according to the Cambodian Ministry of Planning some are also living in Pursat province. In general the Poar are attached to their ancestral territory and they have been mostly undisturbed except during the Khmer Rough period. The Poar are traditional hill rice cultivators but now plant rice in paddies. They may plant some vegetables and supplement their diet collecting wild vegetables and fruit from the forest, and may also hunt small animals. The Poar have both Buddhist and animist beliefs and traditions<sup>13</sup>.

**Table 2: Indigenous minority groups with at least 100 people in Cambodia**  
(highlights indicate a project province)

Province	Ethnic minority group	Number
Phnom Penh	Jarai, Kavet, Kleung, Stieng, Ja'ong	5
Stung Treng	Kreung, Lun, Bunong, Brao	4
Kampong Cham	Jarai, Kavet, Stieng, Ja'ong	4
Kandal	Jarai, Kleung, Stieng, Ja'ong	4
Kratie	Jarai, L'moon, Khonh	3
Monduliri	Stieng, Kroul, L'moon	3
Battambang	Jarai, Stieng, Ja'ong	3
Prey Veng	Jarai, Stieng, Ja'ong	3
Siem Reap	Jarai, Stieng, Ja'ong	3
Kampong Speu	Jarai, Souy	2
Kampot	Jarai, Ja'ong	2
Pursat	Jarai, Poar	2
Takeo	Jarai, Ja'ong	2
Ratanakiri	Bunong	1
Preah Vihear	Jarai	1
Kampong Thom	Jarai	1
Banteay Meanchey	Jarai	1
Kampong Chhnang	Jarai	1
Preah Sihanouk	Jarai	1
Svay Rieng	Jarai	1
Koh Kong		0
Oddar Meanchey		0
Kep		0
Pailin		0

Source: Final Draft Report of Census of Indigenous Peoples in Cambodia, Ministry of Planning, 2018

<sup>12</sup> Schliesinger, Joachim. Ethnic Groups of Cambodia Vol 2: Profile of Austro-Asiatic-Speaking Peoples. 2011.

<sup>13</sup> Ibid.

**Table 3: Indigenous minority groups with less than 100 people in Cambodia**

(highlights indicate a project province)

<b>Province</b>	<b>Ethnic minority group</b>	<b>Number</b>
Phnom Penh	Kuoy, Kreung, Lun, Bunong, Brao, Tumpoun, Kroul, Radae, L'moon, Mel, Souy, S'och, Kajrouk, Mon, Kachok	15
Kandal	Kavet, Kuoy, Lun, Bunong, Brao, Tumpoun, Kroul, Radae, L'moon, Souy, S'och, Kajrouk, Mon	13
Kampong Chhnang	Kavet, Kleung, Kuoy, Kreung, Lun, Tumpoun, Stieng, Ja'ong, Kroul, Radae, S'och, Kajrouk	12
Preah Sihanouk	Kavet, Kleung, Kuoy, Kreung, Brao, Tumpoun, Stieng, Ja'ong, Kroul, Mel, S'och, Kajrouk	12
Preah Vihear	Kavet, Kleung, Bunong, Brao, Tumpoun, Stieng, Ja'ong, Kroul, L'moon, S'och, Kajrouk	11
Battambang	Kavet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
Kampong Cham	Kleung, Kuoy, Bunong, Brao, Kroul, Radae, Mel, S'och, Kajrouk, Mon	10
Kampong Speu	Kavet, Kleung, Kuoy, Kreung, Lun, Stieng, Ja'ong, Kroul, S'och, Kajrouk	10
Monduliri	Jarai, Kavet, Kuoy, Kreung, Brao, Tumpoun, Ja'ong, Mel, S'och, Kajrouk	10
Banteay Meanchey	Kavet, Kleung, Kuoy, Brao, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
Kampot	Kavet, Kleung, Kuoy, Lun, Bunong, Stieng, Khonh, S'och, Kajrouk	9
Kratie	Kavet, Kleung, Lun, Brao, Ja'ong, Poar, Souy, S'och, Kajrouk	9
Pursat	Kavet, Kleung, Kuoy, Kreung, Stieng, Ja'ong, Kroul, S'och, Kajrouk	9
Siem Reap	Kavet, Kleung, Kuoy, Kreung, Bunong, Kroul, S'och, Kajrouk, Mon	9
Oddar Meanchey	Jarai, Kavet, Kleung, Kuoy, Bunong, Stieng, Ja'ong, S'och, Kajrouk	9
Ratanakiri	Kleung, Kuoy, Lun, Stieng, Ja'ong, Kroul, L'moon, Souy	8
Svay Rieng	Kavet, Kleung, Kuoy, Stieng, Ja'ong, S'och, Kajrouk, Kachok	8

Takeo	Kavet, Kleung, Kuoy, Bunong, Stieng, L'moon, S'och, Kajrouk	8
Kampong Thom	Kavet, Kleung, Bunong, Stieng, Ja'ong, S'och, Kajrouk	7
Prey Veng	Kavet, Kleung, Kuoy, Kroul, Radae, S'och, Kajrouk	7
Koh Kong	Jarai, Kavet, Stieng, Ja'ong, S'och, Kajrouk	6
Stung Treng	Jarai, Kleung, Tumpuan, Stieng, Ja'ong, S'och	6
Pailin	Jarai, Kleung, Kuoy, Stieng, Ja'ong	5
Kep	Jarai, Kavet, Stieng, S'och	4

*Source: Final Draft Report of Census of Indigenous Peoples in Cambodia, Ministry of Planning, 2018*

## RELEVANT LEGAL FRAMEWORK AND REGULATIONS

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

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

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

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

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

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

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

Article 25 in the law defines indigenous community lands: “The lands of indigenous communities are those lands where the said communities have established their residencies and where they carry out their traditional agriculture”, and these lands “include not only lands actually cultivated but also includes reserves necessary for the shifting cultivation which is required by the agricultural methods they currently practice”. Article 25 also states “the measurement and demarcation of boundaries of immovable properties of indigenous communities shall be determined according to the factual situations as asserted by the communities, in agreement with their neighbors”. Article 26 states that “ownership of the immovable properties described in Article 25 is granted by the State to indigenous communities as collective property. This collective property includes all the rights and protections of ownership as are enjoyed by private owners”.

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

**The Protected Area Law (2008)** defines the framework of management, conservation and development of protected areas. The purpose of the law is to ensure the management, conservation of biodiversity, and sustainable use of natural resources in protected areas. It recognises the right of forest dependent and indigenous peoples to sustainably use the natural resources and reside within protected areas. It divides the protected area into four zones, which defines land-use and management for that particular zone. The zones are: core zone; conservation zone; sustainable use zone; community zone. This law is under the jurisdiction of the Ministry of Environment.

### **Relevant International Agreements Cambodia Entered**

Cambodia is a signatory to a number of international instruments that protect the rights of indigenous peoples<sup>14</sup>, as well as the Convention on Biological Diversity (1992), which recognizes the role of indigenous people in protecting biodiversity. In 1992, the Cambodian Government ratified the International Covenant on Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia.

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

**International Convention on the Elimination of all Forms of Racial Discrimination (“ICERD”)**, Article 5(e) ensures the enjoyment, on an equal footing and without discrimination, of economic, social and cultural rights, in particular the right to education and training. Article 13 of the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, includes the provision of free primary education

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<sup>14</sup> This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Rights of Indigenous People and more generally the Universal Declaration of Human Rights.

irrespective of gender, ethnicity or any other consideration. Article 13 further commits the State Party to make secondary education generally available and accessible to all, including through the progressive introduction of free education, and to working towards the provision of equal access to tertiary education, including through the provision of free secondary education. Government of Cambodia ratified the ICESCR in 1992.

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

**UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions** (2005), recognizes the rights of Parties to take measures to protect and promote the diversity of cultural expressions, with a particular focus on women, minorities and indigenous peoples.

### **World Bank's Operational Policy: Indigenous People (OP 4.10)**

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

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

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

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

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

### **Gap Analysis**

Despite the fact that Cambodia has a Policy that recognizes the right of indigenous people to culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy, there are no decrees, sub-decrees or procedures for specific safeguards to protect the interest of indigenous peoples, other than those related to land or

forestry. The Cambodia Land Law recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title.

In practice, the procedure to register collective title can take very long and only few indigenous communities have received collective title since the land law was enacted in 2001. Similarly, the Forest Law also guarantees and recognizes the right of indigenous peoples to continue the use and access to certain forest areas that they traditionally use and practice. Thus, while there is some complementary links between Cambodian laws and regulations related to indigenous people and the World Bank's OP 4.10, there is not sufficiently detailed regulations or operating procedures to facilitate full implementation of Indigenous Peoples Plans (IPPs).

The IPPF, therefore, is prepared on the basis of the World Bank's OP 4.10 by taking into account relevant Cambodian policies and regulations. Clear mechanism for free, prior and informed consultation in order to establish broad support of the Project from the indigenous communities is outlined in this IPPF, along with procedures for conducting social assessment and preparing an IPP. During implementation, a Grievance Redress Mechanism will be established so that indigenous people can share their voice, complaint or any dissatisfaction about the project.

## **IMPLEMENTATION ARRANGEMENT, MONITORING, GRIEVANCE MECHANISM**

### **Implementation Arrangement and Monitoring**

The IPPF implementation will follow the Project Implementation arrangement. Institutional arrangements for implementation will follow the Government's institutional structure, with the Ministry of Environment (MOE) in the lead as the executing agency (EA), and including the Ministry of Rural Development (MRD) as an implementing agency for the related public infrastructure support, in particular related to road rehabilitation. EA and IA will establish implementation project team(s) (PT) that will include expertise on social safeguards. Both MOE and MRD currently have social safeguards focal points. As subprojects are identified, screening will include whether IPs are located in a given area and, if so, IP plans, following the guidelines in this IPPF, will need to be prepared. Safeguard officers will need to ensure that any IPPs are in line with other project safeguard documents being developed, such as Resettlement Action Plans (RAPs) or Process Plans (PPs), and vice versa. MOE will also need to work closely with relevant ministries working on IP-related issues, in particular MRD, the Ministry of Planning (MOP), Ministry of Interior (MOI) and Ministry of Land Management, Urban Planning and Construction as well as NGO groups and IP group representatives.

During project implementation, once project subcomponents are defined, MOE as the EA will need to ensure that, as necessary, Social Assessments are undertaken by experts for specific project components. This will likely involve hiring external experts who can conduct a mixture of literature review and field work to assess the groups in the area and lead consultations, among others, as further described in this IPPF. Consultations will have to be a continuous process with relevant government agencies, NGOs and IP groups, and MOE will need to ensure that these groups are invited to relevant meetings and workshops. Based on the Social Assessment and consultations, MOE will need to draft IPP for specific subcomponents and ensure there is consultation on these plans as well and that they are properly disclosed and made available to IP groups as per the guidelines in this IPPF.

In consultation with relevant agencies and groups, MOE will need to define the most appropriate monitoring mechanism for IP plans. While MOE as the EA may be tasked with monitoring, it may also be appropriate for IP groups themselves to be involved in monitoring, or NGOs or external experts. As with other matters relating to IPPs, this will need to be defined based on consultations with relevant groups.

## Grievance Mechanism

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

- The basic rights and interests of IPs are protected;
- The concerns of IPs arising from the project implementation process are adequately addressed;
- Entitlements or livelihood support for IPs are provided on time and accordance with the above stated government and World Bank's safeguard policies, and
- IPs are aware of their rights to access and shall have access to grievance procedure free of charge for the above purposes.

The grievance procedure will be part of the overall Commune/Sangkat's Planning Committee, Chief and Council mechanism and form an important part of the conflict resolution mechanism that is community-based, involving representatives of vulnerable groups, and therefore, collectively managed. There is also a Grievance Redress Mechanism (GRM) related to land acquisition, detailed in the RPF.

In line with what it is stated in the project's Environmental and Social Management Framework (ESMF), at the beginning of project implementation, grievance redress committees will be established at commune, districts, and provincial levels built on the existing structures consisting of concerned departments, community organizations, women, and ethnic representatives, if they exist. In indigenous communities, the existing grievance mechanisms that are chaired by elder and/or spiritual leaders, which are largely acceptable to local communities, will be strengthened as the first-tier conflict resolution mechanisms.

**At the village level**, the existing grievance mechanisms that are chaired by elder and/or spiritual/tribal leaders, will be strengthened as the first tier conflict resolution mechanisms of the Commune Council. This arrangement helps ensure that a system is in place to help resolve any grievances or complaints that may occur during, and after, project intervention. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interest in the project and/or have the ability to influence its outcome either positively or negatively. The CSLEP will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may be raised by Project Affected People (PAPs) during the course and after the implementation of IPs related activities. The project will, in consultation with IPs, ensure that grievance mechanisms are appropriate and are fully consulted with IPs. When possible, regular grievance mechanisms of Cambodia will be followed, with the first instance being the Village level, then the Commune level, District level and finally the Provincial level, and these will be strengthened to ensure they can effectively deal with IP concerns.

If project subcomponents involve land acquisition a Grievance Redress Mechanism (GRM) is established for the CSLEP, based on the RPF and closely linked to this IPPF or IPPs as appropriate (please see RPF for details).

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

## Capacity Building

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

## Schedule

Screening of subprojects shall take place and if IPs are found in the project area, a Social Assessment shall be carried out. Based on the Social Assessment, an IPP may need to be prepared to mitigate impacts to IPs and maximize benefits of project subcomponents. IPPs will be submitted to the Bank as part of the implementation plan. Prior to the commencement of the implementation, the IPP shall be disclosed on the MOE and/or MRD website and the World Bank InfoShop. A copy of the IPP, including in local language, shall be placed in the commune council of the target areas where indigenous peoples can access it.

## Budget

Budget for implementing IPPF/IPP will be part of the project budget. The budget covers the costs of project staff allowances and consultants to prepare compliance reports including supervising and monitoring reports, data collection, social assessment, and preparation of IPP. Below is a rough budget estimate for IPPF implementation. Budget for IPP implementation is not part of this estimate.

**Table 4 Budget estimate for IPPF implementation**

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

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



## **SOCIAL ASSESSMENT AND PREPARATION OF INDIGENOUS PEOPLES PLANS**

### **Approach Used for Social Assessment**

A participatory approach is required in all stages of the CSLEP. Firstly, a participatory approach is needed during consultative meetings with local authorities and communities as well as for project screening, design stage social assessment and project implementation and monitoring.

During implementation the following steps will be followed in terms of screening, social assessment, and preparation of an IPP.

- a) Screening jointly by the MOE/MRD and the World Bank to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area, the target areas (see screening form is in Annex 2).
- b) Conducting social assessment by the MOE/MRD, with assistance from consultant with social safeguard background, if the screening concludes that the indigenous peoples are present in, or have collective attachment to, the project area. The breadth, depth, and type of analysis in the social assessment is proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples, whether such effects are positive or adverse. Free, prior and informed consultation approach is used.
- c) Preparing Indigenous Peoples Plan (IPP) based on outcomes of the social assessment and consultation with the affected indigenous peoples. The IPP will ensure that Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for.
- d) Disclosure of the draft Indigenous Peoples Plan to the public. The draft IPP will be uploaded into the World Bank InfoShop and the MOE/MRD website and translated into local language and a copy will be placed at the commune office and another copy in an area where the indigenous peoples will have access to.
- e) Updating social assessment during project implementation as part of monitoring process in order to identify unexpected adverse impacts and/or to propose mitigation measures. If the impact is significant the IPP will also be updated to cover the current impacts. Free, prior and informed consultation approach is used.

### **FREE, PRIOR, AND INFORMED CONSULTATION**

Participation is a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them. The decision to participate is the start of the whole participatory process in the project cycle. Participation is an active and continuous process of interaction among the key stakeholders, including the communities directly affected (whether positively or adversely), national agencies and line ministries, the project consultants, civil society and international donor agencies. Participation as a generic term usually encompasses two distinct dimensions: information exchange (i.e., dissemination and consultation) and varying forms of joint decision-making (i.e., collaboration or participation).

### **CONSULTATION DURING PROJECT PREPARATION**

A stakeholder consultation to discuss social safeguards aspects of the Cambodia Sustainable Landscape and Ecotourism Project (CSLEP) was held at the Ministry of Environment (MOE) in Phnom Penh,

Cambodia, on January 23, 2019. This was the second stakeholder consultation on CSLEP safeguard aspects. A first stakeholder consultation to discuss the project's Environment and Social Safeguards Framework (ESMF) was held in Phnom Penh in December 2018.

Over 40 participants, mostly Khmer nationals, attended the 2nd Stakeholder Consultation which included participants from line ministries including MOE, Ministry of Rural Development (MRD), Ministry of Land Management, Urban Planning and Construction (MLMUPC), Ministry of Water Resources and Meteorology, Ministry of Interior (MOI) and Ministry of Agriculture, Forestry and Fisheries (MAFF), among others. Representatives from Non-Governmental Organizations (NGOs) also attended the consultation, including NGOs representing Indigenous Peoples (IP) groups, such as Indigenous Communities Support Organization (ICSO), Cambodia Indigenous Peoples Organization (CIPO) and Non-Timber Forest Exchange Program (NTFP-EP). Other NGOs in attendance included Wildlife Conservation Society (WCS), Oxfam and Wildlife Alliance. Representatives from development partners were also in attendance, including The World Bank, United Nations Development Fund (UNDP) and USAID. Finally some representatives of the private sector, such as tourism-related businesses, also participated, including A2A Cambodia.

The Consultation introduced the project and the main safeguards documents: the Environment and Social Management Framework (in the first consultation), and the Indigenous Peoples Planning Framework (IPPF), Resettlement Planning Framework (RPF) and Process Framework (PF) during the second stakeholder consultation. Key provisions of each document were discussed as well as the rationale for triggering the World Bank policies and the WB and Cambodia's legal framework.

During the consultations the floor was opened for discussion for participants to freely ask questions and share comments. Participants were also encouraged to provide feedback on the social safeguard instruments, in particular: (i) how best to reach IPs to ensure free, prior and informed consultations, (ii) how existing grievance redress mechanisms at the local level can be strengthened by the Project, and (iii) feedback on the Entitlement Matrix of the RPF. Participants were very active in their participation and had numerous questions and comments regarding the project, in particular how best to address potential impacts relating to land acquisition and to Indigenous Peoples (IPs).

Representatives from various line ministries and NGOS had an opportunity to present their feedback and recommendations, including the importance of ensuring fair compensation to any affected people, and ensuring impacts to IPs are minimized and/or well mitigated so that their traditions are not impacted or eroded. Participants from NGOs were also interested in understanding how the project would ensure Free Prior and Informed Consultation, and what the role of NGOs would be in the project.

During the consultations MOE addressed these questions, and reaffirmed the project's efforts to minimize any land acquisition or impacts to IPs and the measures that would be taken on this regard, including ensuring close consultation with IPs and affected people during project implementation, as well as working closely with NGOs.

## **CONSULTATION DURING PROJECT IMPLEMENTATION**

The CSLEP will adopt full consultation and stakeholder participation for relevant project components. During project screening (project area selection process) communities, teachers, parents and local authorities will be consulted about benefits and potential impacts. A Social Assessment will be conducted with target areas if indigenous peoples are identified during screening. At least two public consultation

meetings will be conducted. The CSLEP activities, project impacts and mitigation measures will be presented during the first meeting. Then, the second public consultation meeting will be conducted to determine whether there is support for the project activities and mitigation plans.

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

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

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

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

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

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

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

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

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

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

- a) Names of ethnic groups in the affected villages/commune;

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

Once target areas have been selected by the MOE/MRD through screening process and indigenous peoples are identified, a pre-social assessment will be conducted to take note of affected assets (though this would be done in more detail in RAPs, if necessary), baseline socioeconomic survey, and PRA method. Social and economic profile of beneficiary population or project-affected people will be collected. Free, prior and informed consultations will be carried out for each of the beneficiary/affected communities/villages and the respective communes, ascertaining their broad community support and determining the potential impacts and possible support under the Project. The outcome of this process will be the basis to develop safeguard documents as part of the project implementation plan that include:

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

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

### Social Assessment

The SA will be conducted by qualified social development specialist knowledgeable about the culture of the concerned ethnic minorities. The social assessment will not only gather relevant information on demographic data, social, cultural and economic situation, but also project impacts covering and social and economic aspects, either positive or negative, determine the extent of impact, possibilities of avoiding or minimizing, ways of mitigating, and opportunities for benefits. The breadth, depth, and type of analysis required for the social assessment will be proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples. Outcomes of the assessment will be used to prepare an IPP.

The social assessment includes the following elements, as needed:

- (a) A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples.
- (b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (c) Taking the review and baseline information into account, the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples at each stage of project preparation and implementation.
- (d) An assessment, based on free, prior, and informed consultation, with the affected Indigenous Peoples' communities, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples' communities given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.

- (e) The identification and evaluation, based on free, prior, and informed consultation with the affected Indigenous Peoples' communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

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

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

### **Indigenous People Plan (IPP)**

On the basis of the social assessment and in consultation with the affected Indigenous Peoples' communities, the Project will prepares an Indigenous Peoples Plan (IPP) that sets out the measures through which the CSLEP will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. The IPP is prepared in a flexible and pragmatic manner and its level of detail varies depending on the specific project and the nature of effects to be addressed. The borrower integrates the IPP into the project design. When Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, the elements of an IPP should be included in the overall project design, and a separate IPP is not required. In such cases, the Project Appraisal Document (PAD) includes a brief summary of how the project complies with the policy, in particular the IPP requirements.

The IPP includes the following elements, as needed:

- (a) A summary of the information about (a) legal and institutional framework applicable to Indigenous Peoples and (b) baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (b) A summary of the social assessment.
- (c) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during project preparation and that led to broad community support for the project.
- (d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during project implementation.
- (e) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.

- (f) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- (g) The cost estimates and financing plan for the IPP.
- (h) Accessible procedures appropriate to the project to address grievances by the affected Indigenous Peoples' communities arising from project implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- (i) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

To prepare IPP the information below is required:

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

## ANNEX 2- PRELIMINARY SCREENING OF INDIGENOUS PEOPLES

<b>When to do the screening?</b>		At the time of the first consultation with a commune/village		
<b>What information to be collected?</b>		Demographic data of Indigenous People who live within the project catchment		
<b>How to collect the information?</b>		It can be obtained from ethnic leaders, village leaders and commune chief		
<b>Who will do the screening?</b>		Consultants or MOE/MRD focal persons		
<b>Province:</b> _____		<b>District:</b> _____		<b>Commune:</b> _____
Name of village within project catchment	Name of indigenous group within project catchment	Number of IP households	Number of IP population	
			Total	Female