

**Cambodia Solid Waste and Plastic Management
Improvement Project**

**Indigenous Peoples Planning Framework
(IPPF)**

February 2022

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ACRONYMS AND ABBREVIATIONS

CIU	Component Implementing Unit
CMU	Component Management Unit
CSWPMIP	Cambodia Solid Waste and Plastic Management Improvement Project
DDIS	Detailed Design Implementation and Supervision
EM	Ethnic Minorities
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
ESSO	Environment and Social Officers
FPIC	Free, Prior, and Informed Consent
GRM	Grievance Redress Mechanism
GRM SOP	Grievance Redress Mechanism Standard Operating Procedure
ICERD	International Convention on the Elimination of all Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDA	International Development Association
IPs	Indigenous Peoples
IPP	Indigenous Peoples Plans
IPPF	Indigenous Peoples Planning Framework
LAR SOP	Land Acquisition and Involuntary Resettlement: Standard Operating Procedures
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MEF	Ministry of Economy and Finance
MPWT	Ministry of Public Works and Transport
PD	Project Director
PM	Project Manager
RPF	Resettlement Policy Framework
SA	Social Assessment
SEO	Social and Environment Officer
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedures
UNESCO	United Nations, Educational, Scientific, and Cultural Organization
WB	World Bank

សេចក្តីសង្ខេប

ក្របខណ្ឌផែនការជនជាតិដើមភាគតិច (IPPF) គឺត្រូវបានធ្វើឡើងក្រោមគម្រោងធ្វើឱ្យប្រសើរឡើងនូវ ការគ្រប់គ្រងសំណល់រឹង និងប្លាស្ទិកនៅកម្ពុជា (CSWPMIP) ត្រូវបានស្គាល់ថាជាគម្រោង។ គម្រោងនេះ មានគោលបំណងធ្វើឱ្យប្រសើរឡើងនូវការគ្រប់គ្រងសំណល់រឹង ការគ្រប់គ្រងសំណល់ប្លាស្ទិក និងកសាង សមត្ថភាពនៅតាមទីក្រុងដែលបានជ្រើសរើសចូលរួមជាមួយគម្រោងនៅក្នុងប្រទេសកម្ពុជា។ IPPF នេះ កំណត់វត្តមានជនជាតិដើមភាគតិច (IPs)/ជនជាតិភាគតិច (EM) នៅកម្ពុជា ហើយកំណត់គោលនយោបាយ របស់កម្ពុជានិងអន្តរជាតិ ហេតុប៉ះពាល់ដែលអាចនឹងកើតមាន ការអនុវត្តនិងត្រួតពិនិត្យដំណើរការគម្រោង ការពិគ្រោះយោបល់ និងការចូលរួមរបស់IPs/EMs នៅក្នុងតំបន់គម្រោងដែលមានវត្តមានរបស់ពួកគេ និងយន្តការបណ្តឹងសារទុក្ខសម្រាប់ IPs/EMs ដែលអាចរងផលប៉ះពាល់ពីគម្រោង។

IPPF នេះនឹងត្រូវអនុវត្តចំពោះរាល់សកម្មភាពរបស់គម្រោងទាំងអស់នៅក្រោមសមាសភាគទី ៣៖ ហេដ្ឋារចនាសម្ព័ន្ធគ្រប់គ្រងសំណល់រឹងសម្រាប់ទីក្រុងដែលបានជ្រើសរើសឱ្យចូលរួមក្នុងគម្រោងទាមទារឱ្យមានការត្រួតពិនិត្យលើបញ្ហាជនជាតិដើមភាគតិច/ជនជាតិភាគតិចនៃតំបន់អនុគម្រោង ដែលមានវត្តមានIPs/EMs ឬមានឯកសារជាប់ពាក់ព័ន្ធជាមួយគម្រោងដែលបានស្នើឡើង។ ព័ត៌មានអំពីវត្តមានរបស់ IPs/EMs ដែលអាចនឹងកំពុងរស់នៅ ឬមានឯកសារភ្ជាប់នៅក្នុងទីតាំងដែលអាចជ្រើសរើសធ្វើជាទីលានទុកដាក់សំរាមនឹងត្រូវបានបញ្ជាក់ និងត្រួតពិនិត្យដោយក្រសួងសាធារណការ និងដឹកជញ្ជូន (MPWT) ក្រោមការ សម្របសម្រួលរបស់អគ្គនាយកដ្ឋានដោះស្រាយផលប៉ះពាល់ដោយសារគម្រោងអភិវឌ្ឍន៍ (GDR) (ក្នុងករណីដែលមានទាក់ទងនឹងការតាំងទីលំនៅថ្មី ឬផលប៉ះពាល់ផ្នែកសេដ្ឋកិច្ច)។ ព័ត៌មានជាក់លាក់អំពី IPs/EMs នៅក្នុងតំបន់គម្រោង និងព័ត៌មានលម្អិតអំពីជំនឿ ប្រពៃណី អត្ថប្រយោជន៍ និងផលប៉ះពាល់ នៃគម្រោង ក្នុងចំណោមព័ត៌មានផ្សេងៗទៀត នឹងក្លាយជាផ្នែកមួយនៃដំណើរការវាយតម្លៃហេតុប៉ះពាល់ បរិស្ថាន និងសង្គម (ESIA) នៅពេលដែលមានវត្តមានIPs/EMs។ IPPF នេះពណ៌នាអំពីនីតិវិធីក្នុងការ ត្រួតពិនិត្យលើបញ្ហាIPs/EMs នៅក្នុងសមាសភាគនៃគម្រោងហេដ្ឋារចនាសម្ព័ន្ធ ក៏ដូចជាការរៀបចំស្ថាប័ន នីតិវិធី និងដំណើរការជាជំហានៗដើម្បីរៀបចំ IPPs ក្នុងករណីដែលមានវត្តមានIPs/EMs ក្នុងតំបន់គម្រោង។

ដោយអនុលោមតាមក្របខណ្ឌគ្រប់គ្រងបរិស្ថាន និងសង្គមរបស់ធនាគារពិភពលោក (ESF) ជាពិសេស ស្តង់ដារបរិស្ថាន និងសង្គមទី៧ស្តីពីជនជាតិដើមភាគតិច (ESS7) ដែលត្រូវបានចាត់ទុកថាជាផ្នែកមួយនៃ "ជនជាតិដើមភាគតិច/ជនជាតិភាគតិច" ក្រុមទាំងនេះត្រូវមានលក្ខណៈដូចមានរៀបរាប់ក្នុងកម្រិតផ្សេងៗគ្នាដូចខាងក្រោម៖

- (ក) ការប្រកាន់យកអត្តសញ្ញាណខ្លួនឯងជាសមាជិក នៃក្រុមសង្គមនិងវប្បធម៌ជនជាតិដើមភាគតិចដាច់ដោយឡែកហើយទទួលស្គាល់អត្តសញ្ញាណនេះដោយអ្នកដទៃ។
- (ខ) ការភ្ជាប់ជាសមូហភាពទៅនឹងទីជម្រកក្នុងភូមិសាស្ត្រដាច់ដោយឡែក មានទឹកដីដូនតា តំបន់ប្រើប្រាស់ ឬកាន់កាប់តាមរដូវកាល ក៏ដូចជាធនធានធម្មជាតិនៅក្នុងតំបន់ទាំងនេះ។

(គ) វប្បធម៌ទំនៀមទម្លាប់ សេដ្ឋកិច្ច សង្គមកិច្ច ឬស្ថាប័ននយោបាយ ដែលមានលក្ខណៈប្លែកឬដាច់ ដោយ ឡែកពីសង្គម ឬវប្បធម៌ទូទៅ។ និង

(ឃ) មានភាសា ឬគ្រាមភាសាខុសគ្នាពីភាសាផ្លូវការ ឬភាសារបស់ប្រទេស ឬតំបន់ដែលពួកគេរស់នៅ។

ទោះបីជាគម្រោងនេះមិនត្រូវបានគេរំពឹងថានឹងមានផលប៉ះពាល់ជាអវិជ្ជមានដល់ក្រុមIPs/EMs ត្រូវធានាថា ពួកគាត់មិនត្រូវបានគេបំភ្លេចចោលទេ ហើយទទួលបានសមភាពនៅក្នុងការទទួលបានអត្ថប្រយោជន៍ ពីគម្រោង។

ដូចនេះហើយ ឯកសារនេះត្រូវបានចាត់ទុកថាជាឯកសាររស់ ហើយនឹងត្រូវបានកែប្រែ ក៏ដូចជាធ្វើ បច្ចុប្បន្ន ភាពស្របតាមការផ្លាស់ប្តូរ ឬវិសាលភាពនៃគម្រោងដែលនឹងប្រព្រឹត្តទៅ។ ផែនការជនជាតិដើម ភាគតិច (IPP) នេះនឹងត្រូវបានបង្កើតឡើងដោយយោងតាមតម្រូវការនៃ IPPF នេះក្នុងករណីដែលដំណើរ ការវាយ តម្លៃហេតុប៉ះពាល់បរិស្ថាន និងសង្គមរកឃើញមានវត្តមានរបស់ក្រុមIPs/EMs នៅក្នុងទីតាំង គម្រោង។

ឯកសារនេះត្រូវបានរៀបចំឡើងដោយក្រុមការងារក្រសួងមហាផ្ទៃ រួមជាមួយនិង ក្រសួងសាធារណការ និង ដឹកជញ្ជូន (MPWT) ដែលជាអង្គការគ្រប់គ្រងសមាសភាគគម្រោង (CMU) នាំមុខគេសម្រាប់ សមាសភាគ ទី ៣ដោយមានការគាំទ្រពីជំនាញការទីប្រឹក្សាអន្តរជាតិ និងជាតិ។

EXECUTIVE SUMMARY

This Indigenous Peoples Planning Framework (IPPF) is for the Cambodia Solid Waste and Plastic Management Improvement Project (CSWPMIP, also known as the Project). The Project aims to improve the solid waste, plastic management, and capacity in selected municipalities in Cambodia. This IPPF defines the Indigenous Peoples (IPs)/Ethnic Minority (EM) in Cambodia and identifies the Cambodian and international policies, the potential impacts, the implementation and monitoring arrangements, consultation and engagement with IPs/EMs in the project areas where they are their present, and the grievance mechanism for the possible-affected IPs/EMs in the Project.

This IPPF will be applied to all Project activities under Component 3: Solid Waste Management Infrastructure for the selected cities that will require Indigenous Peoples/ Ethnic Minority screening of the subproject where IPs/EMs are present in or have collective attachment to a proposed project area. Information on the presence of any particular IPs/EMs who may be residing or have attachment in the prioritized landfill sites for the Project will be ascertained and screened by the Ministry of Public Works and Transport (MPWT) in coordination with General Department of Resettlement (GDR) (in case related to resettlement or economic impacts). Specific information on the extent of IPs/EMs in the project area and detailed information about their beliefs, traditions, benefits and impacts of the project, among others, will be part of Environmental and Social Impact Assessment (ESIA) once the IPs/EMs have been identified, if any. This IPPF describes procedures to screen for IPs/EMs in the Project infrastructure sub-components, and organizational arrangements, procedures and steps to prepare the IPPs in case IPs/EMs are present.

In accordance with World Bank's Environment and Social Framework (ESF), specifically the Environmental and Social Standard 7 on Indigenous Peoples (ESS7), to be considered as part of the "Indigenous Peoples/ Ethnic Minority", the groups need to possess the following characteristics in varying degrees: (a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and (b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and (c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and (d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

While the Project is not expected to result in adverse impacts to IPs/EMs, there would be a need to ensure that groups are not excluded, and that there is equity in the benefits.

As such, this document is considered a living document and shall be modified and updated in line with the changing situation or scope of the Project activities. Indigenous Peoples Plans (IPPs) will be developed in case the Environmental and Social Impact Assessments identify the presence of IPs/EMs in the project locations in line with the requirements of this IPPF.

This document is prepared by the Ministry of Interior and Ministry of Public Works and Transport (MPWT) as the lead designated Component Management Unit (CMU) for Component 3 with support from international and national consultants.

1 PROJECT DESCRIPTION

1.1 OVERVIEW

The Cambodia Solid Waste and Plastic Management Improvement Project (CSWPMIP, also known as the Project) aims to improve solid waste and plastic management in Cambodia. To achieve the objective of improving solid waste and plastic management and capacity in selected cities and nationally, the project will support an approach that combines support for policy development, regulatory improvements, and monitoring at the national level with support for selected provinces and municipalities. At the local level, the project will support the effectuation of the implementation of Cambodia's Sub-decree 113 that specifies in Article 9 that "it is the cities and district administration that have the role to manage urban garbage and solid waste within their jurisdiction."¹ This is consistent with good international practice of solid waste being a service managed by the local government to ensure citizens can provide direct feedback for the services.² The project will include support for improvements in the waste collection, transport, and treatment/recycling/disposal and improvements in operational cost recovery by improving waste fee collection. It will also support improved monitoring and enforcement of private waste management companies, information availability and reliability, and citizen engagement and public information. The project will also support plastic policies and improved plastics management to reduce the amount of waste that needs to be collected or landfilled, increase recycling, and contribute to reduced plastic leakage to the waterways and ocean.

The objectives will be achieved through systemic interventions and activities financed through the IDA Credit to three (3) overall components: (a) a central component at the national level (Component 1) focusing on policies, regulations, and institutional strengthening at the national level; (b) a subnational policy and institutional strengthening component (Component 2) comprising local policy, regulations, and monitoring of technical assistance and capacity building for participating municipalities; and (c) investments to improve solid waste and plastic management and increase recycling and treatment (Component 3). Component 4 will focus on program management and monitoring and evaluation (M&E). The project will be implemented over a six (6)-year period.

The design of the project is based on a flexible and adjustable approach that allows for coordination and collaboration with other financing sources for the solid waste infrastructure for the selected municipalities and districts. The solid waste sector development through the national- and local-level institutional capacity development, funded by the project, has also been designed to allow for replication of the approach to improve the solid waste

¹ The Royal Government of Cambodia, Sub-decree 113 on Urban Garbage and Solid Waste. The goal of this sub-decree is to enhance the management of garbage and solid waste of downtowns with effectiveness, transparency, and accountability. The sub-decree aims at (a) strengthening responsibilities of ministry, institution, skilled unit, subnational administration, and other relevant stakeholders for the management of garbage and solid waste of downtowns; (b) entrusting the function of the management of garbage and solid waste of downtowns to municipal, city, and district administrations and delegate function of the management of garbage and solid waste of downtowns from the municipal administration to the khan administration, and (c) determining necessary measures to improve efficiency and safety in the management of garbage and solid waste of downtowns.

² The waste management system should be guided by appropriate legislation and controlled at national, regional, and local levels, while local governments should have the responsibility of actual solid waste service delivery and implementation.

management (SWM) performance adaptable for a variety of different urban contexts in Cambodia.

1.2 DETAILED DESCRIPTION OF COMPONENTS

The CSWPMIP will aid the implementation of solid waste management policy and legislation as well as capacity development at both the national and the local levels by supporting the following:

- Improvements in the various levels of solid waste and plastic management in Cambodia, from waste collection, transport, and recovery, treatment, recycling, and disposal, along with improvements in operational cost recovery by improving waste fee collection.
- Improvements in monitoring and enforcement of private waste management companies, information availability and reliability, and citizen engagement and public information
- Implementation of plastic policies and improved plastics management to reduce the amount of waste that needs to be collected or landfilled, increase recovery and recycling, and contribute to reduced plastic leakage to the waterways and ocean.

The Project consists of four (4) components that will be implemented over a six (6)-year period, namely:

- Component 1:** National Institutional and Policy Development for Solid Waste and Plastic Management
- Component 2:** Integrated Solid Waste and Plastic Management, Planning, Monitoring and Capacity Building for Local Governments
- Component 3:** Solid and Plastic Waste Infrastructure in Selected Cities
- Component 4:** Contingent Emergency Response

The design of the project is also based on confirmation of eligibility of participating municipalities for Component 2 and Component 3. The eligibility criteria for participating municipalities are aligned with the provisions established in Sub-decree 113 on Management of Urban Garbage and Solid Waste, where municipalities/districts take responsibility for solid waste management. Eligible selected municipalities will receive selected solid waste infrastructure, specifically landfills, to improve the environmental performance of the waste disposal.

Under Component 3 on Solid and Plastic Waste Infrastructure in Selected Cities in Cambodia regional solid waste landfill infrastructure is proposed to be financed, along with materials recovery facilities (MRFs), composting facilities, and equipment investments for eligible municipalities and neighboring districts.

These eligibility criteria are based on requirements of cost-effective solid waste treatment and disposal infrastructure for which more than 100,000 population equivalent waste generators are needed, willingness for cost recovery for at least operational costs of the landfill disposal and landfill management contracts with performance indicators and payments for operation and management of waste disposal; and availability of land for solid waste landfills and other treatment infrastructure which are in line with World Bank's Environmental and Social Framework (ESF) requirements. The preliminary identified municipalities foreseen to receive

investment financing under Component 3 are (a) Siem Reap, (b) Kampong Speu, and (c) Kandal.

Specifically, the component will improve effectiveness and efficiency of waste management and the environmental and social performance of waste disposal. Priority investments include management, transport/transfer, and disposal facilities. The disposal facilities can be realized through establishment of new landfills with closing of the current dumpsites or rehabilitating the current open dumps into landfills to minimize the environmental and social impacts of the currently operated open dumpsites.

Furthermore, every municipality receiving investment financing will first be supported with technical assistance support and capacity building under Component 2 of the CSWPMIP. This is a key aspect of increasing the quality of solid waste services and enabling sustainability of investments and has been proven effective in other World Bank-financed projects.

Component 3 will also support investment preparation for the solid waste and plastic management investments for proper transfer, treatment/recycling, and disposal of plastics and waste. Such preparations of investment are: (i) solid waste management and performance specification designs, (ii) site-specific Environmental and Social Impact Assessments (ESIAs)/Environmental and Social Management Plan (ESMP), Resettlement Action Plans (RAPs), including Livelihood Restoration Plans (LRPs) in line with the Environmental and Social Management Framework; and (iii) bidding documents, etc. At national level, development of landfill design and operation standards for construction operation, closure and aftercare for waste treatment and disposal will be developed, together with landfill management and operation contract template including payment and operational manuals.

The project will be prepared and implemented by the appropriate existing sector institutions in alignment with sector institutional mandates and in accordance with the Government's Standard Operating Procedure (SOP) for Land Acquisition and Involuntary Resettlement (LAR)³. Component Management Units (CMU) at national level will be established at the Ministry of Environment (MOE), Ministry of Interior (MOI), and Ministry of Public Works and Transport (MPWT) who will be responsible for the implementation of the components for which they are leading. The MOE will be the lead ministry of Component 1 and establish the Component Management Unit 1 (CMU-1), led by its Department of Solid Waste Management under the General Directorate of Environmental Protection. The MOI be the implementing agency for the Component 2 and establish the Component Management Unit 2 (CMU-2), led by its Department of Function and Resources under the General Department of Function and Resources. The MPWT will be the implementation agency for Component 3 and will establish the Component Management Unit 3 (CMU-3). Specialized consultants will be required to support project implementation and management. Specifically, in the CMU-3 under the MPWT, social and environmental safeguard consultants will be added to deal with the Environmental and Social Commitments under the Project. Apart from implementing Component 2, the CMU-2 will also be responsible for overall project coordination, consolidating all project reports, and overall project audits.

³ Article 3 which governs the provision for projects financed by development partners in Cambodia, the RGC issued in 2018 the Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement.

As part of CMU-2, each municipality participating in the project, will establish a local Component Implementation Unit (CIU) as an operational SWM unit that will be part of CMU-2 and support implementation of the investments from CMU-3. The municipal Component Implementation Unit 2 (CIU-2) will fulfill the responsibility of the implementation of project activities at municipal level, specifically related to (i) inclusion of performance indicators into waste collection contracts and landfill management contracts; (ii) payment to private waste collection companies and landfill management companies for solid waste collection and disposal services; and (iii) collection of waste fees from households and businesses as required payments for solid waste municipal services. These activities will be executed under Component 2 under overall management of MOI. Specialized consultants to support the project implementation and management will be needed and will need to be sustainably embedded in the Municipal Administration for the continuing responsibility and accountability of operation, management and monitoring of solid waste management in the respective municipalities, in line with Sub-decree 182⁴.

1.3 PURPOSE OF THE INDIGENOUS PEOPLES' PLANNING FRAMEWORK (IPPF)

At the current stage of the Project, the specific sites and technical details of the subprojects of Component 3: Solid and Plastic Waste Infrastructure in Selected Cities are not known and will be identified during the project implementation stage. This Indigenous Peoples Planning Framework (IPPF) is triggered when the Environmental and Social Impact Assessment (ESIA) of each respective subproject identifies that IPs/EMs are present in or have collective attachment to a proposed subproject area. Regardless of whether IPs/EMs are affected positively or negatively, and significance of any impacts identified, the Indigenous Peoples Plan (IPP) will have to be developed in case there are IPs/EMs present in the sub-project area. This IPPF sets out the organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation and serves as a basis in the preparation of the IPP of each subproject. Aligned with World Bank's ESF, specifically the Environmental and Social Standard 7 on Indigenous Peoples (ESS7), the IPPF aims to:

- Provide the guidance to develop the site-specific IPPs in case IPs/EMs are present. The IPPF itself is not the specific guidance for site specific cases where IPs/EMs communities may be affected negatively or positively by the Project.
- Ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Ethnic Minority/IP communities;
- Avoid adverse impacts of projects on Ethnic Minority/IP communities, or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts;
- Promote sustainable development benefits and opportunities for Ethnic Minorities/IP communities in a manner that is accessible, culturally appropriate and inclusive;

⁴ Sub-decree 182 (2019) consolidates the responsibility and accountability on the operation and management of city assets and services to the Municipal administration under the Public Works, Transport, Sanitation, Environment, and Public Order Office, as stated in Article 24.

- Improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the Indigenous Peoples communities affected by a project throughout the project's life-cycle;
- Obtain the Free, Prior, and Informed Consent (FPIC) of affected Indigenous Peoples in the three (3) circumstances described in ESS7; and
- Recognize, respect and preserve the culture, knowledge, and practices of IPs/EMs, and to provide them with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them.

2 IDENTIFICATION OF INDIGENOUS PEOPLES/ETHNIC MINORITIES

The National Policy for the Development of Indigenous Peoples (NPDIP)⁵ of 2009, defines “Indigenous Peoples” as ethnic groups who have lived in Cambodia from the beginning who have their own language, culture, customs, and traditions different from the Khmer people, who are the core nationals, “Ethnic Minorities” as Khmer people who have their own language, culture, traditions, and customs. They live among the Khmer people, the core nationals, and “Core Nationals” as the Khmer ethnic group who have been living in Cambodia since the beginning.

In comparison, the World Bank’s Environmental and Social Standard 7 on Indigenous Peoples (ESS7), defines “Indigenous Peoples”, refers (in general) exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others, (b) collective attachment⁶ to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas, (c) customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture, and (d) a distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

The Indigenous Peoples/Ethnic Minorities identified in Cambodia have a traditional way of life and cultivate the land they occupy according to the customary rules of use. They adhere to different cultures, customs, traditions, beliefs, and languages according to their respective groups. The main occupations for their livelihood⁷ are greatly dependent on the natural environment, thus, making them especially vulnerable.

2.1 INDIGENOUS PEOPLE IN CAMBODIA

Cambodia is a multi-ethnic society with a total population of approximately 15,288,489 in 2019. In the most recent 2019 Census of Population, majority (95.8%) of the population are of Khmer ethnicity. On the other hand, the IPs/EMs have a population of 448,282 and make up about 2.9% of the total population (NIS, 2020). In the 2018 draft census report of Ministry of Planning (MOP), there were 183,832 individuals identifying as to IPs/EMs across 22 groups as shown in **Table 2-1** (Ministry of Rural Development, 2020).

As illustrated in **Figure 2-1**, the IP areas are mostly located in the northeastern provinces of Cambodia (Save Cambodia's Wildlife, 2015).

⁵ In the NPDIP, the Ministry of Rural Development (MRD) extensively uses ‘Indigenous Peoples’ instead of ‘ethnic minority people’.

⁶ Collective attachment means that for generations there has been a physical presence in and economic ties to land and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites.

⁷ Traditionally farming, by cutting down trees and burning them for farming, rotation, collection of non-timber forest products, hunting, fishing, and animal husbandry.

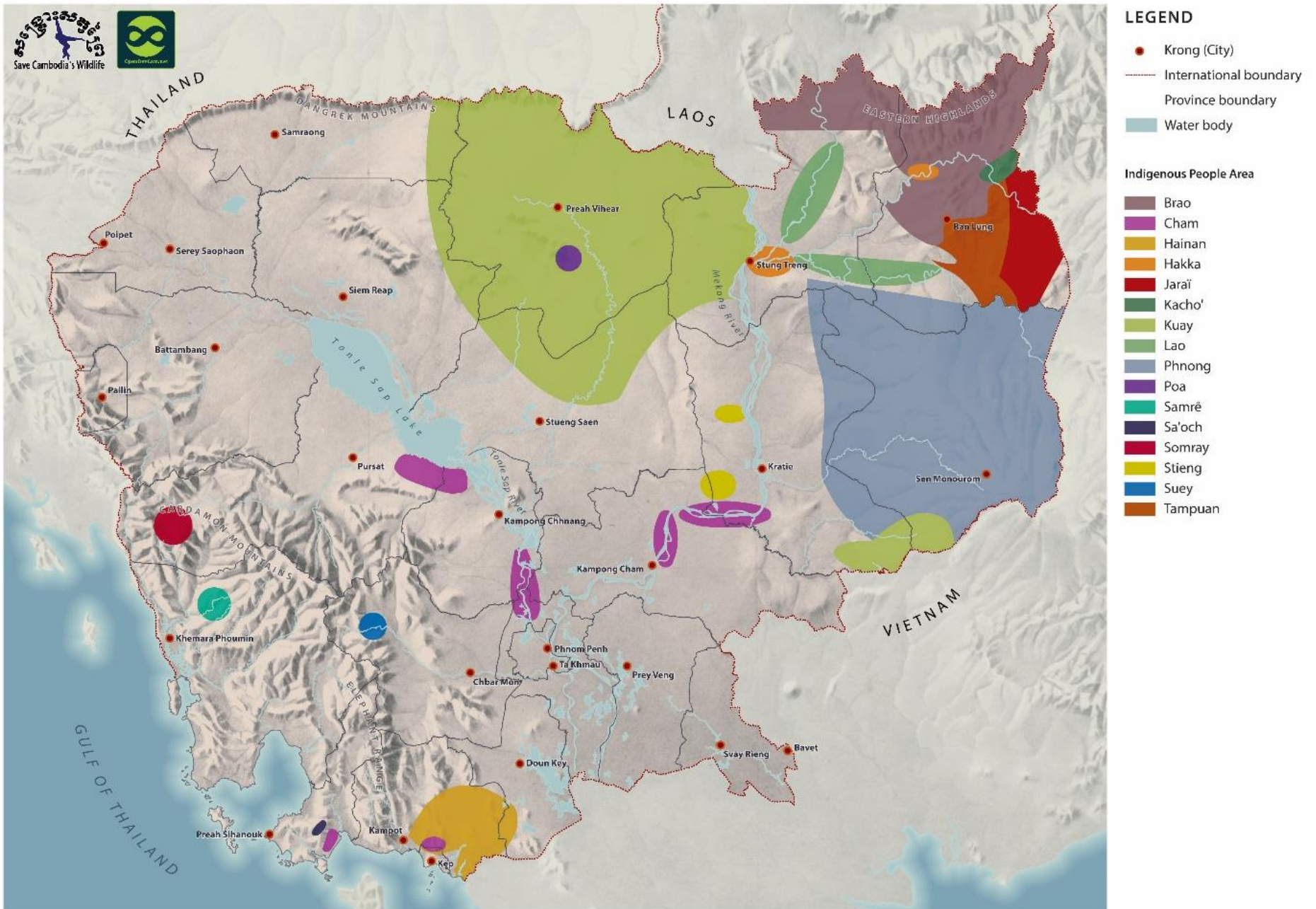


Figure 2-1: Ethnic Minority Areas in Cambodia (2013)

Source: Save Cambodia's Wildlife, 2013

Table 2-1: Population Distribution of the Ethnic Minorities by Group in Cambodia (2018)

Ethnic Minority		Population		
		2008	2013	Change
1	Phnong	37,507	47,296	9,789
2	Tumpuon	31,013	51,947	20,934
3	Kuoy	28,612	13,530	-15,082
4	Charay	26,335	13,326	-13,009
5	Kroeung	19,988	22,385	2,397
6	Brao	9,025	13,902	4,877
7	Stieng	6,541	1,279	-5,262
8	Kavet	6,218	5,618	-600
9	Kraol	4,202	7,413	3,211
10	Ja'ong	1,831	266	-1,565
11	Prov	1,827	215	-1,612
12	Mil	1,697	1,905	208
13	L'moon	865	763	-102
14	Suoy (Sa'ong)	857	0	-857
15	Khaonh	743	270	-473
16	Kleung	702	208	-494
17	Saouch	445	837	392
18	Kajrouk	408	731	323
19	Lun	327	436	109
20	Radae	21	1,003	982
21	Mon/Thmor	19	174	155
22	Kachak	10	328	318

Source: Final Draft Report of Census of Ethnic Minorities in Cambodia, Ministry of Planning, 2018

2.2 GENERAL INFORMATION ABOUT INDIGENOUS PEOPLES/ ETHNIC MINORITIES IN POTENTIAL PARTICIPATING PROVINCES

Information on the presence of any particular IPs/EMs who may be residing or have attachment in the prioritized landfill sites will be ascertained and screened by the Ministry of Public Works and Transport (MPWT). Assessment will be made on a case-to-case basis following this Indigenous Peoples Planning Framework (IPPF). Specific information on the extent of IPs/EMs in the project area and detailed information about their beliefs, traditions, benefits and impacts of the project, among others, will be part of Environmental and Social Impact Assessment (ESIA) once IPs/EMs have been identified at the specific locations, if any are present. This will be done as part of the first year of Project Implementation and the site-specific ESIA will also identify the need for a site-specific social assessment of IPs/EMs, if they are present.

Based on the 2010 Commune information, there are individuals belonging to the Kouy IPs/EMs group identified in Kampong Speu and Siem Reap province and to the Saouch IPs/EMs group identified in Kampong Speu. Specific screening will be undertaken as part of the site specific ESIA once the locations for landfill and waste infrastructure investments are selected. While there are no IPs/EMs identified in the commune database for Kandal.

Table 1: List of IPs/Ethnic Minorities in Cambodia (2010)

IPs/Ethnic Minority	Kampong Speu		Kandal		Siem Reap	
	Families	Persons	Families	Persons	Families	Persons
Phnong	0	0	0	0	0	0
Kouy	234	906	0	0	176	41
Stieng	0	0	0	0	0	0
Mil	0	0	0	0	0	0
Kroal	0	0	0	0	0	0
Thmorn	0	0	0	0	0	0
Khaonh	0	0	0	0	0	0
Tompuonn	0	0	0	0	0	0
Charay	0	0	0	0	0	0
Kroeung	0	0	0	0	0	0
Kavet	0	0	0	0	0	0
Saouch	30	127	0	0	0	0
Lun	0	0	0	0	0	0
Kachak	0	0	0	0	0	0
Praov	0	0	0	0	0	0
Others	5	17	0	0	0	0
TOTAL	269	1,050	-	-	176	41

Source: Commune Database Online, 2010

3 LEGAL FRAMEWORK AND REGULATIONS

3.1 RELEVANT CAMBODIA POLICIES, LAWS, RULES AND REGULATIONS

The guiding document to address Indigenous Peoples/Ethnic Minority issues in Cambodia is the **National Policy on the Development of Indigenous Peoples (NPDIP)**⁸. The policy recognizes the need for specific policies for IPs/EMs. This defines the principles for formal registration of indigenous communities as legal entities with their own bylaws and enables their participation in economic development that affects their lives and cultures: “IPs/EMs shall be fully entitled to express their comments and opinions and to make any decisions on the development of the economy, society and their cultures towards growth in the society”

The policy promotes the use of local languages in multilingual primary education, the media, and public consultation. This includes the ten (10) brief sector strategies for culture, education and vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, industry and mines and energy. Likewise, it calls for the conduct of impact assessments for all infrastructure projects: “Development projects in the living areas of Indigenous Peoples can function only if there has been an environmental and social impact assessment and publicity to relevant Indigenous Peoples' communities in advance in order for those people to have an opportunity to provide input about their need.” Together with the Land Law (2001), this policy recognizes 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 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), 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

⁸ The Policy was approved by the Council of Ministers on 24 April 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, industry and mines and energy.

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.”

2008 Organic Law recognizes Indigenous Peoples’/Ethnic Minorities’ vulnerability. Councils at provincial and district levels (capital, municipal and khan levels in urban areas) are requested to formulate development plans that identify the needs of vulnerable groups including Indigenous Peoples/Ethnic Minorities.

The Land Law 2001 recognizes the right of indigenous communities in Cambodia to own immovable property - their land - with collective title. Article 23 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 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 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 **Standard Operation Procedures (SOP) for Land Acquisition and Involuntary Resettlement (LAR) of 2018** states that any LAR of externally-financed projects involving IPs/EMs must be avoided to the maximum extent possible. The probability of LAR impacts on IPs/EMs is one of the key principles in determining site selection/alignment/land demarcation. In cases when LAR cannot be avoided, the SOP calls for the project to provide an in-depth study through an Indigenous Peoples Plan (IPP) to identify the impacts on the affected IPs/EMs, their identity, culture, and customary livelihood, and on how they use their land, conduct their economic activities, and organize their social activities. The IPP will also determine if the land IPs/EMs are on is a result of forced displacement (from war, hydro, mining projects, etc). The IPP shall also indicate the mitigation measures on the social impacts, the compensation and resettlement packages that will be offered, and the implementation arrangements. Consultation with the tribal/customary leaders is essential in the formulation of the IPP to take customary practices in consideration. The IPP will be prepared with the site specific ESIs in case applicable and with the involvement of the Executing Agency, MPWT as the Implementing Agency of Component 3 and relevant local authorities.

3.2 RELEVANT INTERNATIONAL AGREEMENTS

Cambodia is a signatory to a number of international instruments that protect the rights of Indigenous Peoples/Ethnic Minorities⁹, as well as the Convention on Biological Diversity (1992), which recognizes the role of Indigenous Peoples/Ethnic Minorities in protecting biodiversity. In 1992, the Cambodian Government ratified the **International Covenant on**

⁹ 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.

Economic, Social and Cultural Rights. This includes the rights to practice specific culture and the rights to means of livelihoods, NGO Forum on Cambodia.

The **UN Declaration on the Right of Indigenous Peoples** 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.

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

The **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/Ethnic Minorities.

3.3 WORLD BANK’S ENVIRONMENT AND SOCIAL STANDARD 7 ON INDIGENOUS PEOPLES / SUB-SAHARAN AFRICAN HISTORICALLY UNDESERVED TRADITIONAL LOCAL COMMUNITIES

The World Bank’s Environmental and Social Standard 7 on Indigenous Peoples (ESS7) recognizes that IPs/EMs have identities and aspirations that are distinct from mainstream groups in national societies and often are disadvantaged by traditional models of development, and that they are inextricably linked to the land on which they live and the natural resources on which they depend. Indigenous Peoples are, therefore, particularly vulnerable if their land and resources are transformed, encroached upon, or significantly degraded. Projects may also undermine language use, cultural practices, institutional arrangements, and religious or spiritual beliefs. The term “Indigenous Peoples” based on ESS7 has been previously defined in **Section 2** of this Indigenous Peoples Planning Framework (IPPF).

Additionally, the World Bank requires Free, Prior and Informed Consent (FPIC) from IPs/EMs in a project when the following circumstances apply:

- a. Have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
- b. Cause relocation of IPs/EMs from land and natural resources subject to traditional ownership or under customary use or occupation; or
- c. Have significant impacts on Indigenous Peoples cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected IP’s/EMs lives.

3.4 GAP ANALYSIS

Identified policies between World Bank and the Royal Government of Cambodia (RGC) with regards to the IPs/EMs, differ in some aspects. These are identified in **Table 3-1**, along with the respective proposed measures to fill these gaps.

Table 3-1: Gap Analysis of WB and RGC Policies on Indigenous Peoples and Ethnic Minorities

Key Issues	WB ESS7	RGC Policy	Proposed Gap-filling Measure
<p>Differences on the definition of Indigenous Peoples from the World Bank and Royal Government of Cambodia.</p> <p>RGC policy did not specifically mention the 4 characteristics that define IPs/EMs.</p> <p>Although Cambodia has a policy recognizing the right of Indigenous Peoples, this is not enshrined into a decree, sub-decree or procedure specific to safeguards and protection of their interest, other than those related to land or forestry.</p> <p>Cambodia Land Law recognizes the right of Indigenous Peoples communities in Cambodia to own immovable property - their land - with collective title. However, there is insufficient regulations or operating procedures to facilitate its full implementation.</p>	<p>Definition of Indigenous Peoples Indigenous Peoples is a generic term referring exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:</p> <ul style="list-style-type: none"> • <u>Self-identification</u> as members of a distinct indigenous social and cultural group and recognition of this identity by other • <u>Collective attachment</u> to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas • <u>Distinct or separate customary cultural, economic, social, or political institutions</u> from those of the mainstream society or culture • <u>Distinct language or dialect</u>, often different from the official language or languages of the country or region in which they reside <p>The Bank Directive on Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups includes individuals who are by virtue of their gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a projects benefits.</p>	<p>National Policy for the Development of Indigenous Peoples (2009) by the MRD defines the following:</p> <p><u>Indigenous Peoples</u> – Ethnic groups who have lived in Cambodia from the beginning who have their own language, culture, customs, and traditions different from the Khmer people, who are the core nationals.</p> <p><u>Ethnic Minorities</u> – Khmer people who have their own language, culture, traditions, and customs. They live among the Khmer people, the core nation.</p> <p><u>Core Nationals</u> – The Khmer ethnic group who have been living in Cambodia since the beginning.</p>	<p>Given the differences in the definition of IP between the WB and the RGC, the WB definition based on ESS7 will prevail and will be applied in the IPPF and IPP.</p> <p>During the implementation, for the sub-Projects the social assessment as part of the site-specific Environmental and Social Impact Assessment will determine whether it is required that, according to the 4 criteria for the identification of Indigenous Peoples in ESS7, an IPP should be prepared. In case such IPP is required, this will be prepared according to the IPPF outline in ESMF, meaningful consultations will be organized based on free, prior and informed consent (FPIC) and the document will be submitted to the World Bank and the Inter-ministerial Resettlement Committee (IRC) under the MEF for approval. As for the technical assistance subprojects, in case there are suspected presence or impact on IPs/EMs, the analysis of impacts and mitigation measures of IPs/EMs should be specified in the TOR of the subproject.</p> <p>The LAR SOP is only about land acquisition, involuntary resettlement, however the site-specific ESIsAs will identify other impacts and risks for</p>

Key Issues	WB ESS7	RGC Policy	Proposed Gap-filling Measure
			IPs/EMs if present in the locations for the sub-projects.
	On entitlements	<p>The 2018 LAR SOP presents the parameters to be eligible for compensation, which includes holders of customary rights to land and assets.</p> <p>Forest Law (2002) and Protected Area Law (2008) recognizes the dependence of indigenous communities to forest resources, along with establishing their rights to reside within protected areas, as well as to sustainably utilize the resources in these areas.</p>	
Gaps in the detailed procedures in developing the Indigenous Peoples Plan (IPP)	<p>Development of an Indigenous Peoples Plan The preparation of an IPP is required for projects that will adversely affect Indigenous Peoples/Ethnic Minorities and communities, and ethnic minorities.</p>	<p>National Policy for the Development of Indigenous Peoples (2009) highlights the need to conduct impact assessments for all infrastructure projects that may impact Indigenous Peoples/Ethnic Minorities.</p> <p>Land Acquisition and Involuntary Resettlement Standard Operating Procedures for Externally Financed Projects (2018) provides that in exceptional cases where land acquisition and resettlement of customary land cannot be avoided, an in-depth study of impacts has to be carried out.</p> <p>The IPP spells out the mitigating measures, compensation and resettlement packages, and implementation arrangements. Furthermore, it is required that consultation with the indigenous communities, including their tribal/customary leaders are to be integrated into the development process.</p>	<p>Given the gaps in detailed procedures in developing Indigenous Peoples plans, the guidelines under ESS7 shall be used for the IPPF and the IPP.</p> <p>The 2018 LAR SOP sets out the parameters to be eligible for compensation, which includes holders of customary rights, despite the lack of a robust and specific legal basis for their compensation. Those with customary land rights are entitled to land of equivalent productive source to sustain their livelihoods and way of life, cost of relocation, and cost of land registration and its other related payments (Par. 106, 115).</p>
RGC has no existing policy with regard to the conduct of Free, Prior, and Informed Consent (FPIC)	<p>Free, Prior and Informed Consent Projects that require free, prior and informed consent of Indigenous Peoples, indigenous communities, and ethnic minorities include:</p> <ul style="list-style-type: none"> • Project has adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation 	There are no policies specifying the Free, Prior and Informed Consent in the conduct of project activities.	Guidelines of ESS7 on FPIC will be followed by both the IPPF and the IPP, if EMs are identified to be present in sub-project locations.

Key Issues	WB ESS7	RGC Policy	Proposed Gap-filling Measure
	<ul style="list-style-type: none"> • Cause relocation of Indigenous Peoples from land and natural resources subject to traditional ownership or under customary use or occupation • Have significant impacts on Indigenous Peoples cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected communities <p>For some projects, FPIC may only be required for specific portions of land, linear projects that traverse human habitats, projects with subcomponents located in indigenous land, and projects requiring expansion.</p>		
<p>Gap in the conduct of meaningful participation of IP groups in the project implementation, including monitoring and evaluation of the IPP implementation.</p> <p>A key participation platform in keeping with the social safeguards requirements is the establishment and operation of a grievance redress mechanism that needs to be customized in the context of the Indigenous Peoples.</p>	<p>Conduct of Meaningful Consultations Engagement of Indigenous Peoples should under stakeholder analysis and engagement planning, information disclosure and meaningful consultation that takes into account the culture and language of the indigenous participation, by ensuring the following:</p> <ul style="list-style-type: none"> • Involvement of representative bodies, organization, and other groups • Allowing sufficient time for the internal decision-making processes of the Indigenous Peoples • Design of project activities and mitigation measures should allow for their effective participation to contribute. 	<p>Prakas on Public Participation (2017) establish the key principles to ensure public participation in the EIA process including the Principle of Promoting Indigenous Peoples in Public Participation, thus highlighting the importance of the representation and participation of Indigenous Peoples in following steps of projects subject to the I/EIA process: Screening, Scoping, Investigation and Report Participation, Report Review, and Monitoring and Compliance.</p> <p>Land Acquisition and Involuntary Resettlement Standard Operating Procedures for Externally Financed Projects (2018) details that the development of IPP should be developed in consultation with tribal and customary leaders. The respective customary practices and decision-making processes must also be taken into consideration into the conduct of all consultations.</p>	<p>The IPPF includes a Grievance Redress Mechanism that can further be contextualized and tailored to the requirements of the Indigenous Peoples once they have been identified. Furthermore, the avenues of participation of the indigenous groups shall be enumerated in the framework and plan.</p> <p>The participation of the indigenous groups shall be enumerated in the framework and plan.</p>
	<p>Monitoring and Evaluation of the IPP Implementation Indigenous Peoples should have participation in the stages of the project cycle including the monitoring and evaluation of the plan implementation. The M&E of the project must take into account the needs of the</p>	<p>Prakas on Public Participation (2017) Among the project stages wherein the participation of indigenous groups is highlighted is in monitoring and compliance.</p>	

Key Issues	WB ESS7	RGC Policy	Proposed Gap-filling Measure
	affected groups and should be culturally appropriate and understandable.		

The RGC has ratified various international treaties and agreements that protect the rights of IPs/EMs, including:

- UN International Covenant on Economic, Social and Cultural Rights in 1992
- UN Declaration on the Right of Indigenous Peoples in 1997
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions in 2005
- UN International Convention on the Elimination of all Forms of Racial Discrimination

The IPPF, therefore, is prepared on the basis of the World Bank's ESS7 by taking into account relevant Cambodian policies and regulations¹⁰. Clear mechanisms for conducting FPIC, if applicable, are outlined in this IPPF, along with the procedures for conducting Social Assessment and preparation site-specific of IPPs. The IPPF also outlines a Grievance Redress Mechanism (GRM) for the project based on the SOP of the General Department of Resettlement (GDR) on the GRM guidelines and procedures which may need to be enhanced as necessary in consultation with IPs/EMs. Training and capacity building will also be conducted¹¹ to ensure the designated Environmental and Social Officers (ESO) are knowledgeable on these issues, in case IPs/EMs are identified to be present at sub-project site locations. In such cases, the IPPs will specify the training and capacity building needs.

In line with the conduct of consultations, the Stakeholders Engagement Plan (SEP) is developed for the project to ensure that there are clear mechanisms to engage stakeholders throughout the life cycle of the project, including IPs/EMs. The IPPF and the SEP should be used together to ensure that consultations are done in a way that is consistent with the needs of IPs/EMs, should they be found in or have collective attachment¹² to project areas; and, should be further refined in consultation with IPs/EMs. Circumstances that would be requiring the conduct of FPIC are also provided in details in this IPPF.

¹⁰ The ESS7 and its criteria will prevail in determining which groups qualify as IPs/EMs...

¹¹ IPs/EMs identification as well as training is ideally provided by an anthropologist or someone who has similar training and experience with the IP/EM groups from whom the IPP is being prepared

¹² Over time, collective attachment can be affected by "forced displacement" from traditional lands of a group.

4 PROCESS FOR SCREENING AND IMPACTS AND MITIGATION MEASURES FOR INDIGENOUS PEOPLES/ETHNIC MINORITIES

4.1 SCREENING AND IMPLEMENTATION PROCESS

For implementation of the Project, in case of presence of IPs/EMs at the specific projects sites of rehabilitation of existing dumpsites and/or the construction and establishment a new landfills and waste treatment infrastructure, both the Indigenous Peoples Planning Framework (IPPF) and in case of physical or economic displacement, the project's Resettlement Policy Framework (RPF) will apply and used to prepare a site specific IPP, if applicable.

One of the objectives of World Bank's Environmental and Social Standard 7 on Indigenous Peoples (ESS7) is to avoid impacts of projects on IPs/EMs or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts. Since the project site locations are not yet selected, this IPPF is prepared to ensure that this framework is in place in case IP/EMs are present in sub-project sites. Direct beneficiaries from improved waste management services and increased environmental sustainability are the inhabitants of selected priority municipalities and districts under Components 2 and 3 of the Project. While these groups may potentially suffer temporary impacts relating to dust, traffic and noise during rehabilitation, in the long-term they will benefit from improved solid waste management projects, and in the short-term they could benefit from jobs during the construction period.

Civil works may also result in an influx of workers to the area, even if steps are taken to minimize this by encouraging the hiring of local labor. In line with the Environmental and Social Management Framework (ESMF), for the specific sub-projects these risks will be detailed in the site specific Environmental and Social Impact Assessment (ESIA)s consistent with all applicable World Bank Environmental and Social Standards and regarding influx of workers specifically ESS2 and ESS4. These will be prepared during the first year of Project Implementation and screen for the presence of IPs/EMs in the selected Project area so that IPPs can be prepared in case applicable. An influx of workers in an area could cause disturbances to IPs/EMs and would need to be managed carefully and with cultural attention, as well as in consultation with the IPs/EMs groups, and in addition such influx could pose risks for gender-based violence. Other potential issues could involve landfill design if, for example, trees that are important to IPs/EMs would need to be cut to construct the solid waste management facilities. Therefore, it is important that if the IPs/EMs groups are found along the project area or right of way, or with a collective attachment to areas along or near the project area, these groups must be closely consulted on the design as well as on identifying potential risks of the relevant subprojects and activities of the Project. When FPIC cannot be ascertained, the aspects of the project relevant to those affected IPs/EMs will not be processed further.

For possible unavoidable impacts, potential mitigation measures identified during the preparation stage – which would need to be further refined working with any identified IPs/EMs groups – include:

- a) Consultation with IPs/EMs on the design, to identify improvements and promote local support throughout the projects' life cycle;
- b) Through the ESIA, a nuanced understanding of how IPs/EMs relate to the land close to the sub-project area, including how they derive their livelihoods and any impacts that could result as a result of solid waste management (SWM) project activities;
- c) If rehabilitation of dumpsite or construction of new landfill facility could exacerbate land grabbing or logging (which could be unlikely in the project provinces), close consultation with local authorities and provincial authorities to put in place mechanisms to mitigate these risks;
- d) Consultation with IPs/EMs groups on location of worker's camp and/or any other issues that would be relevant as a result of labor influx in the area;
- e) Mitigation measures designed together with IPs/EMs groups where possible/as needed and based on Free, Prior and Informed Consent (FPIC); Where FPIC cannot be ascertained, relevant components of the project will not be processed further.
- f) A meaningful consultative process also based on FPIC.

A participatory approach is needed during consultative meetings with local authorities and communities during project screening, design, implementation and monitoring. The following is a summary of the steps that will be followed for screening and social assessment process. The succeeding sections will further detail these steps.

1. *Initial Screening*: This step shall be done by Ministry of Public Works and Transport (MPWT) as part of the site specific ESIA's to determine whether IPs/EMs, as per ESS7, are present in, or have collective attachment to, the project area. If there are no IPs/EMs found, MPWT should explain the process for determining this and document it in the ESMP and no further steps are needed.
2. If the screening concludes that Indigenous Peoples/EMs are present in, or have collective attachment to, the project area, MPWT shall conduct a Social Assessment following guidance in this IPPF as part of the ESIA process.
3. *Conduct Stakeholder Analysis*: Based on the findings from the initial screening, a stakeholder analysis will be developed.
4. *Conduct of Social Assessment and Data Gathering Activities*: Collection of information shall be conducted from secondary and primary sources. This step includes interviews and consultation with the IPs/EMs.
5. *Preparation of Indigenous Peoples Plan*: Based on data gathering activities, an Indigenous Peoples Plan (IPP) will be developed as part of the site-specific ESMP. This can be done with assistance from consultants with pertinent background and experience¹³ as deemed necessary.
6. *Disclosure of Information*: the contents of the IPP are to be disclosed to the affected persons through a public consultation. Details of how to disclose will be part of the IPPs and the

¹³ This will be undertaken as per ESS7 : para 24, (c) which says that in these circumstances independent specialists will be engaged to assist in the identification of the project risks and impacts. Also, para 10, footnote 8 says in conducting the screening, technical advice of specialist with expertise on the social and cultural groups in the project area may be sought.

updated SEP for the sub-projects. The concerns raised during the activity shall be considered in fine tuning the IPP.

7. *Finalization and Approval:* Upon revising the IPP from additional stakeholder consultations, the plan shall undergo approval by the World Bank and disclosure of the draft IPP to the public together with meaningful consultations and FPIC if required.
8. *Implementation, Monitoring and Reporting.* As part of the monitoring and reporting on Environmental and Social issues during project implementation, the progress on implementation of IPPs will be monitored and reported upon.

4.1.1 Screening Process

Among the project components, only Component 3: Investments to Improve Solid Waste and Plastic Management and Increase Recycling and Treatment are likely to have site specific implications. For landfill and waste treatment infrastructure investment and site suitability process will be applicable that is detailed in the ESMF.

In the initial siting activities, the presence of indigenous groups will be identified through the following:

1. Gather and review secondary data on IPs/EMs in proposed project areas of the landfill and its associated facilities, including the materials recovery centers, transfer stations, and composting facilities. This can be collected through desk review using online databases and previous projects in the area, or through data requests from the Ministry of Rural Development, Ministry Land Management Urban Planning and Construction, and Commune and Village Chiefs. This can also be confirmed during field visits, and scoping interviews.
2. Conduct screening based on definition of WB ESS7 on Indigenous Peoples provided below. See **Annex A** for the Screening Form.
3. Document the results of Step 2 to be submitted to the implementing agencies and the WB
4. Determine whether the project will require an IPP upon validation of the IPs/EMs screening process by the implementing agencies and the World Bank.

4.1.2 Targeted Social Assessment for Indigenous Peoples/ Ethnic Minorities

As soon as the presence of IPs/EMs are ascertained, a conduct of targeted social assessment shall be implemented with the support of a specialist familiar with the social and cultural characteristics of local EM/IP groups. The scope and depth of the social assessment should be proportionate to the potential risks and impacts of the proposed projects as defined by the risk classification of the project (i.e., High Risk, Substantial Risk, Moderate Risk, and Low Risk). The targeted social assessment has the following elements as per ESS7 Guidance Note Appendix A.:

1. Review of the legal and institutional framework;
2. Baseline data on the demographic, social, cultural, and political characteristics of Indigenous Peoples present in the project area, including the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend on;

3. Identification of project-affected parties and the elaboration of a culturally appropriate process for involving and consulting with the Indigenous Peoples/ Ethnic Minorities at each stage of project preparation and implementation;
4. Assessment of the potential adverse and positive effects of the project based on meaningful consultation in Step 3 as well as based on meaningful consultation with the IPs/EMs and in consideration of differentiated gender impacts of project activities and impacts on potentially disadvantaged or vulnerable groups within the community. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected indigenous communities, given their distinct circumstances and close ties to land and natural resources, as well as their potential lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.
5. Identification and evaluation of measures necessary to avoid adverse impacts, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such impacts, and to ensure that the indigenous communities receive culturally appropriate benefits under the project. Measures identified should be based on meaningful consultation, and FPIC as necessary.

4.1.3 Preparation of the Indigenous Peoples Plan

As provided in the screening process, the IPP is developed when the final project area is identified and if EMs are present in, or have collective attachment to a proposed project area. The IPP should include the following:

- Overview of Indigenous Peoples in the proposed project sites;
- Legal and Institutional Framework;
- Summary of the Targeted Social Assessment, including baseline data, based on conducted Socio-economic Survey and Census of Inventory and Loss as per the LAR-SOP in case of involuntary resettlement or economic displacement (see the Resettlement Policy Framework);
- Summary of the results of meaningful consultation conducted;
- Process of obtaining FPIC as per para 30 or ESS7 and summary of the outcome of the process of FPIC as per ESS7 Paragraph 24, and presented in the Gaps Analysis Table;
- Framework for meaningful consultation tailored to the affected indigenous communities for project implementation
- Summary of potential adverse and positive impacts, and identified measures to avoid, minimize, mitigate, and compensate the affected indigenous communities;
- Cost estimates and financing plan the IPP;
- Implementation schedule for all required activities, responsible agencies, and funding sources
- Tailored grievance mechanism to address grievances as described in paras 35 of ESS7 and ESS10;
- Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the IPP

4.1.4 Meaningful Consultation and Free, Prior and Informed Consent (FPIC)

Meaningful consultation is a two (2)-way process, that (a) Begins early in the project planning process to gather initial views on the project proposal and inform project design; (b) Encourages stakeholder feedback, particularly as a way of informing project design and engaging stakeholders in the identification and mitigation of environmental and social risks and impacts; (c) Continues on an ongoing basis; (d) Based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful, and easily accessible information in a time frame that enables meaningful consultations with stakeholders in a culturally appropriate format, in relevant local languages and understandable to stakeholders; (e) Considers and responds to feedback; (f) Supports active and inclusive engagement with project-affected parties; (g) Free of external manipulation, interference, coercion, discrimination, and intimidation; and (h) Well-documented and disclosed.

Guided by ESS7, meaningful consultation should be upheld in all stages of the project planning process and should already begin at the appraisal and design stages. Defining meaningful consultations, referencing the ESS10, is consultations that are timely, relevant, understandable and based on accessible information, and consultations in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. The following should be implemented:

- Disclosure and dissemination of relevant, transparent, objective, meaningful, and easily accessible information in a time frame that enables meaningful consultations in their local languages which will be determined as part of the updated SEPs for the site specific sub-projects in case IPs/EMs are present in the sub-project locations.
- Involvement of EMs representative bodies (i.e., councils of elders or village chiefs)
- Allowance of sufficient time for decision-making process of the indigenous groups

As defined by ESS7, FPIC of Indigenous Peoples, indigenous communities, and Ethnic Minorities is required in the following circumstances where the subproject will:

- Have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
- Cause relocation of Indigenous Peoples/ Ethnic Minorities from land and natural resources subject to traditional ownership or under customary use or occupation; and
- Have significant impacts on Indigenous Peoples cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected communities.

If FPIC is triggered, the IPs/EMs will be consulted in good faith based on sufficient and timely information concerning the benefits and disadvantages of the project and how the anticipated activities occur, before they occur (i.e., 'prior'). 'Consent' refers to the collective support of affected IPs/EMs for the project activities that affect them, reached through a culturally appropriate process. Consent may exist even if some individuals or groups object to project activities. FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected IPs/EMs explicitly disagree. This process should be properly assessed and documented as part of the Social Assessment.

In terms of documenting FPIC, if applicable, MPWT would ensure that the following is documented:

- a) The mutually accepted process to carry out good faith negotiations that has been agreed by MPWT and IPs/EMs; and,
- b) The outcome of the good faith negotiations between MPWT and IPs/EMs, including all agreements reached as well as dissenting views.

The consultation process will document the consultations, interviews, attendance lists, photographic evidence and minutes of other meetings .

4.1.5 Participation and Information Disclosure and Indigenous Peoples'/Ethnic Minorities

The IPP serves as the final outcome of the social impact assessment, and should reflect the insights gained from the consultation process. The consultation process must ensure that the Indigenous Peoples/ Ethnic Minorities involved are well informed, consulted and mobilized to participate in the subprojects to be financed by the Project. The Stakeholders Engagement Plan (SEP) for the sub-projects will include the EMs in case found in the sub-project areas. Their participation can either provide them the benefits with more certainty and protect them from any potential adverse impacts like land acquisition and resettlement, also a subproject in an EMs area could provide culturally appropriate benefits to EMs. The social assessments of the site-specific ESAs will identify possibly applicable EMs and identify suitable measures also based on meaningful consultations.

To promote effective project design, to build local project support or ownership, and to reduce the risk of project-related delays or controversies, as part of the Social Assessment there should be an engagement process with affected Indigenous Peoples as required in ESS10.

The subproject areas will be visited by the Component Implementing Units (CIUs), relevant government agencies, particularly agencies in charge of Indigenous Peoples and poverty affairs, and the consultants. During the visit, the community leaders and other participants will present their views with regards to the subproject. In addition, social consultant will conduct separate group discussions among male and female participants followed by key informants' interviews and sample household survey. The main purpose of such survey is to develop a social economic profile among indigenous groups, conduct stakeholder analysis and collect their views on both benefits and potential impacts of the project, as well as mitigation measures.

5 IMPLEMENTATION AND MONITORING ARRANGEMENT

5.1 IMPLEMENTATION ARRANGEMENT

The IPPF implementation will follow the Project implementation arrangement with the Ministry Public Works and Transport (MPWT) as the lead Component Management Unit (CMU) for the Component 3 of the Project in which the solid waste management (SWM) infrastructure subcomponents are to be implemented. Under the MPWT, a project team will be charged of implementing the project activities. The project team will include the Project Director (PD); the Project Manager (PM); and, the Environmental and Social Officers (ESOs).

The PD will be responsible for overall guidance and policy advice, internal coordination, discussion and resolution of project matters with counterparts and other government agencies, donor alignment and harmonization, and public disclosure and civil society involvement.

The PM will provide day-to-day support to the PD and will be responsible for ensuring that the Environment and Social Documents prepared for the sub-projects are adhering to the Environmental and Social Management Framework (ESMF) and its attachments (such as this IPPF), Environment and Social activities are implemented, including the Indigenous Peoples Plan (IPP); all consultants follow their terms of reference and delivery schedule, project activities are carried out on schedule and within budget, and financial management reports are submitted on time. It will be the responsibility of the PM to oversee the work of the ESO, ensure that proper screening of Indigenous Peoples/Ethnic Minorities is taken place, and that procedures described in this Indigenous Peoples Framework (IPPF) are followed if IPs/EMs are/are not found.

The role of the ESOs, under the direction of the PD and PM, will be to conduct screening to determine whether there are IPs/EMs present in the project areas. Once screening forms of **Annexes A and B** are applied, before moving forward, the MPWT will have to agree with World Bank as to whether the EMs located in project locations meets or not the four (4) ESS7 criteria. If IPs/EMs are found, as part of the site specific ESIA, consultants will prepare the Social Assessment and IPPs as described in this IPPF. Consultants in charge of preparing IPPs must have social related background including extensive knowledge and working experience with EMs in Cambodia or in the region. The Indigenous Peoples Plan would also need to be aligned with Resettlement Plans, if applicable. Responsibility of implementation of the IPPs will be by MPWT with Ministry of Interior (MOI) and the respective Component Implementation Unit (CIU) and local government authority and financed by the Project.

5.2 MONITORING

If IPs/EMs are impacted adversely due to acquisition of land or other assets, monitoring and evaluation will examine land acquisition in line with this IPPF and the Resettlement Plan Framework (RPF); this would be detailed in Resettlement Plan.

If IPs/EMs are found, the ESO will conduct internal quarterly monitoring activities during civil works and possible afterwards and reports will be submitted to the project PD and the World Bank. Monitoring will focus on:

1. Compliance, to verify that the required mitigation measures are considered and implemented in line with the IPP and Environmental and Social Management Plan (ESMP), how grievances have been submitted, addressed and resolved, including those outstanding, and issues raised by stakeholders during monitoring;
2. Impacts monitoring, focusing on the impacts experienced by EMs groups as identified by the IPP as well as any other unforeseen impacts if applicable, including gender impacts.

In order to ensure IPs/EMs are engaged in the monitoring and evaluation process, the project will strive to include IPs/EMs in their own monitoring. This process of internal EMs monitoring would need to be defined in consultation with the EMs communities, taking into account decision-making structures, as well as gender and intergenerational balance.

6 GRIEVANCE MECHANISM

As stipulated in the General Department of Resettlement (GDR) Standard Operation Procedure (SOP) Guidelines on Grievance Redress Mechanism¹⁴ (GRM), the existing GRM mechanism will be adopted in the project and adjust accordingly to the needs of Indigenous Peoples/Ethnic Minorities in the case of land acquisition and resettlement. In such cases, the GDR's GRM applies as per the SOPs and the GRM adopted for the needs of the EMs will be described in Resettlement Plan (RPs) and Livelihood Restoration Plans (LRPs). This to ensure that Entitlements or livelihood support for IPs/EMs, if required, are provided on time and accordance with the above stated government and World Bank's Environmental and Social Framework (ESF).

In addition, for non-land acquisition and resettlement grievances, the GRM for the Project applies. ESS7 (paragraph 34) specifically states that the GRM adapted for IP/EMs should include "customary dispute settlement mechanisms" The key principles of the grievance mechanism for EMs in the overall EMs are to ensure that:

- The basic rights and interests of IPs/EMs are protected;
- The concerns of EMs arising from the project implementation process are adequately addressed;
- IPs/EMs are aware of their rights to access grievance procedures free of charge for the above purposes.

For the project, the GRM mechanism as guided by the GDR SOP and as stipulated in the Stakeholder Engagement Plan (SEP) is described below.

The first level of complaint resolution at the local level, following traditional methods in Cambodia, will be the Village and/or Commune Chief¹⁵ who may be able to resolve issues on the spot. The Village/Commune Chief, should record the grievance and how it was resolved and communicate it to the CIUs and the Environment and Social Officers of CMU-3.

In cases where grievances cannot be resolved at the local level, the second level of complainant will be able to file grievances directly with the ESSO. People will have been informed of the ESSO's contact information during consultations. The ESSO will be able to record the grievance and offer a solution within 15 days, consulting with the Project Manager (PM) and Director (PD), as needed. This may include a visit to the project site by the ESSO if necessary. There are no fees or charges levied for the lodgment and processing of grievances for level 1 or 2.

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

¹⁴ SOP, Appendix 8 on GRM Guidelines and Procedures.

¹⁵ In the case of IPs, this may need to be adapted to an IP community leader.

If EMs communities are found in the area, this GRM will need to be adjusted based on the needs of IPs/EMs and this would be done in consultations with them as part of the Social Assessment process and the preparation of the site-specific IPPs.

ANNEXES

ANNEX A: SCREENING OF INDIGENOUS PEOPLES/ ETHNIC MINORITIES FORM

When to do screening: When the sanitary landfill project is defined.

Secondary Data: Check the available Commune information and/or relevant information for presence of EMs groups in identified villages where the SWM infrastructure project will be implemented.

Primary Data/Field Work: Check directly with key informants (such as commune and village chiefs as well as local people) whether there are IPs/EMs along, or in connection with the project areas. If no IPs/EMs are found, document this in the ESMP and no further steps are needed. IPs/EMs can exist both in urban and rural contexts and can exist together with non-IP communities

Checking Against World Bank Criteria: If IPs/EMs are found based on primary and/or secondary data, assess whether they meet all four (4) World Bank criteria in varying degrees and noting such situations at “forced severance” (also see Annex B).

- a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
- b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
- c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
- d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Who will do the screening: ESIA Consultants

Table A-1: IPs/EMs Screening Information

Province/ District/ Commune/ Village	Name of IPs/EMs Group	Number of Households	Fulfil WB Criteria 1 (Y/N) and <u>explain</u> – see Annex B	Fulfil WB Criteria 2 (Y/N) and <u>explain</u> – see Annex B	Fulfil WB Criteria 3 (Y/N) and <u>explain</u> – see Annex B	Fulfil WB Criteria 4 (Y/N) and <u>explain</u> – see Annex B

Assessment Summary:

- If no IPs/Ems are found, or if IPs/EMs are found but do not meet WB criteria, carefully document the process in the ESMP.

- If IPs/EMs are found, provide a summary as to potential impacts and risks. Proceed to hire a (national) consultant, to assist with preparation of Social Assessment and IPP as part of the ESIA.

ANNEX B: GUIDANCE ON FOUR (4) WORLD BANK CRITERIA TO DETERMINE IPs/EMs

This Annex helps to explain the four criteria used by the World Bank to determine whether a given group should be considered an Indigenous Group/Indigenous Peoples.

The World Bank’s ESS7 notes that the term “IPs” is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following four characteristics in varying degrees (paragraphs 8 and 9 and associated footnotes and guidance notes).

It is important to note that as per ESS7, there is no hierarchy to the four characteristics, and all of them need to be present. However, they may be present in varying degrees. “Varying degrees” reflects the fact that some characteristics may be less evident for some groups or communities through integration into the broader society or economy, sometimes as a result of government policy. Moreover, given the varying contexts and characteristics of IPs today, a group may possess defining characteristics and thereby be covered by the policy in one (1) region, but may be more fully integrated and lack the defining characteristics in another region of the same country, or in a neighboring country. The collective attachment of groups to their traditional territories, for example, may have been forcibly severed due to government resettlement programs. Some groups may no longer speak their own language, or it may be spoken by only a few or even none. The role of traditional institutions may also be eroding or have been replaced by official administrative structures. These factors alone do not disqualify groups from being covered under ESS7, but are assessed in the final determination made by the World Bank.

<p>1. Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others</p>
<p>Questions and Factors to Consider (in addition to those outlined in the legal framework or commune database)</p> <ul style="list-style-type: none"> • Do IPs identify themselves as an Indigenous community or a traditional community or around a distinct cultural identity? • You can ask: What does it mean to you to be an IPs? How would someone outside of your community describe who you are, especially distinguishing features as a community? Do others recognize them as belonging to those groups? • <i>Note:</i> When asking if others would recognize them, it is not about being described as “indigenous” but whether or not others would recognize their distinctness as per the characteristics under ESS7.
<p>2. Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;</p>
<p>Questions and Factors to Consider</p> <ul style="list-style-type: none"> • <i>Note: for the purposes of this question, it is not relevant whether IPs groups have collective title to the land or not, given that the number of IPs groups with collective land title is still very low in Cambodia.</i> • How long has the community lived on that land? Do members of the community have historical knowledge of these ancestral lands? Is there anthropological, ethnographic or legal data that can validate? Do they consider that land to be their ancestral or traditional land? Have they moved from their traditional lands? • Is the community using the land and resources in accordance with their customary laws, values and traditions?
<p>3. Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture</p>
<p>Questions and factors to consider:</p> <ul style="list-style-type: none"> • Are there traditional leaders or a traditional leadership structure? If so, how do they work with other levels of government? Does the community have an internal decision-making process? • What are the main modes of economic activity? Has this changed over time? How have these changes, if at all, impacted their identity, other cultural practices, traditional knowledge, language, etc.? • Does the community have traditional education/learning systems, cultural systems or health systems that are distinct from those of Khmer society?

<ul style="list-style-type: none">• Traditional systems for conflict resolution or dealing with grievances
4. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.
Questions and factors to consider: <ul style="list-style-type: none">• What is the language or dialect of the community?• Does the community speak and understand Khmer?• Does the community have traditional education systems, using their own languages, teaching and learning methods?

ANNEX C: GUIDANCE QUESTIONS FOR SOCIAL ASSESSMENT

If Indigenous Peoples/ Ethnic Minorities are identified, the following guide questions may be helpful when conducting Social Assessment, ideally carried out with support of technical specialists with experience of social and cultural elements of the IPs/EMs involved:

PROFILE OF THE LAND USED BY INDIGENOUS PEOPLES/ Ethnic Minorities	
1.	Describe the land used by IPs/EMs that is near, or in some way connected to, the project area of the solid waste management facility (landfill). What is the land type (public, state, communal, private, etc.)? Are there pressures on this land?
2.	Who else, legally or illegally, uses the land used by IPs/EMs for their livelihoods or any other use?
3.	Are there, or have there been, any conflicts relating to this land? If so, conflict between whom?
4.	How long has the Ips/EMs lived on that land? Do members of the IPs/EMs have historical knowledge of these ancestral lands – have these boundaries changed? Why? Is there anthropological, ethnographic or legal data that can validate?
5.	How are livelihoods attached to these lands? Do IPs/EMs rely on land and natural resources for housing, water, traditional subsistence, economic development, dress, traditional medicines, etc.?
6.	Is there a likelihood that road rehabilitation will attract outsiders to lands that Ips/EMs have collective attachment to and/or are used by IPs/EMs, or that it may exacerbate pressures on these lands?
DESCRIPTION OF THE INDIGENOUS PEOPLES/ Ethnic Minorities	
7.	How many people are there in the IPs/EMs group? Please describe the IPs/EMs group, including their name, heritage and how many people/households.
8.	Would you please give us some information about your IPs/EMs group? What kind of activities go on in your village on a normal day? How does your group (e.g. women, elderly, farmers) experience life?
9.	Which languages are spoken by the IPs/EMs group? Do they speak Khmer language?
10.	Are there any cultural or religious items/artifacts/areas connected with the project area of the solid waste management facility (landfill)? Where? What is the belief/practices?

11.	Has there been migration into this commune or the surrounding area? If so, where from, and why?																														
12.	What is the main source of livelihoods for the IPs/EMs group? What about for people in the commune?																														
13.	Are there traditional leaders or a traditional leadership structure within the IPs/EMs group? If so, how do they work with local and other levels of government?																														
14.	Does the IPs/EMs community have an internal decision-making process? How are representatives chosen? How do women, youth, elders, persons with disabilities participate?																														
15.	What are the main jobs/livelihoods for the IPs/EMs community?																														
16.	Does the community rely in whole or in part, traditional medicines and health practices? Has this changed over time? What are the factors for this change?																														
17.	Does the community have traditional conservation practices which they rely on? If so, how do they (both past and present) deal with climate change, disasters, habitat or wildlife loss?																														
18.	Has there been any conflict or tension over the following issues during the past years with the IPs/EMs community and other local communities? With outsiders?																														
POTENTIAL IMPACTS TO IPs/EMs GROUPS																															
19.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Is the sub-project being implemented near or within any of the following areas?</th> <th style="width: 10%;">Yes</th> <th style="width: 10%;">No</th> <th style="width: 10%;">NA</th> <th style="width: 10%;">Don't know</th> </tr> </thead> <tbody> <tr> <td>• Land IPs/EMs have a collective attachment to (for example for cultural, spiritual or livelihood reasons)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Medicinal plants used by IPs/EMs</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Non-timber forest products area used by IPs/EMs</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Important trees or natural landmarks of importance to IPs/EMs</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Other (Specify):</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Is the sub-project being implemented near or within any of the following areas?	Yes	No	NA	Don't know	• Land IPs/EMs have a collective attachment to (for example for cultural, spiritual or livelihood reasons)					• Medicinal plants used by IPs/EMs					• Non-timber forest products area used by IPs/EMs					• Important trees or natural landmarks of importance to IPs/EMs					• Other (Specify):				
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20.	Are there any people in your IPs/EMs who are very poor/dependent/supported by others and/or considered vulnerable in any way?																														

21.	What types of social support networks exist within your IPs/EMs community? Could you explain us when a person needs support, what types of contributions are provided to those in need?
22.	What do you think would be the positive effects of solid waste management facility (landfill) for your IPs/EMs?
23.	What do you think would be the negative effects of solid waste management facility (landfill) for your IPs /EMs?
24.	What do you think is the main problem faced by your IPs/EMs group? How do you think can this problem be solved?
25.	If there were opportunities for jobs in civil works, would men and women in your group be interested?
26.	What is the best way to provide information to your group? What is the best way for you to share information with project planners? Does the project's proposed SEP fulfil the needs of your group?
27.	Is the project's proposed GRM adaptable to the needs of your IPs/EMs group? How would this GRM need to be adapted?
28.	Is there anything else you would like to talk about, or want us to know?
29	It is important to carry out a validation of the information gathered with the EM/IPs themselves.