

# A COMMUNITY GUIDE TO THE ADB INVOLUNTARY RESETTLEMENT SAFEGUARDS

*An action resource for people affected by projects  
funded by the Asian Development Bank*



Facilitators' Edition

A Publication of Bridges Across Borders Cambodia





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*A Community Guide to the ADB Involuntary Resettlement Safeguards*  
Facilitators' Edition

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## INTRODUCTION

The Asian Development Bank (ADB) works with governments around the region to develop infrastructure, draft laws and policies and build technical capacity of public servants. The ADB's stated mission is to reduce poverty and improve quality of lives. However, over 100,000 people in Asia are adversely affected by projects financed by the ADB each year. Displacement from homes, land and livelihoods to make way for a "development project" is one of the most common adverse impacts on local communities.

Many people around the world have become poorer and suffer severe hardship as a result of displacement. Instead of benefiting from development, these people lose out and their lives are made worse off because of ADB-funded projects, despite the Bank's stated mission. Frequently, local communities are not given an opportunity to participate in the decisions about whether the development project takes place and how they will be affected.

In recognition of these problems, the ADB updated its Involuntary Resettlement Safeguard Policy in 2009. The key aims of this policy are to avoid and minimize displacement and to ensure that no one is made worse off as a result of a project funded by the ADB.

This guide seeks to make this policy understandable and accessible to Cambodians who are affected by ADB-funded projects. It also seeks to impart the skills necessary to become a community monitor of these projects. The guide explains Cambodian local grievance processes, the ADB Accountability Mechanism and discusses the use of other forms of advocacy so that local communities can use this information to defend their rights and hold the ADB and the Government accountable.

The Facilitators' Edition uses interactive activities to help people understand the information, take part in discussions, and learn important skills, even if they cannot read or write. This way, everyone can participate in monitoring ADB-funded projects to see if they are complying with the Involuntary Resettlement Safeguard Policy and take action to defend their rights when policies are being violated.

# HOW TO USE THE GUIDE

*A Community Guide to the ADB Involuntary Resettlement Safeguards* has been designed and written so that it is accessible to communities, including those who have had limited access to education and have little or no knowledge of the subjects. The language used is simple and straightforward and the exercises used are interactive and enjoyable.

The guide can be used by people who want to facilitate a training workshop and by people who would like to use it simply as an information resource. The guide is made up of the Facilitators' Edition and the Participants' Edition. The Facilitators' Edition includes all the instructions and everything else you need to run a training session. The Participants' Edition contains only the information on each topic, without the facilitator's instructions. It is useful to provide copies of the Participants' Edition to the people who attend your training, or it can be used as a stand-alone resource.

This module explains the basics on how to use the guide and how to organize and deliver a community training.

## 1. ORGANIZING A TRAINING

First, you will need to organize the training workshop. It is important that everything – from the venue, to the selection of modules you will be teaching – is prepared well in advance, and that you are organized. If things do not run smoothly, the training will not be as effective. When organizing a training workshop you should consider the following points:

### 1.1. BOOKING A VENUE

It may be possible to teach in the community, or you may need to find or hire a room to hold the training. Make sure the venue is quiet and bright and has enough space for all the participants to work comfortably. Make sure that you have decided on and booked the venue at least two weeks before the training.

### 1.2. PARTICIPANTS

You will need to decide who should participate in the training. This will usually be communities or their representatives who are affected by a project that is funded by the ADB. The main aim of the workshop will usually be to train community monitors so choose community representatives who are suitably dedicated and respected by their community.

Make sure that women are invited to attend and, if possible, at least half of the participants should be women. If there are minority groups affected by the project, such as Cham or indigenous minorities, encourage them to come along. Make sure that everyone is treated equally and with respect in the workshop.

You should also consider who will be able to attend and stay for the whole training. Think about how many people should participate – usually an ideal number of participants is between 20 and 30.

Try to find out as much as you can about the situation of these communities and the project that is affecting them. For example, try to get a copy and read the Resettlement Plan for the communities who will be participating in the workshop.

### **1.3. NOTIFICATION AND INVITATIONS**

Make sure you inform all participants about the training dates well in advance. When the date gets closer, send reminders.

### **1.4. AGENDA**

The agenda sets out the plan for each day of the workshop. Four days are usually needed to conduct all the lessons in this guide. This includes some time for a general discussion and planning session at the end of the training.

Make sure you have enough time to teach all the lessons. Make sure you also include time for breaks, meals and energizers (explained below). Don't try to do too much in one day.

### **1.5. INFORMING AUTHORITIES**

Think carefully about whether it is necessary to inform the local authorities of your plan to conduct a community training.

### **1.6. PARTICIPANTS' EDITION**

At the end of the training, it is a good idea to provide the participants with all the information that you have covered. Try to get enough copies of the participants' Edition for everyone. Copies are available at Bridges Across Borders Cambodia.

## 1.7. BE PREPARED

Make sure you are familiar with the material that you will teach, and make sure that before the workshop starts, you have all the materials that are necessary for each lesson, including enough copies of handouts for each lesson. If there are other facilitators, make sure you have decided who will be responsible for each lesson and activity.

<b>TRAINING CHECKLIST</b>
Before conducting a training, make sure that you do the following:
Organize a venue <input checked="" type="checkbox"/>
Decide who the participants will be and how many will attend <input checked="" type="checkbox"/>
Invite the participants well in advance, and send a reminder closer to the date <input checked="" type="checkbox"/>
Learn about the participants' situation and the ADB-funded project that is affecting them <input checked="" type="checkbox"/>
Make an agenda <input checked="" type="checkbox"/>
Inform the authorities, if you think it is necessary <input checked="" type="checkbox"/>
Get enough copies of the Participants' Edition <input checked="" type="checkbox"/>
Prepare the materials, for example, paper, pens and handouts <input checked="" type="checkbox"/>
Revise and practice the lessons so you feel confident to teach them <input checked="" type="checkbox"/>

## 2. STARTING A TRAINING

On the day of the training, arrive at the training space or room early to make sure everything is ready. Arrange the materials neatly so that you can access them easily when you need them during the lessons. If tables and chairs are available think about how you would like them to be arranged. Sometimes it is a good idea to arrange the tables in a circle so that everyone can see each other and no one has to sit behind someone else. This will help the training be more interactive because everyone will feel included.

Once the participants arrive and sit down, the first step is to introduce yourself to the group and give participants the chance to introduce themselves. This is done at the beginning of almost all trainings and workshops. In order to start the training in an interesting way, try to keep the introductions short, or try to make them into a game or

fun activity. This can be very simple such as asking everyone to say their names, where they are from and their favorite food or song.



It is also a good idea to start the training by explaining the main objectives of the workshop to the participants. You may also want to explain the rules of the training, for example, everyone should turn off mobile phones, everyone should be considerate of other people, there should be no discrimination, and everyone should have a chance to speak. You can also ask the participants about their expectations for the workshop. You may ask a few or all participants to name one thing they expect or hope to learn during the training. You can come back to these expectations at the end of the training to see if they were met.

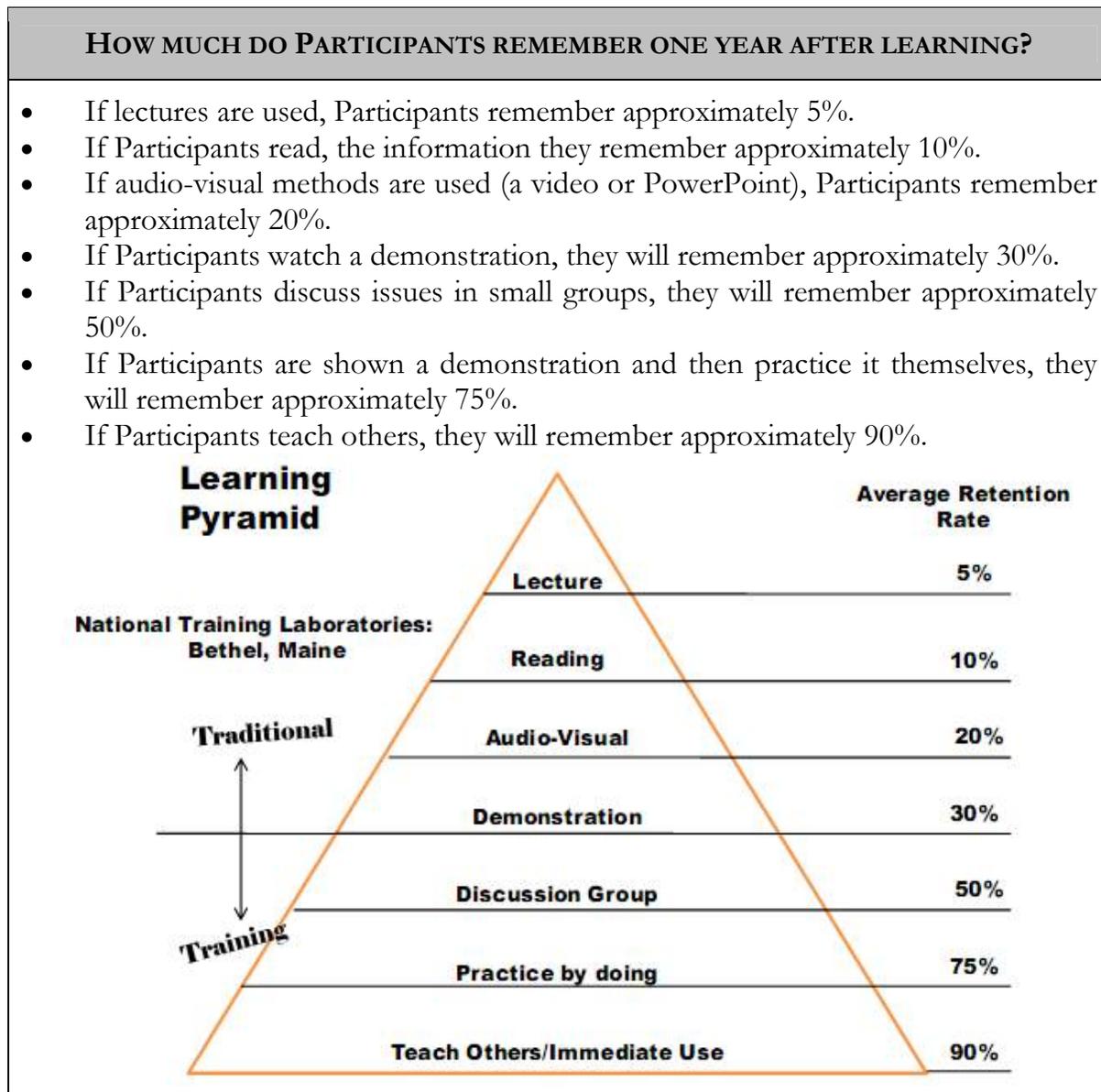
### **3. INTERACTIVE TEACHING**

The most effective methods for teaching any information are interactive, based on active participation, and focus on the participants, rather than the facilitator. These techniques help people to learn faster and remember more than if they are taught using traditional methods, like lecture.

There have been many studies and experiments which have shown that the amount and quality of the information that participants remember depends on the teaching methods used. Research has shown that the lecture style of teaching is less effective for passing on knowledge to participants. Examples of interactive methodology include:

- Role-play
- Demonstrations
- Stories
- Group discussions

One of the best ways for you to improve your understanding of new information and skills is to teach it to others. By teaching others, you will gain a better understanding, know how to explain things using simple language and be able to show how the information and skills can be used. Community trainings are a two-way learning process. As you teach, the participants learn, and you will also become more confident and increase your understanding of the issues you are teaching. You will also have a valuable opportunity to learn from the experiences and stories of the participants.



## 4. TEACHING METHODS

There are many different teaching methods that can be useful for teaching in communities. These methods are aimed at making those attending the workshop *active participants* and not passive observers. These methods recognize that participants always come to training workshops with knowledge and experience from their own lives and that they have much to contribute to the learning that will happen in the room. Below are some examples of interactive teaching methods.

### 4.1. BRAINSTORMING

Brainstorming is a way of allowing participants to think freely about ideas. There are usually no right or wrong answers, and Participants are able to express their ideas freely.

During brainstorming on a particular topic, participants might be asked questions, for example, “What are the different ways to teach?” Participants then think of as many different ideas as they can, and these should be written or drawn on a whiteboard or flipchart. Everyone’s ideas can then be discussed.



## 4.2. SMALL GROUP DISCUSSIONS

Small group discussions should be planned carefully. The participants should be given clear rules and instructions and should be allowed enough time for discussion. If possible, the groups should usually not have more than five participants so that everyone has a chance to speak.

## 4.3. CASE STUDIES

Case studies are stories or a description of an event that can be real or made-up and can be used to help understand how information and skills can be applied. Case studies can be used during group discussions to help participants analyze and think critically about how to use new information and skills in practice.



## 4.4. ROLE-PLAYS

In role-plays, participants (or sometimes facilitators) act out a situation. Participants can either be given the situation through a case study or they can be asked to make it up themselves. Different objects that can be found around the training area can be used to make role-plays more fun. Role-plays are useful because participants are able to be creative, which will make them feel more involved in the lesson, and keep them active and interested.

## 4.5. QUESTION AND ANSWER

A discussion through questions and answers can often be used instead of lecturing. This way everyone is talking and needs to think carefully about the issues, not just the facilitator. Participants almost always know some information about the issue or the subject that is being taught and how it relates to their lives. Good facilitators will draw out the knowledge and experience of participants and build on it. Asking polite questions to quiet participants can be a good way to encourage them to speak and get more involved.

A good way to start teaching a new topic is by asking the whole group some basic questions on the subject. This way you will find out what everybody already knows. Asking questions at the end of the lesson is also a good way to check that participants understood and that the learning objectives were achieved.



## 4.6. GAMES

Games are a fun way for both adults and children to learn. Games may be used as “ice breakers” which are fun activities you may use to help participants to get to know each other and become more comfortable with each other. Games are also often used as “energizers” to refresh people when they are feeling unfocused or sleepy between lessons. Games can also be used to teach more difficult topics, such as the law, and to help people remember new information. Games might involve teams and competitions,

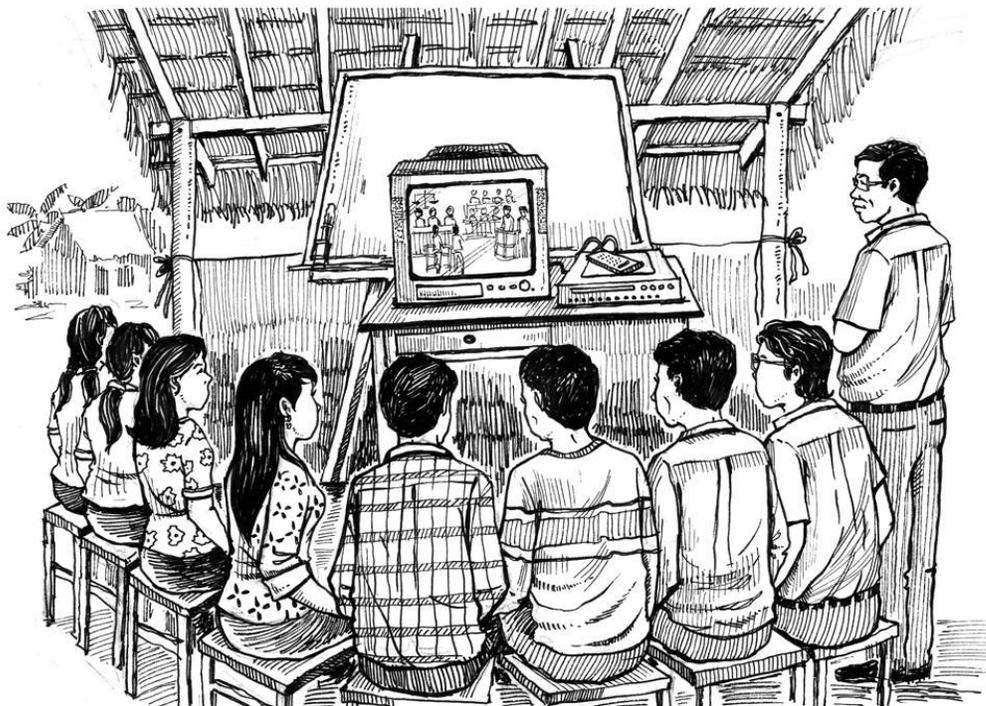
but be careful not to embarrass anyone if they do not know the answers to questions. It can be more encouraging if everyone wins!

#### 4.7. PARTICIPANT PRESENTATIONS

Participants can be given a topic, case study or question to work on in small groups and then present to the rest of the class. Groups can be asked to prepare and present drawings, songs, role-plays, plans, ideas, or answers to questions. Presentations can be made by the whole group, or a group spokesperson can be chosen to present. Afterwards, all the participants (both presenters and observers) can discuss the presentation.

#### 4.8. VISUAL AIDS

Objects, photographs, pictures, drawings, posters and films are all examples of visual aids. Visual aids help focus participants' attention and are an effective way to bring real life experiences from Cambodia and around the world into the training room. Visual aids are also helpful in expressing ideas, concepts and plans. Participants can be asked to describe and analyze what they see and apply or compare it to their own experiences and other situations. Visual aids, such as films, can be especially useful in demonstrating how new skills can be applied. Good and bad examples can be shown and analyzed. (Remember that the same thing can be done using role-plays.)



Many community groups, NGOs and United Nations agencies have produced short films on legal and human rights issues in Cambodia. You can also try to find films about the ADB and other projects that the ADB has funded in other countries in Asia. You might find these on the internet or you can ask some of the NGOs listed in the back of

this book. Make sure you will have access to electricity and the equipment you need if you plan to show a video.

#### 4.9. SONGS

Most Cambodian people love to sing and dance. You can use this in your training workshops. Sometimes, you may want to have a break from the lessons and have a song or dance session just to wake people up. You may also use song to teach. After teaching a topic, you could ask participants to make up a song about it. If this can be done using a popular tune, it will make it easy for people to remember the things they learned.



## PARTICIPANTS WITH READING DIFFICULTIES

Sometimes, there will be participants in your training workshop that have difficulties reading and writing. You need to be aware of this, although it may not be a good idea to ask participants in front of everyone else if they can read and write because this could embarrass them.

Many of the exercises involve case studies and other methods that require some reading and writing. If there are participants who will find this difficult, there are a few things you can do. One option is to make sure there is one member of each group who can read and write so that they can read out case studies or questions and write down ideas or answers for the rest of the group if necessary. If there are not enough participants who can read, you or another facilitator can read out case studies and help groups to record their answers. You can also think of other ways that groups can record ideas and answers such as through drawings or simply by remembering them.

All activities in the guide can be easily adapted in this way so that all participants, including those with reading difficulties can be actively involved.

## 5. LESSON PLANS

*A lesson plan is like a road map.* If we want to travel somewhere, but are not certain of the correct route, we can use a map. We will look for the start point and our destination, but also the points we need to pass along the way. A lesson plan works in a similar way. The start point is the aim of the lesson, and the final destination is achieving that aim. But to get to this destination, there are steps that you must take to get there.

The lesson plan used in this guide has eight parts. First is the **learning text**, then the **lesson** which is broken into seven smaller parts. These are: the aim, materials, methods used, procedure/time box, instructions to facilitators, suggested answers, and debrief. Below is a brief explanation of the purpose of each of these sections.

### 5.1. LEARNING TEXT

The learning text contains the information about the topic that is being taught. For example, if the lesson is about human rights, the text will include information about what human rights are, where they come from and give some examples of different human rights. Usually, the text will also include pictures about the information. The learning text is followed by the exercise instructions.

## 5.2. LESSON

### 5.2.1. AIM

The Aim is what the participants should learn or understand by doing the lesson.

Example:

**AIM:** Participants will think about what human rights are, where they come from and why it is important to know about them.

### 5.2.2. MATERIALS

This is a list of things that are needed to teach the lesson. You should make sure that you have all the items ready before starting the lesson.

Example:

**MATERIALS:** Flipchart or whiteboard, markers, ball, copies of Handout 1.

### 5.2.3. METHODS USED

This is a list of all the interactive teaching techniques used in the lesson.

Example:

**METHOD(S) USED:** Brainstorming, large group discussion, drawing.

### 5.2.4. PROCEDURE/TIME BOX

The left column of this box contains a list of the procedures you should follow to run the lesson. The right column of the table indicates the amount of time required for each step. The total time needed to complete the whole lesson is shown at the bottom. This box is very useful for preparing the workshop agenda.

Example:

Procedure	Time Frame (in minutes)
1. Brainstorm and group discussion	15
2. Introduce the information in Sections 1 & 2	20
3. Small group work	15
4. Group presentations	20
5. Debrief	10
<b>Total:</b>	<b>80</b>

### 5.2.5. INSTRUCTIONS TO FACILITATORS

This part of the manual explains in detail how to carry out all the stages of the lesson, as set out in the procedure table. It includes tips and advice that will help you to deliver the lesson effectively.

### 5.2.6. SUGGESTED ANSWERS

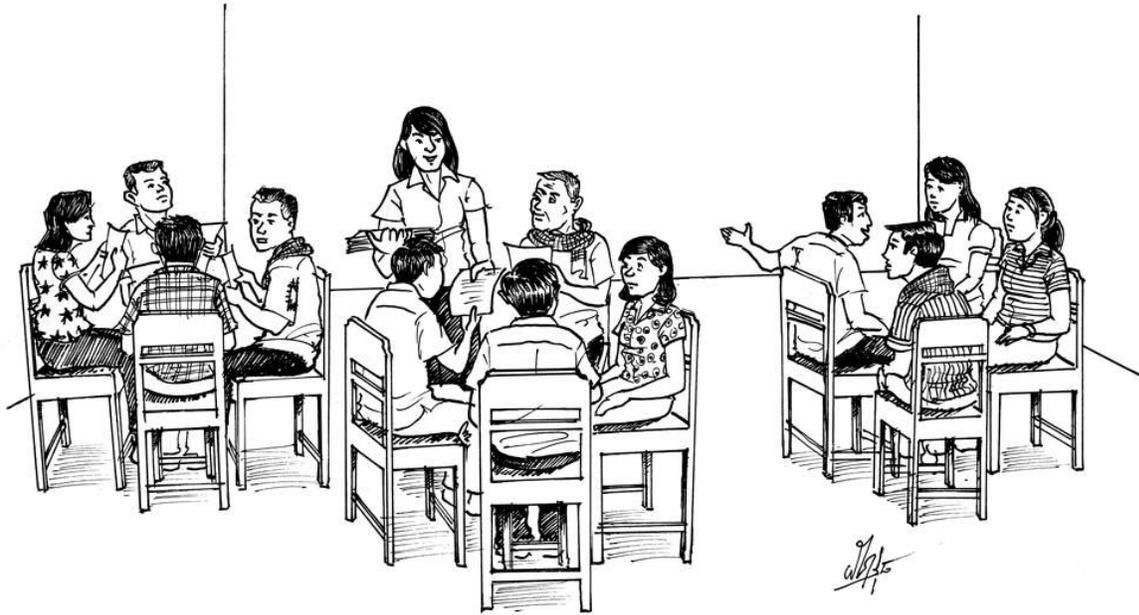
If there are questions in the lesson that ask for information rather than opinions, suggested answers will be included.

### 5.2.7. DEBRIEF

The goal of this section is to evaluate whether the Aim of the lesson was achieved. It is very important that you do not simply summarize the information contained in the lesson, as this will not allow you to check whether or not the participants learned the main points. You can check whether the Aim was achieved by using activities such as questions and answers, by asking participants to summarize the lesson, or by using fun games such as quizzes.

## 6. FACILITATION SKILLS

As a facilitator, there are many different things to think about, including the lesson content, exercise instructions, and what materials are necessary. At the same time, you must be aware of the way you behave and the way you present the lessons. It is important that participants respect you and feel respected and that they are comfortable to join in the exercises and contribute. Below are several tips on how to be a good facilitator. This may be a lot to remember, but over time these skills will start to come naturally.



## 6.1. PREPARATION

If you know the lesson very well, you will be more confident, you will be able to teach more clearly and participants will have more confidence in your ability. It is important to be confident about the information that you are teaching, and also to know what materials you will need and what instructions you should give to participants.

Make sure that the venue, snacks, handouts, materials and any equipment you need are organized at least one week before the actual training.

## 6.2. TIME MANAGEMENT

It is important that you are flexible. If participants find a lesson difficult, you may need to take more time. If it is easy for them or they are already familiar with the content, then you may be able to go faster. However, if you have a busy schedule and many subjects to teach, you will have to keep to the timetable as best as you can.

## 6.3. BODY LANGUAGE

Let the participants know that you are enthusiastic and want to teach. It is important to stand up straight, move around the class as you teach. Make sure you look at all of the participants – not at the floor, or out of the window, and not just at the participants directly in front of you. Your body language should not make the participants feel uncomfortable, for example, you should not point at people. If someone is answering a

question, do not stand over them or look down at them. Instead, show interest and encourage them by giving praise and polite correction if necessary.

#### **6.4. TRY NOT TO LECTURE**

Sometimes, lecturing can seem like the easiest way to teach new information. However, as discussed above, this is the least effective way to teach and learn. All the training methods described above are ways to teach the information without lecturing. If you find yourself speaking for too long, stop and ask some questions or introduce an activity. Lectures can often be turned into questions and discussions. This way, the participants discover the information themselves, rather than just being told. This method may take longer, but it will be much more interesting and effective for the participants and you.

#### **6.5. CHECK FOR UNDERSTANDING**

Good facilitators will check for understanding throughout the lesson. But, do not teach for one hour and then ask at the end “Do you understand?” You can check participants’ understanding every few minutes by asking questions or asking for volunteers to summarize. Remember to not always ask the loud and confident participants to summarize. It is important to check that the quieter participants understood the lesson too.

#### **6.6. ENCOURAGING THE QUIETER PARTICIPANTS**

In every training, there are quieter participants who feel shy or may have some difficulties in learning. In some cases, women or people from minority groups are quieter and do not try to answer questions, even though they have something to say.

It is very important to try to make these quieter participants feel comfortable and relaxed by smiling at them and giving them more attention, without making them feel embarrassed. You can try to encourage them to answer questions or be the spokesperson for their group and give them plenty of praise when they do so. It helps to give the quieter participants extra attention in the breaks, as they might feel more comfortable talking about what they learned or asking you questions one-on-one.

#### **6.7. BUILD A GOOD RELATIONSHIP WITH THE PARTICIPANTS**

Try to develop a friendly relationship with participants. You can do this by:

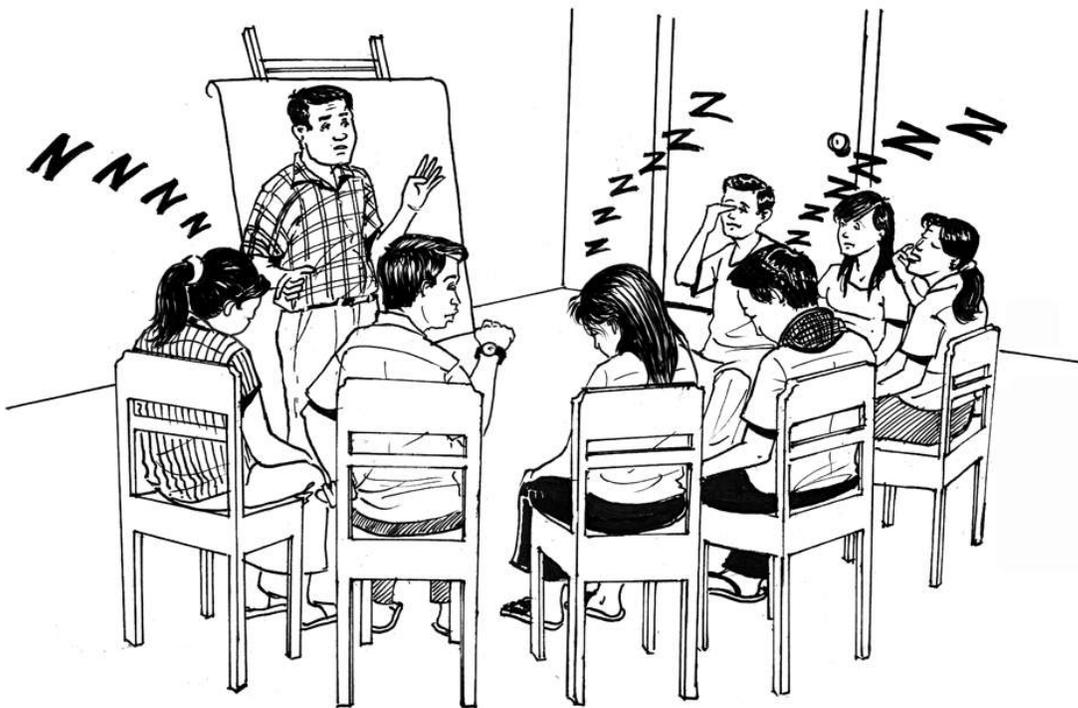
- Greeting them as they enter the training room;
- Calling them by their names;
- Asking them questions about themselves and telling them something about yourself;

- Encouraging the participants to become involved in the lessons;
- Talking to them on a one-on-one basis before and after lessons and during breaks (especially some of the quieter participants);
- Giving participants a chance to share personal stories;
- Joining participants for lunch; and
- Praising good work and good contributions and encouraging participants who are shy or find learning more difficult.

## 6.8. ENERGIZERS

It is important that you keep the participants interested. If participants are not interested, they will not listen well, and they will not remember what they have been taught.

A way to avoid this problem is to do short “energizer” exercises between lessons, or whenever you feel that participants are getting tired or losing interest. You may often need to do energizers towards the end of the day, or just after lunch when participants are feeling tired. Energizers include songs, dances, games, stories, and any other activities which get the participants to move around and have fun.



## 7. EVALUATIONS

After training, it is important to find out how the participants felt about the training. This is done through evaluation. Evaluations can be done in a number of different ways and can be conducted at different times. The best time to evaluate is usually at the end of each day of training. Sometimes, it is also a good idea to evaluate the training several weeks or even months later. This way you can check what the participants have remembered.

You can conduct evaluations by simply speaking with participants and asking questions. This can be done with the whole group or with a smaller focus group. This may be useful if participants are illiterate. Another useful way to evaluate is by handing out evaluation forms.

Either way, you should ask the following questions in the evaluation:

- Did you understand the lesson?
- Was the information useful?
- Which lessons were most useful and which were least useful? (You can also ask participants to rank the lessons.)
- Did the facilitator do a good job?

By asking these questions, you will be able to adapt and improve for future trainings.

In addition, trainers and observers can evaluate the training by making their own notes on how successful they thought the exercises were and how well the participants appeared to understand.

## 8. KEEPING RECORDS

Finally, it is important to keep records when you conduct training. It is useful for yourself and also useful to share with others if you are a member of a network or working at an NGO. After a training, you should record:

- Who you have trained (including how many men and how many women);
- Where you held the training (province, district, village, and venue);
- Which topics you taught;
- How you think the training went (for example, did participants understand the lessons? Were the lessons enjoyable?); and
- What response you had from the participants (positive or negative evaluations).

## TIMETABLE

The entire course using *A Community Guide to the ADB Involuntary Resettlement Safeguards* will take approximately 20 hours. The full course can be conducted over four days, including some time for a general discussion and planning session.

<i>Lesson number</i>	<i>Name</i>	<i>Time</i>
1	What is the ADB and what does it do?	80
2	Impacts of ADB projects	105
3	Avoiding displacement	80
4	Entitlements: land or money?	110
5	Compensation and resettlement	90
6	Compensation for loss of livelihoods	80
7	Livelihood support	95
8	Making information accessible	110
9	What is proper consultation	100
10	Monitoring the project	90
11	Holding the ADB and Government accountable: local processes	60
12	Using the ADB accountability mechanism	80
13	Using other forms of advocacy to make the ADB and Government accountable	110
<b>Total: Approximately 20 hours</b>		

# THE ASIAN DEVELOPMENT BANK

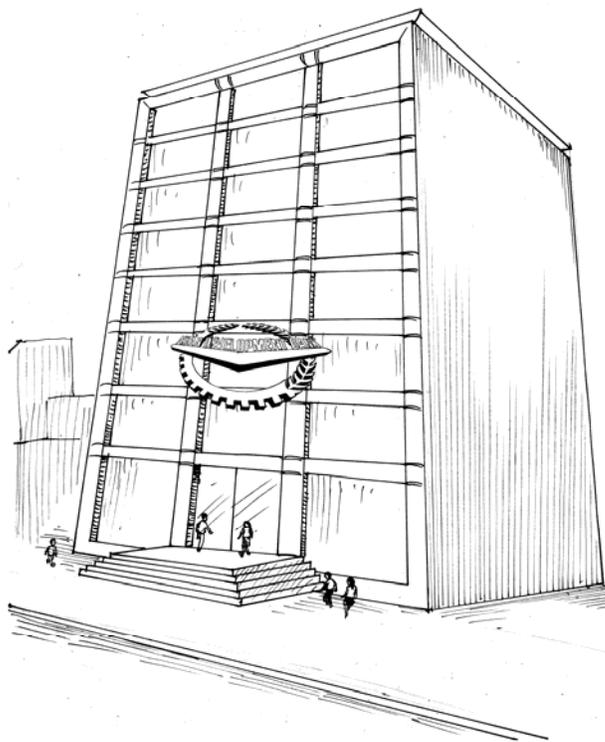
## OUTCOMES

After completion of this module, participants will:

1. Understand what the Asian Development Bank (ADB) is and its mission.
2. Know the sorts of projects that the ADB funds.
3. Understand that the ADB influences the way Cambodia develops.

## 1. WHAT IS THE ADB?

**The Asian Development Bank (ADB)** is an international organization that was established in 1966 and is now made up of 67 member countries. Cambodia is a member of the ADB. The ADB's stated mission is "to reduce poverty and improve the quality of life in developing countries in Asia." Its main office is in Manila, Philippines and it also has offices in countries in which it works. The ADB works in Cambodia and has an office in Phnom Penh.



*ADB headquarters*

The ADB works in countries by providing money to governments for different types of projects. The ADB also provides information, advice and technical assistance to governments.

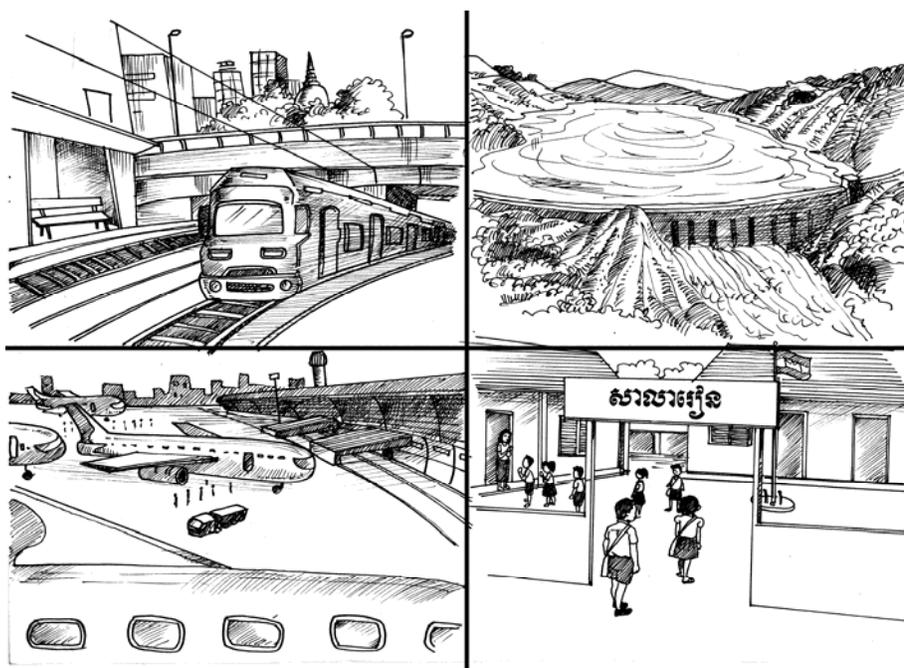
The ADB provides money to governments through **loans** and **grants**. When the ADB loans money, the government is required to pay back the money with **interest**. Interest is usually very low for loans made to poor countries. When the ADB gives the government a grant, the government does not have to pay the money back.

The ADB also provides funds to private businesses and civil society groups for certain projects.

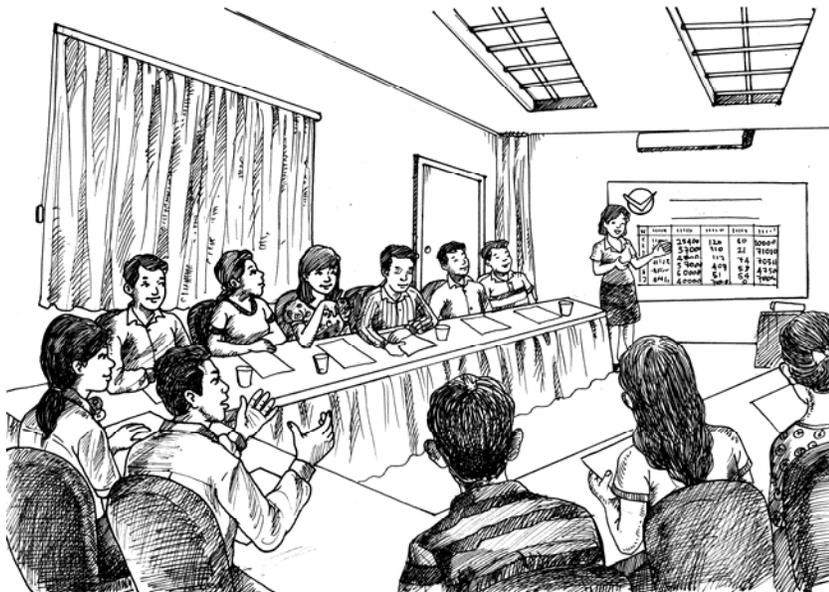
## 2. WHAT TYPES OF PROJECTS DOES THE ADB SUPPORT?

The ADB provides funds or assistance for many different types of projects that are supposed to be aimed at reducing poverty and improving the quality of life.

For example, the ADB supports infrastructure projects, such as building and fixing roads, railways, airports, power plants, hydropower dams, schools, health facilities, irrigation and water and sanitation facilities.



The ADB also provides **technical assistance** and advice to governments. For example, the ADB might provide technical assistance by helping the government to design and implement projects, training government employees, doing research and collecting information, or helping to write policies and laws. For example, in Cambodia, the ADB was involved in writing the 2001 Land Law.



### 3. THE ADB IN CAMBODIA

In Cambodia, some of the projects that the ADB has been involved in are:

- Building and repairing major roads in rural areas.
- Building and repairing power plants and distribution lines.
- Building and upgrading schools in rural areas.
- Building and repairing water pipes and outlets.
- Encouraging private business and investment in agriculture.
- Repairing the railway line from Poipet through Phnom Penh to Sihanoukville.

These projects have had both positive and negative impacts, which will be discussed more in the next section.

Because the ADB gives or loans the government a lot of money each year<sup>1</sup> and also provides information, technical assistance and advice to government ministries, it has influence on the way that the country develops. Many civil society groups have raised concerns about the type of development the ADB promotes and whether it is the poor that benefit the most from its projects and activities. This is why Cambodian people should have an opportunity to participate in the decisions about projects and other activities that the ADB is involved in.



<sup>1</sup> For example, in 2009, the ADB committed \$100 million to Cambodia.



## LESSON 1 – WHAT IS THE ADB AND WHAT DOES IT DO?

**AIM:** Participants will understand what the ADB is and its mission. Participants will understand the types of projects the ADB supports. Participants will also discuss some of the ADB’s projects in Cambodia and whether they have achieved the ADB’s mission.



**MATERIALS:** Whiteboard or flipchart, markers.

**METHOD(S) USED:** Brainstorm, class discussion, stories, quiz.

Procedure	Time Frame (in minutes)
1. Introduce the information in Section 1	15
2. Brainstorm about the ADB’s mission	20
3. Introduce the information in Sections 2 and 3	15
4. Discussion and stories	15
5. Debrief with quiz	15
<b>Total:</b>	<b>80</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTION 1:

**Section 1** - It is important that participants understand:

- What the ADB is.
- That the ADB's mission is to reduce poverty and improve the quality of life in developing countries in Asia.
- That the ADB works in countries by providing money, advice and technical assistance to governments for different types of projects.
- The difference between a loan and a grant.

### 2. BRAINSTORM ABOUT THE ADB'S MISSION:

- Write down the ADB's mission on a flipchart or white board and make sure everyone understands what it is. Ask if anyone has any questions about the meaning of the ADB's mission.
- Ask the participants to work in pairs for 10 minutes to discuss the following questions:
  - What kind of projects do they think would help to achieve the ADB's mission? These can be projects that would be useful for their own community or the whole country.
  - Who should these projects benefit?
- After the pairs have finished their discussions, ask a few of them to share their ideas with the rest of the class.

### 3. INTRODUCE THE INFORMATION IN SECTIONS 2 AND 3:

**Sections 2 and 3** - It is important that participants understand:

- The types of projects that the ADB supports.
- That these projects are supposed to reduce poverty and improve people's quality of life.
- The projects the ADB has supported in Cambodia.
- That Cambodian people should have an opportunity to participate in the decisions about what the ADB does in Cambodia because the ADB influences the way the country develops.

- Before you explain the second last point, you can ask the participants if they have heard of any projects or programs that the ADB has supported in Cambodia.

#### 4. DISCUSSIONS AND STORIES:

- Ask the participants what they think about the projects the ADB has supported in Cambodia. Do they think that these are good projects that have achieved the ADB's mission of reducing poverty and improving people's quality of life? Why or why not?
- Ask participants if they have been affected by any of these projects themselves or have heard any stories about the impacts of these projects on people's lives.
- Encourage participants to share their opinions, ideas and stories about the projects.

#### 5. DEBRIEF:

- Ask participants to stand in a circle around you and explain that you will throw the ball to a participant and ask that participant a question about the ADB and its work. After the participant answers, they should throw the ball to a different participant to whom you will ask another question. (There are example questions below.)

Example questions:

1. What is the ADB?

Suggested Answer: The ADB is an international organization that was established in 1966 and is made up of member countries.

2. What is the ADB's mission?

Suggested Answer: The ADB's mission is to reduce poverty and improve the quality of life in developing countries in Asia.

3. Where is the ADB's main office?

Suggested Answer: Manila, Philippines.

4. What is the difference between an ADB loan and grant?

Suggested Answer: The government has to pay back a loan to the ADB with interest.

5. What are three examples of a type of project the ADB supports? (You can ask this question twice.)

Suggested Answer: Roads, railways, power plants, hydropower dams, schools, health facilities, irrigation, water and sanitation facilities.

6. What is an example of technical assistance that the ADB might give the government?

Suggested Answer: The ADB might provide technical assistance by helping the government to design and implement projects, training government employees, doing research and collecting information, or writing policies and laws.

7. Why is it important that Cambodian people have an opportunity to participate in the decisions about ADB projects and activities?

Suggested Answer: Because the ADB influences the way that the country develops.

# THE IMPACTS OF ADB PROJECTS

## OUTCOMES

After completion of this module, participants will:

1. Understand that ADB projects have positive and negative impacts.
2. Understand that ADB projects that make people's quality of life worse do not help to achieve the ADB's mission.
3. Understand that safeguard policies were created because of concerns about the negative impacts of ADB projects.
4. Know what safeguard policies are and their purpose.
5. Understand why it is important to know about safeguard policies.

## 1. ADB PROJECTS AND ITS MISSION

The ADB's stated mission is "to reduce poverty and improve the quality of life in developing countries in Asia." All projects that the ADB funds should help to achieve its mission. This means that before the ADB agrees to fund a dam, road, railway or any other project, it should make sure that the project will improve peoples' quality of life.

However, many projects that the ADB supports have both positive and negative impacts on people and the environment. This is especially true for major infrastructure projects.

### CASE STUDY: HIGHWAY ONE, CAMBODIA

In 1998, the ADB agreed to loan \$40 million to the Cambodian Government to build and repair a road between Phnom Penh and the Cambodia-Vietnam border, known as Highway One.

The ADB stated that the positive impacts of the Highway One project would be the following:

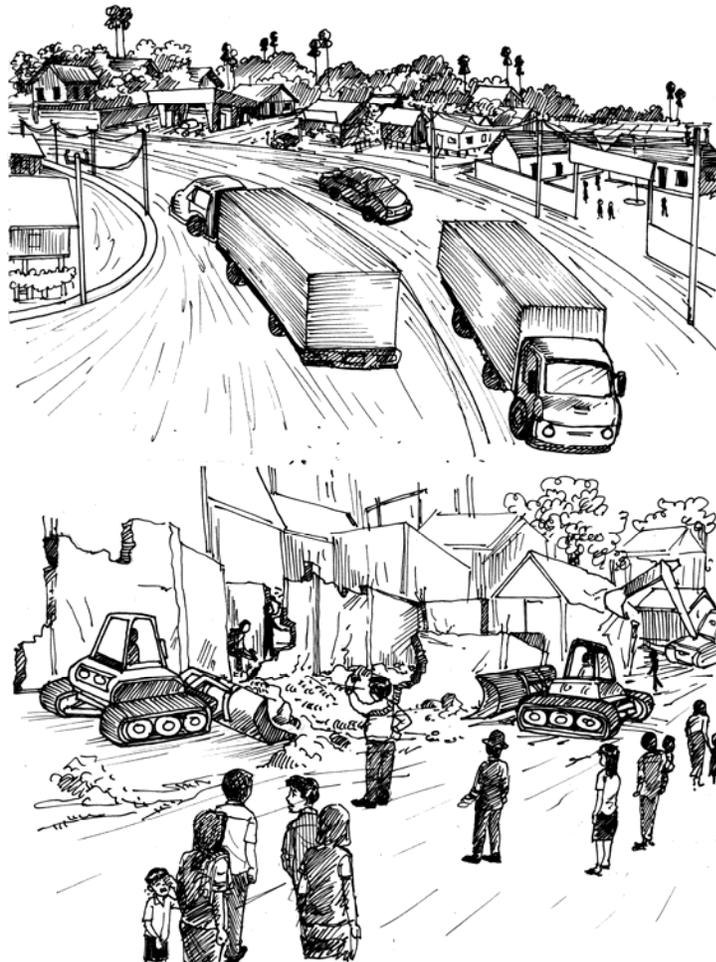
- Economic cooperation between Cambodia and Vietnam would increase.
- It would be easier, cheaper and faster for people to travel along the highway between Phnom Penh and Vietnam.
- Goods will be delivered faster and at a lower cost within Cambodia and to and from Vietnam.
- Road safety for local communities would be improved.
- New businesses can be established along the highway because there will be more customers from the increased traffic.<sup>2</sup>

<sup>2</sup> ADB, Report and Recommendation of the President to the Board of Directors on Proposed Loans to the Kingdom of Cambodia and to the Socialist Republic of Vietnam for the Greater Mekong Subregion: Phnom Penh to Ho Chi Minh City Highway Project, November 1998.

However, the Highway One project also displaced around 6,000 Cambodian villagers living along the road because their land was needed for the highway. People were not compensated fairly for homes and farming land that they lost. As a result the project caused the following problems:

- People became homeless and landless.
- People's livelihoods were disrupted because they were displaced from their land.
- People had to borrow money at high-interest rates to be able to survive and then had very high debts that they could not pay back.<sup>3</sup>

These negative impacts of the Highway One project meant that people were made poorer and their quality of life was made worse because of an ADB project. The result of the project for these people was the exact opposite of ADB's mission.



*ADB-funded projects have both positive and negative impacts. A new highway can improve a country's transport but can also displace people.*

<sup>3</sup> Mekong Watch Japan, "Cambodia: Highway One," available at <http://mekongwatch.org/english/country/cambodia/HighwayOne/index.html>

In order to follow its mission properly, the ADB should not fund projects that will increase poverty or hardship for people or worsen their quality of life. Even if only a few people will be harmed by a project, the ADB should not fund it unless there is a very good plan to avoid the harm.



## 2. THE CREATION OF SAFEGUARD POLICIES

During the 1980s and 1990s, many civil society groups publically criticized the ADB about the negative impacts of its projects. These groups argued that development projects should not harm people or the environment and that projects should be planned so that everyone can share the benefits, not just a small few.



In 1995, the ADB created **safeguard policies**. These were updated in 2009. Safeguard policies are rules that the ADB and the government must respect when they agree to work on a project together. These rules are aimed at preventing negative impacts on people and the environment from ADB projects. They are also aimed at making sure that people who will be affected by an ADB project will have access to information and be properly consulted.

## WHO IS RESPONSIBLE FOR FOLLOWING THE ADB SAFEGUARD POLICIES?

The ADB policies apply whenever the ADB is providing funds for a project in any country, including Cambodia. Both the Government and the ADB must respect the ADB safeguard policies when they plan and implement the project.

When the Government signs an agreement with the ADB for a loan or grant to fund a project, the Government also agrees to follow the ADB safeguard policies.

- It is the Government's responsibility to fulfill the requirements in the policies.
- It is the ADB's responsibility to supervise and make sure the Government follows the policies properly.

### 3. WHY IS IT IMPORTANT TO KNOW ABOUT SAFEGUARD POLICIES?

The purpose of safeguard policies is to protect the environment and people who are affected by ADB projects from being harmed. However, there are many examples of projects in which the ADB and governments do not respect the safeguard policies. People are still displaced and not properly resettled and compensated, and their quality of life is made worse.

This is why it is important for people to know about ADB safeguard policies and what they say. If people who might be affected by an ADB project know what the safeguard policies say, they can monitor the planning and implementation of the project and whether the rules are respected. If the policy is not followed properly, there are things people can do to demand that their rights under the policy are respected. The things people can do are discussed in later sections.



## LESSON 2 – IMPACTS OF ADB PROJECTS

**AIM:** Participants will understand that ADB projects have both positive and negative impacts. They will know what safeguard policies are and their purpose. They will also know who is responsible for following the safeguard policies.



**MATERIALS:** Whiteboard or flipchart, markers, copies of Handouts 1, 2 and 3.

**METHOD(S) USED:** Class discussion, group work, presentations, brainstorm, class discussion, stories.

Procedure	Time Frame (in minutes)
1. Class discussion about story and picture	10
2. Introduce the information in Section 1	15
3. Explain the exercise and read out scenario	5
4. Group work	20
5. Group presentations and class discussion	20
6. Introduce the information in Sections 2 and 3	20
7. Debrief about participants' own experiences	15
<b>Total:</b>	<b>105</b>

## INSTRUCTIONS TO FACILITATOR

### 1. CLASS DISCUSSION ABOUT STORY AND PICTURE

- Give out a few copies of Handout 1 so all the participants can see the pictures.
- Ask one of the participants to read out the story in Handout 2 about the factory being built in a village on the outskirts of Phnom Penh.
- Ask the participants what the positive impacts of the factory are and who is benefiting.
- Ask the participants what the negative impacts of the factory are and who is being harmed.
- Explain that projects, like this one, might seem like a good idea because they benefit some people or solve some people's problems. However, many projects also have negative impacts that harm other people or groups.
- Ask the participants whether they think the project is fair.

### 2. INTRODUCE THE INFORMATION IN SECTION 1:

**Section 1** - It is important that participants understand:

- That, before the ADB agrees to fund a project, it should make sure that the project will improve peoples' quality of life.
- That many projects that the ADB supports have both positive and negative impacts.
- That the ADB should not fund projects that will increase poverty or hardship for people or that will cause serious harm to the environment.

### 3. EXPLAIN THE EXERCISE AND READ OUT SCENARIO:

- Explain that the participants will be divided into three groups and each group will have an opportunity to discuss a scenario. The scenario is about a plan for a typical ADB project and the groups will think about and discuss the positive and negative impacts caused by the project.
- The groups should think about as many impacts as they can and discuss whether they think the project should go ahead or not.
- The groups should decide whether the project would help to achieve the ADB's mission. It is a good idea to write the ADB's mission on the whiteboard, so the groups can see it while they work.

- Divide participants into three groups and give each a few copies of Handout 3 and flipchart.
- The groups will have 20 minutes to talk about the Discussion Questions and will then present their discussions to the rest of the participants.

#### 4. GROUP WORK:

- Move around the groups and make sure that everyone understands their task.
- Make sure there is someone in each group who can read and, if not, read out the scenario to them and make sure they understand.

#### 5. GROUP PRESENTATIONS AND CLASS DISCUSSION:

- Give each group 5 minutes to make a presentation about their discussions.
- Each group should describe the positive and negative impacts of the project and whether they decided that the project should go ahead. They should also talk about whether they think the project helps to achieve the ADB's mission.
- After each group has had a chance to present, you can ask the participants what sorts of things would need to happen to stop the negative impacts of the project happening. You can ask what they think would need to be changed about the project or what other things could be done to make it a good development project. They may think that it is not possible to do anything to fix the project and that the ADB should not fund it.

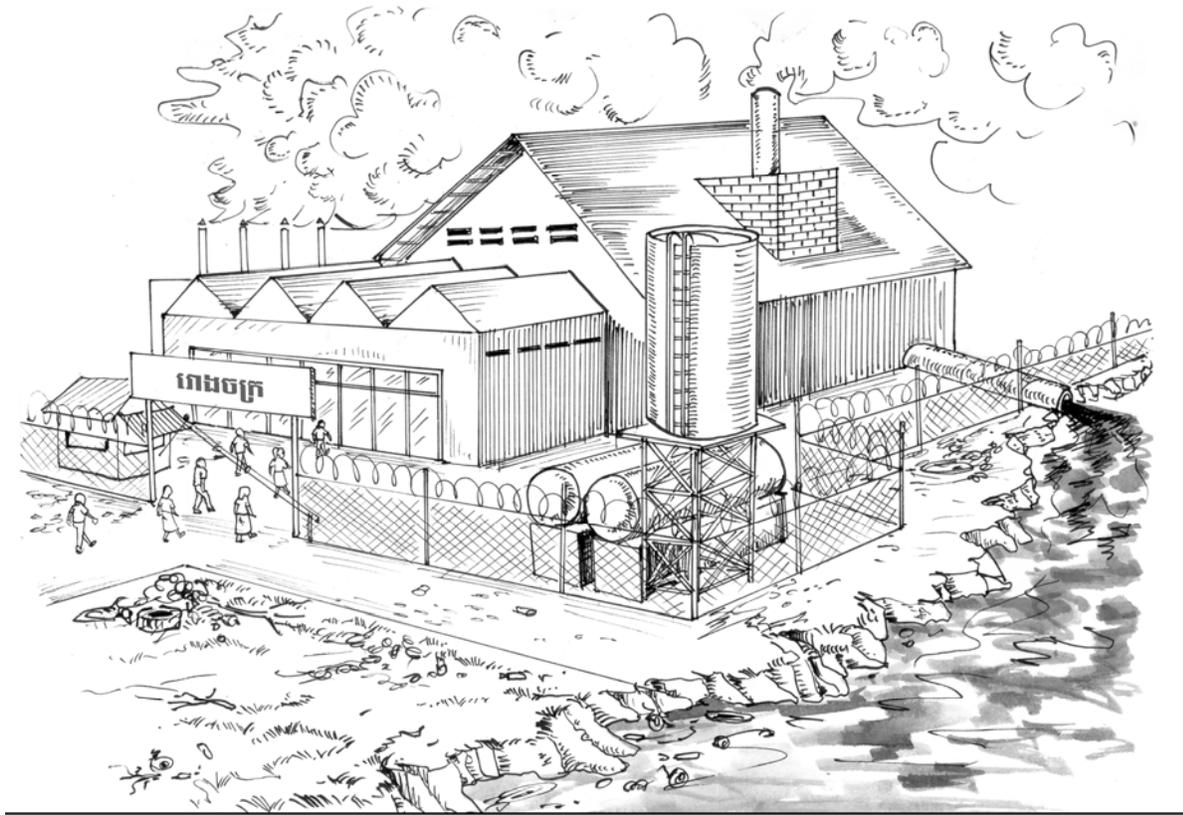
#### 6. INTRODUCE THE INFORMATION IN SECTIONS 2 AND 3:

**Sections 2 and 3-** It is important that participants understand:

- That safeguard policies are rules that the ADB and the government must respect when they agree to work on a project together.
- These rules are aimed at preventing negative impacts on people and the environment from ADB projects.
- They are also aimed at making sure that people who will be affected by an ADB project will have access to information and be meaningfully consulted.
- That the government is responsible for fulfilling the requirements in the policies, and the ADB must supervise and make sure the policies are followed properly.
- Why it is important to know about the safeguard policies.

## 7. DEBRIEF ABOUT THE PARTICIPANTS' OWN EXPERIENCES:

- Ask the participants to think about the project that is affecting them. What are some of the positive and negative impacts of the project? Is anyone being harmed by the project? Give a few participants an opportunity to share their stories.
- Ask whether or not they think the project should continue or if it is causing too many problems. What needs to happen to stop the project from making people's lives worse?
- Ask if anyone had heard about ADB safeguard policies before.
- Remind the participants that the Government agreed to fulfill the requirements in the policies when it signed an agreement for the loan or grant with the ADB. If the Government does not do these things, there are things they can do demand that their rights are respected, which will be discussed later in the workshop.



### Story about building a factory on the outskirts of Phnom Penh

A village in the centre of Phnom Penh has been destroyed by a fire. Instead of helping them to rebuild their village, the government resettles the villagers at the outskirts of Phnom Penh. The villagers complain that there are no jobs for them at the new village. There is a river nearby, but only a few of the families can make a living from catching and selling the fish.

To solve this problem, the Government finds a company to build a large factory in the village. The company builds the factory and hires many people from the village to work there. Many families in the village are happy that they can now work and earn a living.

However, the company dumps the waste from the factory into the river. After a short time the river is very polluted and the fish die. The fisher families can no longer make their living by catching and selling fish and are very unhappy.

## HANDOUT 3 – LESSON 2

### Scenario: Should the ADB fund a project to build a road?

The Government wants to build a major road from Phnom Penh to Banlung in Ratanakiri and has asked the ADB to loan it money for the project. Many private investors are interested in getting involved in agriculture and mining projects in Ratanakiri, but complain that it takes a long time to travel there.

The Government and the companies involved in these projects argue that they are helping to develop Ratanakiri and create jobs for people who live there. A new highway will help to bring more money into the area. Land prices in Ratanakiri will increase. More tourists will also be able to travel to Ratanakiri. The old roads are unsafe and very slow and need to be upgraded.

However, there are also serious concerns about building the new road. There are villages along some sections of the planned road that would need to move away to make room for the road. These people would not be able to stay in their houses and many have small businesses or farms that they would also lose.

Indigenous communities in Ratanakiri province are also very concerned about the impact of the road. These communities have faced many problems from the agriculture and mining projects in the area. For example, companies involved in these projects have taken away land that they live on and use for farming, blocked their access to forests that they use to tap resin and destroyed some of their spirit forests and burial grounds. As indigenous people lose their land and access to forest resources, they are finding it harder to survive and their communities and communal way of life are breaking down.

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### Group Discussion Questions:

- What are the positive and negative impacts of the project?
- Does the project help to achieve the ADB's mission?
- Should the ADB agree to give the Government a loan for the project?



# THE INVOLUNTARY RESETTLEMENT SAFEGUARD POLICY

## OUTCOMES

After completion of this module, participants will:

1. Know that forced displacement is a common negative impact of ADB projects.
2. Know the meaning of “involuntary resettlement.”
3. Know what the Involuntary Resettlement Safeguard Policy is.
4. Know the different types of displacement covered by the policy.
5. Know who is protected by the policy.
6. Know that, according to the policy, displacement should be avoided and minimized.

## 1. ADB PROJECTS AND DISPLACEMENT

Displacement is one of the most common and worst impacts of ADB projects. In many cases, people are evicted from their homes and land to make way for a “development project.” Many people around the world have become poorer due to displacement. This is because, in addition to losing their homes, they lose access to the land and resources they depend on for their food and livelihoods.

When people are displaced from urban areas and are forced to move far away, they can lose access to their places of work. In rural areas, displacement can lead to lost resources including forests, rivers and farmland. They might also lose access to services including community centers, schools or health clinics. Displacement often leads to the breakdown of communities and social and support networks.



## 2. INVOLUNTARY RESETTLEMENT SAFEGUARDS

In the 1990s, the ADB decided that it was necessary to create a policy for all ADB-funded projects in order to avoid and minimize the harms of displacement. This policy was adopted in 1995 and was updated in 2009. The ADB calls this its **Involuntary Resettlement Safeguard Policy**.

### WHAT IS “INVOLUNTARY RESETTLEMENT”?

“**Involuntary Resettlement**” is any situation where the Government takes land, or restricts access to land, that people live or work on, or use for their livelihoods, and where the people who will be displaced do not have the right to refuse.

## 3. WHAT TYPES OF DISPLACEMENT ARE COVERED?

The policy aims to protect people who will be displaced by an ADB-funded project from their:

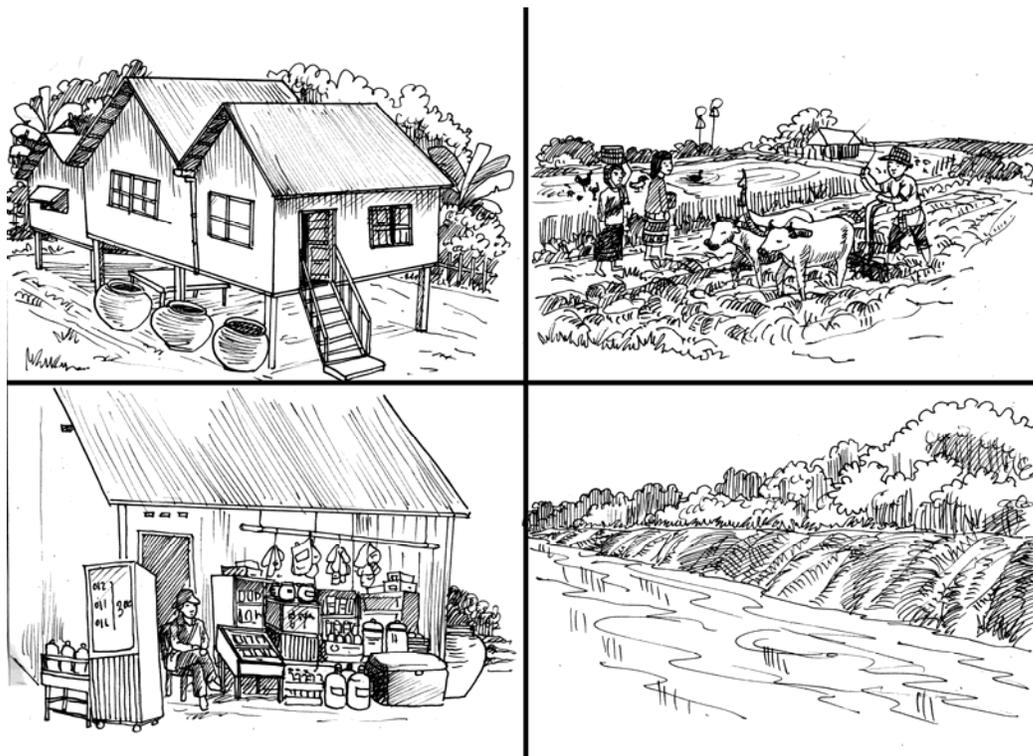
- Homes;
- Land;
- Jobs; or
- Other resources that they rely upon for their livelihoods.

This displacement can happen because:

- Land is taken by the Government for a project; or
- The Government restricts people from using or accessing land because of a project.

The policy protects people when they will lose land or access to land:

- Forever; or
- For a limited time, such as for six months or a year.



*People displaced from their home, land, jobs or resources they use for livelihoods because of an ADB-funded project are protected by the safeguard policy.*

**WHO IS PROTECTED BY THE INVOLUNTARY RESETTLEMENT SAFEGUARD POLICY?**

The policy protects people who have to move away from their home and land that they live on because of an ADB-funded project. For example, it protects a family that has to move from their home because the Government plans to build a bridge using funds from the ADB at the location of their house.

The policy protects people who will lose access to their land, business or anything else that they use for their livelihoods. For example, it protects a farmer who will lose access to his farming land because it is needed to extend a railway line. It also protects a family who will lose access to a forest that they use to collect food or things to sell.

The policy also protects someone who will lose access to her job because of a project. For example, it protects a fruit seller who will no longer be able to sell fruit from her stall because the land will be used for a new government building.

All these types of people are protected if they have to move away from their land, or if their access to and use of the land is being restricted by the project.

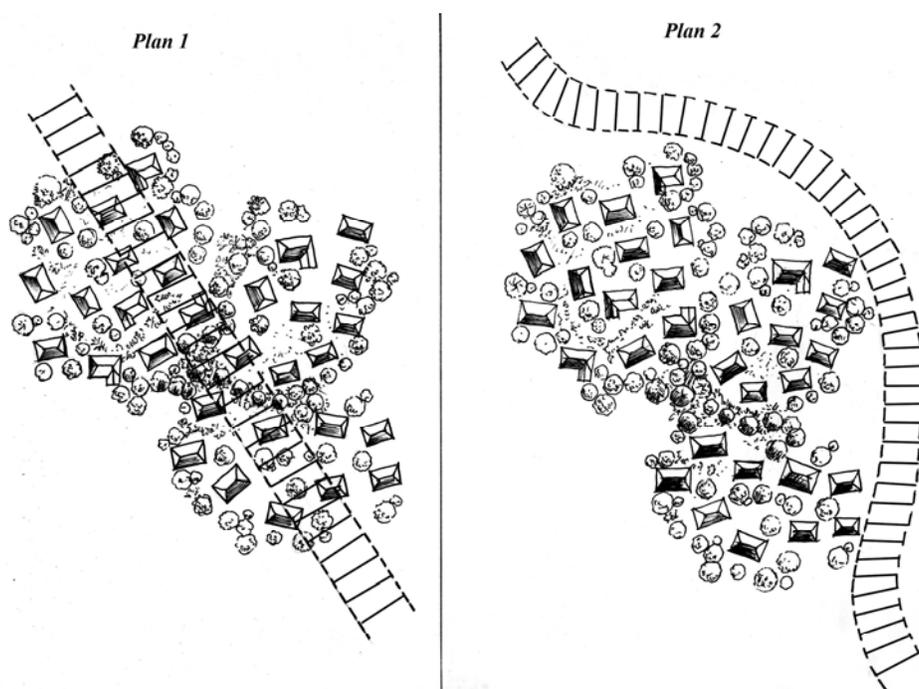
## 4. AVOIDING DISPLACEMENT

The first aim of the Involuntary Resettlement Safeguard Policy is to avoid displacement. The policy says that for any ADB-funded project:

- Displacement should be avoided wherever possible.
- Displacement should be minimized.

That means that, when the Government plans the project, it has a duty to think about how to make displacement as small as possible. If there will be some displacement, the Government should make sure that as few people as possible will be displaced and that the impacts from displacement are as low as possible.

The Government and the ADB should ask people for their ideas about how to avoid displacement. They should consider ideas such as using less land for the project or finding a different spot or route for the project where there are no houses, farms or other important natural resources.



*The Government and the ADB should use the second plan because it avoids or minimizes displacement.*

If a project will cause a lot of displacement that will result in many problems for people, the Government and the ADB should consider canceling the project altogether.

It is important for people to give their opinions about how to avoid and minimize displacement very early on when the project is being considered. Once the project is approved by the ADB and the Government, it becomes more difficult to stop it, or to influence the project design so that it avoids the negative impacts of displacement.



## LESSON 3 – AVOIDING DISPLACEMENT

**AIM:** Participants will know what the ADB Involuntary Resettlement Safeguard Policy is and who it protects. They will know that the policy says that ADB-funded projects should avoid displacing people as much as possible.



**MATERIALS:** Whiteboard or flipchart, markers, Handout 1.

**METHOD(S) USED:** Drawing brainstorm, small group discussion.

Procedure	Time Frame (in minutes)
1. Drawing brainstorm about displacement	10
2. Introduce the information in Section 1	10
3. Introduce the information in Sections 2 and 3	15
4. Who is protected?	5
5. Introduce the information in Section 4	20
6. Debrief	20
<b>Total:</b>	<b>80</b>

## INSTRUCTIONS TO FACILITATOR

### 1. DRAWING BRAINSTORM ABOUT DISPLACEMENT:

- Write down the word “Displacement” on a flipchart or white board. Ask if anyone can explain what displacement means. Allow a few participants an opportunity to answer.
- Ask the participants to think about the different problems that people face when they are displaced. Make sure the participants have pen and paper and give them a few minutes to draw the different things that people lose access to when they are displaced.
- Ask a few participants to explain their drawings to the rest of the class.

### 2. INTRODUCE THE INFORMATION IN SECTION 1:

**Section 1** - It is important that participants understand:

- That displacement is one of the most common and worst impacts of ADB projects.
- When people are displaced, in addition to losing their homes and land, they often lose access to local resources and services.
- Many people around the world have become poorer due to displacement.

### 3. INTRODUCE THE INFORMATION IN SECTIONS 2 AND 3:

**Sections 2 and 3** - It is important that participants understand:

- That the ADB created the Involuntary Resettlement Safeguard Policy to protect people from the harms of displacement because of an ADB project.
- The meaning of “Involuntary Resettlement.”
- The different types of displacement and who is protected by the policy.

### 4. WHO IS PROTECTED:

- Ask the participants to stand up if they will be displaced from their homes by the ADB-funded project that is affecting them. (They should remain standing.)
- Ask the participants if any part of their house or other structures will be destroyed or affected because of the project.

- Next, ask the participants to stand up if they will be displaced from their land or lose access to any part of their land, such as farming land, because of the project. Ask if anyone’s crops or trees will be affected. (This may be the same people who are already standing.)
- Ask the participants if their income or livelihood source will be negatively affected because they will be displaced by the project, or because their access to land will be blocked or restricted.
- Explain that everyone who is now standing up because they will be displaced from their homes, land, jobs or livelihoods source should be protected by the Involuntary Resettlement Safeguard Policy. This means that the Government has a responsibility to them to avoid and minimize displacement.

**5. INTRODUCE THE INFORMATION IN SECTION 4:**

**Section 4** - It is important that participants understand:

- That the policy says that, for any ADB-funded project, involuntary resettlement should be avoided wherever possible and should be minimized.
- That the Government and the ADB should ask people for their ideas about how to avoid and minimize displacement.

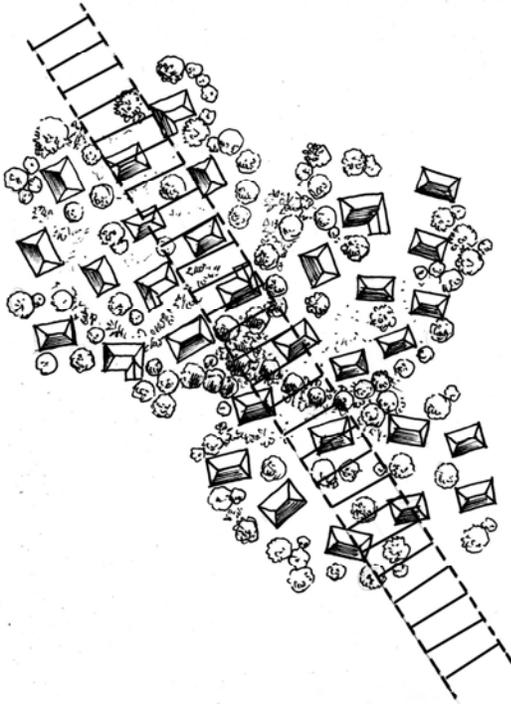
- Show the participants the picture in Handout 1 and explain that it shows two options for a road project.
- Ask the following questions:
  - Can you describe the two road projects in the picture and how they will affect people in the village? (Answer: The first road project goes through the village and many families will have to be moved. The second project will affect fewer homes so less families will be displaced.)
  - Which project do you think the government should choose? Why?

**6. DEBRIEF:**

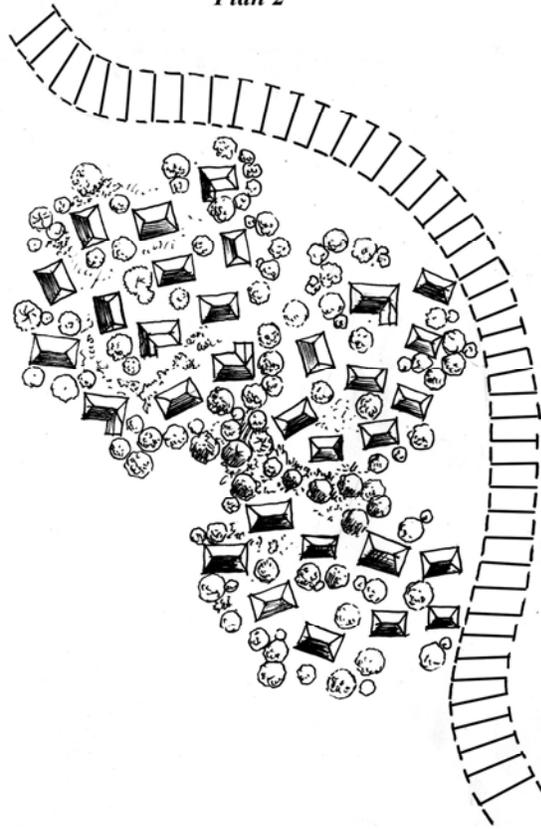
- Ask the participants to work in groups of three and discuss the project that is affecting them. They should discuss the following:
  - What are the different types of displacement that the project is causing? (e.g., displacement from homes, land, jobs)
  - What do they think the government should do to avoid the displacement or minimize the negative impacts of displacement?

- After about 5 minutes, ask a few of the participants to share their answers and ideas with the rest of the participants.
- Remind the participants that displacement causes many problems for people and they are often made poorer because of displacement. That is why it is important to try to give their ideas to the Government about how to avoid and minimize displacement early on.

Plan 1



Plan 2





# INVOLUNTARY RESETTLEMENT AND YOUR ENTITLEMENTS

## OUTCOMES

After completion of this module, participants will:

1. Understand the aim of the Involuntary Resettlement Safeguard Policy.
2. Know that there are different entitlements for owners, possessors and unlawful occupiers.
3. Know how to calculate cash compensation entitlements.
4. Know what people should get if they are resettled.
5. Know what people should get if they lose access to livelihood sources.

## 1. PEOPLE SHOULD NOT BE MADE WORSE OFF

Although the Government has a duty to try to avoid displacement, ADB-funded projects still often cause displacement. The aim of the Involuntary Resettlement Safeguard Policy is to protect people who will be displaced by an ADB-funded project from being made worse off. In fact, the aim of the policy is to improve or at least restore people's livelihoods. For poor and vulnerable people who are displaced, the aim is to make their standard of living *better* than before they were displaced.



### YOU SHOULD NOT BE MADE POORER BY AN ADB-FUNDED PROJECT

The Involuntary Resettlement Safeguard Policy says that people should not be made worse-off by a project funded by the ADB. This means life should not get harder and your family should not be made poorer because you are affected by the project. In fact, if your family is poor, the Government should help you to have a better standard of living. Your entitlements under the policy are aimed at achieving this.

The policy sets out what people who are displaced from their homes or land, or people who lose access to jobs, businesses and resources, must get so that they are not made worse off.

## 2. DIFFERENT ENTITLEMENTS FOR OWNERS, POSSESSORS AND UNLAWFUL OCCUPIERS

People who have **titles** to their land or who can apply for title because they have **possession rights** have different entitlements than people who are occupying land but do not have title or possession rights.

### OWNERS, POSSESSORS AND UNLAWFUL OCCUPIERS

Under Cambodian law, there is a difference between owners, legal possessors and unlawful occupiers of land.

- **Owners** are people who have had their land officially entered in the **land register** and have legal title to that land. Ownership is the strongest right anyone can have over land. It allows the owner to use their land in any way they want, as long as they do not break any laws.
- **Legal possessors** are people who settled on land before August 30, 2001 (when the Land Law was passed), or bought or inherited their land from someone who settled there before that date. The land must not be State public property or belong to anyone else. Their possession must also meet a few conditions: their occupation must have been peaceful and honest; they must have occupied the land continuously and it must be clear that they were the occupier of that land; their possession of the land must also be publically known.<sup>4</sup> Legal possessors have possession rights, which are similar to ownership rights. They are also eligible for title under the Land Law.<sup>5</sup>
- People who settled on land after August 2001, or settled on land that was State public land or belonged to someone else, are not legal possessors and are not eligible for title. According to the Land Law, they are unlawful occupiers. These people have different rights under Cambodian Law and also under the ADB safeguard policy. These rights are explained below.

Owners and possessors of land are entitled to get replacement land *or* cash compensation for the land that will be taken away from them. People who do not have title or possession rights are not entitled to this.

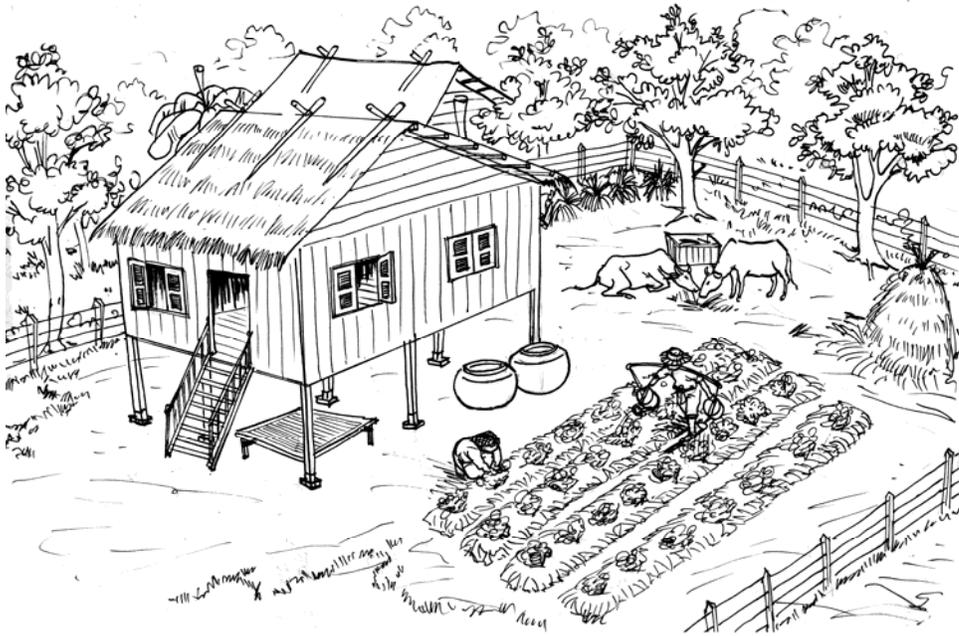
However, everyone is entitled to be compensated for housing and other structures that they will lose. Everyone is also entitled to be compensated for other improvements they have made to the land, such as for crops that they have grown or irrigation systems they have built.

People should be able to choose whether they would prefer to get cash compensation or replacements for the things that will lose.

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<sup>4</sup> Land Law 2001, Articles 30 & 38.

<sup>5</sup> Land Law 2001, Article 30.



*Even if this family does not own or legally possess this land, they are entitled to compensation for the housing and other structures as well as the crops and irrigation system.*

People should always get replacements or compensation *before* they are displaced.



If people are not entitled to get compensation for their land, for example, because they are unlawful occupiers of State land, then the Government must provide them with resettlement land and access to housing before they are displaced so they are not made homeless. Resettlement will be discussed in the following section.

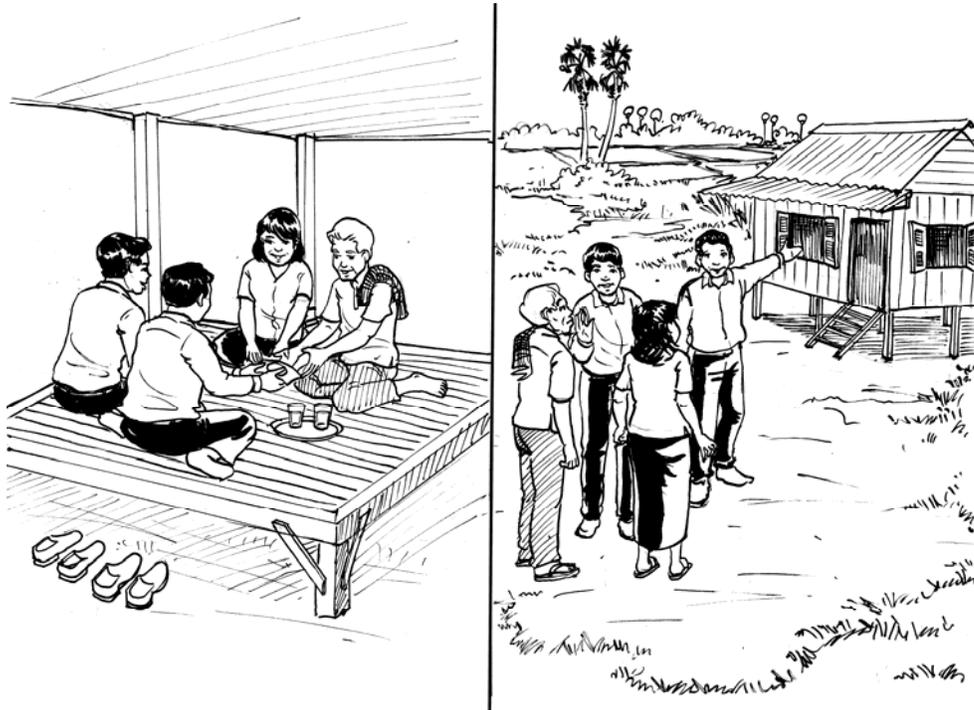
### **3. REPLACEMENTS OR CASH COMPENSATION?**

People who have title or possession rights to their land are entitled to get either:

- “adequate and appropriate” replacement land, housing and any other structures that they have on their land, or
- the amount of money that they need to buy another plot of land, house and other structures that would be about the same as what they lost.

The Involuntary Resettlement Safeguards Policy says that people who use land for their livelihoods, such as farmers, should be given adequate alternative land and housing rather than being compensated with money. The land should be at least of the same quality and value as the land taken away. The Government could use State land for this or could buy private land to use for this purpose.

However, if people prefer to get cash, or there is genuinely no land available, the Government should give them money instead. If cash compensation is given to affected people for land and other lost assets, the Government must also provide support to restore their livelihoods after they move.



*The government needs the land that this family owns for an ADB-funded project. They are entitled to either cash compensation or replacement land and housing.*

#### LAND OR MONEY?

If people who have to move from their land are offered good quality land in a good location, it is usually a better idea to choose the replacement land rather than cash compensation. This is because people without land often use up their cash quickly, by renting a house and land and spending it on other things, and might then be left with no land and no money.

Owning good quality land in a good location is a much better way for people to make sure that they can continue to support themselves and their families in the future.

## LESSON 4 –ENTITLEMENTS: LAND OR MONEY?

**AIM:** Participants will know that the Involuntary Resettlement Safeguard Policy aims to make sure that people who are displaced by an ADB-funded project are not made worse off. Participants will understand the difference between owners, legal possessors and unlawful occupiers of land and that they have different entitlements under the policy. Participants will also think about the value of getting replacement land rather than money as compensation.



**MATERIALS:** Whiteboard or flipchart, markers.

**METHOD(S) USED:** Class discussion, game, take a stand.

Procedure	Time Frame (in minutes)
1. Introduce the information in Sections 1 and 2	30
2. Game	25
3. Introduce the information in Section 3	15
4. Take a stand	20
5. Debrief	20
<b>Total:</b>	<b>110</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTIONS 1 AND 2:

**Sections 1 and 2** - It is important that participants understand:

- That the aim of the Involuntary Resettlement Safeguards Policy is to improve or at least restore people's livelihoods when they are displaced.
- That owners have official title to their land.
- That legal possessors settled on their land before August 2001 and the land is not State land or someone else's land.
- That unlawful occupiers settled on land after August 2001 or settled on State land or someone else's land.
- That owners and legal possessors are entitled replacement land or full compensation.
- That everyone, including unlawful occupiers, is entitled to replacements or full compensation for their houses, other structures and any other improvements they made to the land.
- That people should always get replacements or compensation *before* they are displaced.
- That the Government must also resettle anyone who will be displaced from their homes who will not be compensated for their land.

### 2. GAME:

- Explain to the participants that they will now play a game to see if they understand the information. Divide the participants into three or four teams and make sure each team is sitting together.
- Ask each team to choose a sound to call out if they know the answer to the questions that you will ask them. For example, one team's sounds could be the sound of a frog and another team's sound could be clapping or whistling. Each team should have its own sound.
- Explain that you will read out a short story and the team that thinks they know the answer to the following questions for that story should call out their sound. Whoever calls out their sound first gets to answer the question, and if their answer is right, they score two points. If they do not answer the questions properly, another team has a chance to answer. The questions they need to answer for each story are:
  - Is the person an owner, legal possessor or unlawful occupier?
  - What are they entitled to under the safeguards?

(It may help to write these questions on the whiteboard or flipchart so everyone can see them during the game.)

- Make sure everyone understands the game. Explain they should be quiet and listen carefully while you read out each story. When the teams are ready, you can start the game using the following stories:

**Story 1:** Sothea has an official title to her farming land in Battambang. The Government now wants to take her land to build a dam with money borrowed from the ADB.

Answer:

- Sothea is an owner because she has a title, so her land must be registered.
- She is entitled to replacement land or cash compensation for her land. She is also entitled to be compensated for her house and other structures she built on her farm and any other improvements she made, including for crops.

**Story 2:** Vuthy moved to Phnom Penh in 2003 and found an empty plot of land near the river. He built a small house. The Government now wants to take his land to build a bridge with money borrowed from the ADB.

Answer:

- Vuthy is an occupier because he started living on the land after August 2001.
- He is not entitled to compensation for the land but he is entitled to be compensated for his house and any other improvements he made to the land. He should also be resettled so he is not made homeless.

**Story 3:** Sokhim has been living peacefully and continuously on his land in Kampot since 1980. No one in his community has title to their land. The Government now wants to take half of his land to build a road with money borrowed from the ADB.

Answer:

- Sokhim is probably a legal possessor because he has been living on his land since before August 2001 and meets the other conditions. He is not a full owner because he does not have title and has not registered his land.
- He is entitled to replacement land or cash compensation for the part of his land that the Government is taking. He is also entitled to be compensated for any structures he built on that part of his land and any other improvements he made.

**Story 4:** Phana and her husband Vuthara have lived on their land along the river in Kratie since the 1980s. They built a house for their family and a separate house for Phana's sister's family on the land. The Government now wants to take the land for a development being funded by the ADB. The

Government has told Phana and Vuthara that they are living on State public property because they live right on the riverbank.

Answer:

- Although Phanna and Vuthara have lived on their land since the 1980s, they are living on State public property. They are occupiers of the land.
  - Phanna and Vuthara are not entitled to compensation for the land, but they are entitled to be compensated for the two houses that they built. Phanna and Vuthara and their family, including Phanna’s sister’s family should be resettled so that they are not made homeless.
- Add up the points to see which team wins.

### 3. INTRODUCE THE INFORMATION IN SECTION 3:

**Section 3** - It is important that Participants understand:

- What people who have title or possession rights to their land are entitled to.
- That replacement land should be at least of the same quality and value as the land taken away.
- That, if cash compensation is given, the Government should also provide support to restore their livelihoods.

- Do not explain the information in the box: “Land or money?” until the “debrief” at the end of the lesson.

### 4. TAKE A STAND:

- Write on one flipchart “Land” and place it at one end of the room. Write on another flipchart “Money” and place it at the other end of the room. On a third flipchart write “?” and place it in the middle. (You can also use pictures.)
- Make sure there is enough space for the participants to stand near all the signs.
- Show the participants what you have written on each flipchart. Explain that you will ask them a question and they should stand at either the “Land” sign or the “Money” sign depending on what their opinion is. If they are unsure what they think they can stand on the “?”.
- Next, ask the participants the following question:

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*"If the Government wants to take their land for an ADB project, would they prefer to get replacement land or money as compensation?"*

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- Encourage the participants to think about their answer and stand near either the “Land” sign or the “Money” sign. Tell them not to worry about what other participants think. There is no right or wrong answer to this question.
- After all the participants have moved to one of the signs, ask a few people standing at the “Land” sign, why they would choose land rather than money.
- After a few participants have had a chance to give their opinion, ask a few people standing at the “Money” sign, why they would choose money rather than land.
- Next, you can ask if the people standing near the “?” sign have anything they would like to say or if they would now like to move to the “Land” or “Money” sign after hearing other people’s opinions.
- Remind people that there is no right or wrong answer to this question. It is just a discussion so they can think about what they would choose if they are given the option.

#### 5. **DEBRIEF:**

- Ask the participants to review what they have learned. You can ask what the difference is between an owner, legal possessor and unlawful occupier. You can also ask what owners and legal possessors are entitled to and what unlawful occupiers are entitled to.
- Finally, explain the information in the box: “Land or money?” You can also summarize some of the main points made by the participants standing at both the “Land” sign and the “Money” sign.



## 5. WHAT SHOULD PEOPLE GET IF THEY ARE RESETTLED?

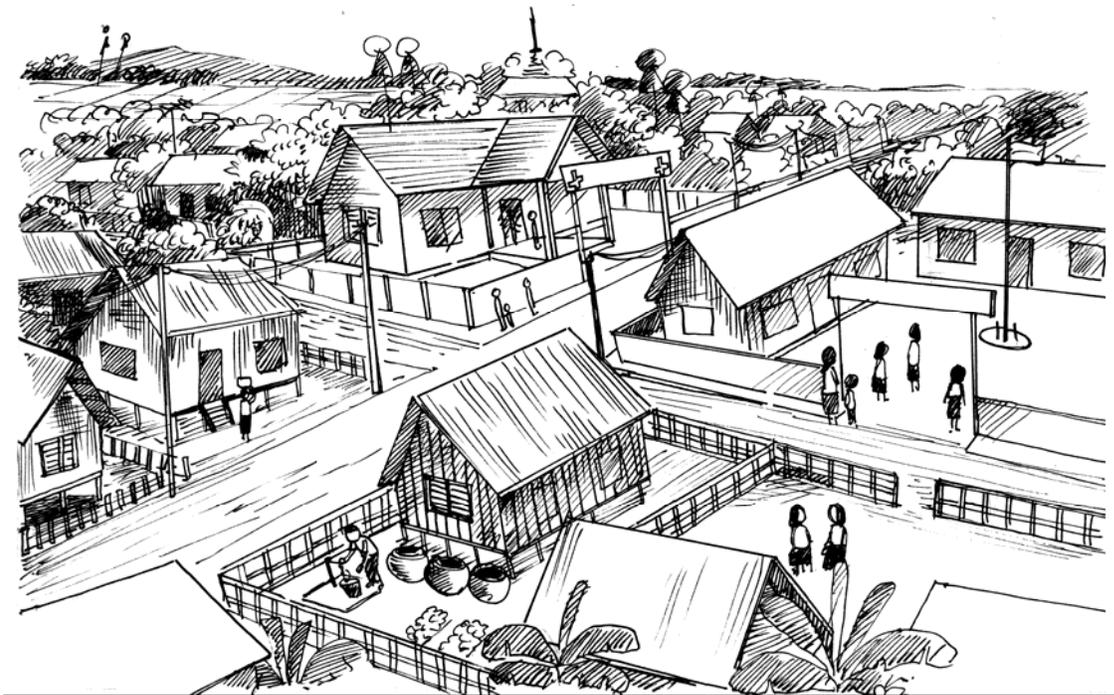
If people are not entitled to get compensation for their land, for example, because they are occupiers of State land, then the Government must provide them with resettlement land before they are displaced. They should also receive cash or other types of support to help them move.

The Government must make sure that people who are relocated have **security of tenure** at the **resettlement site**. This means that the Government must give them a legal guarantee that they will not be forcibly evicted from their new homes.

The Government must ensure that people have better houses at the resettlement site than their old houses.

The resettlement site should not be very far away so that people who move there cannot make a living or access the services and facilities that they need, such as schools and hospitals. The Government must make sure that people at the site have access to **livelihood opportunities**, necessary infrastructure and services, such as water, sanitation, electricity and waste disposal.

The resettlement site should have proper housing and services, and everything that people need to live *before* people are moved there.



## 6. NEGOTIATING WITH THE GOVERNMENT

The Involuntary Resettlement Safeguard Policy says that the Government should try to negotiate with people about what they get for their land, housing or other things that they will lose because of the project. Negotiations must be fair, and no one should be pressured to accept something that they do not want.

No one should agree to something in a negotiation that they are not happy to accept. People should be aware of what their entitlements to compensation and resettlement are under the ADB policy. They should only agree to something through a negotiation if they think it is *better than their entitlements under the policy*.

## LESSON 5 – COMPENSATION AND RESETTLEMENT

**AIM:** Participants will know how to work out the amount of compensation people should get if they are affected by an ADB-funded project. Participants will understand what the Government must provide if people are resettled.



**MATERIALS:** Whiteboard or flipchart, markers, Handout 1.

**METHOD(S) USED:** Drawing, class discussion, group work, presentations.

Procedure	Time Frame (in minutes)
1. Introduce the information in Section 4	10
2. Resettlement site drawing	10
3. Introduce the information in Sections 5 and 6	15
4. Explain the exercise	5
5. Group work	15
6. Presentations	20
7. Debrief	15
<b>Total:</b>	<b>90</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTION 4:

**Section 4** - It is important that participants understand:

- That when people are compensated with money for their land, housing or other things that they own, the Government must make sure that they get the amount of money they need to fully replace the land or things that they will lose.
- That these people must get compensation money *before* they are displaced.

### 2. RESETTLEMENT SITE DRAWING:

- Point to the flipchart paper and tell the participants to imagine that this is the map of a resettlement site that they will have to move to if their land is taken by the government for an ADB project. Explain that, at the moment, the map is blank and it is the participants' task to fill in the map.
- Ask participants to come and draw things that they would want to find in a resettlement site. You may start by adding an example of your own, such as a school, or access to clean water. Invite as many participants as possible to come and draw something on the map.
- After this short exercise, ask participants to raise their hand if they would be happy to go to this site if they were required to move because they were affected by a development project.

### 3. INTRODUCE THE INFORMATION IN SECTIONS 5 AND 6:

**Sections 5 and 6** - It is important that participants understand:

- That when people are not entitled to compensation for land and they will be displaced from their homes because of an ADB-funded project, the Government must provide them with resettlement land and money or other things to help them move.
- That the Government must also make sure they have security of tenure at the resettlement site.
- That the resettlement site should have proper housing and services, and everything that people need to live *before* people are moved there.
- People should be aware of what their entitlements to compensation and resettlement are under the ADB policy and only agree to something through a negotiation that is *better than what they are entitled to*.

#### 4. EXPLAIN THE EXERCISE:

- Explain that the participants will be divided into four groups. The groups will be given four short case studies and should try to work out how much money the people in the case studies are entitled to and if they are entitled to be resettled. The groups should discuss all the case studies and try to work out the answer for each.
- The groups will have 20 minutes to work.

#### 5. GROUP WORK:

- Give each group a copy of Handout 1.
- Move around the groups and make sure that everyone understands their task.

#### 6. PRESENTATIONS:

- Although all the groups worked on all four case studies, ask each group to present the answer to only one case study. For example, invite Group 1 to present the answer to Case study 1 and Group 2 to present the answer to Case study 2. After each presentation, ask if other groups agree with the answer.

#### Suggested answers:

Case study 1: Simma should get at least \$8,500.

Case study 2: Phal should get \$10,000 to rebuild his house plus any extra costs for moving. He also has a right to a plot of land and all services and facilities at the resettlement site. He should have access to services such as water, sanitation, electricity and waste disposal. Facilities such as schools, and hospitals should not be far away. There should be job opportunities nearby. He should get a document guaranteeing secure tenure to his new land.

Case study 3: Viphou should get at least \$4,000 for half of her land plus \$2,000 to move and rebuild her house. She should get at least \$6,000.

Case study 4: Phearum and his family have a right to compensation for their house but not the land because they are unlawful possessors. The family has a right to be resettled at a location not too far away. They should have a house that is better than their old one and protects them from the rain. They should have access to services such as water, sanitation, electricity and waste disposal. Facilities such as schools, and hospitals should not be far away. There should be job opportunities nearby. They should get a document guaranteeing secure tenure to their new land.

## 7. DEBRIEF:

- Ask the participants if they think they have been offered or have received the correct amount of compensation according to the ADB policy.
- Ask the participants if the resettlement site that they have moved to or will move to has all the things that it is supposed to according to the ADB policy.
- You can facilitate the discussion by asking:
  - Does the resettlement site have housing, clean water, sanitation, electricity and waste disposal?
  - Are their jobs or other livelihood opportunities nearby?
  - Are there schools and hospitals nearby?
  - Has the Government given them a legal document that guarantees that they can stay there? If so, what does the document say?
- If there are problems with compensation or the resettlement site, you can suggest that these issues be raised again after the training so they can discuss what to do about these problems.

## HANDOUT 1 – LESSON 5

### Case study 1:

Simma owns her land in Kampong Speu. She lives and farms on the land. The Government needs her land to build a dam, which is being funded by the ADB. Simma knows that she can buy similar land nearby that is the same size and quality for \$5,000. It will cost her \$3,000 to move and rebuild her house. She will also have to pay \$500 to register the land in her name.

How much compensation should Simma get?

### Case study 2:

Phal lives on State land right next to the railway line in Phnom Penh. The Government needs the land to fix the railway, funded by the ADB. He has a nice concrete house that would cost about \$10,000 to build.

How much compensation should Phal get? Does he have the right to be resettled? If so, what should he get at the resettlement site?

### Case study 3:

Viphou has land and a small house in Banteay Meanchey. Viphou does not have title but is a legal possessor. The Government needs half of her land to build a road, which is being funded by the ADB. Her house is on the half of her land that is needed for the road. Viphou wants to stay on the rest of her land and get compensation for the half of the land that is taken. She wants to rebuild her house on the other part of her land. Viphou knows she could sell her whole land for \$8,000. Her house would cost \$2,000 to rebuild.

How much compensation should Viphou get?

### Case study 4:

Phearum and his family live on land in Phnom Penh that they settled on in 2004 after they sold their land in Battambang to pay back very high debt. The land was empty when they arrived. He built a very small house for his family that does not protect them properly from the rain or anything else. The Government needs the land to build a new train station, which is being funded by the ADB.

Does Phearum and his family have the right to compensation for their land or for their house? Do they have the right to be resettled? If so, what should they get at the resettlement site?

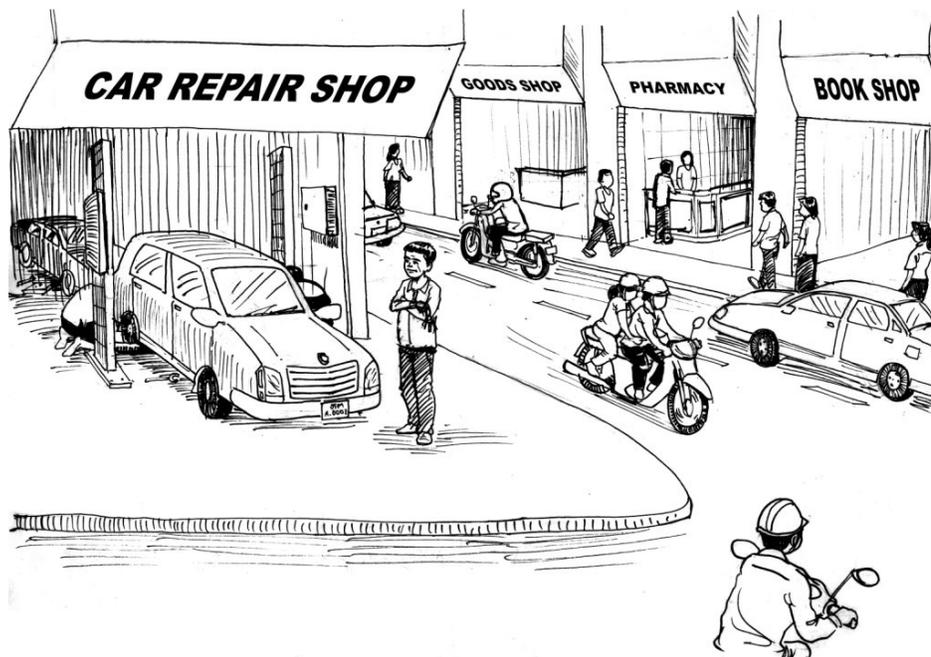
## 7. WHAT SHOULD PEOPLE GET IF THEY LOSE ACCESS TO THEIR BUSINESS, JOBS OR OTHER FORMS OF LIVELIHOOD?

When people are displaced from, or lose access to, their businesses, jobs or other resources that they use for their livelihoods, they lose the income that they would usually earn. They might also lose access to things that they need to survive, such as food sources. The policy requires the Government to compensate and provide support to people who lose their income or livelihood source so that they are able to restart their business or find new ways to earn a living. Until people are able to restore their incomes and livelihoods, the Government must compensate them for any income and other livelihood losses.

### 7.1. BUSINESS OWNERS

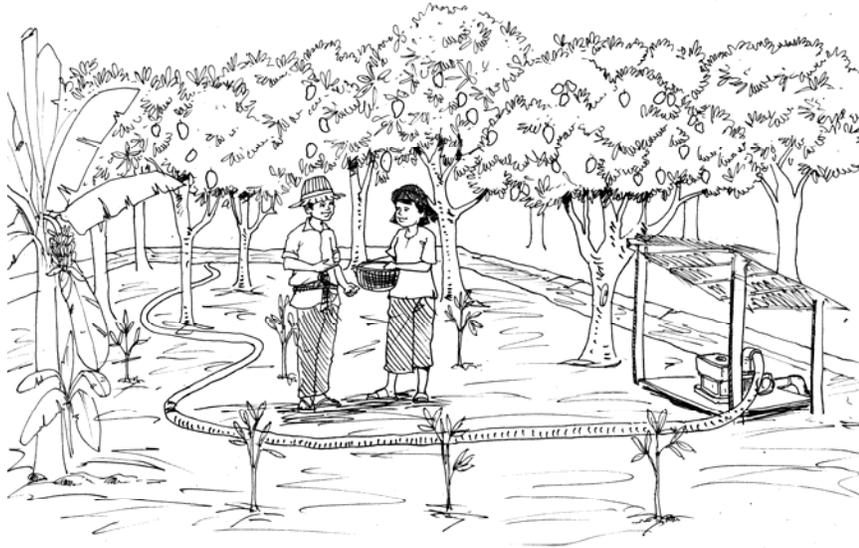
If a business owner can no longer run their business because land is taken or they are displaced because of an ADB-funded project, the Government must pay compensation for any income lost. Business owners in this situation should be paid the amount of income they would usually earn over the period of time that they cannot run their business or earn income.

If someone's shop, stall or other structure or equipment that they use for their business will be destroyed or lost because of the project, they should also get the amount of money they need to move and rebuild their business at a new place.



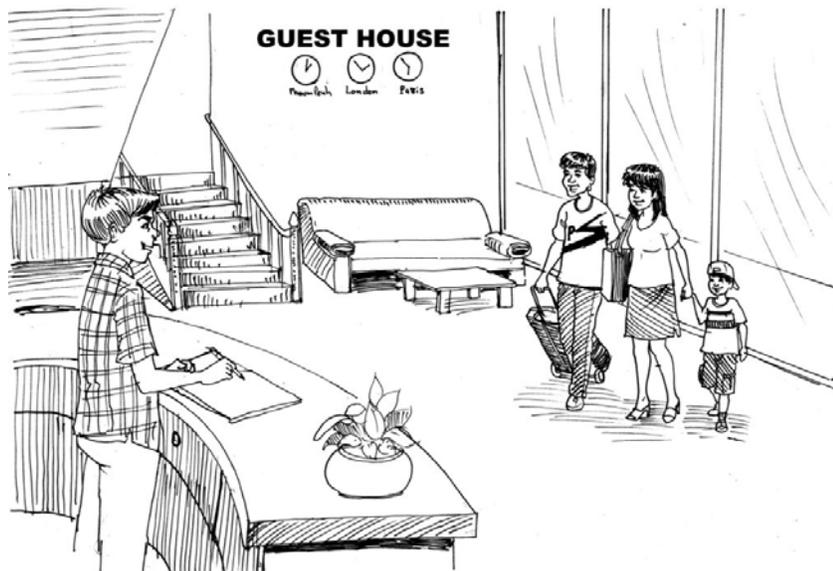
When business owners have titles or possession rights over the land that their business is on, they should also get replacement land or cash compensation. Replacement land must be of equal or greater value as the old land. The amount of cash compensation should be enough to buy alternative land of the same value.

If people have a business on land that they do not have title or possession rights to, they will not get compensation for the land itself. However, if they have built things on the land, grown crops or improved the land in other ways, such as by building irrigation infrastructure, they should get compensated for these things. They should get the amount of money it would cost to replace the things that they have built or grown.



## 7.2. JOBS AND OTHER FORMS OF LIVELIHOOD

If people can no longer continue their jobs or are cut off from other forms of livelihood, the Government must compensate them. The compensation is the amount of money that equals what is lost. For example, if someone loses their job and will not be able to earn money for six months, the Government should give them the amount of money that they would usually earn for six months.



If someone loses access to a forest where they usually find food, or a river where they usually catch fish to sell or eat, they should be compensated so that they can continue to eat and feed their families until they have found a new way to support themselves.



## LESSON 6 – COMPENSATION FOR LOSS OF LIVELIHOODS

**AIM:** Participants will know what people should get if they lose access to their business, jobs or other forms of livelihoods. They will understand how to work out the amount of compensation that people should get.



**MATERIALS:** Whiteboard or flipchart, markers, Handout 1, 2 and 3.

**METHOD(S) USED:** Class discussion, group work, role-plays.

Procedure	Time Frame (in minutes)
1. Introduce the information in Section 7 (including 7.1 and 7.2)	25
2. Explain the exercise	5
3. Groups prepare role-plays	20
4. Role-plays and discussion	20
5. Debrief	10
<b>Total:</b>	<b>80</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTION 7:

**Section 7** - It is important that participants understand:

- That business owners who can no longer continue their business because land is taken or they are displaced because of an ADB-funded project should be compensated for any income lost.
- That business owners whose shops, stalls or equipment are lost or destroyed because of an ADB-funded project should get the amount of money they need to move and rebuild their business.
- That business owners who have a title or possession rights over the land that their business is on should get replacement land or cash if the land is taken for the project.
- All business owners should get compensated for any structures, trees, crops or other improvements they have made to the land.
- People who can no longer continue their jobs or who are cut off from other forms of livelihood should be fully compensated for lost income or other resources.

### 2. EXPLAIN THE EXERCISE:

- Explain that the participants will be divided into three groups. Each group will be given a story. They should discuss the story and what compensation the people in the story should get for losing their business or income. The groups should prepare a role-play about the story showing what they will lose and the compensation they should get.
- The role-plays should be only a few minutes long.
- The groups will have 20 minutes to prepare their role-plays.

### 3. GROUP PREPARE ROLE-PLAYS:

- Give each group one of the stories in Handout 1, 2, or 3.
- Move around the groups and make sure that everyone understands their task.

#### 4. ROLE-PLAYS AND DISCUSSION:

- Invite each group to perform their role-plays.
- Ask the other participants if they can explain what was happening in the role-play. What is the compensation that the people in the story should get and why?
- If the participants are unclear about what happened, ask someone in the group who presented to explain what happened or read out the story. They should also explain how they worked out the amount of compensation the people in the story should get. If they do not get the correct answer, you should help them with the suggested answers below.

##### Suggested answers:

##### Virak's story:

- Virak owns the land and shop, so he should get \$10,000 in compensation to replace it.
- He should also get the \$2,000 that he needs to move all of his equipment and get the new shop ready.
- Because he will not be able to earn his usual income of \$500 each month for the three months that it will take to move his business, he should be compensated \$1,500 for the loss of income.
- In total, Virak should be given \$13,500 in compensation.

##### Sam Ath and Sokha's story:

- Sam Ath and Sokha do not own their land because they settled there in 2002, after the Land Law was passed. They are not entitled to compensation for the land.
- They are entitled to the value of their trees, which they estimate is about \$3,000.
- They are also entitled to the value of the irrigation system that they built, which is about \$300.
- Sam Ath and Sokha earned \$1,500 last year, or about \$125 each month, from their farm. Until they are able to start a new farm or find a new way to earn money, they will not be able to make this income. They should be compensated for this loss of income over the period of time that they are not earning any income.
- In total, Sam Ath and Sokha should get about \$3,300 in compensation and they should also be compensated \$125 each month until they can start earning money again.
- The Government could provide replacement land to Sam Ath and Sokha so that they can plant new crops and start earning money again soon.

Leng's story:

- Leng usually earns \$100 each month at his job at the guesthouse. If he cannot continue his job because he had to move far away he should get compensated for his loss of income over the period of time that he is not earning money.
- If the Government found a closer resettlement site, Leng would be able to keep his job and they would not have to compensate him for loss of income. If the resettlement site is far away, the Government could provide free or affordable transport for Leng and others to get to their jobs in the centre of Phnom Penh every day.

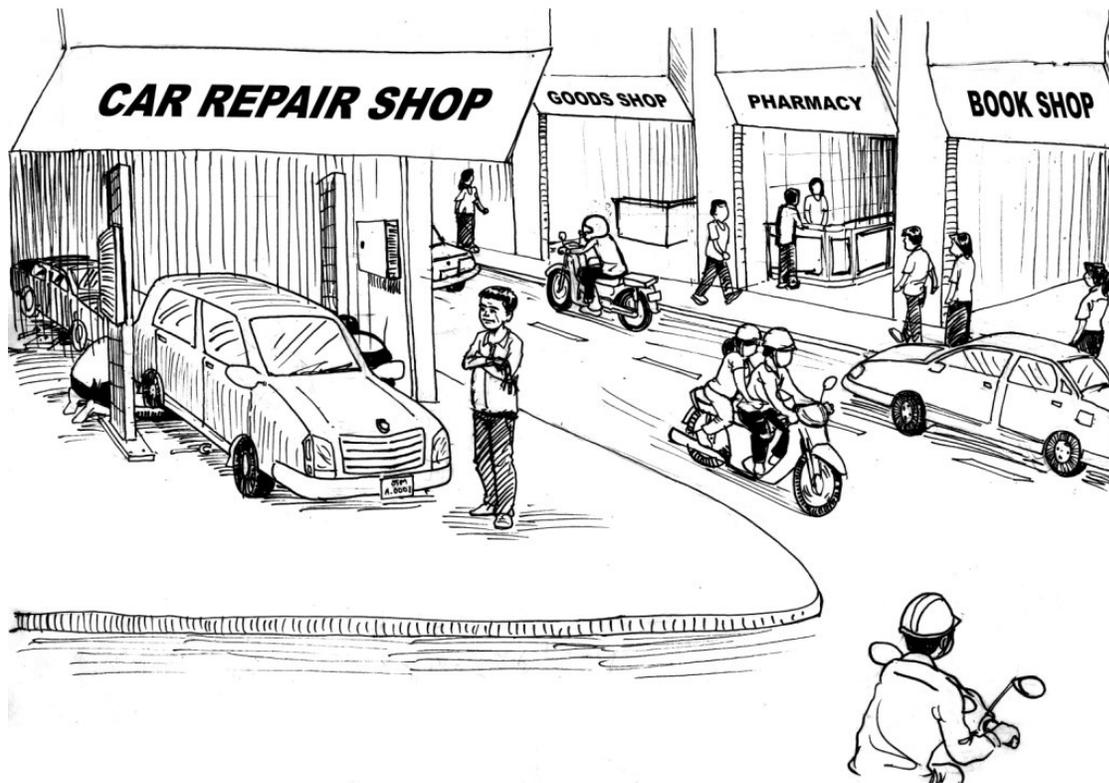
## 5. DEBRIEF:

- Ask the participants if they think the ADB policy on compensating for people who lose access to their business or jobs is fair. If the right amount of compensation is given, do they think that this would prevent them from becoming poorer if they lose access to their jobs or businesses?
- How long should the government keep paying compensation for lost income?
- Do people need other types of support to make sure they can continue their jobs or start new businesses and make sure their living standards do not become worse?
- You can explain that they will discuss this question more in the next lesson.

## HANDOUT 1 – LESSON 6

### Virak's Story:

Virak has a mechanic shop on a busy road in central Sihanoukville. He has some equipment that he uses to fix cars. He owns the land that the shop is on and has a successful business. He usually earns about \$500 each month for fixing people's cars and motors.



Now someone from the Government comes to tell him that they are widening the road and will need to take the land near the road including where his business is. He is told that the ADB is funding the road project.

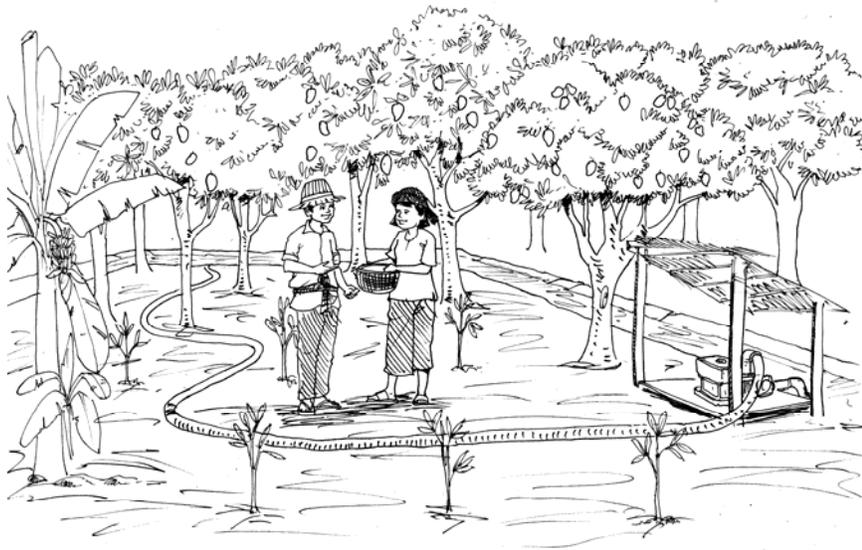
Virak is not happy because his business is successful and he does not want to lose his customers. He will need to find another place nearby so that he can continue his business and his customers will keep coming to him. He looks around and finds out that he can buy a similar plot of land with a shop nearby for **\$10,000**. It will cost him about **\$2000** to move his equipment to the new shop. It will also take about **three months** to move and get the new shop ready. He is concerned that he won't be earning the usual **\$500 a month** during the time it takes to move and restart his business.

- What amount of compensation should Virak get?
- Prepare a role-play about Virak's story and the conversations he has with the Government representative about compensation.

## HANDOUT 2 – LESSON 6

### Sam Ath and Sokha's Story:

Sam Ath and Sokha found an empty piece of land in Oddar Meanchey in 2002. They began farming the land and built an irrigation system that pumps water to their farm from a nearby river. They started a small fruit tree plantation, with mango, jackfruit and banana trees.



Now, someone from the Government has come to tell them that they are building a large dam in the area and that Sam Ath and Sokha's land will be needed for the project. They are told that the ADB is funding the project.

The Government official tells Sam Ath and Sokha that they do not own the land because they moved onto it 2002 and it belongs to the State.

Sam Ath and Sokha calculate that their trees are worth **\$3,000**. The materials for the irrigation system cost them about **\$300**.

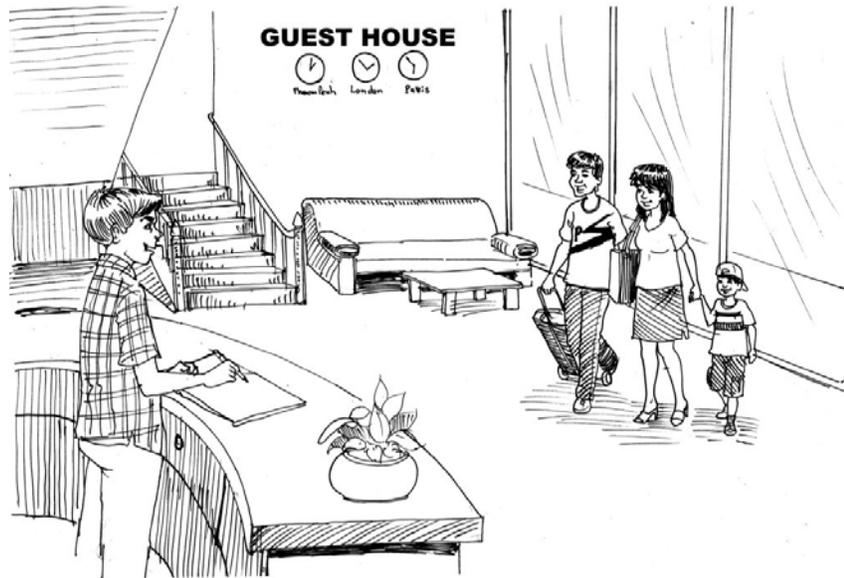
They earned about **\$1,500** last year selling their jackfruit, mangos and bananas at the market. Once they have to leave the farm, they won't be able to earn this money until they can buy a new farm and grow new crops again or find another way to earn money.

- What amount of compensation should Sam Ath and Sokha get for their farm and loss of income? (Remember, they are not owners of their land.)
- What other kind of support would help Sam Ath and Sokha restart their business?
- Prepare a role-play about Sam Ath and Sokha's story and the conversations they have with the government representative about compensation.

## HANDOUT 3 – LESSON 6

### Leng's Story:

Leng lives and works in the centre of Phnom Penh. He works at a guesthouse. He enjoys working with the tourists who usually come from overseas. He earns \$100 each month at the guesthouse.



Leng lives along the Mekong river. He goes home one night and his wife tells him that someone from the local authorities came to tell her that they have to move because the land they live on is needed to build a bridge to link to two main roads. The ADB is funding the project. Because all the land along the river is State land, they will not get compensation for the land. However, they will be given land and a house at a resettlement site but it will be far away.

Leng is worried because he will not be able to get to the guesthouse every day to work. It would cost him too much to travel to the centre of Phnom Penh from the resettlement site.

Leng and his wife go to meet the local authorities. The commune chief says that the Government will help him find a new job near the resettlement site and that he can get some compensation until he finds a new job. Leng feels a bit better but is still not happy because they will have to move far away and he will not be able to continue his job, which he enjoys.

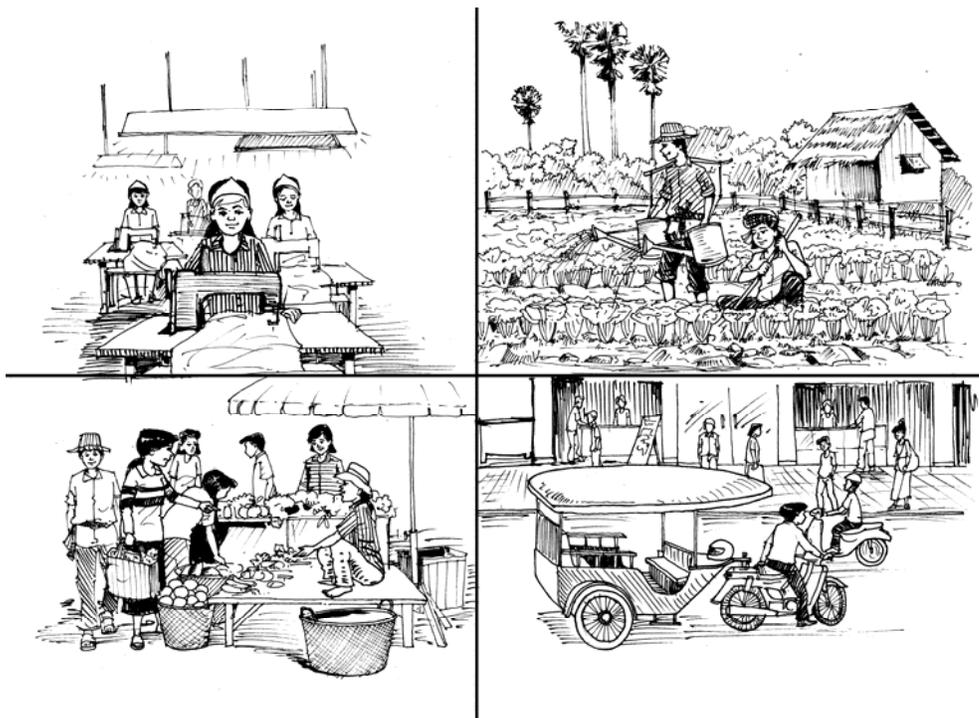
- What amount of compensation should Leng and his wife get for his loss of income if they have to move and he can't continue his job?
- Can you think of any ways that the Government might be able to help Leng to keep his job?
- Prepare a role-play about Leng's story.

## 8. LIVELIHOOD SUPPORT

When people are displaced from, or lose access to, their business, jobs or other livelihood sources because of an ADB-funded project, the Government must provide support so that people's income levels and living standards are restored. This means that people should be supported so that their income and standard of living are the same or better than before they were displaced by the project.

**Livelihood support** means helping people so that they can find ways to earn a living and provide themselves and their families with everything they need to live, such as food, water, housing, healthcare and education. To do this, people must have access to jobs, farmland, markets, or access to other resources they need to start small businesses. They must also have an opportunity to develop the skills that they need to be successful.

For vulnerable people, such as those who are very poor, the Government must provide special support so that they can improve their incomes and livelihoods.



Livelihood support could mean helping someone start or improve their own business by providing training in the skills that they need or helping them access resources. For example, it could mean providing someone with training to improve their farming skills or helping them to buy better seeds, fertilizer or machinery. The ADB policy says that support could include things like **access to credit**, training or job opportunities.



*Here, people are being trained to be tailors.*

Having access to credit means being able to borrow money. People often need access to credit so that they can improve their own housing, buy seeds to grow crops, or start small businesses. Making sure people have access to credit means that they can borrow money that they can afford to pay back in the future, including interest. Interest rates should be low enough so that paying all the money back does not make the family poorer.

For people whose livelihood is based on land, such as farmers, an important way for the Government to restore their livelihood is to help them access alternative land. Whenever alternative land is offered, it should be good quality and in a suitable location. For example, if an affected family earns their livelihood from growing rice, the Government could give them access to alternative land that is suitable for rice farming close to the place where they live.

## **9. SHARING BENEFITS FROM THE PROJECT**

The ADB policy also encourages the Government to find ways for people who are displaced by an ADB-funded project to benefit from the project itself.

For example, people who will be displaced could be offered jobs that are created by the project. If the aim of a project is to build or improve irrigation infrastructure, people who will be displaced could be moved to other land nearby that is benefitting from the improved irrigation. If a dam is being built to generate electricity, people who are being displaced for the dam could be given access to the electricity at a low cost at their new homes.



## LESSON 7 – LIVELIHOOD SUPPORT

**AIM:** Participants will know that the Government must provide livelihood support when people's livelihoods are affected by an ADB-funded project. They will understand what livelihood support is and will have an opportunity to think about what type of support they would find helpful. They will also think about ways that people who are displaced by a project can share the benefits of the project.



**MATERIALS:** Whiteboard or flipchart, markers.

**METHOD(S) USED:** Class discussion, brainstorm.

Procedure	Time Frame (in minutes)
1. Introduce the information in Sections 8 and 9	25
2. Planning for livelihood support	30
3. Discussions about livelihood support plans	15
4. Discussion about credit	10
5. Debrief about entitlements	15
<b>Total:</b>	<b>95</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTIONS 8 AND 9:

- Start the lesson by asking a few participants what their jobs or livelihoods are? What do they do to earn a living? Then ask if they will be able to continue these jobs or livelihood sources once they are resettled. Will it be harder to earn income and make a living?
- After a few participants have responded, introduce the information in Sections 8 and 9.

**Sections 8 and 9** - It is important that participants understand:

- That the Government must provide support so that people's incomes will be restored and livelihoods will be improved or at least not be made worse.
- What livelihood support is and some examples of livelihood support.
- What access to credit means.
- That a good way to restore the income of people with land-based livelihoods is to give them access to suitable alternative land.
- That the safeguards also encourage the Government to find ways for people who are displaced by an ADB project to benefit from the project itself.

### 2. PLANNING FOR LIVELIHOOD SUPPORT:

- Explain that the participants will now have an opportunity to think about what sort of livelihood support they would like to get so they can increase their income and improve their standard of living.
- The participants should work in groups of three and each member of the group should share their ideas for livelihood support with the others. If they cannot think of any ideas for support, they should explain what they currently do to earn a living and the other members of the group can help them think of ideas for support. The group may want to develop one idea and plan for the whole group or each member of the group may want to develop their own plan. The group members should be from the same community if possible.
- The groups can think of a plan to improve what they are already doing to make a living or it may be a plan for a new business idea.
- For example, one group may decide that they would like support to start a clothes tailoring business. They could make a plan that shows that they need sewing training and a small loan to buy a sewing machine and some material. Another group might make a plan to raise chickens and think of all the support they need to do so.

- Encourage them to be specific. For example, instead of just saying that they would like training, ask them to think about what skills or information they would find helpful. Instead of just saying that would like access to credit (borrow money), ask them to think about what they would do with the money and how they would make sure they can pay it back.
- Give the groups 20 minutes to work.

### **3. DISCUSSIONS ABOUT LIVELIHOOD SUPPORT PLANS:**

- Once the groups have had enough time to plan, invite a few of them to explain their ideas to the rest of the class. They should explain what sort of support they would like to get and what it would help them to do.
- Ask the other participants if they have any comments or ideas for the group to help them improve their plan.
- Tell the participants that if they develop clear plans about the livelihood support they would like to receive they can present these plans to the Government and the organization in charge of providing livelihood support.

### **4. DISCUSSION ABOUT CREDIT:**

- Ask the participants if anyone has borrowed money before and had to pay it back with high interest.
- Did they have trouble paying back the money? What would happen if they could not pay the money back? Have they heard stories of other people not being able to pay back money that they borrowed?
- Point out that while having access to credit can be helpful to start or improve a business it is important to be careful when you borrow money. It is important to make sure you do not borrow too much and can make sure that you can pay it back, including the interest. It is also important to find out what will happen if they cannot pay back the money.
- They could also think of other ideas, such as community savings groups, instead of borrowing money from outsiders.

### **5. DEBRIEF ABOUT ENTITLEMENTS:**

- You can use this time to debrief about all the information about people's entitlements under the ADB Involuntary Resettlement Safeguard Policy.

- What do the participants think about the entitlements under the ADB policy? Do they think they are fair?
- Do they think the Government will respect the policy?
- How can they try to make sure that the Government respects the policy and provides them with the compensation, resettlement and support they are entitled to?
- Explain that now that they know about what the ADB policy says about people's entitlements, they can monitor what the Government is doing and check that it is correct.
- Explain that in the next few lessons they will discuss what information the Government must give them about the project, its impacts, compensation and resettlement. They will also discuss how they can get involved in giving their opinions and expressing their concerns about all of these things.

# INFORMATION AND CONSULTATION

## OUTCOMES

After completion of this module, participants will:

1. Know that the Government must inform and consult people.
2. Know what information must be made available by the Government and the ADB.
3. Understand that the information must be accessible to people who will be affected.
4. Know what information in the resettlement plan they should check.
5. Understand what meaningful consultation involves.
6. Know who must be consulted.
7. Know when the Government must consult people.

## 1. THE GOVERNMENT’S DUTY TO INFORM AND CONSULT PEOPLE

People who will be displaced by an ADB-funded project have the right to be informed about the project, how they will be affected and their entitlements and options. The Involuntary Resettlement Safeguard Policy says that the Government must *inform* people about these things and must make certain important information and documents available to people.

The policy also says that the Government must give *options* to people who will be displaced and *consult* them about their choices for resettlement and compensation.

This means that people have a right to make informed choices about the support and assistance that will best help them continue or improve their livelihoods and living standards.

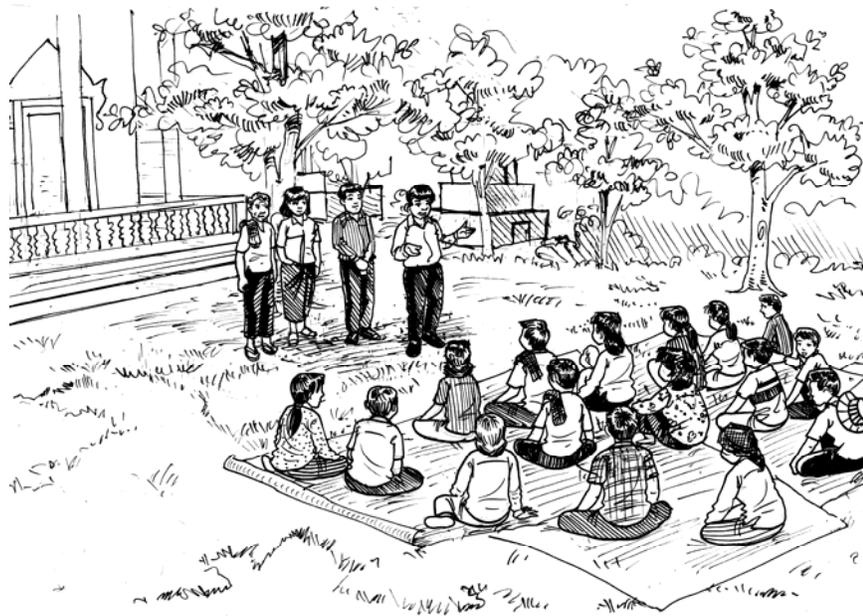


### GETTING INFORMED AND ACTIVELY PARTICIPATING IN CONSULTATIONS

You have the right to be informed and consulted about how you will be affected by a project and your entitlements and options. The Government must inform and consult you.

It is very important to demand access to information so that you understand your entitlements and options. It is also very important to actively participate in consultations about your options for resettlement and compensation.

Doing these things can help you get the support and assistance that you need to improve, or at least maintain, your livelihoods and living standards so that you are not harmed by displacement.



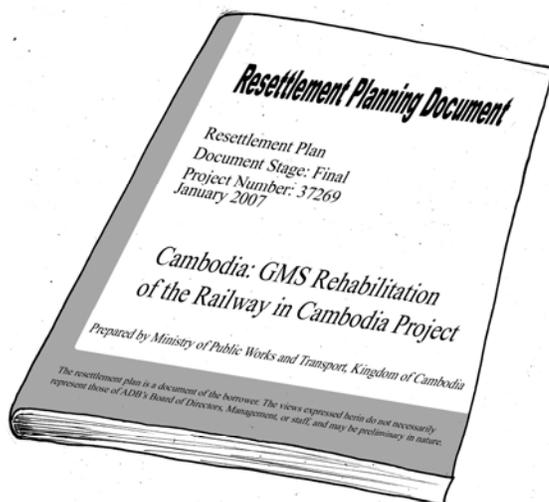
If the Government does not make particular information available or does not consult people meaningfully, this is a violation of the ADB policy. The things you can do to make the Government and the ADB accountable if they do not respect the policy are discussed in later sections.

## 2. WHAT INFORMATION MUST BE MADE AVAILABLE?

The Government must make sure that people who will be displaced by a project know that they will be affected and are informed about and understand what they are entitled to and what their options are for compensation and resettlement.

The Government must prepare a **resettlement plan** for any ADB-funded project that will cause displacement. The **Inter-Ministerial Resettlement Committee (IRC)** is responsible for preparing and implementing resettlement plans for ADB-funded projects in Cambodia. The purpose of a resettlement plan is to explain the details of how the Government will make sure that people who will be displaced by the project will get the things that they are entitled to under the ADB policy.





The IRC must make the resettlement plan available to the public and especially to people who will be affected by the project. Both a draft and final resettlement plan must be made available. The difference between a draft and final resettlement plan is discussed in section 6.



The resettlement plan contains very important information so it is important for communities that will be affected by a project to understand what it says. The IRC has a duty to make sure that people who are affected are informed about what the resettlement plan says. If the IRC has not given you a copy of the resettlement plan and explained what it says, you have the right to demand that they do.

<b>WHAT INFORMATION IS IN A RESETTLEMENT PLAN?</b>
<p>A resettlement plan sets out important information about:</p> <ul style="list-style-type: none"> <li>• The project;</li> <li>• The land that will be needed for the project, including maps;</li> <li>• The displacement it will cause;</li> <li>• Who will be displaced by the project and what the impact on their lives will be;</li> <li>• How the Government will make sure that people are informed and consulted;</li> <li>• What people, who will be displaced, are entitled to;</li> <li>• Options for relocation and resettlement sites; and</li> <li>• Livelihood support and assistance programs.</li> </ul> <p>All of this information must be made available to the public and especially to people who will be affected by the project.</p>

The IRC also has a duty to report to the ADB about the implementation of the resettlement plan and it must make these reports available to the public.

### 3. INFORMATION MUST BE ACCESSIBLE

A resettlement plan can be a complex document and quite difficult to read and understand. Many people who are affected by an ADB-funded project may not be able to understand what the resettlement plan says and how it affects them.

The IRC has a duty to make the information in the resettlement plan **accessible** to people who will be affected by the project. This means that the information must be explained in a way that people can understand and in a language that they can speak.

It will not usually be enough to just hand out copies of the resettlement plan, especially if people cannot read. The IRC must make sure people understand the information by doing things such as organizing community events to explain and discuss the plan, using illustrations, photographs, videos or organizing visits to potential resettlement sites.

If there are individuals or groups that speak a different language, such as indigenous groups, the Government must make sure that the information is explained to them in a language and form that is suitable for them.



### 4. CHECKING THE INFORMATION IN A RESETTLEMENT PLAN

It is important to check that you are happy with the information in the resettlement plan. It is also important to check that it respects the Involuntary Resettlement Safeguard Policy.

This means that you should find out whether you have been identified as someone who will be displaced by the project and are included in the resettlement plan for the project.

You should also check that the entitlements that you will get under the resettlement plan meet the standards in the safeguards.

### WHAT INFORMATION SHOULD YOU CHECK IN A RESETTLEMENT PLAN?

It is important to check the following information in a resettlement plan:

- That you will get enough compensation so that you can fully replace what you will lose.
- That, if you will be resettled, you are happy with the location of resettlement sites that are listed in the resettlement plan.
- That, if you are resettled, you will have security of land tenure at the site.
- That the housing and services that will be provided at the resettlement site are adequate.
- That you are happy with the livelihood support that will be offered and you are satisfied that you will not be made worse off.

If you are concerned about any of the information in the resettlement plan, you should raise your concerns with the IRC as soon as possible. Other things you can do if you have concerns with the resettlement plan are discussed in later sections.



## LESSON 8 –MAKING INFORMATION ACCESSIBLE

**AIM:** Participants will know that the ADB policy requires the Government to inform and consult people about their entitlements and resettlement in a way they can understand. Participants will know what a resettlement plan is and what information they should check in the resettlement plan.



**MATERIALS:** Whiteboard or flipchart, markers, the resettlement plan for the project that participants are being affected by (if possible).

**METHOD(S) USED:** Class discussion, brainstorm.

Procedure	Time Frame (in minutes)
1. Brief discussion about information and consultation	10
2. Introduce the information in Section 1	15
3. Brainstorm about project information	10
4. Introduce the information in Section 2	15
5. Pass around resettlement plan (if possible)	5
6. Introduce the information in Section 3	10
7. Brainstorm and discussion about accessible information	20
8. Introduce the information in Section 4	15
9. Debrief	10
<b>Total:</b>	<b>110</b>

## INSTRUCTIONS TO FACILITATOR

### 1. BRIEF DISCUSSION ABOUT INFORMATION AND CONSULTATION:

- Start the lesson by asking the participants if they have received any information about the project affecting them, their entitlements or the resettlement plans? If they have, ask what information they have received and who they got it from.
- Next, ask the participants if they have been asked for any information about their own situation by the Government. Have they been asked for their opinions or ideas about the project or about how it will affect them? Have they been given any options about compensation or resettlement and been asked about their choices or views?
- After a few minutes of discussion, introduce the information in section 1.

### 2. INTRODUCE THE INFORMATION IN SECTION 1:

**Section 1** - It is important that participants understand:

- That the Involuntary Resettlement Safeguard Policy says that the Government must inform and consult people about the project, how they will be affected and what their entitlements and options are.
- That people have a right to make informed choices about the support and assistance that will best help them continue or improve their livelihoods and living standards.

### 3. BRAINSTORM ABOUT PROJECT INFORMATION:

- Ask the participants what information they would like to find out about the project and its impacts on them. What questions would they like to ask the Government or the ADB about how they will be affected or their entitlements?
- Write the questions that the participants have, and information they would like to find out, on the whiteboard or flipchart.

#### 4. INTRODUCE THE INFORMATION IN SECTION 2:

**Section 2** - It is important that participants understand:

- That the Government must prepare a resettlement plan for any ADB-funded project that will cause displacement.
- What a resettlement plan is.
- That the resettlement plan must be made available to the public and especially to people who will be affected by the project.
- What information is in a resettlement plan.

#### 5. PASS AROUND RESETTLEMENT PLAN

- If you were able to get a copy of the resettlement plan for the project that the participants are affected by, hold it up and pass it around so that the participants can look at it. (If you could not get a copy of the resettlement plan, you can skip this activity and just explain the last point.)
- Ask the participants what they think about the resettlement plan. Do they think it looks easy for people to understand? If you could only get the English resettlement plan, most people will not be able to read it. If you could get the plan in Khmer it is probably still difficult to understand!
- Explain that a resettlement plan can be a complex document and quite difficult to read and understand. Many people who are affected by an ADB-funded project may not be able to understand what the resettlement plan says and how it affects them.

#### 6. INTRODUCE THE INFORMATION IN SECTION 3:

**Section 3** - It is important that participants understand:

- That the Government has a duty to make the information in the resettlement plan accessible to people who will be affected by the project.
- That making information accessible means that it is explained in a way that people can understand and in a language that they can speak.
- The things the Government can do to make sure people understand the information.
- If there are individuals or groups that speak a different language, such as indigenous groups, the Government must make sure that the information is explained to them in a language and form that is suitable for them.

## 7. BRAINSTORM AND DISCUSSION ABOUT ACCESSIBLE INFORMATION:

- Ask the participants to think about different ways that complex information, like the resettlement plan, can be made accessible to people. Encourage the participants to think about creative ways that they would like information to be presented to them.
- You can ask: What are the things the Government should do to make sure that you understand how you will be affected by a project and the information in a resettlement plan?
- Encourage the participants to share their ideas. Write their ideas on the whiteboard or flipchart.

## 8. INTRODUCE THE INFORMATION IN SECTION 4:

**Section 4** - It is important that participants understand:

- That it is important to check that the resettlement plan respects the Involuntary Resettlement Safeguard Policy.
- What information they should check in a resettlement plan.

## 9. DEBRIEF:

- Ask the participants if they feel that they have had access to the important information about the project, such as the resettlement plan. Has the IRC done a good job at making the information accessible?
- If not, would they like to do something to get the information? What ideas do they have to try to get the information that they want?
- You can suggest that they can send a letter to the IRC and the ADB with a list of their questions and the information that they want about the project. The letter can also include their suggestions for how they would like the information to be presented to them.

## 5. WHAT IS MEANINGFUL CONSULTATION?

The Government must make sure that affected people and other groups are meaningfully consulted about the project and its impacts. The Government must also meaningfully consult people about compensation, resettlement options and other kinds of support and assistance to make sure people's lives are not made worse by the project.

- Meaningful consultation happens when people are fully informed and they have an opportunity to express their views and have their questions answered. It means that people's concerns are addressed and their ideas are taken into account when decisions are made.
- Meaningful consultation happens when people who will be affected have an opportunity to influence the resettlement plan from early on and the way it is implemented.
- Meaningful consultation happens when people do not feel scared or pressured by government representatives or anyone else and can express their views and ask questions freely.
- Meaningful consultation happens when women's voices are heard and they are active participants in discussions.
- Meaningful consultation happens when vulnerable and disadvantaged groups, such as Indigenous Peoples,<sup>6</sup> the elderly, children, people who are landless and people without land title, have a special opportunity to have their concerns heard and addressed.



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<sup>6</sup> There are special safeguards for indigenous peoples who will be affected by an ADB project. Indigenous people who may be displaced by an ADB project should find out information about those safeguards.

## 6. WHO MUST BE CONSULTED?

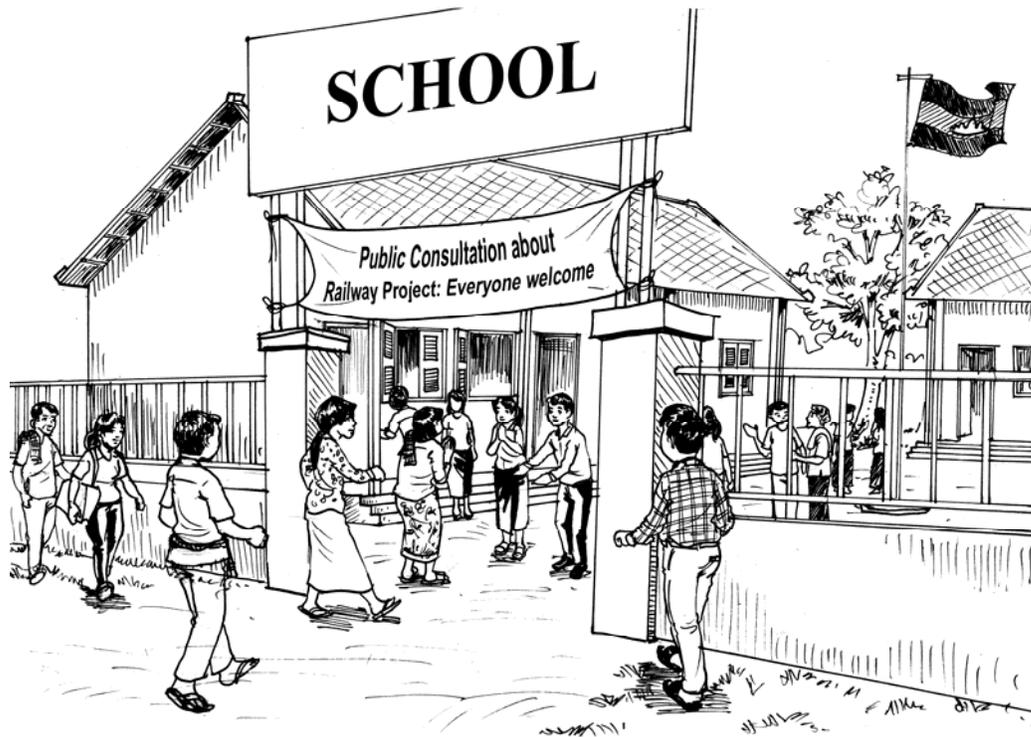
The safeguards say that the Government must consult:

- *People who will be affected by the project.* This means that people who will be displaced from or lose access to their homes, land, businesses, jobs, or other resources they use for livelihoods must be properly consulted. Special attention must be given to women, and to vulnerable and disadvantaged groups, such as Indigenous Peoples, the elderly, children, people who are landless and people without land title, to make sure they have an opportunity to express their views and concerns and have them taken into account.
- *The communities that already live in areas where people will be resettled.* They should be consulted in order to listen to their views and concerns about how they will be affected when new people move to their area. They should also be consulted about how they can benefit from new programs and services in the area, such as livelihood assistance. Involving these communities in the consultations and finding ways for them to share benefits helps to make sure that they will live peacefully with the families that will be resettled in their village.
- *Other communities, networks or NGOs* that are interested and want to contribute to the discussion.

## 7. WHEN MUST THE GOVERNMENT CONSULT PEOPLE?

Meaningful consultation is an ongoing process that begins early on when the Government and the ADB decide to do a project together.

People, communities, networks and NGOs should firstly be consulted about *the project itself*, including the reasons for the project and how it will be implemented. If people have serious concerns about the negative impacts of a project, such as harm that it will cause to people or the environment, the Government and the ADB should take these views into account in deciding whether or not to continue with the project. It should also consider ideas about how they can implement the project in a way that avoids and minimizes displacement.



If it is decided that the project will continue and if it will cause displacement, the ADB policy says that the Government must consult people about how to make sure people's lives are not made worse off. The Government must take people's ideas, opinions and concerns into account when it designs the *first draft of the resettlement plan*.

After the Government finishes the draft resettlement plan, it must make it available to the public and make sure that affected people understand how it affects them. The Government must then get people's opinions about the draft plan and take these into account in making a *final resettlement plan*.

The Government must give people options for resettlement and consult people about their *choices for resettlement and compensation*. The Government must also consult people to get their views about how the resettlement plan should be implemented.

## LESSON 9 – WHAT IS MEANINGFUL CONSULTATION?

**AIM:** Participants will understand what meaningful consultation means. They will know whom the Government must consult and when they must be consulted.



**MATERIALS:** Whiteboard or flipchart, markers, Handouts 1- 4.

**METHOD(S) USED:** Class discussion, group work, role-play simulation.

Procedure	Time Frame (in minutes)
1. Introduce the information in Section 4	15
2. Brief discussion about consultation	10
3. Introduce the information in Sections 5 and 6	15
4. Explain the exercise	5
5. Groups prepare	20
6. Consultation meeting	20
7. Debrief	15
<b>Total:</b>	<b>100</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTION 4:

- First ask the participants for their views about what meaningful consultation means. Encourage a few participants to share their views.

#### **Section 4** - It is important that participants understand:

- That the Government must make sure that affected people and other groups are meaningfully consulted about the project and its impacts.
- That the Government must also meaningfully consult people about compensation, resettlement options and other kinds of support and assistance.
- The definition of meaningful consultation.

- It is a good idea to write the definition of meaningful consultation on a flipchart and stick it up so that everyone can see it during the rest of the lesson.

### 2. BRIEF DISCUSSION ABOUT CONSULTATION:

- Ask the participants if they have ever been involved in a meaningful consultation, where they felt that their views and ideas were being listened to and taken into account. If so, ask them to explain what happened during the consultation.
- Ask participants if they feel that they have been meaningfully consulted about the project that is affecting them. If so, why? If not, why not? Encourage participants to share their experiences.
- Have any participants been pressured to move and accept inadequate compensation or resettlement? Explain that if people feel pressured or intimidated this is a very serious violation of the ADB policy and their rights.

### 3. INTRODUCE THE INFORMATION IN SECTIONS 5 AND 6:

#### **Sections 5 and 6** - It is important that participants understand:

- Who the Government must consult.
- When the Government must consult people.

#### 4. EXPLAIN THE EXERCISE:

- Explain that the participants will now have a chance to prepare for and then practice a consultation meeting about the project that is affecting them.
- The participants will be divided into groups. All groups except one will play the role of community members who will be affected by the project. These groups should prepare for the consultation by discussing what questions they would like to ask the government officials at the meeting and what information they want. They can also make a list of concerns they would like to raise.
- One group will play the role of government officials from the IRC. This group will have to explain the impacts of the project, people's entitlements and answer the community's questions. Explain that the facilitators will work with this group to help them prepare.
- The groups will have 20 minutes to prepare for the consultation and then they will all come together for the consultation meeting.
- The groups should think about the definition of meaningful consultation while they work and during the consultation meeting.

#### 5. GROUPS PREPARE:

- Divide the participants into four groups. One of the groups should be all women.
- Give each group one of the instructions in Handout 1, 2, 3 and 4. (Make sure the women's group gets the instructions for women.)
- Move around the groups and make sure that everyone understands their task and has enough flipchart paper to write their plan.
- Check that someone can read in each group and if not, read the instructions out to them.
- The facilitators should work with the group that is playing the role of government officials and help them develop their plan for giving information and answering people's questions.

## 6. CONSULTATION MEETING:

- Call all the groups in to start the consultation meeting.
- You should act as the facilitator of the discussion and make all groups have a chance to speak. The group playing the role of the government officials should explain the information and answer people's questions. Make sure each community group has a chance to ask questions, share their views and raise concerns.
- Allow the meeting to continue for 20 minutes and then ask everyone to return to their seats.

## 7. DEBRIEF:

- Ask the participants what they think about the consultation meeting. Was it a meaningful consultation? Did all community groups – especially women and vulnerable groups – feel that they had a chance to ask questions, share views and raise concerns?
- What did the group playing the role of the government officials think about the consultation meeting?
- Was this pretend consultation meeting similar or different to the real consultation meetings they have been to about the project that is affecting them? In what ways was it different?
- If it is appropriate for their case, you can suggest that they can send a letter to the IRC and the ADB explaining that they would like to have a consultation workshop to make sure they are meaningfully informed and consulted about the project, their entitlements and compensation and resettlement options. They can even include some of their ideas for how to run a meaningful consultation meeting in the letter.

## HANDOUT 1 – LESSON 9

### INSTRUCTIONS FOR GROUP 1:

Your group will play the role of government officials from the IRC. Your role will be to explain the impacts of the project, people's entitlements and try to answer any of the questions the community members have.

To prepare your group, you should discuss how you will explain:

- The impacts of the project on the community.
- What people are entitled to, such as compensation for their land, homes and businesses.
- Information about the resettlement site, where it is and what will be there.
- What options people have. (For example, can they choose from more than one possible resettlement site?)
- That they will receive livelihood support and what this could involve.

Remember to think about the definition of meaningful consultation.

You will have 20 minutes to prepare and then you will meet the community groups for a consultation.

## HANDOUT 2 – LESSON 9

### INSTRUCTIONS FOR GROUP 2:

Your group will play the role of community members affected by the project.

To prepare your group, you should discuss what questions you would like to ask and what ideas you would like to share. For example, you may have questions or ideas about the following:

- The impacts of the project on the community.
- What you are entitled to, such as compensation for your land, homes and businesses.
- Information about the resettlement site, where it is and what will be there.
- What options you have. (For example, can you choose from more than one possible resettlement site?)
- What other support you will get so you will not be made poorer or worse off.

You can also prepare a list of any concerns that you would like to raise at the meeting.

Remember to think about the definition of meaningful consultation.

You will have 20 minutes to prepare and then you will meet the government officials and other community groups for a consultation.

## HANDOUT 3 – LESSON 9

### INSTRUCTIONS FOR GROUP 3:

Your group will play the role of women in the community affected by the project.

To prepare your group, you should discuss what questions you would like to ask and what ideas you would like to share. You should think about the particular issues for women. For example, you may have questions or ideas about the following:

- The impacts of the project on women in the community.
- What you are entitled to, such as compensation for your land, homes and businesses.
- Information about the resettlement site, where it is and what will be there to make sure that women and children have the things they need.
- What options you have. (For example, can you choose from more than one possible resettlement site?)
- What other support women will get so they are not made poorer or worse off.

You can also prepare a list of any concerns that you would like to raise at the meeting.

Remember to think about the definition of meaningful consultation.

You will have 20 minutes to prepare and then you will meet the government officials and other community groups for a consultation.

### INSTRUCTIONS FOR GROUP 4:

Your group will play the role of vulnerable people in the community affected by the project. For example, your group may have people with disabilities, who are very old or who are particularly poor. You can each play a character who is vulnerable for one of these reasons.

To prepare your group, you should discuss what questions you would like to ask and what ideas you would like to share. You should think about the particular issues for vulnerable people. For example, you may have questions or ideas about the following:

- The impacts of the project on the community.
- What you are entitled to, such as compensation for your land, homes and businesses.
- Information about the resettlement site, where it is and what will be there to make sure that vulnerable people have the things they need.
- What options you have. (For example, can you choose from more than one possible resettlement site?)
- What particular support you will get at vulnerable people so that your lives will improve.

You can also prepare a list of any concerns that you would like to raise at the meeting.

Remember to think about the definition of meaningful consultation.

You will have 20 minutes to prepare and then you will meet the government officials and other community groups for a consultation.

# HOLDING THE GOVERNMENT AND THE ADB ACCOUNTABLE

## OUTCOMES

After completion of this module, participants will:

1. Understand that safeguard policies are not always respected.
2. Understand that there are things they can do to make the Government and the ADB accountable.
3. Know how to monitor the project.
4. Know what they can do locally to try to find a solution.
5. Know that they can use ADB accountability processes to try to find a solution.
6. Understand what the ADB accountability processes are.
7. Understand the limitations of ADB accountability processes.
8. Know that they can use other forms of advocacy to try to find a solution and hold the Government and the ADB accountable.

## 1. SAFEGUARD POLICIES ARE NOT ALWAYS RESPECTED

Although the ADB has policies that should protect people from being harmed by an ADB-funded project, unfortunately sometimes the policies are not properly followed and people are displaced and made worse off.

In some cases, people are not given proper compensation or resettlement even though they are entitled to it. In some cases, they are not supported by good programs and other assistance to ensure that their livelihoods are improved or at least restored.

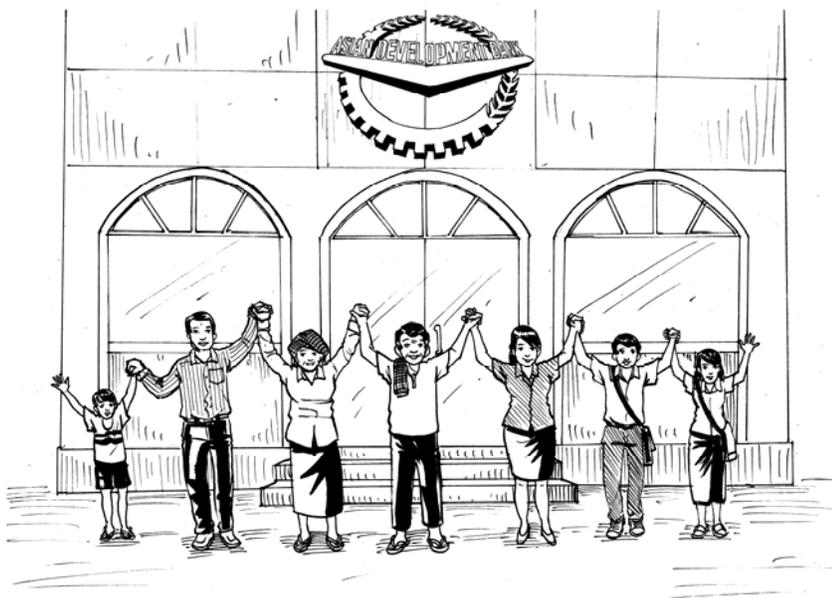
In many cases, people are not informed or consulted meaningfully about the project, its impact and their entitlements and options, even though they have a right to be informed and consulted under the policy. When people who are displaced are not informed and consulted meaningfully, they are often unhappy with the compensation, resettlement and livelihood assistance because their ideas and views about how they can best be supported were not taken into account.



## 2. MAKING THE GOVERNMENT AND THE ADB ACCOUNTABLE

If the safeguard policies are not respected, there are things you can do to make the Government and the ADB **accountable**. “Being accountable” means that if the Government and the ADB fail to respect the policy, they accept responsibility and find a way to stop people being harmed or repair any harm that has been already been caused. If the project will cause serious harm, being accountable could also mean stopping the project from going ahead unless they can ensure that the policy can be respected.

It is up to you and other people who are affected by the project to work together to hold the Government and the ADB accountable by watching carefully, staying informed, participating in consultations and complaining if you have any problems or concerns.



### 3. MONITORING THE PROJECT

To make the Government and the ADB accountable, it is very important to keep informed and **monitor** the project to see if the policy is being properly followed.

#### HOW TO MONITOR THE PROJECT

Monitoring the project involves the following steps:

- Collecting information, talking to people who are affected, participating in consultations and asking questions about the project.
- Carefully watching the things that happen because of the project.
- Thinking about what information is important because it affects you or other people.
- Recording the important information, for example, by writing it down or taking photos.
- Reporting the information at community meetings or to supportive NGOs, so you can all decide what action to take.

It is a good idea to select a few **project monitors** from the communities that are affected. A project monitor is someone who is in charge of taking the steps described above to monitor and report on the project.



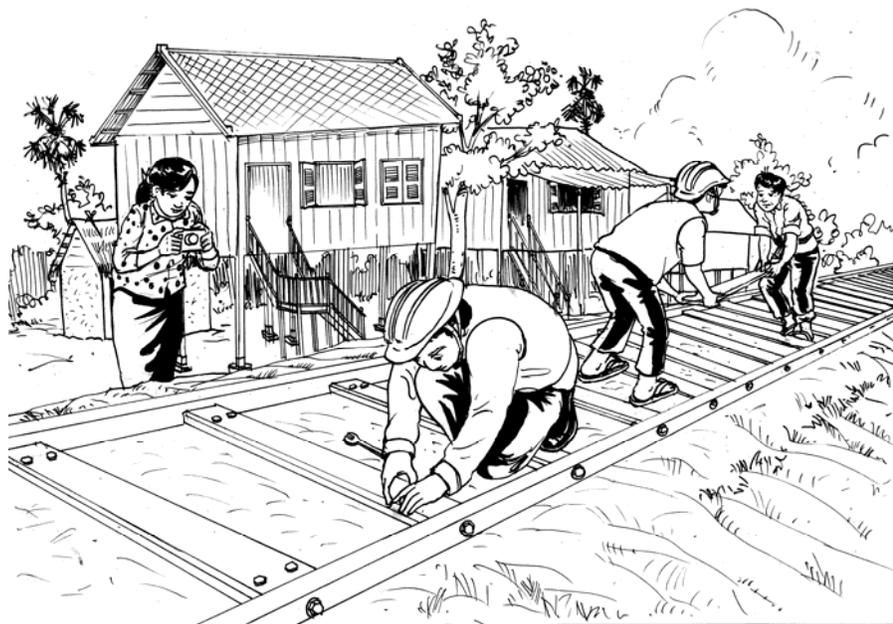
There are four main things that you can monitor to see if the Government and the ADB are respecting the policies:

1. You can monitor to check that the Inter-Ministerial Resettlement Committee (IRC) is giving you all the important *information* in a way that you can understand.
2. You can monitor to see whether the IRC is holding meaningful *consultation* meetings.



3. You can check the resettlement plan to make sure that the *compensation* and *resettlement* options respect the safeguard policy and that there are good plans for *livelihood support* and sharing the project benefits.
4. You can also monitor *the way the resettlement plan is implemented* and check that the IRC is doing things properly and according to the plan.

Using the information that you record from monitoring the project, you and others who are affected by the project can demand that the Government and the ADB are accountable when the safeguard policies are not respected. Some of the actions you can take are discussed in the next sections.



## LESSON 10 – MONITORING THE PROJECT

**AIM:** Participants will know that there are things they can do if the ADB policies are violated to hold the Government and the ADB accountable. They will understand what “being accountable” means. Participants will know how to monitor a project and what types of things are important to monitor.



**MATERIALS:** Whiteboard or flipchart, markers, Handout 1.

**METHOD(S) USED:** Class discussion, group work, presentations.

Procedure	Time Frame (in minutes)
1. Introduce the information in Sections 1 and 2	15
2. Discussion about accountability	15
3. Introduce the information in Section 3	15
4. Preparing a monitoring plan	25
5. Debrief with presentations	20
<b>Total:</b>	<b>90</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTIONS 1 AND 2:

**Sections 1 and 2-** It is important that participants understand:

- That sometimes the ADB policy is not respected and, as a result, people are harmed by ADB-funded projects.
- That there are things they can do to hold the Government and the ADB accountable.
- The meaning of “being accountable.”

### 2. DISCUSSION ABOUT ACCOUNTABILITY:

- Ask the participants if they have suffered any harm because of an ADB-funded project or if they are concerned about having problems in the future. Ask one or two participants to describe their problems or concerns.
- Ask if they think the policy is being violated and if so, why.
- Next, ask who they think caused the harm or problem and who should be accountable for these problems.
- Finally, ask what they think should be done to fix the harm or problem and who should be responsible for doing it.

### 3. INTRODUCE THE INFORMATION IN SECTION 3:

**Section 3-** It is important that participants understand:

- Why it is important to monitor ADB-funded projects.
- How to monitor projects.
- The four main things that should be monitored.

### 4. PREPARING A MONITORING PLAN:

- Explain that the participants will be divided into groups. If possible, they should work with members of their own community. The groups will make a plan for monitoring the project that is affecting their community. They should think about the steps they will take when they return to their community to monitor the project and its impacts on people.

- For example, as project monitors they might decide to interview community members. They may decide to visit the resettlement site to see the situation and talk to people already there. They might contact the IRC to ask questions or get a copy of the resettlement plan. They may attend or organize a consultation or community meeting. The plan should be as specific as possible.
- The groups should also think about how they will record the information. For example, will they write it down, tape record interviews, take photos, etc.?
- Who will they report the important information to? How will they involve the rest of the community in deciding what to do with the information?
- Give the groups 20 minutes to prepare their plan.

## 5. DEBRIEF WITH PRESENTATIONS:

- Invite the groups to present their monitoring plans. If the plans are not specific enough, ask questions such as: When will they visit the resettlement site or who will they invite to the meeting?
- After each presentation, ask the other participants if they have any comments or ideas for the group to help them improve their plan.
- To end the lesson, ask the following questions about monitoring an ADB-funded project:
  - Why is monitoring the project important?
  - What are the steps involved in monitoring a project?
  - What are the four main things that should be monitored?
- Remind the participants that monitoring the project to see if the safeguard policies are being followed properly is the first step in making the Government and the ADB accountable. The next lessons will explain what they can do once they have the important information from monitoring the project.

## 4. DEALING WITH PROBLEMS LOCALLY

### 4.1. LOCAL GRIEVANCE MECHANISM

The safeguard policy says that the Government must set up a **local grievance mechanism** for any ADB-funded project. This means that a special process must be set up by the IRC so that you can lodge any concerns or problems that you have because of the project. Your concerns must be taken seriously and the Government should try to find a good solution as quickly as possible.



The local complaint process should be easy for people to access and understand. The process should be easy for women to access. It should also be easy to access for any vulnerable and disadvantaged groups or groups that speak a different language.



The resettlement plan must contain information about the local complaint process. The IRC must make sure the people who are affected by the project are informed about the process and how to access it.

**AN EXAMPLE OF A GRIEVANCE MECHANISM:  
THE CAMBODIAN RAILWAYS PROJECT**

In 2006, the Cambodian Government released a resettlement plan for an ADB-funded project to repair the railway tracks across the country.

The resettlement plan contains information about the grievance mechanism that was set up for the project. The resettlement plan explains the steps that people can take if they have problems or concerns because of the project. For example, if Vuthy had a concern about the resettlement site he could do the following:

Stage 1: Vuthy can present his complaint to the Village or Commune Resettlement Sub-committee or IRC working group. The Sub-committee must give Vuthy written confirmation of receiving the complaint.

Stage 2: If, after 15 days, the Sub-committee has not responded, or Vuthy is not happy with the response, he can go to the District office.

Stage 3: If, after 15 days, there is still no solution, the District office must take the case to the Provincial Grievance Committee. The Committee must meet with Vuthy and try to find a solution. The Committee has 30 days from receiving the complaint to make a written decision. It must give Vuthy and the Government copies of the written decision.

It is important to write down the problem or concern in a letter and keep a copy. It is also a good idea to give a copy to a supportive NGO. If your complaint is written down, it can be used later as proof that you tried to use the local complaints process if you do not find a solution. You can then use this letter to complain to higher levels of government or to the ADB.

If you cannot read or write, you can ask someone else in the community to help you. You can also contact an NGO to ask for help. Community monitors should be available to help other members in the community prepare and lodge a complaint letter or contact an NGO for help.

## AN EXAMPLE OF A COMPLAINT LETTER

To: Commune Resettlement Committee

Cc: Asian Development Bank Cambodia Resident Mission, Phnom Penh

I, Eang Sotheary, am affected by the Railways Project. I am 42 years old and I work as a cook at a restaurant close to my house in Daun Pehn district. I am a widow with two daughters, aged 16 and 17, and one son, aged 10.

I have been told that my family and I will be relocated to a 4 x 16 plot of land in Dangkor district. I am concerned that this site is too far from my job in the city and I will not be able to afford the transportation costs. I am also concerned that my daughters will not be able to continue going to school, because there is no secondary school near the new site.

I think this resettlement will make my family poorer.

I would like the IRC to find a different option for my family so we can continue to live close to our jobs and services in the city.

Respectfully,

[Thumbprint here]

Eang Sotheary

Phnom Penh, 12 March 2010

## 4.2. THE ADB OFFICE IN CAMBODIA

It is a good idea to send a copy of any letters you send or receive during the local grievance process to the ADB office in Cambodia. If you live in Phnom Penh, you can deliver the letters yourself. If it is difficult for you to send letters to the ADB office, you can ask a supportive NGO to help.

If you have tried to use the local grievance mechanism but your problem has not been solved, it is important to contact the ADB office in Cambodia and explain your problems or concerns. You can ask a supportive NGO to help you send a letter or arrange a meeting with local ADB staff who are working on the project.

You can find the contact details of the ADB office in Cambodia at the back of this book. Some NGOs who may be able to help are also listed.

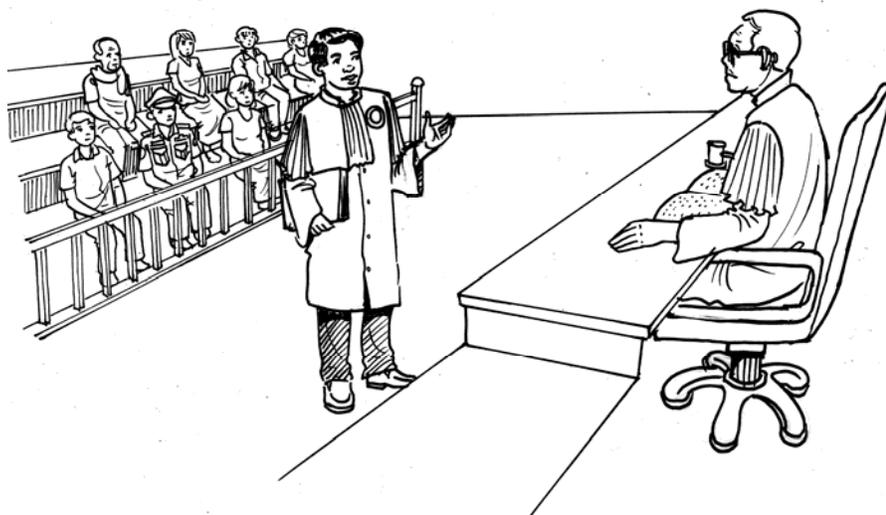
### 4.3. CAMBODIAN COURTS

If a Cambodian law is violated by the project and you are harmed, you have the right to go to court to try to find a solution and hold the Government accountable.

Some of the laws that could be violated if you are displaced and not compensated properly are:

- The Constitution of the Kingdom of Cambodia
- The Land Law 2001
- The Expropriation Law 2010

If you would like to find more information about whether a law has been violated and whether you can file a complaint to the Cambodian courts, you can contact a lawyer or a legal aid NGO listed in the back of this book.



## **PROBLEMS WITH USING THE COURTS IN CAMBODIA**

It is important to note that many people file cases with the Cambodian courts, and there are not enough judges to deal quickly with all of these cases. This means that it can take a very long time before the court will hear your case and make a decision. Sometimes, judges are also influenced by other factors and do not always make decisions according to the law or what you might think is fair.

Because of this, it is a very good idea to do other things to try to find a solution, such as using the ADB accountability processes. It is also a good idea to use other forms of advocacy, such as talking to the media. ADB accountability processes and other forms of advocacy are discussed in the next sections.

## LESSON 11 – HOLDING THE ADB AND GOVERNMENT ACCOUNTABLE: LOCAL PROCESSES

**AIM:** Participants will know that the Government must set up a local grievance mechanism that should be accessible and try to find a solution. They will also know when they can complain to the courts and some of the problems with using the courts in Cambodia.



**MATERIALS:** Whiteboard or flipchart, markers, Handout 1.

**METHOD(S) USED:** Class discussion.

Procedure	Time Frame (in minutes)
1. Introduce the information in Sections 4.1 and 4.2	20
2. Class discussion about local complaint process	15
3. Introduce the information in Section 4.3	10
4. Debrief about using local processes	15
<b>Total:</b>	<b>60</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTIONS 4.1 AND 4.2:

**Sections 4.1 and 4.2-** It is important that participants understand:

- That the ADB policy says that the Government must set up a local grievance mechanism for any ADB-funded project.
- That the grievance mechanism should try to find a solution to people's problems.
- That the grievance mechanism should be easy to access.
- That the IRC must make sure the people who are affected by the project are informed about the grievance mechanism and understand how they can access it.  
*(Do not read out the example grievance mechanism for the Cambodian railways project yet.)*
- That it is a good idea to write down their complaint and send a copy to the ADB office in Phnom Penh.
- That, if there is no solution, it is important to contact the ADB office in Cambodia to try to solve the problem.

### 2. CLASS DISCUSSION ABOUT LOCAL GRIEVANCE MECHANISM:

- Ask the participants if they have heard about a local grievance mechanism for the project that is affecting them.
- If they have, ask the participants what they have heard about the process and if anyone has tried to use it. What have their experiences been? Do they think the process is accessible and easy to use?
- Read out or explain the grievance mechanism for the Cambodian railways project and ask people if they think it is a good process.
- If they have not heard about the local grievance mechanism, you can point out that the Government has a duty to create one and inform them about it.
- If participants are interested in sending a complaint to the local grievance mechanism, you can arrange a time during the workshop or afterwards to help them write a letter explaining their problems or concerns.
- Pass out copies of the sample complaint letter in Handout 1 and explain that they can use this as an example to help them write their own letter.

### 3. INTRODUCE THE INFORMATION IN SECTION 4.3:

**Section 4.3** - It is important that participants understand:

- That if a Cambodian law is violated by the project and people are harmed, they have the right to go to court to try to hold the Government accountable.
- The problems with using the courts in Cambodia.

### 4. DEBRIEF ABOUT USING LOCAL PROCESSES:

- Ask the participants if they have ever been involved in a court case. If so, invite people to share their experiences.
- Ask whether they think that using the court is a good way to find a solution to their problems and make the Government accountable when a Cambodian law is violated.
- Do they think that using any of these local processes could be a successful way to find solutions to problems caused by an ADB-funded project? Why or why not? Encourage participants to share and discuss their opinions, ideas and stories about using local processes to hold the Government or others accountable.
- Explain that in the next lesson you will discuss what they can do if they do not find a solution using the local grievance mechanism.

### EXAMPLE COMPLAINT LETTER

To: Commune Resettlement Committee

Cc: Asian Development Bank Cambodia Resident Mission, Phnom Penh

I, Eang Sotheary, am affected by the Railways Project. I am 42 years old and I work as a cook at a restaurant close to my house in Daun Pehn district. I am a widow with two daughters, aged 16 and 17, and one son, aged 10.

I have been told that my family and I will be relocated to a 4 x 16 plot of land in Dangkor district. I am concerned that this site is too far from my job in the city and I will not be able to afford the transportation costs. I am also concerned that my daughters will not be able to continue going to school, because there is no secondary school near the new site.

I think this resettlement will make my family poorer.

I would like the IRC to find a different option for my family so we can continue to live close to our jobs and services in the city.

Respectfully,

[Thumbprint here]

Eang Sotheary

Phnom Penh, 12 March 2010

## 5. USING THE ADB ACCOUNTABILITY MECHANISM

The ADB has its own process for resolving the problems of people who are harmed or think they will be harmed by an ADB-funded project. This process is called the **ADB Accountability Mechanism**. It consists of two phases, which are described below. The offices of the Accountability Mechanism are based at the ADB headquarters in Manila, Philippines.

It is important to try to raise your concerns and problems with IRC and ADB staff locally and try to use the local grievance mechanism for the project before sending a complaint to the ADB Accountability Mechanism. Your complaint will not be accepted by the ADB Accountability Mechanism unless you have first tried to find a solution by contacting the ADB Office in Cambodia.

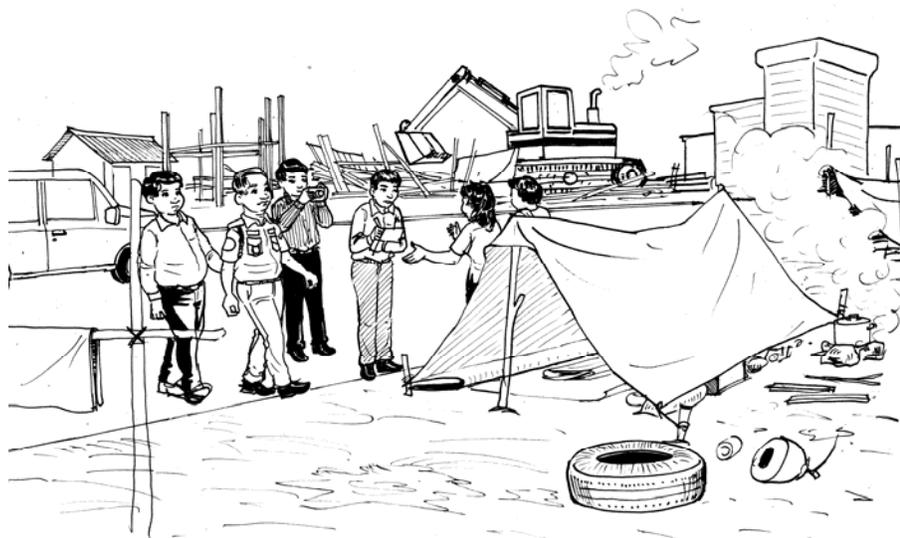


However, if you do not find a good solution from the Government and ADB staff locally, you can use the ADB Accountability Mechanism to try to solve your problem.

If you would like to send a complaint, you may want to find out more information and get the support of an NGO. The contact details of NGOs that can help you send a complaint and use the ADB Accountability Mechanism are listed in the back of this book.

### 5.1. CONSULTATION PHASE: THE OFFICE OF THE SPECIAL PROJECT FACILITATOR

The first thing that you can do if you decide to use the ADB Accountability Mechanism is to send a letter to the **Office of the Special Project Facilitator (OSPF)**. This office has been established by the ADB especially to deal with people's concerns about ADB-funded projects. If it receives and accepts a complaint, the OSPF tries to solve the problems by finding out about the situation and then making suggestions for how the problems can be solved.



*The OSPF staff investigate the situation after receiving a complaint*

The people who submitted the complaint, the ADB, the IRC and anyone else involved will all need to agree on a solution. You will have an opportunity to explain your ideas and views about the SPF's suggestions. This is why it is called the "consultation phase."

If everyone agrees on the solutions, they sign an agreement. It is very important to monitor the implementation of the agreement to make sure that your problem is solved properly. It is also the OSPF's responsibility to monitor the implementation of the agreement.

You can find the contact details of the Office of the Special Project Facilitator at the back of this book.

### CASE STUDY: A HIGHWAY IN PAKISTAN

In 2006, the ADB agreed to loan money to the Government of Pakistan to improve a national highway. People who were going to be affected by the project were concerned they would be displaced and that they would not be properly compensated. They sent a complaint letter to OSPF setting out their concerns.

The OSPF listened to the people about their concerns. People were worried about losing their livelihoods if they were displaced by the project. They were afraid that the compensation would not be paid, or that it would not be paid on time. They had not been informed about how much compensation they would be given. Women were worried that if they were displaced they would have no place to live. Imagining their village surrounded by a four-lane highway, they wondered how their children could reach school safely or how their cattle would be able to cross those busy roads.<sup>7</sup>

The community, the Government and the ADB staff working on the project all agreed that more accessible information should be provided to the community about the project. They also all agreed that the community should be consulted about the resettlement plan before it was finalized.

The OSPF held a joint one-day consultation meeting for the community and the relevant Government officials. At the consultation meeting, it was agreed that the Government would do the following:

- Send the community a list of all the families that would be affected;
- Explain how compensation rates would be calculated;
- Consider people's applications to receive higher compensation rates;
- Give the community a revised resettlement plan; and
- Hold consultations with the community about the revised resettlement plan.

<sup>7</sup> Adapted excerpt from the Final Report of the Special Project Facilitator on the National Highway Development Sector Investment Program in Pakistan, March 2010.

The OSPF stayed in close contact with the community, the Government and the ADB staff working on the project to monitor the agreement. The ADB staff advised and guided the Government in preparing and implementing the resettlement plan. The Government increased the compensation payments to the affected families.

## 5.2. COMPLIANCE REVIEW

If you do not find a good solution during the consultation phase or you are unhappy with the way the plan is implemented, you might be able to complain to the **Compliance Review Panel (CRP)**. You do not have to wait until the OSPF finishes the consultation phase to send a complaint to the CRP. For example, if you are unhappy with the suggestions made by the OSPF you can decide to stop the consultation phase and send a letter to the CRP instead.

The CRP is different to the SPF because it investigates whether the harm suffered, or that is likely to be suffered, has been caused by a violation of ADB policy. 

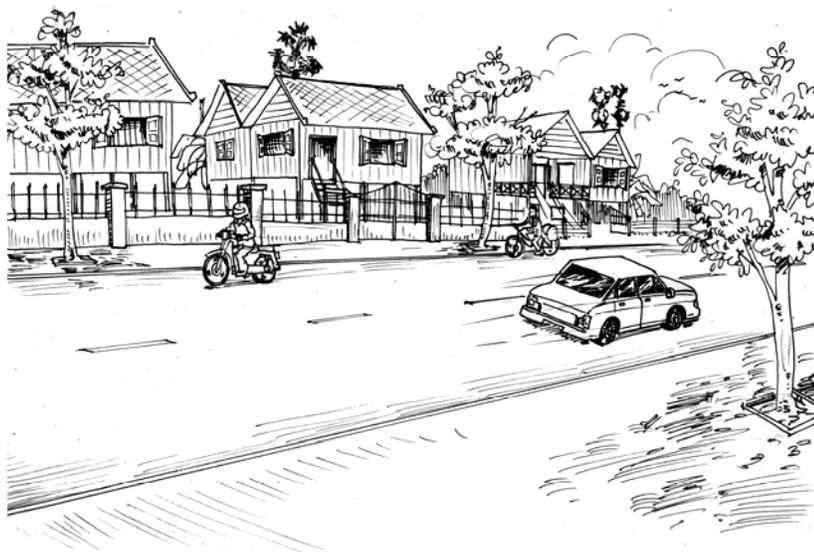
If the CRP decides that a policy has been violated, it investigates the situation and writes a report with recommendations to ensure that policies are respected. The recommendations could include:

- Making changes to the project.
- Making changes to the resettlement plan.
- Making changes to how the resettlement plan is implemented.
- Giving people better compensation or resettlement options.
- Giving people better support so that their livelihoods and living standards are not made worse by the project.

If there are very bad impacts on people that cannot be avoided, the CRP could even recommend cancelling the project.

You will have an opportunity to explain your ideas and views about the CRP's suggestions. Once the CRP writes its final report, it sends it to the **ADB Board of Directors** for approval. The Board is in charge of making major decisions about the ADB, including approving the recommendations of the CRP. If the plan is approved, and the Government agrees, it is then implemented and must be monitored carefully by the ADB for the next five years.

You can find the contact details of the Compliance Review Panel at the back of this book.



*Here the ADB and the government agreed on a solution and better housing was built for the people along the new road*

### **5.3. WEAKNESSES OF THE ADB ACCOUNTABILITY MECHANISM**

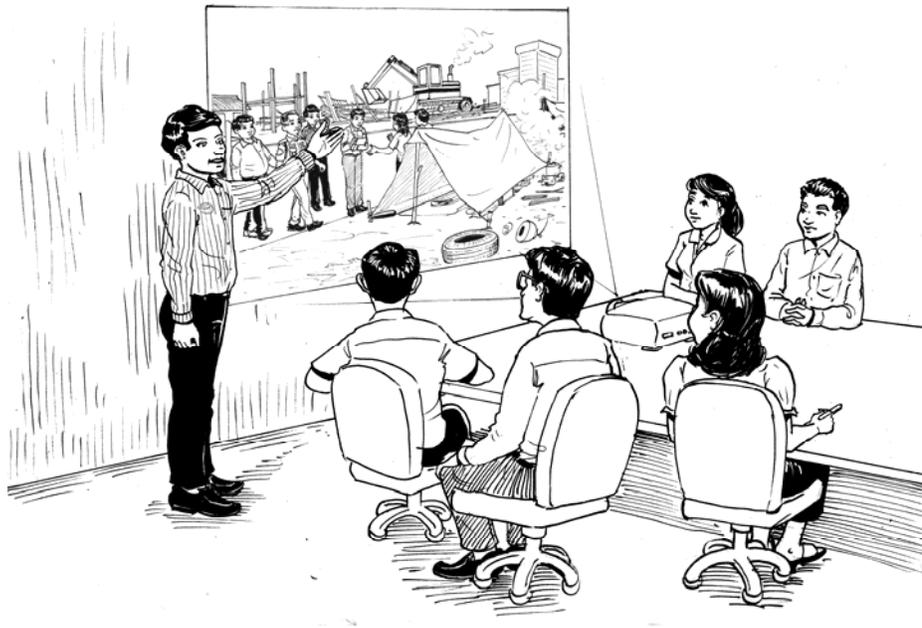
Using the ADB Accountability Mechanism is an important way to try to find a solution to your problem and hold the ADB accountable when the ADB policy has been violated. However, there are some weaknesses of the ADB Accountability Mechanism, and people who complain do not always find a good solution to their problem.

The main reason for this is that the ADB Accountability Mechanism cannot force either the ADB or the Government to do something to fix your problem or repair the harm done. Even if the CRP decides that the ADB policy has been violated and recommends a good plan to fix the problem, it is possible that the ADB Board will not approve the plan or everything in the plan.

If the Government does not agree with the plan, it is difficult for the ADB to fix the problems caused by the project and find solutions for the harms suffered. It is usually the Government's role to implement the plan in the CRP's report so if the Government refuses to do so, the things that the ADB can do to fix the problems are limited.

The ADB states that it will not fund projects that do not respect its policies or the country's own laws. If the Government does not respect the ADB policy and refuses to fix serious problems or harm suffered because of the project, the ADB should consider withdrawing its funds from the project.





Because of the weaknesses of ADB's Accountability Mechanism, it is important for people to use other forms of advocacy to pressure the Government and the ADB to respect the policy and fix any problems caused by the project. Other forms of advocacy are discussed in the next section.

## LESSON 12 – USING THE ADB ACCOUNTABILITY MECHANISM

**AIM:** Participants will know that the ADB Accountability Mechanism is a process for resolving the problems of people who are harmed or think they will be harmed by an ADB-funded project. They will know about the two phases of the Accountability Mechanism. Participants will also understand that the ADB Accountability Mechanism has some weaknesses.



**MATERIALS:** Whiteboard or flipchart, markers.

**METHOD(S) USED:** Class discussion, quiz.

Procedure	Time Frame (in minutes)
1. Introduce the information in Sections 5 (introduction) and 5.1	15
2. Read and discuss the case study	15
3. Introduce the information in Sections 5.2 and 5.3	20
4. Class discussion	15
5. Debrief with quiz	15
<b>Total:</b>	<b>80</b>

## INSTRUCTIONS TO FACILITATOR

### 1. INTRODUCE THE INFORMATION IN SECTIONS 5 AND 5.1:

**Sections 5 (introduction) and 5.1** - It is important that participants understand:

- That the ADB has its own process for resolving the problems of people who are harmed or think they will be harmed by a project.
- That this process is called the ADB Accountability Mechanism and it has two phases.
- That they should first try to solve their problems locally with the IRC and the ADB office in Cambodia.
- That if they are not satisfied with the solutions provided by the IRC and ADB staff in Cambodia, they can complain to the Office of the Special Project Facilitator.
- What happens during the consultation phase.

### 2. READ AND DISCUSS THE CASE STUDY:

- Read out or summarize the case study about the highway project in Pakistan.
- Ask the participants what they think about the story. Do they share similar concerns to the people in Pakistan who were affected by the ADB-funded project?
- Next, ask the participants to explain the process that OSPF used in the story to try to fix the problem.
- After one or two participants answer, you can point out that the OSPF listened to the everyone's views, and then arranged a consultation meeting with the people who were affected and the relevant Government and ADB staff to see if they could all agree on a solution. After they reached an agreement, the OSPF also monitored the implementation of the agreement.
- Ask the participants what the solution in the story was and if they think people would have been happy with that solution.
- Do they think that this process would work to find a solution for any of the problems or concerns they have with the ADB-funded project affecting them?

### 3. INTRODUCE THE INFORMATION IN SECTIONS 5.3 AND 5.4:

**Sections 5.3 and 5.4** - It is important that participants understand:

- That if their problem or concern has not been solved by the Special Project Facilitator they can complain to the Compliance Review Panel.
- What the Compliance Review Panel does.
- That the ADB Accountability Mechanism has weaknesses and what these are.
- That, because of these weaknesses, it is important for people to do other forms of advocacy to try to hold the Government and the ADB accountable.

### 4. CLASS DISCUSSION:

- Ask the participants what they think about the ADB Accountability Mechanism and whether the limitations might be a problem if they try to use it.
- What do they think the ADB should do if people suffer harm because of the project and the Government refuses to find a solution for them?
- Ask the participants if they have problems or concerns because of the project and would like to make a plan to use the ADB Accountability Mechanism to try to find a solution.

### 5. DEBRIEF:

- Ask participants to stand in a circle around you and explain that you will throw the ball to a participant and ask that participant a question about the things they can do if they have a problem because on an ADB-funded project. After the participant answers, they should throw the ball to a different participant to whom you will ask another question. (There are example questions below.)

Example questions:

1. What does “being accountable” mean?

Suggested Answer: “Being accountable” means that if someone fails to respect the rules and harms people, they accept responsibility and find a way to repair the harm caused. For an ADB-funded project, it could also mean that the ADB and the Government stop the project from going ahead unless they can ensure that the safeguards can be respected.

2. Name one thing that you can do locally to try to find a solution to a problem caused by an ADB-funded project. (You can ask this question three times.)

Suggested Answers: 1) Contact the IRC and ADB staff in Cambodia. 2) Use the local complaint process that the Government must set up. 3) Complain to the Cambodian Court if you think a Cambodian law is violated.

3. What is the first phase of the ADB Accountability Mechanism?

Suggested Answer: Consultation phase by the Office of the Special Project Facilitator (SPF).

4. What is the second phase of the ADB Accountability Mechanism?

Suggested Answer: Compliance Review by the Compliance Review Panel (CRP).

5. What are the weaknesses of the ADB Accountability Mechanism?

Suggested Answer: The ADB Accountability Mechanism cannot force either the ADB or the Government to do something to fix your problem or repair the harm done.

6. What else can you do to try to make the ADB and Government accountable?

Suggested Answer: In addition to using the ADB Accountability Mechanism, it is a good idea to use other forms of advocacy.

## 6. OTHER FORMS OF ADVOCACY

If you decide to use local grievance processes, the courts or the ADB Accountability Mechanism, it is a good idea to also use other forms of advocacy. This is because sometimes the Government and the ADB will not put a lot of effort into solving people's problems unless they are pressured by other forms of advocacy.

**Advocacy** means delivering a message through words or actions to try to influence the decisions that affect people's lives.

It is a good idea for people who are affected by an ADB-funded project to make decisions together about using other forms of advocacy. If you work together as a community, your message will be stronger and it is more likely that it will be heard by the Government and the ADB. 

You can also get support from local and international NGOs that work with your community and have experience influencing the ADB. You can find the contact details of NGOs that have experience influencing the ADB at the back of this book.

Three forms of advocacy are discussed below. There are many other things that your community could do to get the attention of the Government and the ADB. Be creative!

### 6.1. USING THE MEDIA

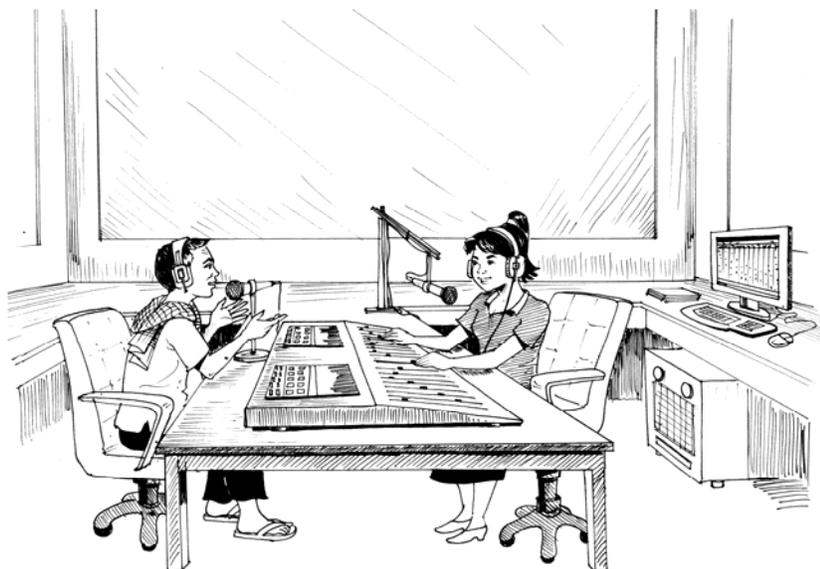
Using different types of media is a very important strategy for telling your story to the public and sending your message to the Government and the ADB.



There are many different types of media. For example, you can contact journalists who work for newspapers, television and radio. It is important to plan carefully before you contact a journalist and first decide what you would like to tell her and what message you want published.

You can also invite a journalist to come to your village. If the journalist comes to your village, you can explain your situation face to face and the journalist will be able to see the situation with her own eyes. If the journalist is from a newspaper, she can also take photos. If the journalist is from a television network, she can film an interview with you and other community members on your land or in your houses.

If you contact a radio station, you might be invited to come to the recording studio for an interview, so you can tell your story to people all around Cambodia.



You can find contact details for The Cambodia Daily, Raksmev Kampuchea and Asia Sery Radio and some international media sources at the back of this book.

### TALKING TO THE MEDIA

If you talk to the media about your problem, it is very important that you *tell the truth*. It is even better if you have documentation and evidence to support your statements. For example, if you say that your land is being taken for the ADB-funded project and you are not being paid enough compensation, it is a good idea to give the journalist any documents that you have about the project and the compensation. You can also ask the journalist to visit your village and take photos.

If you make a statement in the media that is false, it can be dangerous because there are criminal penalties for incorrectly saying someone has done something wrong. It is a good idea to find out what the risks of talking to the media are from a legal NGO, listed in the back of this book.

## 6.2. SENDING A PETITION

Another form of advocacy is to send petitions to the ADB and the Government. A **petition** is a written protest or request signed or thumbprinted by many people demanding change or a solution to a problem.

If you are organizing a petition about an ADB-funded project, the petition could demand that the ADB and the Government do something to solve people's concerns or problems about the project. It might contain specific things that you want the ADB or the Government to do. It might demand that the ADB stop funding the project.

The more thumbprints you have on your petition, the stronger it will be. You can ask people from inside and outside of the community to support and sign or thumbprint the petition.

It is a good idea to send the letter or petition to the ADB office in Cambodia and the President and Board of Directors of the ADB. You can find contact details at the back of this book. You can also send the letter or petition to the IRC or other government officials and even the Prime Minister, if you think it is a good idea.



### EXAMPLE PETITION

We are people affected by the Railways Project and respectfully ask the ADB and the IRC to inform and consult us meaningfully about the project and how it will affect us.

We have the right to be informed and consulted about the project.

We also have the right to fair compensation and resettlement according to laws of Cambodia and the ADB Involuntary Resettlement Safeguards Policy.

We ask the ADB and the IRC to consult with all the affected families to reach an agreement on a fair compensation amount.

Phnom Penh, Day.....Month.....Year.....

#### Petitioners

N <sup>o</sup>	Name	Sex	Age	Village	Thumbprint
1					
2					
3					
4					

### 6.3. ORGANIZING A DEMONSTRATION

A **demonstration** is a public show of protest against, or in support of, an issue, action or person. Successful demonstrations are peaceful, have a lot of people, and are held at a time and place that will get the attention of people that you want to influence. For example, you could hold a demonstration outside the office of the ADB or the IRC in

Phnom Penh. At demonstrations people often hold posters with writing or pictures that show their message.

There are Cambodian laws about demonstrations that you should find out about before you organize a demonstration to make sure that you understand the risks involved. You can contact a legal NGO listed in the back of this book for information.

### ORGANIZING A DEMONSTRATION

When you decide to hold a demonstration, it is important to plan by thinking about the following questions:

- Have you found out about the risks and laws about demonstrating and made sure that the people demonstrating understand the risks?
- What is the purpose and message of your demonstration?
- How will you send your message? For example, will you use posters, banners, a loud speaker, songs, or a combination?
- What will you bring to the demonstration so you can send your message?
- Where and when will the demonstration be held?
- Who will you invite to join the demonstration?
- How will everyone get to the demonstration?
- How will you make sure the demonstration is peaceful?
- Have you informed the authorities, as required by the Law on Peaceful Assembly?

It might also be a good idea to give petitions and letters about the situation to the ADB or the government officials at the same time as the demonstration outside their office. People demonstrating can also invite the media to come and report on their protest.



*A peaceful demonstration*

## LESSON 13 – USING OTHER FORMS OF ADVOCACY TO MAKE THE ADB AND GOVERNMENT ACCOUNTABLE

**AIM:** Participants will understand what advocacy means and why it is important to use other forms of advocacy. Participants will know about using three forms of advocacy: the media, petitions and demonstrations. They will be aware that there are risks involved and that they should find out more information and plan their advocacy together as a community.



**MATERIALS:** Whiteboard or flipchart, markers, Handout 1.

**METHOD(S) USED:** Class discussion, brainstorm, group work, role-plays and presentations.

Procedure	Time Frame (in minutes)
1. Brief discussion about advocacy	10
2. Introduce the information in Section 6 (introduction only)	10
3. Brainstorm about different forms of advocacy	10
4. Introduce the information in Sections 6.1, 6.2 and 6.3	30
5. Explain the exercise	5
6. Group work	20
7. Role-plays and presentations	15
8. Debrief	10
<b>Total:</b>	<b>110</b>

## INSTRUCTIONS TO FACILITATOR

### 1. BRIEF DISCUSSION ABOUT ADVOCACY:

- Ask a participant to explain why they think it is important to consider using other forms of advocacy, in addition to the local grievance processes and ADB Accountability Mechanisms.
- Next, ask the participants what they think “advocacy” means.
- After a few participants have had a chance to answer, you can explain that advocacy means delivering a message through words or actions to try to influence decisions that affect people’s lives.

### 2. INTRODUCE THE INFORMATION IN SECTION 6 (INTRODUCTION ONLY):

**Section 6** - It is important that participants understand:

- That sometimes the Government and the ADB will not put a lot of effort into solving people’s problems unless they are pressured by other forms of advocacy.
- That, if people work together as a community and are united in their advocacy, they will be stronger and it is more likely that their message will be heard by the Government and the ADB.

### 3. BRAINSTORM ABOUT DIFFERENT FORMS OF ADVOCACY:

- Ask the participants if they can think of different forms of advocacy. What are the different ways that they could get the attention of the ADB and the Government to influence their decisions?
- Encourage as many participants as possible to share the ideas. Encourage them to be creative.
- Write down people’s ideas on the whiteboard or flipchart.

#### 4. INTRODUCE THE INFORMATION IN SECTIONS 6.1, 6.2 AND 6.3:

**Sections 6.1, 6.2 and 6.3** - It is important that participants understand:

- That using different types of media is a very important strategy for telling their story to the public and sending their message to the Government and the ADB.
- The different types of media and what they can do.
- What they should decide on before contacting journalists.
- How they can contact journalists.
- What a petition is. (You can show participants the example petition.)
- How to organize a petition and who to send it to.
- What a demonstration is.
- How to plan and organize a demonstration.
- That there are risks involved in doing advocacy and that they should find out about those risks and what Cambodian laws say by contacting a legal NGO.

#### 5. EXPLAIN THE EXERCISE:

- Explain that the participants will be divided into three groups and each group will have an opportunity to think about how they would use one of the forms of advocacy: using media, sending petitions or demonstrating.
- The groups should think about and discuss some of the problems or concerns they have about the project that is affecting them. If they do not have any problems or concerns with the project affecting them, they can make up a story about a community that is being forced to relocate far away with inadequate compensation. The groups should then plan what message they want to send through their advocacy about these problems and who they want to send it to.
- Each group will get different instructions about planning an advocacy activity.
- The groups will have 20 minutes to work and prepare a short role-play.
- The groups will then present their role-plays. Someone in the group can also explain what is happening in the role-play.

#### 6. GROUP WORK:

- Divide the participants into three groups.
- Give each group one of the instructions from Handout 1, so that Group 1 makes a plan for using media, Group 2 makes a plan for sending a petition, and Group 3 makes a plan for holding a demonstration.
- Move around the groups and make sure that everyone understands their task.

## **7. ROLE-PLAYS AND PRESENTATIONS:**

- Invite the groups to present their role-plays. Ask someone from each group to explain what is happening in the role-play.
- After Group 1 presents its role-play, ask the participants to review what they should do when they use media advocacy. After Group 2 presents its role-play, ask the participants to review what a petition is and what should be in a petition. After Group 3 presents its role-play, ask the participants to review the important things to do when organizing a demonstration.
- Ask the other participants if they have any questions or comments after each role-play.

## **8. DEBRIEF:**

- Remind the participants that there are many creative ways to do advocacy and get their message across.
- You can ask if they plan to use:
  - The local grievance process.
  - The ADB Accountability Mechanism.
  - Other forms of advocacy.
- Ask if the participants have any comments or questions about making the Government and the ADB accountable for any problems caused by an ADB-funded project.
- Encourage the participants to keep informed and monitor the ADB-funded project carefully. There are things they can do to try to make sure that ADB policy is respected and that they are not harmed by the project. It is up to them to hold the ADB and the Government accountable by watching carefully, staying informed, participating in consultations, and complaining if they have any concerns.

## HANDOUT 1 – LESSON 13

### INSTRUCTIONS FOR GROUP 1:

Think about and discuss some the problems or concerns that you have about the ADB-funded project that is affecting you. If you do not have any problems or concerns with the project affecting you, then you can make up a story about a community that is being forced to relocate far away with inadequate compensation. Discuss possible solutions to these problems.

Make a plan to use the media to send your message about your problems and concerns and what you would like the solution to be.

Think about who you want to send the message to, using the media. What will your message be? What sort of media will you use? How will you contact them? Be creative!

Prepare a role-play showing your plan to use the media. You can show someone calling a journalist and what happens after that. Someone in your group can also explain what is happening in the role-play.

You will have five minutes for your presentation.

## HANDOUT 1 – LESSON 13

### INSTRUCTIONS FOR GROUP 2:

Think about and discuss some the problems or concerns that you have about the ADB-funded project that is affecting you. If you do not have any problems or concerns with the project affecting you, then you can make up a story about a community that is being forced to relocate far away with inadequate compensation. Discuss possible solutions to these problems.

Make a plan to organize and send a petition to send your message about your problems and concerns and what you would like the solution to be.

Think about who you want to send the petition to. What will your message be? Who will you ask to sign or thumbprint your petition? How many people will you try to get to sign or thumbprint your petition? How will you deliver the petition to the ADB or Government or anyone else? Be creative!

Prepare a role-play showing your plan for the petition. For example, you can make a pretend petition on a flipchart and do a role-play about asking people to sign the petition and explaining to them what it is about. Someone in your group can also explain what is happening in the role-play.

You will have five minutes for your presentation.

## HANDOUT 1 – LESSON 13

### INSTRUCTIONS FOR GROUP 3:

Think about and discuss some the problems or concerns that you have about the ADB-funded project that is affecting you. If you do not have any problems or concerns with the project affecting you, then you can make up a story about a community that is being forced to relocate far away with inadequate compensation. Discuss possible solutions to these problems.

Make a plan to hold a demonstration to send your message about your problems and concerns and what you would like the solution to be.

Remember to think about the following things:

- What is the purpose and message of your demonstration?
- How will you send your message? For example, will you use posters, banners, a loud speaker, songs, or a combination?
- Where and when will the demonstration be held?
- Who will you invite to join the demonstration?
- What will you bring to the demonstration? How will everyone get to the demonstration?
- How will you make sure the demonstration is peaceful?
- Have you informed the authorities?

Be creative!

Prepare a role-play showing your plan. For example, you can make banners using flipchart, and do a role-play about the demonstration showing where it is, who is there and calling out the message you want to send. Someone in your group can also explain what is happening in the role-play.

You will have five minutes for your presentation.



# GLOSSARY

1. **Access to credit:** Having access to credit means being able to borrow money. People often need access to credit so that they can improve their own housing, buy seeds to grow crops, or start small businesses. Making sure people have access to credit means that they can borrow money that they can afford to pay back in the future, including interest.
2. **Accessible (information):** Information that is explained in a way that people can understand and in a language that they speak.
3. **Accountable:** Being ‘accountable’ means that if someone fails to respect the rules, they accept responsibility and find a way to repair any harm that has been caused.
4. **ADB Accountability Mechanism:** This is the ADB’s own process for resolving the problems of people who are harmed or think they will be harmed by an ADB-funded project. It consists of two phases: the consultation phase by the Office of the Special Project Facilitator (OSPF) and the compliance review phase by the Compliance Review Panel (CRP). The offices of the Accountability Mechanism are based at the ADB headquarters in Manila, Philippines.
5. **ADB Board of Directors:** The Board is made up of people who represent the different member countries of the ADB. The Board is in charge of making major decisions about the ADB, including approving the recommendations of the CRP.
6. **Advocacy:** Delivering a message through words or actions to try to influence the decisions that affect people’s lives.
7. **Asian Development Bank (ADB):** An international organization based in Manila, Philippines that was established in 1966 and is made up of member countries. The ADB’s stated mission is “to reduce poverty and improve the quality of life in developing countries in Asia.” The ADB works in countries by providing money to governments for different types of projects. The ADB also provides information, advice and technical assistance to governments.
8. **Compliance Review Panel (CRP):** The CRP investigates whether there is harm caused or likely to be caused by an ADB project that has resulted from a violation of the ADB safeguards. If it decides that safeguards have been violated, it investigates the situation and writes a report with recommendations to ensure that safeguards are respected.
9. **Demonstration:** A public show of protest against, or in support of, an issue, action or person. Successful demonstrations are peaceful, have a lot of people, and are held at a time and place that will get the attention of people that you want to influence.

10. **Forced displacement:** When people are evicted from their homes and land or lose access to land and resources they depend on for food and livelihoods.
11. **Grants (from the ADB):** Money that the ADB gives a government that the government does not have to pay back.
12. **Inter-Ministerial Resettlement Committee (IRC):** The government authority responsible for preparing and implementing resettlement plans for ADB projects.
13. **Interest (for ADB loans):** The extra money a government has to pay back to the ADB, in addition to the original amount of money that it borrowed. Interest is usually very low for loans given by the ADB to the government of poor countries.
14. **Interest:** Any extra money people have to pay back, in addition to the original amount of money that they borrowed. Interest should be low enough so that paying all the money back does not make the family poorer.
15. **Involuntary Resettlement (according to the ADB Safeguards):** Any situation where someone decides to take land, or restrict access to land, that other people live or work on, or use for their livelihoods, and the people do not have the right to refuse.
16. **Involuntary Resettlement Safeguards:** Rules created by the ADB that must be followed for any ADB project to protect people from the harms of displacement.
17. **Legal possessors:** People who settled on land before August 30, 2001 (when the Land Law was passed), or bought or inherited their land from someone who settled there before that date. Their possession must also meet a few conditions: they must have occupied the land peacefully and honestly; they must also have occupied the land continuously and it must be clear that they were the occupier of that land; their possession of the land must also be publically known.
18. **Legal register:** The official list and description of land plots and owners in Cambodia.
19. **Livelihood opportunities:** People must be able to earn a living and provide themselves and their family with everything they need to live, such as food, water, housing, healthcare and education. To do this, people must have access to jobs, farmland, markets to sell things, or other small businesses.
20. **Livelihood support:** Helping people so that they have opportunities to provide for themselves and their families with everything they need to live. The ADB safeguards say that support could include things like access to credit, training or job opportunities.
21. **Loans (from the ADB):** Money that the ADB gives a government that the government is required to pay back with interest.

- 22. Local grievance mechanism:** A special process must be set up by the Government so that you can lodge any concerns or problems that you have because of an ADB-funded project. Your concerns must be taken seriously and the Government should try to find a good solution as quickly as possible.
- 23. Monitor:** Monitoring the project involves collecting information, participating in consultations and watching the things that happen because of the project. It also involves recording and reporting the important information. The purpose of monitoring an ADB-funded project is to see if the policies and plans are being properly implemented.
- 24. Office of the Special Project Facilitator (SPF):** An office in the ADB established especially to deal with people's concerns. It tries to do this by investigating the situation and then making suggestions for solutions to the problems.
- 25. Owners:** People who have had their land officially registered and have legal title to that land. Ownership is the strongest right anyone can have over land. It allows the owner to use their land in any way they want, as long as they do not break any laws.
- 26. Petition:** A written protest or request signed or thumbprinted by many people demanding change or a solution to a problem.
- 27. Possession rights:** The rights of legal possessors, which are very similar to right of ownership. Legal possessors also have the right to apply for title.
- 28. Project monitors:** Someone who is in charge of monitoring the project (see 'Monitor' above).
- 29. Relocation or resettlement site:** A new place to live for people who are displaced from their homes. Under the ADB Involuntary Resettlement Safeguards, people must have secure tenure over the new land and must be able to live in better houses than their old ones. The government must also make sure that they have access to livelihood opportunities, necessary infrastructure and services, such water, sanitation, electricity and waste disposal.
- 30. Resettlement Plan:** A Resettlement Plan must be prepared by the government for any ADB project that will displace people. A resettlement plan sets out important information about the project: the land that will be needed for the project; the displacement it will cause; who will be displaced by the project and what the impact on their lives will be; how the government will make sure that people are informed and consulted; what people who will be displaced are entitled to; options for relocation and resettlement sites; and livelihood support and assistance programs.

- 31. Safeguard policies:** Safeguard policies are rules that the ADB and the government must respect when they agree to work on a project together. These rules are aimed at preventing negative impacts on people and the environment from ADB projects. They are also aimed at making sure that people who will be affected by an ADB project will have access to information and be meaningfully consulted.
- 32. Secure land tenure:** A legal guarantee that people will not be forced to leave their homes and land (unless it is absolutely necessary and allowed under the law).
- 33. Technical assistance (by the ADB):** Support and advice that the ADB provides to governments. For example, the ADB might provide technical assistance by helping the government to design and implement projects, training government employees, doing research and collecting information, or helping to write policies and laws.
- 34. Title (to land):** An official document that states that a person or people legally own a piece of land.

## **ASIAN DEVELOPMENT BANK**

### **Asian Development Bank:**

#### **Cambodia Resident Mission**

29, Suramarit Boulevard

P.O. Box 2436

Sangkat Chaktomuk, Khan Daun Penh

Phnom Penh, Cambodia

Tel: + 855 23 215 805, 215 806, 216417

Fax: + 855 23 215 807

Email: [adbcarml@adb.org](mailto:adbcarml@adb.org)

Website: [www.adb.org/carm](http://www.adb.org/carm)

Office Hours: Monday to Friday, 08:00hr - 12:00hr, 13:00hr - 17:00hr

Country Director: Mr. Kamayana

#### **ADB Headquarters**

6 ADB Avenue

Mandaluyong City 1550

Metro Manila, Philippines

Tel: + 632 632 4444

Fax: + 632 636 2444

President: Haruhiko Kuroda

## **ADB ACCOUNTABILITY MECHANISM**

### **Office of the Special Project Facilitator**

Robert C. May

Special Project Facilitator, Asian Development Bank

6 ADB Avenue

Mandaluyong City 1550

Metro Manila, Philippines

Tel: (63-2) 632-4825

Fax: (63-2) 636-2490

Email: [spf@adb.org](mailto:spf@adb.org)

Website: <http://www.adb.org/SPF/default.asp>

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\* *The organizations listed below do not necessarily support the contents of this publication. Their contact details are provided as a resource to access additional information or assistance.*

## **Compliance Review Panel**

Secretary

Compliance Review Panel, Asian Development Bank

6 ADB Avenue

Mandaluyong City 1550

Metro Manila, Philippines

Tel: + 63 2 632 4149

Fax: +63 2 636 2088

Email: [crp@adb.org](mailto:crp@adb.org)

Website: [www.compliance.adb.org](http://www.compliance.adb.org)

## **LOCAL NGOS THAT MAY BE ABLE TO PROVIDE ASSISTANCE**

### **Housing Rights Task Force (HRTF):**

Address: c/o CLEC #524, St. 306, Boueng Keng Kang I, Chamkarmon, Phnom Penh

Tel: 023 996 531

Email: [cam.hrtf@gmail.com](mailto:cam.hrtf@gmail.com)

Website: [www.hrtfcambodia.org](http://www.hrtfcambodia.org)

### **Bridges Across Borders Cambodia (BABC):**

Address: #261AB, Street 371, Boeung Tum Pun, Khan Mean Chey, Phnom Penh

Tel: 023 220 930

Email: [cambodia@babcbombodia.org](mailto:cambodia@babcbombodia.org)

Website: [www.babcbombodia.org](http://www.babcbombodia.org)

### **NGO Forum on Cambodia (Land and Livelihoods Programme):**

Address: #9-11 Street 476, Toul Tompong 1, PO. Box 2295, Phnom Penh 3

Tel: 023 214 429, 023 994 063

Email: [ngoforum@ngoforum.org.kh](mailto:ngoforum@ngoforum.org.kh)

Website: <http://www.ngoforum.org.kh>

### **Sahmakum Teang Tnaut (STT):**

Address: #13C, St. 384, 12309 Phnom Penh

Tel: 023 222 794

Email: [info@teangtnaut.org](mailto:info@teangtnaut.org)

Website: [www.teangtnaut.org](http://www.teangtnaut.org)

### **LICADHO (Cambodian League for the Promotion of Defense of Human Rights)**

Address: #16, Street 99, Boeung Trabek, Phnom Penh. Mailing address: P.O. Box 499,

Phnom Penh. Tel: 023 360 965

Email: [contact@licadho-cambodia.org](mailto:contact@licadho-cambodia.org)

Website: <http://www.licadho-cambodia.org>

(Call Licadho to find the addresses of provincial offices.)

**Community Legal Education Center (CLEC)**

Address: #54, Street 306, Boeung Keng Kang I, Khan Chamkarmon, Phnom Penh

Tel: 023 215 590

Email: [admin@clec.org.kh](mailto:admin@clec.org.kh)

Website: [www.clec.org.kh](http://www.clec.org.kh)

**INTERNATIONAL NGOS THAT HAVE EXPERIENCE INFLUENCING THE ADB****NGO Forum on ADB**

85-A Masikap Extension

Barangay Central, Dilman,

Quezon City, Philippines

Tel: +632 436 1858

Email: [secretariat@forum-adb.org](mailto:secretariat@forum-adb.org)

Website: <http://www.forum-adb.org>

**Oxfam (Australia)**

132 Leicester Street, Carlton,

Victoria 3053, Australia

Tel: +61 (0)3 9289 9444

Fax: +61 (0)3 9347 1983

Web: <http://www.oxfam.org.au>

**Mekong Watch**

2F Maruko Bldg. 1-20-6 Higashi Ueno, Taito-ku,

Tokyo 110-1-0015, Japan

Tel: +81 3 3832 5043

Email: [info@mekongwatch.org](mailto:info@mekongwatch.org)

Web: <http://mekongwatch.org/english/index.html>

**International Accountability Project (IAP)**

221 Pine Street, 5<sup>th</sup> Floor

San Francisco, CA 94104, USA

Tel: +1 (415) 659 0555

Email: [iap@accountabilityproject.org](mailto:iap@accountabilityproject.org)

Web: [www.accountabilityproject.org](http://www.accountabilityproject.org)

**MEDIA CONTACT DETAILS****ABC Radio Australia**

#13A, Wat Koh (St. 81), Room 5, 1st Floor, Blue Green Office Spaces & Serviced Apartments, 12211 Phnom Penh, P.O Box 414

Tel: 023 224 640

**Apsara TV (11) & Radio FM 97 MHz**

#69 St. 360, Phnom Penh

Tel: 023 987 355, Fax: 023 214 302

Email: [info@solaris-mg.com](mailto:info@solaris-mg.com)

**BBC World Service Trust 100 FM (English Language)**

#58, Street 306, 12302 Phnom Penh, P.O Box 155

Email: [bbc@bbcwst.org.kh](mailto:bbc@bbcwst.org.kh)

Website: [www.bbcworldservicetrust.org](http://www.bbcworldservicetrust.org)

**The Cambodia Daily (English Language)**

#129 St. 228, Phnom Penh

Tel: 023 426 602, 023 426 490

Email: [editor@cambodiadaily.com](mailto:editor@cambodiadaily.com)

**Cambodian Television Station Channel 9 (CTV 9) & Radio FM 107 MHz**

#18 St. 562, Phnom Penh

Tel: 023 880 847

Email: [tv9cambodia@yahoo.com](mailto:tv9cambodia@yahoo.com), [info@tv9.com.kh](mailto:info@tv9.com.kh)

Website: <http://www.tv9.com.kh>

**The Phnom Penh Post (English Language)**

Post Media Co., Ltd. #888 Building F, 8th Floor, Phnom Penh Center (Corner Sothearos & Sihanouk Blvd.), Sangkat Tonle Bassac, Khan Chamkarmon, Phnom Penh

Tel: 023 214 311, Fax: 023 214 318

Email: [newsroom@phnompenhpost.com](mailto:newsroom@phnompenhpost.com)

Website: <http://www.phnompenhpost.com>

**RFI - Radio France International 92 FM**

#218, Keo Chea (St. 184), French Cultural Centre, 12211 Phnom Penh,

Tel: 023 721 383, 023 211 194

**Rasmei Kampuchea Daily**

#474 Preah Monivong, Phnom Penh

Tel: 023 726 655, 023 332 881

Email: [rasmei\\_kampuchea@yahoo.com](mailto:rasmei_kampuchea@yahoo.com)

**RFA - Radio Free Asia**

#63E0E1, Street 240, Phnom Penh, P.O Box 816

Tel: 023 982 403

Email: [sereyt@pp.rfa.org](mailto:sereyt@pp.rfa.org); [khmer@rfa.org](mailto:khmer@rfa.org)

Website: [www.rfa.org/khmer](http://www.rfa.org/khmer)

**Reuters Limited (Cambodia)**

#9, Street 174, 12210 Phnom Penh

Tel: 023 216 977

Email: [reuterpph@yahoo.com](mailto:reuterpph@yahoo.com)

**VOA - Voice of America**

#20C, Street 107, Phnom Penh,

Tel: 092 352 530

Website: [www.voacambodia.com](http://www.voacambodia.com)

**VOD - Voice of Democracy**

#14A, Street 392, Sangkat Boeng Keng Kang I, Khan Chamkar Mon,  
Phnom Penh

Tel: 023 726 846, 023 726 847

Email: [info@vodradio.org](mailto:info@vodradio.org)

Website: [www.vodradio.org](http://www.vodradio.org)

**Women's Media Centre of Cambodia Radio FM 102**

#30, Street 488, 12307 Phnom Penh, P.O Box 497

Tel: 023 223 597

Email: [info@wmc.org.kh](mailto:info@wmc.org.kh)

Website: [www.wmc-cambodia.org.kh](http://www.wmc-cambodia.org.kh)



**INSTRUCTIONS: PLEASE PLACE A CROSS NEXT TO THE CORRECT ENDING OF EACH SENTENCE.**

**1. The Asia Development Bank's main mission is to...**

- ...help rich people become richer.
- ...build railways across Asia.
- ...reduce poverty.
- Don't know

**2. Projects that the ADB fund cause...**

- ...only positive impacts.
- ...only negative impacts.
- ...both positive and negative impacts.
- Don't know

**3. ADB safeguard policies are...**

- ...rules that protect the government from criticism from communities.
- ...rules that protect the ADB from criticism from governments.
- ...rules that protect people from negative impacts from ADB projects.
- Don't know

**4. ADB safeguard policies say that...**

- ...displacement should be avoided and minimized.
- ...only poor people can be displaced from their homes.
- ...the government can displace as many people as it wants when it builds a railway.
- Don't know

- 5. When someone is displaced by a project that is funded by the ADB:**
- ...the Government does not have a duty to give them compensation or assistance but may choose to do so.
  - ...the government has a duty to make sure they are not made worse off by giving them compensation and other assistance.
  - ...they have a right to get full compensation for their land even if they don't own the land.
  - Don't know
- 6. When people are resettled because of an ADB-funded project:**
- ...the government must make sure they have proper housing and services at the new site.
  - ...the government can find land anywhere in Cambodia to resettle them.
  - ...the government must give everyone a tent.
  - Don't know
- 7. When people lose income because they are displaced by an ADB-funded project...**
- ...the Government has no duty to help them.
  - ...the Government must give them \$50.
  - ...the Government has a duty to compensate them for the income they lose.
  - Don't know
- 8. After people are displaced because of an ADB-funded project...**
- ...the Government has no duty to help them.
  - ...the Government must provide support so that people's livelihoods and income levels are restored or improved.
  - ...the Government can displace them again without warning.
  - Don't know.
- 9. People who are affected by an ADB-funded project:**
- ...have a right to information about the project, how they will be affected and their options for compensation and resettlement.
  - ...do not need to know much about the project, just how much money they will get.
  - ...should travel to Phnom Penh to find out information.
  - Don't know

**10. Consulting someone means:**

- ...telling them how much money they will receive.
- ...giving them an information book.
- ...giving people options and an opportunity to express their views and concerns and taking these into account in decision-making.
- Don't know

**11. If I have a problem or concern about the railways project:**

- ...I can only complain to my Sangkat.
- ...there is a special grievance mechanism for the project.
- ...I should find a lawyer and immediately file a complaint in court.
- Don't know