



# Project Information Document (PID)

Appraisal Stage | Date Prepared/Updated: 17-Apr-2020 | Report No: PIDA27445

**BASIC INFORMATION****A. Basic Project Data**

Country Cambodia	Project ID P171331	Project Name Land Allocation for Social and Economic Development Project III	Parent Project ID (if any)
Region EAST ASIA AND PACIFIC	Estimated Appraisal Date 20-Apr-2020	Estimated Board Date 19-Jun-2020	Practice Area (Lead) Agriculture and Food
Financing Instrument Investment Project Financing	Borrower(s) Kingdom of Cambodia	Implementing Agency Ministry of Land Management Urban Planning and Construction (MLMUPC), Ministry of Agriculture, Forestry and Fisheries (MAFF)	

**Proposed Development Objective(s)**

The project development objective is to provide access to land tenure security, agricultural and social services, and selected infrastructure to small farmers and communities in the project areas.

**Components**

Component 1: Selection and Development Planning of Social Land Concession and Indigenous Communal Land Titling  
Component 2: Community Infrastructure Development  
Component 3: Agriculture and Livelihood Development  
Component 4: Project Management, Coordination and M&E  
Component 5: Contingent Emergency Response

**PROJECT FINANCING DATA (US\$, Millions)****SUMMARY**

<b>Total Project Cost</b>	107.00
<b>Total Financing</b>	107.00
<b>of which IBRD/IDA</b>	93.00
<b>Financing Gap</b>	0.00



## DETAILS

### World Bank Group Financing

International Development Association (IDA)	93.00
IDA Credit	93.00

### Non-World Bank Group Financing

Counterpart Funding	14.00
Borrower/Recipient	14.00

### Environmental and Social Risk Classification

High

#### Decision

The review did authorize the team to appraise and negotiate

Other Decision (as needed)

## B. Introduction and Context

### Country Context

1. **Over the past two decades, Cambodia has undergone a significant economic transition, reaching Lower Middle-Income status in 2015.** The economy is growing rapidly driven by agriculture, garment exports, tourism, and more recently construction. The annual average GDP growth rate of 8.0 percent over 1998-2018 ranked Cambodia among the top seven fastest growing economies in the world. As a result, Cambodia's per capita Gross National Income (GNI) in current US dollar increased more than fivefold, from \$269 in 1997 to US\$1,512 in 2018. In 2015, Cambodia attained a Lower Middle-Income economy status. Cambodia's growth has been pro-poor, especially during the 2007-2014 period; the percentage of Cambodians living under the national poverty line fell from 47.8 percent in 2007 to 13.5 percent in 2014, and the Gini coefficient declined from 0.34 in 2009 to 0.30 in 2014. Cambodia had also made significant progress in attaining the Millennium Development Goals.

2. **Agriculture growth played a decisive role in poverty reduction but sustaining this performance has been challenging.** Agriculture played a key role on Cambodia's economic success during the post-civil war and notably during the 2007-09 period<sup>1</sup> when the last global financial crisis hit<sup>2</sup>. Thanks to a large expansion of cultivated areas and the rapid rise in agricultural commodity prices<sup>3</sup>, the agriculture sector grew at 5.6 percent (at constant prices) during the 2007-09 period, driven by the rice subsector. As a

<sup>1</sup> *Where Have All the Poor Gone? Cambodia Poverty Assessment 2013, the World Bank Group*

<sup>2</sup> *Finance & Development, June 2012, Vol. 49, No. 2, International Monetary Fund*

<sup>3</sup> *Finance & Development, June 2012, Vol. 49, No. 2, International Monetary Fund*



majority of the population depended on agriculture, rapid expansion of the sector boosted rural households' incomes and further generated multiplier effects leading to higher revenue from non-farm businesses and higher wage rates for rural workers. However, with the end of the *commodity price super-cycle* and the progressive exhaustion of potentials for further land expansion, the two key drivers of past agricultural growth, the sector performance has decelerated notably over the last few years.

3. **With an aspiration to become an upper-middle-income country by 2030, Cambodia needs to strengthen its growth drivers.** The economic outlook for Cambodia's main economic engines is clouded by uncertainty. The recent COVID-19 global outbreak is expected to significantly impact Cambodia and its main trade partners in the region in 2020, through weakened export growth, tourism flows, and construction activity. The outlook for commodity prices such as rice is not very positive, and Cambodia's labor-intensive, export-oriented garment industry is facing a demand shock in 2020 alongside rising wages and greater competition from abroad. Recent partial suspension of Cambodia's preferential access to the European Union (EU) market under the Everything-but-Arms (EBA<sup>4</sup>) policy could add to the impact on the country's exports given its reliance on the EU market. A sharp slowdown of the Chinese economy could also affect sensibly the Foreign Direct Investment (FDI) inflows and tourist arrivals. As a result, the authorities are giving increasingly attention to the agriculture sector. The National Strategic Development Plan 2019-2023 puts much emphasis on improving agricultural productivity and crop diversification to tap into more remunerative value chains. In March 2019, the authorities introduced several measures to promote agro-industries by lowering logistics and business costs such as electricity.

## Sectoral and Institutional Context

4. **With urbanization at less than 32 percent, agriculture in Cambodia has been an important contributor to national income and a major source of livelihood for the majority of the population but has remained highly vulnerable to shocks.** The agriculture sector including fisheries and forestry, contributes to about a quarter of GDP (28 percent in 2018) while over 46 percent of the rural population rely on agriculture for employment. However, over the last few years, there has been a sharp reduction in its contribution to employment and poverty reduction. Employment generation from agriculture grew at an annual rate of 2.8 percent during 2007 – 2011, and in 2009 in particular, the sector absorbed a large number of laid off factory workers as the garment and footwear sector faltered during the global financial crisis. From 2011 to 2015, employment creation by the agriculture sector shrank notably by 5.8 percent a year due to depressed agricultural commodity prices (notably rice) and drought.

5. **Revitalization of agriculture is critical to sustain achievements in poverty reduction and to make further progress towards elimination of extreme poverty.** Despite Cambodia's impressive record on poverty reduction, vulnerability is high and extreme poverty is entrenched. The majority of households that escaped poverty did so by only a small margin, thus were highly vulnerable to falling back into poverty; a small shock of US\$0.50 equivalent per day would cause the national poverty rate to increase to 40 percent, or approximately six million in 2014 (WB, 2019)<sup>5</sup>. Of these, rural dwellers accounted for much of the vulnerable population (93 percent). Over the last several years (2013-17), with agriculture growing at an average annual rate of 1.02 percent, continued national poverty reduction benefitted the

<sup>4</sup> The EBA is a trade policy by the European union that provides tax free for all exports but arms, from poor countries

<sup>5</sup> Country Partnership Framework for Kingdom of Cambodia for the Period FY 2019-FY 2023 (May 1, 2019)



urban population more than its rural counterparts<sup>6</sup>; thus, by 2017, the rural population still accounted for the large majority of the poor.

6. **Sustainable and secure access to natural resources by rural communities and to land by small agricultural producers is an integral part of the government's strategy to sustain poverty reduction.** Rural communities rely heavily on land, forests, and other natural resources for their livelihoods. Inequitable access to productive assets including land, would contribute to inequality of production and income earning opportunities, particularly in the absence of dramatic expansion of off-farm and non-farm employments to absorb landless labor. Since the early 2000s, the government of Cambodia has established a legal framework to implement Social Land Concession (SLC) policies for rural communities and to expand land titling for the landless and rural poor. A Land Law was adopted in 2001 which discontinued the right to occupy additional land based on the "right of possession", whereby one could clear unused private state land<sup>7</sup> and use it as her/his own, and eventually obtain full ownership of it. The SLC was created in lieu of the "right of possession". One of the premises of the SLC was that as Cambodia's population was rapidly increasing, continuing to create new possessory rights was leading to disorderly settlements on unused state lands and was contributing to deforestation. By contrast, the SLC provides a more orderly process of land allocation to poor people along with infrastructure development, other social services, and technical assistance to enhance the production capacities of beneficiary populations and the sustainability of their livelihoods.

7. **The framework for the operationalization of Social Land Concessions was established in 2003 through adoption of the Sub-decree 19 of the Land Law which defines criteria and procedures for granting SLCs.** Article 2(a) defined SLCs as "a legal mechanism to transfer private state land<sup>8</sup> for social purposes to the poor who lack land for residential and/or family farming purposes." Two types of SLCs were established by the sub-decree: articles 5 and 6 established "local" SLCs which are initiated and run by commune councils and are exclusively for residents of the commune, and a National Social Land Concession Program (article 7) was also established that casts a far wider net.

8. **During 2008-15, the Government established the Land Allocation for Social and Economic Development Project (LASED), with funding support from the World Bank and technical assistance from the German Agency for International Cooperation (GIZ), to pilot the implementation of the Sub-decree 19 on SLC.** The pilot projects were funded by both IDA and a Bank-administered Japanese Social

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<sup>6</sup> May 2019 Cambodia Economic Update, the World Bank Group

<sup>7</sup> All government land in Cambodia is divided into "state public land" and "state private land." Article 4 of Sub-decree 118 on State Land Management [2005] stipulates that "state public land" has a public interest use and therefore includes forests, natural lakes, government airports, etc. Article 5 says "private state land is all the land that is neither state public land, nor legally privately or collectively owned or possessed under the Land Law of 2001." Article 58 of the 2001 Land Law states that all concessions of any kind can only be created on state private land. Some state public lands, e.g. irreversibly degraded forests, can also be transformed into private state land and subsequently allocated as SLC.

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Development Fund (JSDF). The IDA-funded part covered eight sites in seven communes located across three provinces; it provided 10,273 hectares of land to 3,148 households. The JSDF-funded part covered five sites across two additional provinces; it provided 3,847 hectares to 1,293 households, and implementation activities were led by one NGO on each site. A follow-on project, LASED II, started implementation from 2016 and is expected to close in 2021. LASED II includes the previous 13 SLC sites plus one new SLC site in Kampong Thom. It covers a total of 17,000 hectares and directly benefits some 5,010 households.

9. **LASED and LASED II have followed a transparent process of designation of beneficiaries in targeted land recipient communities many of whom are now successfully settled as farmers.** A ten-step process for the selection of land recipients has featured: (i) public awareness campaigns on the modalities and implementation of the selection process; (ii) completion of the application forms; (iii) public display of the list of applicants<sup>9</sup>; (iv) evaluation/scoring of each applicant; (v) verification of the scores; (vi) public display of a list of potential land recipients, and a complaint resolution process; (vii) finalization of the list of potential land recipients; (viii) public display of the final list of land recipients; (ix) reception and resolution of complaints; and (x) land allocation.

10. **Prospects for the sustainability of agriculture-based livelihood of LASED beneficiaries are strong.** Box 1 presents a feature story of beneficiary farmers from the LASED projects, provided by EXT-Cambodia.

**Box 1: Poor Communities in Cambodia are earning more through agricultural cooperatives and organic farming**

*Story highlights by EXT – Cambodia: March 2020*

- Through the Land Allocation for Social and Economic Development Project II (LASED II), 17,000 hectares of residential and agriculture farm land have been allocated to 5,141 landless and land-poor families across 14 different project sites.
- Six Agriculture Cooperatives have been established under the project with a membership of 452 families.
- The project establishes agricultural cooperatives and provides technical assistance and grants to beneficiaries to consolidate and improve agriculture production systems, increase their livelihoods, and boost their food security and nutrition status. The project also supports market integration that promotes sustained incomes.
- Currently, four cooperatives under the LASED II project have signed farm contracts with two private companies—CACC and Signature of Asia. Signature of Asia buys organic sesame and peanuts from two cooperatives in Kampong Chhnang and Kampong Speu provinces, while CACC buys organic cassava from cooperatives in Kampong Thom and Kratie provinces.

Thy Thea and Leng Phang are members of Agriculture Cooperative in Tipo Commune in Kampong Thom province.

Thy Thea, a 39-year-old farmer, expressed his appreciation to have a farming contract with a private company for his organic products. This year, he harvested 32 tons (worth about US\$3,000) of his organic cassava that he grows between his organic cashew nut trees on his two hectares of farm land. He also expects to gain more from his cashew trees, which will be harvested soon. “I have no worry about markets for my organic products,” Thea said, referring to a farming contract that his Agricultural Cooperative (AC) has signed with the Cambodian Agriculture Cooperative Corporation, Plc. (CACC). “When our product is ready to harvest, the company comes to our village and buys it.”

Leng Phang, a 40-year old farmer, earned more than US\$3,300 from her 34 tons of organic cassava this year. Because of better earnings this year, she has signed a new contract to grow organic cassava again next season. She observed that more families in her community want to join the scheme. “I encourage my neighbors to join the agriculture cooperative because we can earn more and our health is safe,” she said.

<sup>9</sup> All applicants must fall into the categories of “very poor” or “poor” as evidence by their possession of IDPoor cards



Khun Malis, 31-old, a villager in Da commune, a LASED II project site in Kratie province, harvested more than eight tons of her organic cassava from her nearly one hectare of farm land. Through the agricultural cooperative, she can sell her yield at double the price she used to get from middlemen buyers. She added that a guaranteed price and improved cassava productivity have attracted more families to join the cooperative. This year, number of members has increased from 25 families to 72 families and many more families will soon join.

The production of organic cassava for this year has not reached the target, even though more and more families are joining the cooperatives. What's needed to boost output, according to Kann Kunthy, Managing Director of CCAC who signed the farm contracts with cooperatives under the LASED II project, is improved soil and seed and better coordination among cooperative members.

Dr. Dok Doma, Project Director of LASED II, is committed to supporting and strengthening the cooperatives in order to improve organic cassava productivity and encourage even more project beneficiaries to join the scheme. "Now we have put more efforts to help them increase their organic productivity by providing farming techniques including climate-smart agricultural practices, and providing revolving fund so they can use it to improve seed and soil," he said.

11. **Government plans to scale up the scope of the land allocation program including, in particular, Indigenous Peoples (IP).** The rationale for covering indigenous communities is two-fold; first, the RGC has recognized IPs' right to their lands and has established a regulatory framework enabling them to register collective ownership over this resource through the Indigenous Community Land Titling (ICLT); and, second, the LASED initiative has proven to be an effective means to provide security of land tenure to landless populations, and is therefore well placed to promote ICLTs and help sustain them through development assistance. The proposed project, LASED III, is well designed to support this initiative.

12. **There are about 24 groups<sup>10</sup> of IPs in Cambodia, totaling approximately 200,216 people<sup>11</sup> or about 1.2 percent of the country's total population.** The 2001 Land Law defines Indigenous Communities (IC) as "groups of people who reside in the territory of the Kingdom of Cambodia whose members manifest ethnic, social, cultural and economic unity and who practice a traditional lifestyle, and who cultivate the lands in their possession according to customary rules of collective use". IPs are concentrated in upland areas mostly in the provinces of Ratanakiri (RTK), Mondulakiri (MDK) and Kratie (KT), which are home to over 76 percent of the IP population. Small numbers of IPs are also spread across another 12 provinces. In 2009, the Ministry of Interior (MoI) compiled a list of 455 villages in Cambodia that had anywhere from 6 percent to 100 percent indigenous. New research by the Cambodian Indigenous People Organization (CIPO) shows that there are at least 573 indigenous villages in Cambodia<sup>12</sup>.

13. **Registering collective ownership of land is generally appealing to ICs.** Registration is designed to give ICs secure tenure over much of their traditional land and therefore, to enable them to manage the land in the communal manner that they have long followed. The 2001 Land Law recognizes the right of ICs to an indigenous communal land title (ICLT) over their customary lands where they carry out traditional agriculture including shifting cultivation (Article 25)<sup>13</sup>. The Land Law and a 2009 sub decree define the types of traditional lands to which ICs may obtain titles. These are their spirit forests, their burial forests, the land which contain their homes at the time of titling, land which they are farming at the time of titling, and land that is part of their shifting cultivation system that is under fallow at the time of titling. The sub

<sup>10</sup> See details in Annex 2

<sup>11</sup> See attachment in Annex 2 entitled "Statistics of Various Groups of Indigenous Peoples in Cambodia."

<sup>12</sup> Phnom Penh Post - 27 Oct 2016

<sup>13</sup> In practice, CLT has been granted to villagers having at least 60 percent indigenous populations





decree also says “As for other state land which indigenous communities have traditionally used such as forest land for harvesting forest sub-products, the community could continue to use and enjoy benefits according to its tradition; however, it shall enter into agreement with relevant trustee institutions of state land” e.g. entering into community forestry agreements with the Forestry Administration. However, in practice, there have been numerous cases where some community members have expressed preference for individual titles and such preferences should be respected and supported. In fact, the Land law provides for possibilities of land transfer among community members whereby the community is required to allocate an “adequate share of land” to a community member who wishes to leave the community “for the purposes of facilitating the cultural, economic, and social evolution of members” (Article 27).

14. **Communal land owners have “all the rights and protections of ownership as are enjoyed by private owners” (Article 26 of the Land law), but they may need institutional and technical support to enforce these rights.** While ICLT provides legal protection of community lands, in practice, protection against encroachers may not always be effective owing to weak leadership and legal awareness among leaders of the communities, and ineffective capacities of NGOs to assist communities to deal with land pressures. The general conclusion of community leaders is that “titles signifying ownership can be used by IC to defend their rights, even if their land is being encroached on. This is better than not having anything”<sup>14</sup>. Under the project, community awareness raising and consultation would be undertaken to ensure community members better understand both ICLT and individual titles. While information available supports the overall view that collective ownership is more appealing to IC members, empirical data would be acquired as part of implementation monitoring.

15. **The process for IPs to obtain collective land titles consists of three main phases.** This starts with the Ministry of Rural Development (MRD) recognizing a particular group of people as an indigenous community (IC). Next, the Ministry of Interior (MOI) determines whether or not to register the IC as a legal entity. The last phase is land registration. It starts with a registration application by the IC; with assistance by NGOs, the IC prepares internal rules on land management, establishes a “temporary map” that shows the lands the IC claims, and attaches these materials to an application to the provincial department of the Ministry of Land Management, Urban Planning and Construction (MLMUPC) to register the land communally. Finally, collective land titles are issued to the IC (Annex 2 provides the detailed description of the ICLT process).

16. **Opportunities for the sustainable expansion of ICLTs.** Demands for ICLT have increased notably over the last few years. Between 2016 and 2019, the number of ICs that have reached each of the three successive phases of the ICLT process increased by 26 percent, 37 percent, and 114 percent, respectively. By end 2019, 150 IPs have been recognized as ICs by MRD, 140 IPs have been granted legal recognition by MOI, and 30 ICs have obtained registration of their lands from MLMUPC. More land registration for other ICs is underway. It is notable that these developments unfolded in a context of limited technical and administrative capacities to support the titling process, suggesting that demand for titling may have been higher. Constrained budget resources appear to have been a major problem for officials at MDR, MOI and MLMUPC to carry out necessary technical and administrative activities, while actions of many NGOs were also handicapped owing to unavailability of proper funding.

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<sup>14</sup> *Mekong Region Land Governance - The Recognition of Customary Tenure in Cambodia. October 2017*





17. **Early assessment of risks and identification of mitigation measures should be essential components of support to ICLT processes.** Two recent studies<sup>15-16</sup> suggested the need to be cognizant of important risk factors that could unduly prolong or even derail the ICLT implementation process including: (i) land conflicts between neighboring Economic Land Concession (ELC) and the IC - Since conclusion of the ICLT requires that a formal agreement is arrived at by the two parties, the scope of the land conflict needs careful assessment prior to embarking into the ICLT process; (ii) access to forest resources when they constitute an important source of income for the IC – prior to the conclusion of the ICLT process. A credible action plan should be in place, leading to community forestry agreements between the IC and the Forestry Administration that would allow the community’s continuous use of forest resources according to its tradition; (iii) the interests or incentives of individual community members to seek individual titles rather than be under ICLT should not be overlooked – individual land titles offer the advantage of being used as collateral for loans from formal lending institutions, but the holder of such individual title will no longer have access to the reserve or fallow land. Still, preference for individual title should be accounted for and addressed as early as possible including through mechanisms provided for by existing regulatory framework; and (iv) encroachments into the community lands by outsiders following completion of the ICLT – frequent and/or unresolved encroachments can negatively influence the perception of community members about their tenure security. This could also lead to some community members preferring individual titles over ICLT. Adequate legal and other technical support to the community leadership to address such encroachments are important for “managing perceptions” of community members. Community awareness raising and consultation would support the better management of perceptions of community members and ensure their better understanding of both ICLT and individual titles.

18. **Systematic application of Free, Prior and Informed Consent (FPIC) in the ICLT process (Annex 2, Figure 3), along with adequate compliance with all relevant Environmental and Social Standards (ESSs) are paramount for the effectiveness of the risk mitigation measures.** For the ICLT to sustain, all members of the communities must understand its rationale and its expected outcomes, as well as issues to be addressed during the entire process. Thus, transparent, consultative approaches must be used to ensure all relevant stakeholders freely adhere to the processes that are in compliance with legal regulations and are in line with World Bank’s Environmental and Social Framework (ESF) requirements, including ESS7 on Indigenous Peoples.<sup>17</sup> This will require that FPIC is obtained from ICs at the start of the ICLT process and at critical points, including at the start of the development support work after the ICLT is completed. Critical points for the ICLT process would include in particular, step 3 in phase 2.5 where the IC files a land registration application, but also step 3 of phase 3 when the Government reports to the IC on the result of the public display, subsequent to which it proposes to title. FPIC should also be provided at any point when requested by the IC. Furthermore, proper implementation of all social assessment work, including both social assessment as a whole and specific site assessment would have to precede any planned support activities.

<sup>15</sup> *Land conflicts between Economic Land Concessions and smallholder farmers in Bousra commune: Policy Implications – Mekong Region Land Governance. January 2020*

<sup>16</sup> *Assessment of the economic opportunities of indigenous communities in possession of a collective land title in Cambodia – in the provinces of Ratanakiri, Mondulakiri, and Kratie : Study y Iris Ritcher, commissioned by the OHCHR – August 2017*

<sup>17</sup> *Environmental and Social Standard (ESS) 7 on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.*



### **C. Proposed Development Objective(s)**

#### **Development Objective(s) (From PAD)**

11. The project development objective is to provide access to land tenure security, agricultural and social services, and selected infrastructure to small farmers and communities in the project areas.

#### **Key Results**

12. The achievement of the PDO will be measured through the following indicators: (i) tenure security provided to beneficiary farmers and community groups. Achievements would be measured by the number of registered land titles and by the size of related area covered (ha) and by measuring the perception of tenure security. Data would be disaggregated by gender, individual, and communal land rights; (ii) infrastructure and service provision in the project areas. Achievements would be measured by the access to agriculture services, clean water, connecting roads, schools and health posts; and (iii) sustainable, agriculture-based livelihood development for individuals and groups in the project communities. Achievements would be measured by improvements in the poverty status of beneficiaries. Citizen engagement is measured through the satisfaction of beneficiaries with the land titling process and the provision of agriculture services.

### **D. Project Description**

13. LASED III would follow a two-pronged approach: (i) consolidating through complementary activities the current SLC program under LASED II and expanding it into new SLC sites within the same provinces; and (ii) implementing an adapted approach into communities of indigenous peoples in new project provinces. The project would build on the successful and well-established procedures under LASED and LASED II for implementing SLC activities, but also adapt them to indigenous peoples' communities.

#### **Component 1. Selection and Development Planning of Social Land Concessions (SLC) and Indigenous Communal Land Titling (ICLT)**

14. LASED III would support applications for SLC, ICLT, and development support to ICs, on a first come, first served basis. For new SLCs, first, communes would have to express a request; then, once the availability of the land is determined by the project as compliant with the needs of the communities, a comprehensive environmental and social assessment and land use planning are carried out before the sites are endorsed for the project. For ICLT and development assistance to ICs, the ICs themselves would have to come forward and ask for assistance. For ICLT, the Project would provide support throughout the different steps necessary to complete the titling process<sup>18</sup>. This includes ICs whose land registration applications have already been successfully received by provincial land departments but that the land registration has not yet started, and also for those who have legal recognition from MOI but have not yet created and gathered all necessary documents to be able to file land registration applications. For ICs who as of the start of the project have already completed the ICLT process, development assistance would be

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<sup>18</sup> Annex 2 describes the ICLT processes and the guiding tasked for the development support for already-titled indigenous communities



provided, namely through infrastructure and service support. Planning activities in ICs would be supported by experienced local and international technical assistance, employed by the Project.

15. Commune Land Use Plans (CLUPs) are a critical tool for the identification and formulation of development plans for SLC and ICLT, informing sustainable management strategies of natural resources at the local level including the identification of most appropriate use of land resources and rehabilitation of degraded lands. Specifically, land use plans would seek to maintain natural water resources, tree covers, pay heed to natural drainage canals or basins to utilize land in a manner that minimizes risk from climate hazards such as droughts or flooding. For the identification and formulation of development plans for SLC and ICLT, three main activities are financed under this component, including: first, participatory preparation of SLC and ICLT plans for the new sites; second, the identification, prioritization and planning for rural climate resilient infrastructure investments such as irrigation schemes, roads, schools, teacher houses, community centers, health care facilities, and fresh water supply. The planning process also helps to collect relevant project baseline data that support decision-making for climate-smart community development planning; and, third, the processing of individual SLC land titles for eligible land recipients and of communal land titles in IP communities.

16. Technical support for planning of project's activities would be provided for all project sites, independently of their status in the titling process. This will review the bio-physical, socioeconomic and cultural endowments of the communities and their environment, and assess the sites' carrying capacities and the implications for agriculture-based livelihoods of land recipients. In addition, the integration of site planning into the Commune Development Plans (CDP)/Commune Investment Plans (CIP) will facilitate long-term sustainability. For this reason, preparation of Commune Development Plans for all districts that host SLCs has been requested by the government and will be carried out under the proposed LASED III project. CLUPs would be prepared using mapping and GPS tools, with active participation from community members. A detailed outline of planning activities and environmental and social risk management processes and instruments that would be expected for different project sites would be included in the Project Implementation Manual (PIM). The PIM would also present more detailed requirements for CLUP preparation.

## **Component 2: Community Infrastructure Development**

17. This component will finance at selected SLC sites and ICLT communities, implementation of productive/economic and social community infrastructure investments. These include rural roads, small-scale irrigation systems<sup>19</sup>, side drain, culverts, drifts, water supply and sanitation facilities, school buildings, teachers' houses, health posts and community centers. Based on the experiences in existing SLC areas and responding to the significant infrastructure gaps at the proposed new project sites, appropriate transport connectivity would be provided through site access roads, residential and agriculture access roads and tracks, both within and across the SLC sites. To address sustainability concerns, climate change adaptation measures will be considered in the design and construction and the scope of the road and other community infrastructures will be calibrated with the amounts of maintenance funds planned by

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<sup>19</sup> In most SCL, the small-scale irrigation and water supply schemes will mainly capture the rainwater in the wet season. But in some other ICLT communities, the small-scale irrigation and water supply schemes will be developed using irrigation schemes that are currently used for rice irrigation. However, it is not excluded that few producer groups will develop small irrigation schemes outside existing irrigation schemes.



the relevant local governments. The project will follow RGC/MRD policies and guidelines for rural infrastructure provision. The investment in any new water supply, irrigation or other schemes that may use or risk polluting water of alluvial aquifers and streams that are tributaries to the Tonle Sap and Mekong river system will not be eligible for financing.

18. The infrastructure to be constructed under this project would emphasize resiliency i.e. to both built to be resilient to climate change and enable resiliency of communities. Transport infrastructure will be built to withstand climate hazards, such as extreme heat and drought, or flooding and to support the resilience of road side communities through smart designs that will divert rainwater runoff from newly constructed roads for productive agricultural uses e.g. through water spreaders from culverts to supplemental irrigation. Social infrastructure such as school buildings, community centers, and health posts, will be designed to also withstand climate hazards, to be energy efficient and powered by renewable energy. Climate resilience of roads requires consideration and application of a set of technological measures. Climate change adaptation measures such as raising the embankment to at least 0.5m above the maximum flood level, adjusting side slopes to 1:3, constructing side drain and cross drainage structures and adjusting the technical requirement for compaction will be considered in the engineering design and construction. With these considerations, more land will be required for infrastructures compared to previous projects. For instance, road width up to 30m would be used for site access roads and 24m for residential and agricultural roads, provided this would not involve any resettlement activities. As earth and laterite roads are vulnerable to climate change conditions, paving the road surface is also essential for climate resilience. However, due to budget limitations, only small portions of project roads will be paved. The detailed technical designs and construction supervision would be carried out by contractors in close collaboration with project engineers from MLMUPC and MAFF and supported by technical staff from others relevant provincial line departments. With this arrangement, the firms will also provide on-the-job training to provincial staff on design and construction supervision of infrastructure. With respect to rural roads, contractors would be required to utilize local labor force and materials as much as possible, to develop local maintenance capacity and employment opportunities.

### **Component 3: Agriculture and Livelihood Development**

19. This component would support the settlement process of beneficiary households, the building of socio-economic capital (producer groups/cooperatives) and the development of climate-change resilient and market demand driven agricultural production systems. These activities would include support for: (i) settling-in assistance<sup>20</sup> to newly-installed land recipients and land preparation assistance for a first cover crop and/or planting of seedlings for tree crops such as cashew to provide the basis for land recipients to establish a new residency and start using their new agriculture land; (ii) implementation of a comprehensive agricultural services strategy (see next paragraph) with an emphasis on climate-smart agriculture techniques, and taking into account the differing knowledge, skills and interests of land recipients. The land recipients range from those who need to master basic agricultural husbandry practices to those that are more sophisticated, ready to engage in lucrative market niches nationally or for exports, as well as the need for gender-specific approaches. This activity will therefore include the provision of training in key climate smart agriculture techniques and the provision and use of climate information services to inform communities' climate risk decision making. The strategy would also exploit

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<sup>20</sup> Basic household supplies, some shelter materials, food for work, and small materials and equipment related agriculture farming (to be details in the PIM)



synergies with the ongoing World Bank-supported nutrition project (paragraph 25) as well as promote nutrition-sensitive agriculture production; (iii) establishment and/or strengthening of farmers organizations for production and marketing activities and other community interest groups which will form the bedrock of knowledge exchange and peer learning on climate smart agriculture practice, such as better fertilizer use practices, manure management and integrated water management and entry point for climate information; and (iv) provision of a Community Fund for Development (CFD) to scale up successful local initiatives. The CFD will operate as a revolving funds and give preference to local initiatives that maximize triple wins benefits of enhanced productivity and incomes for farmers, mitigation and adaptation. Implementation of this component would be supported by strong national and international technical assistance, in close collaboration with MAFF, other implementation agencies (IA) and provincial departments.

20. MAFF has formulated a comprehensive agricultural services strategy for LASED III including extension and support to agricultural cooperatives. Hitherto, extension delivery under LASED II tried to use the “Farmers’ Field School – FFS” approach but implementation has been poor, owing to unfamiliarity with the key features of the FFS approach, weak technical capacity, and inadequate funding. Following a comprehensive diagnosis of the current extension services, MAFF has reformulated the delivery strategy. It features: (i) a pluralistic service provider approach, involving technical staff from MAFF, private sector agents e.g. medium to large scale agro-industries and consultants, and NGOs; (ii) leveraging modern ICT to disseminate new climate smart technologies or improved husbandry practices; (ii) clarification of the basic operating procedures of the FFS e.g. formulation and implementation process of farmer-managed demonstration plots, interactions between extensionists and farmers, etc., while taking into account the specific sociocultural and biophysical environments of new project sites, in particular in IP areas, etc.; and (iii) establishment of partnerships with agricultural research institutions to test climate smart technological innovations (e.g. climate resilient crops and crop varieties) for diffusion to farmers. A detailed plan of actions has been prepared spelling out key activities to be undertaken before, during, and after the agricultural season. The second component of the strategy i.e. support to the development of agricultural cooperatives, has also been laid out. Assuming its effective implementation, it bodes well for relevant technical and managerial support to farmers’ cooperatives. The PIM would highlight key elements of the new agricultural services strategy.

21. The component would explicitly tackle vulnerabilities from climate hazards and the proximity of natural habitats. Since some new project sites would include areas in provinces with important natural habitats, the project would incorporate in its agriculture and livelihood development plans activities that protect private, communal and public lands. Where applicable, community forestry activities would be supported alongside private agriculture activities. At the same time, the project would provide specific short and long-term responses to climate change challenges to strengthen the resilience of production systems. Climate-smart agricultural practices - adoption of more resilient crops, agroforestry, and sustainable land management would be emphasized and mainstreamed in the extension services. Small-scale irrigation will help improve both productivity and climate resilience of beneficiaries. It would also facilitate a shift towards more diversified and higher value crops, thereby opening new markets and income opportunities for producers.

22. The implementation of the Revolving Funds would support the identification and implementation of local economic initiatives, benefitting organized groups (mainly agriculture cooperatives) and individual



farmers. Implementation of the Revolving Funds, i.e. the management of identified community and private initiatives would be facilitated by a specialized firm(s) and/or NGO.

#### **Component 4: Project Management, Coordination and M&E**

23. This component would ensure effective project management. It will finance (a) the operational costs pertaining to multi-sector coordination, technical and fiduciary (procurement and financial management) activities, as well as social and environmental risk management of the Project Management Team (PMT) and Project Teams (PTs), both at the central and decentralized levels; (b) institutional and technical capacity building for project implementation at all levels; (c) M&E and information systems; (d) baseline, midterm, and final project evaluations and impact assessments; and (e) communications strategy and project results dissemination. Strong M&E systems for project implementation will be a top priority as will be strengthening the PMT's capacity to plan and execute them.

24. Appropriate support would also be provided to strengthen the Project's M&E system and the SLC/ICLT management information system (MIS) which provides critical sites-related inputs for planning, prioritization and implementation of activities. All these arrangements would be laid out in the project implementation manual (PIM) following extensive consultations with government counterparts. Project funding will cover technical assistance, training, incremental operating costs, vehicles and equipment. The presence of mobile phones will be extensively leveraged for geo-tagged data transmission (including photos) and for beneficiary feedback on monitoring and evaluation activities. Call centers at the extension service unit of MAFF would be used for seeking feedback on quality of service delivery, particularly where SMS or social media may not work owing to language barrier, literacy, or other bottlenecks.

#### **Component 5: Contingent Emergency Response**

25. The contingent emergency response component, with a provisional zero allocation, would allow for the reallocation of financing to provide immediate response to an eligible crisis or emergency. An Emergency Response Manual (ERM) will be developed for activities under this component, detailing streamlined FM, procurement, safeguard, and any other necessary implementation arrangements. In the event the component is triggered, the RF would be revised through formal restructuring to include appropriate indicators related to the emergency response activities. The development of the ERM for this project will coordinate closely with the ERM established under the Cambodia Southeast Asia Disaster Risk Management Project

#### **Legal Operational Policies**

##### **Triggered?**

Projects on International Waterways OP 7.50

Yes

Projects in Disputed Areas OP 7.60

No

#### **Summary of Assessment of Environmental and Social Risks and Impacts**





26. LASED III will support the process for SLC and ICLT including titling, establishment of infrastructure and promotion of agriculture-based livelihood systems.

27. The LASED project, 2008 to 2015, supported seven sites in Kratie, Tbong Khmum, and Kampong Thom provinces. In total 3,148 households were provided 10, 273 hectares. LASED II continued to support the original 7 sites and expanded to a total of 14, to allocate 17,000 hectares to benefit some 5,141 households. LASED III expects to support 71 sites (14 existing SLC sites; 12 new SLC sites; and 45 ICLT of which 15 communities will be supported for communal titling). Some of the existing 14 sites, in the five provinces of Kratie, Tbong Khmum (formerly part of Kampong Cham), Kampong Thom, Kampong Chhnang, and Kampong Speu, will be provided mainly irrigation related infrastructure investments to enhance their agricultural production capacities. Activities for the 12 new SLC sites include: titling, site planning; Infrastructure (housing, primary schools, health posts, teacher and health worker accommodation, community centers, market) agriculture (land, annual and perennial crops, grazing, poultry; food stores); water (irrigation, wells, ponds, dams and pipelines, pumps and drainage, water tanks); primary supply (rice – Food for Work, agriculture start up – fruit trees; vegetables (seeds); poultry; household start-up – housing material; solar lamps) and roads (connecting main roads, residential, and agricultural). The locations for these are not determined. For ICLT, potentially 15 sites will be supported towards achieving registration and titling. Once titled, they will receive the same development support activities as 30 already titled ICLT sites, including investments on livelihoods and infrastructure similar to new SLC sites, and based on needs of the communities. Most of the ICLT sites are located in Kratie, Monduliri, and Ratanakiri.

28. The overall environmental and social risk classification is high. The social risk rating is classified as High. While the project aims to deliver a range of benefits including economic development and community livelihood opportunities, project activities have the potential to generate significant social impacts, direct and indirect, due to the range of activities related to land consolidation, indigenous community lands, agriculture and infrastructure. The scale of the proposed activities, across sensitive locations (indigenous areas) and new focus on ICLT presents risks, particularly related to collective registration of indigenous communities' lands. The Environmental and Social Review Summary (ESRS) provides further information on social risk.

29. Nine of the ten Environmental and Social Framework (ESF) standards have been screened as relevant. Standard ESS9 on Financial Intermediaries considered not relevant. The screening of social risks and impacts is based on discussion with the task team, consultations and observations undertaken during missions, secondary data, and specialist experience with LASED II. The screening also takes into account the various instruments developed for understanding and addressing risks and impacts of LASED III.

30. An environmental and social profile has been developed. The profile captures high level social data at the provincial (Kampong Thom, Kratie, Monduliri, Ratanakiri, Stung Treng, and Preah Vihear) level and is informed by findings of visits and investigations at selected locations in Kampong Thom, Monduliri, Ratanakiri, and Stung Treng Provinces. Site specific Environmental and Social Assessments (ESAs) and engagement plans will be prepared during project implementation once particular sites have been selected.





31. As part of the revisions prior to approval, meaningful consultations for informing risk assessment and development of mitigation measures are summarized in various instruments. Disclosure has taken place in country through telegrams, emails, phone calls in April 2020, through the websites of the Royal Government of Cambodia's ministries ([www.mlmupc.gov.kh](http://www.mlmupc.gov.kh) and [www.maff.gov.kh](http://www.maff.gov.kh)) on April 11, 2020. As many of the titled ICLT communities are located in Monduliri, Ratanakiri, and Kratie, disclosure and consultations are planned to take place with interested and affected stakeholder in these target provinces as well as in Phnom Penh. Because of Covid-19, face-to-face consultations were replaced with virtual consultations, as appropriate. The consultation took place using the following 3-way approach including online, phone calls / emails and making documents available at the commune office. The following interested and affected stakeholders were consulted: relevant government ministries; sub-national administrations (Province, District and Commune level) in potential target provinces; NGOs (including IP, social development and conservation NGOs) and civil society organizations supporting SLC sites and / or working with IC; representatives of communities on existing SLC sites; representatives of IC, including communities currently going through the ICLT process and communities that have completed the process. As the consultations were undertaken during COVID 19, considerations for the need to ensure accessibility requirements on the affected and interested stakeholders are adapted to use of website, telegram, and phone calls.

32. Prior to project appraisal an Environmental and Social Commitment Plan (ESCP) was prepared which takes into account the need to ensure adequate budget, staffing and operational arrangements for project environmental and social risk management. Also prepared were the: Stakeholder Engagement Plan (SEP) including a Grievance Mechanism; Environmental and Social Profile; and an ESMF which includes the Labor and Working Conditions Procedures (LWCP); Resettlement Policy Framework (RPF); Indigenous Peoples Planning Framework (IPPF); and Cultural Heritage Protection Framework (CHPF). These instruments, together with the ESCP, were disclosed on April 11, 2020 to reflect feedback provided on risks and impacts, and mitigation as part of the consultation process. The LWCP will be revised during implementation to incorporate procedures not currently covered prior to appraisal. The IPPF, CHPF, ESCP and SEP will be revised following focused assessment on ICLT in year 1 of implementation.

33. The implementing agencies have competency in executing projects in accordance with national requirements and under World Bank Safeguards Policies but have less familiarity with and experience in delivering projects in line with the ESF. The success of this project for ICLT will largely depend on ensuring meaningful engagement and Free, Prior, and Informed Consent (FPIC) for indigenous communities to deliver on project objectives. There will be a need to strengthen existing government processes to meet ESF standards and the capacity of the range of agencies, institutions, and contractors to manage risks related to labor and working conditions, worker and community health and safety, and complex and inclusive stakeholder engagement and FPIC.

34. Consultations using COVID-19 sensitive approaches will take place with affected and interested stakeholders from Monduliri, Ratanakiri, Kratie, and Phnom Penh, with formal feedback between April 11 and April 25, 2020 being report on and used to revise the instruments to reflect findings from the consultations. The instruments will remain accessible following the formal consultation period with ongoing feedback recorded. The consultations will be in a form and language understandable to project-affected and other interested stakeholders. The engagement planning, disclosure of information, and meaningful consultations will need to be undertaken in a culturally appropriate, and gender and inter-



generationally inclusive manner. This has included translations of summaries in Khmer, video clip in Khmer on how to access the instruments and soliciting feedback and reaching out to different stakeholder groups including those at national, provincial and community level for a diverse set of views. With the ability to disaggregate data, any under-represented groups will be contacted to gain their feedback and to reflect gender balance in the process.

## **E. Implementation**

### **Institutional and Implementation Arrangements**

35. **The project will be implemented over a period of six years. The Institutional arrangements for implementation will follow current Government's institutional set-up.** The Ministry of Land Management Urban Planning and Construction (MLMUPC) is the executing agency (EA) for the LASED III project, and the Ministry of Agriculture, Forestry and Fisheries (MAFF) is the implementing agency (IA) tasked to implement the agriculture-related livelihood activities. Annex 1 provides details on the institutional and implementation arrangements for the proposed project. The National Committee for SLCs (NCSLC), established under Sub-decree 19, oversees all social land concession programs. The Provincial Land Use Allocation Committee (PLUAC) chaired by the Governor, is responsible for directing policy on SLCs at the Provincial / Municipal level. The PLUAC Secretariat operates under the management of the Provincial Department of Land Management, Urban Planning and Construction (PDLMUPC). The District Working Group (DWG) is defined in Sub-decree 19 and is chaired by the District Governor or Vice Governor and supported by the District Land Management Officer. It has primary responsibility for direct support to communes in the planning and implementation of SLC sub-projects. The Commune Council (CC) has primary responsibility for the proposal, development and implementation of SLCs, CLUPs, ICLTs, and ICs. The selected beneficiaries of the SLC are encouraged to form a Target Land Beneficiaries Community for the purpose of monitoring implementation of the SLC and representing the interests of the beneficiaries to the Commune Council.

36. The Project Director (PD) at MLMUPC will oversee implementation of respective project components and activities and will be supported by Project Managers (PMs) from MAFF and MLMUPC for day-to-day management of activities, and the monitoring of progress. The PD will be responsible for (a) overall guidance and policy advice; (b) internal coordination and resolution of project matters with counterparts in other departments within MLMUPC and MAFF and other government agencies; (c) donor alignment and harmonization; (d) reporting on project progress to the Project Steering Committee; and (e) public disclosure and civil society involvement. The PMs will work on a full-time basis for the project and will support the PD in day-to-day management and monitoring of project activities.

37. **The EA and IA will establish respectively "project teams" staffed with adequate in-house expertise, supplemented by consultants.** As needed, competitively hired Technical Service Providers (TA/TSP) (firms and / or NGOs) will support the MAFF and the MLMUPC for the implementation of agriculture-related livelihood activities and of the CLUPs, respectively. A high-level Project Steering Committee (PSC) will be established. It will be chaired by the MLMUPC, and will include representatives from MEF and MAFF. It will provide strategic direction and guidance, facilitate inter-ministerial coordination and policy discussion. The Project Coordination Office (PCO) / Project Management Team (PMT), chaired by the project director, will oversee and coordinate day-to-day planning and



implementation of project activities. Programming of implementation of project activities will be guided by the results of the site-specific assessments, which will set out priority needs and sequencing of project activities on the ground. Details on the procedures, roles, and responsibilities are described in the project implementation manual.

38. The EA and the IA are responsible for their respective project activities of each components, including technical supervision, execution, contracting and direction of all consultants and firms, and will carry out procurement activities at national level for their respective activities. Communes will carry out procurement activities and maintain financial management systems according to the procedures set forth in the project implementation manual. Provisions would be made to support the EA and the IA at all levels, in particular in the new provinces, communes and communities, to build their fiduciary, administrative and reporting capacities. Clear assignments for procurement and financial management (FM) responsibilities would be established for the EA and the IA. Appropriate support would be provided to strengthen the project's M&E system and the SLC/ICLT management information system (MIS) which provides critical sites-related inputs for planning, prioritization and implementation of activities. All these arrangements, which follow extensive consultations with government counterparts, would be laid out in the PIM and presented in detail during the Project Launch workshop.

39. Project Implementation Manual (PIM). The PIM sets out the processes, roles, and responsibilities of all relevant stakeholders. When needed, it will be amended during project implementation, following consultations and "no objection" from the MEF and the Bank. Key areas covered by the PIM include basic project management, institutional responsibilities, financial procedures and fiduciary management and responsibilities, staff selection and management, M&E, risk assessment and mitigations, environmental and social safeguards framework, and any other specific reporting requirements by the World Bank and RGC policies. The final version of the PIM will be finalized by the signing of the IDA Credit.

40. Financial Management. The financial management and procurement capacities of MLMUPC and MAFF have improved over the life of the LASED and LASED II projects. MLMUPC and MAFF are responsible for the project FM and disbursement of their respective components. Several government FM staff have been involved in the financial management and disbursement function of LASED II and their capacity has been gradually strengthened. However, the EA and the IA would need to involve the Internal Audit Departments of their respective institutions to improve their auditing capacity of externally funded projects. The current staffing and procurement capacity of EA and IA have to be strengthened by assigning the procurement officer and hiring procurement consultants to assist them. The management of the Community Fund for Development (CFD)<sup>21</sup> under Component 3 would be carried out by a project-hired private service provider. Technical design support and supervision will be coordinated with the

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<sup>21</sup> The Community Fund for Development is a financial mechanism to (a) inject cash contributions in qualifying savings and credit groups and (b) support local level initiatives of groups (e.g. agriculture cooperatives and infrastructure maintenance groups). The aim is to facilitate and speed up economic activities in project communities. Cash contributions from the CFD are one-time payments from the project. Funds granted to individuals and groups will have to be repaid into the revolving funds groups/accounts where the cash is received. Repayments will become part of the accumulated capital of the groups. Eligibility criteria include a minimum amount of own savings capital, depending on the economic situation of the beneficiary, and a viable business plan that explains the use of the funds and the repayment conditions.



responsible line ministries/departments. Facilitation to smoothly implement procurement and service delivery activities would be provided by contractual and experienced staff from the EA and the IA and province-level staff. In addition, the project would fund capacity improvements for safeguards supervision and compliance at all levels.

41. Existing, well-functioning project administrative structures and functions at national and sub-national level would be replicated in the new provinces and new sites including the: (i) consolidation of annual work programs and budget; (ii) separate financial management system for the IA, and maintenance of records for all transactions related to the project; (iii) preparation of the project financial statements, regular interim unaudited financial reports, withdrawal applications, procurement documentation and progress reports; and, (d) monitoring and evaluation of the various activities supported under the Project. LASED III will be able to draw on, and expand, the management information system (MIS) which has been successfully piloted under LASED II and is fully functional.

42. Funds flow and accountabilities for financial reporting. Segregated Designated Accounts (DAs) in US dollars at the National Bank of Cambodia (NBC) will be maintained by MLMUPC and MAFF to receive funds from IDA. MLMUPC will also maintain a Counterpart Fund Bank Account in US dollars at the NBC to get funds from the RGC to co-finance infrastructure in Component 2. MLMUPC and MAFF are respectively required to submit to IDA a six-month interim unaudited financial report (IFR), starting from the first semester following the project's first disbursement and no later than 45 days after the end of the semester. MLMUPC is responsible for consolidating the annual financial statements for the whole project, and which will be audited by the independent auditing firm hired by MEF. MLMUPC will submit the annual audited financial statements and management letter for each fiscal year to IDA no later than six months after fiscal year-end.

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