



Rehabilitation of Cambodia's railways: Comparison of field data

A report comparing data collected by the IRC and the independent NGO STT

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Introduction

Sahmakum Teang Tnaut (STT) began its project to monitor resettlement impacts of the Asian Development Bank (ADB) and AusAID funded rehabilitation of Cambodia's decrepit railways in late 2009. Initially, some 40 communities living along Phnom Penh's main and branch lines were identified, based on urban poor settlements documented in The 8 Khan Survey published by STT in December 2009.

Following site visits by staff as well as discussions with affected communities, four target communities were chosen based on the perceived impact of the rehabilitation in the area and requests from the communities themselves. The four target communities were Rotespleung and Toul Sangke A in Sangkat Toul Sangke, and Community 3 (Leak 3) and ChivitThmey Mittapheap in Sangkat Russei Keo. All four communities are located on the Phnom Penh branch line (Figure 1).

STT originally aimed to conduct its research and subsequently compare results to the Detailed Measurement Survey (DMS) conducted by the Inter-Ministerial Resettlement Committee (IRC). However, requests to both the IRC and the ADB to obtain the DMS were denied.

Nevertheless, STT went ahead with mapping households located along the tracks in each community, as well as conducting household surveys (see Methodology). This research took place during the second half of 2010. At that point, the IRC had already spray-painted DMS numbers on affected households and most households in all four communities had received a copy of an A4-sized, hand-written document showing measurements of the household.

As STT was finalising its data in March and April of 2011, the IRC began contract-making activities in all target communities. Households that agreed to the compensation received a "DMS Post-It note". This is a small, hand-written piece of paper (literally a Post-It note) providing details to each affected household of the compensation accorded to it by the IRC (see Figure 4). Households were asked to thumbprint this document to signify their agreement.

Working closely with the communities, STT was able to obtain copies of the "DMS Post-It notes" from 70 totally or partially affected households (HHs) in the four target communities. Despite being unable to obtain the full DMS, STT was thus able to compare some of its data to that of the IRC.

It serves to be noted that as of May 2011 many households continued refusing to accept what they perceived as inadequate or incorrect compensation. Several households had also lodged complaints with the Grievance Mechanism to this effect. Without agreeing to compensation, affected households do not have access to any details of the compensation accorded to it by the IRC, as no documentation providing details of the proposed compensation is given to households rejecting the amount offered. STT's ability to compare IRC and STT data was consequently limited to households that had already thumb-printed the compensation contract with the IRC.

ផែនទីបង្ហាញសហគមន៍តាមបណ្តោយផ្លូវថ្នល់នៅភ្នំពេញ
4 COMMUNITIES MAP ALONG THE RAILWAY IN PHNOM PENH

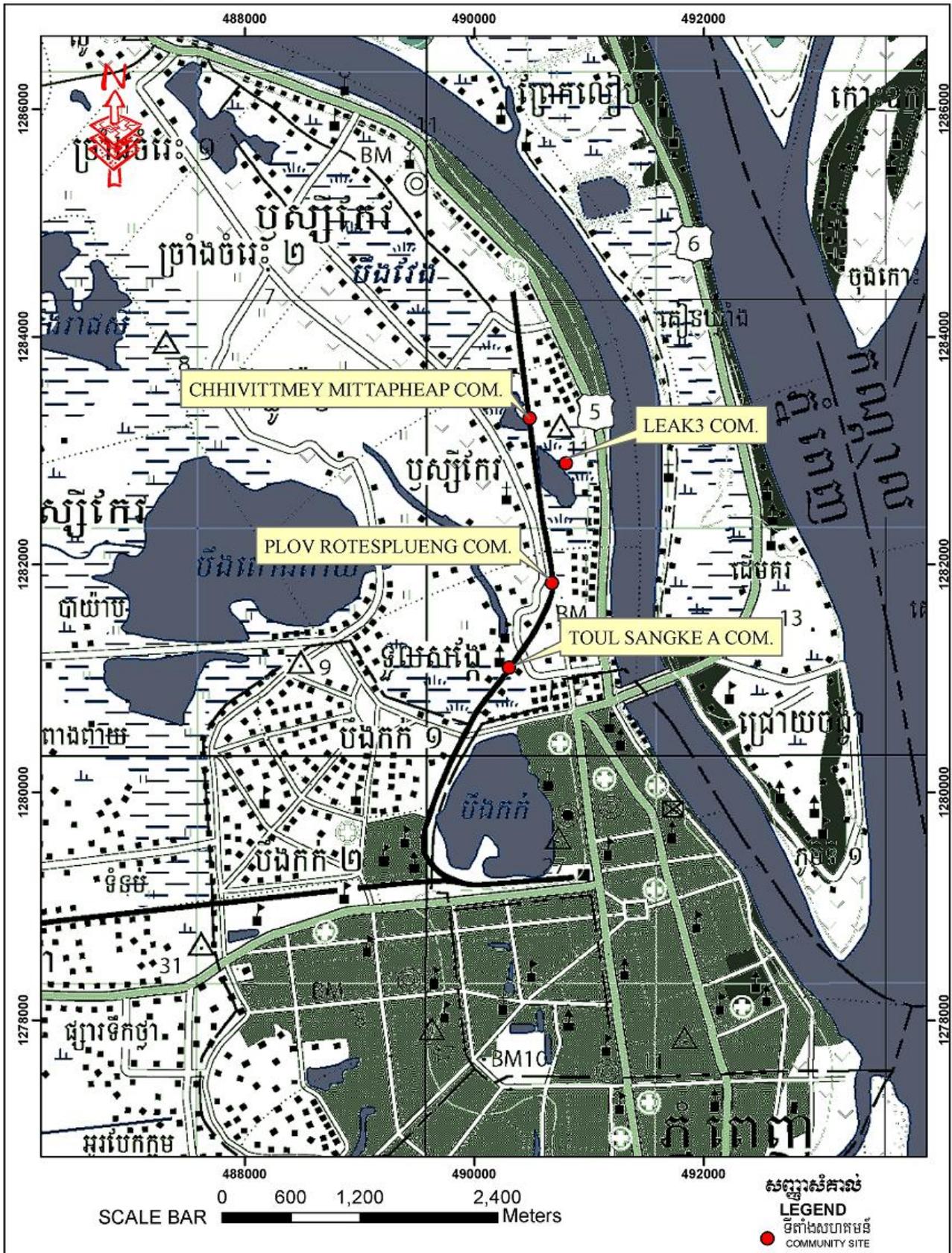


Figure 1. Map of the four communities in this study.

Methodology

Mapping

STT mapped the target communities using a total station (Figure 2) and GPS. A total station is an electronic/optical instrument used in modern surveying. Robotic total stations allow the operator to control the instrument from a distance via remote control. This eliminates the need for an assistant staff member as the operator holds the reflector and controls the total station from the observed point.

Where STT was unable to obtain data using a total station, measurements were made using a laser measurement device, a Disto. All data was later entered into ArcGIS, and households were digitized on a map. The data was verified by visits to the community during which STT staff met with community members and conducted spot-checks to confirm the data.

Household surveys

Two-page survey forms were prepared in Khmer. Following meetings in each target community, these were distributed to community members who filled in the forms by themselves. STT staff helped illiterate households as well as those otherwise unable to complete the survey. The data was verified by visits to the target communities, during which STT staff met community members and visually confirmed the structure details of each household.

Analysis

The data was analysed mainly by comparing STT data and DMS Post-It notes (copies of which had been provided by community members). The available information was also compared to provisions in the Phnom Penh Updated Resettlement Plan (PP URP) of June 2010.



Figure 2. Total station (foreground, right) and reflector staff (background, left).

Summary of conclusions

STT found issues relating to household data, measurement and analysis in the DMS Post-It notes of all 70 HHs for which comparable data was available. In the clear majority of cases, data collected by STT showed HHs were eligible to receive (sometimes significantly) higher rates of compensation than accorded to them by the IRC.

In particular, systematic downgrading of main structure types on the part of the IRC was found, to the effect that HHs receive lower compensation. It was also found that HHs with two or more floors were set to receive compensation for one floor only.

Calculated using STT data (representing the best case scenario for most HHs), main structure compensation rates, as detailed in the Resettlement Plan, for both totally and partially affected HHs were found to be low, with 90% of relocating HHs receiving less than \$2000 and one fifth less than \$500 in compensation.

It was also found that main structure compensation rates offered by the IRC were significantly lower than those calculated using STT data, suggesting that affected HHs may not receive the full compensation they are eligible for. In addition, there may not be sufficient funds allocated to compensate all affected HHs were they to receive full compensation. The difference in compensation rates is largely due to different structure categories.

STT data further suggests there may be a higher number of both totally and partially affected HHs than those accounted for by the IRC. For example, STT found 60 totally affected HHs in communities Toul Sangke A and Rotespleung located in Sangkat Toul Sangke, while the IRC found only 28 in Sangkat Toul Sangke (which contains more communities than just Toul Sangke A and Rotespleung). Should the IRC not have documented all affected HH, the funds allocated to resettlement and the resettlement site itself may be insufficient.

The new "25% rule" for HHs to be considered totally affected could as much as halve the number of totally affected HHs. However, it could also leave several HHs in below adequate housing in the right of way (ROW), with in some cases as little 10-20sqm of living space per HH.

Living allowances stood out as a particular concern. These were found to have been standardised across the board, with household sizes and structure types not taken into account. Again, this made for lower living allowances for the majority of HHs. There are also discrepancies in the PP URP with regards to the definition of living allowances.

STT's data further suggests not all vulnerable HHs have been accounted for by the IRC. In the sample, STT found a third more vulnerable HHs than the IRC.

While the data presented in this report is limited to four communities in Phnom Penh, the observation that many of the issues highlighted in the data analysis are widespread in the sample, and are supported by complaints made by people in affected communities, suggests the problems identified here are not anomalies and require further attention to ensure all HHs receive fair and adequate compensation.

The ADB has indicated that HHs with anomalies in their DMS should go through the Grievance

Mechanism. This report however implies that problems are potentially widespread. A new Detailed Measurement Survey, conducted independently of the IRC, may therefore be needed as the Grievance Mechanism may not be able to deal with the number of complaints in a timely and efficient way. Doing the DMS again, and disclosing it to affected households for approval prior to contract-making activities, would also allow for issues to be solved pro-actively and avoid complications associated with retroactive compensation following harm.

This report further contends the Phnom Penh Updated Resettlement Plan may need to be revised, particularly with regards to main structure compensation and living allowance amounts. In light of a new DMS, the resettlement budget may also need revision.

It is recommended all resettlement activities are suspended pending a review of resettlement plans and processes.



Figure 3. Working with a total station on the railway.

សេចក្តីសង្ខេប

សមាគម ធានីឆ្នោត បានរកឃើញថា មានបញ្ហាទាក់ទងនឹងទិន្នន័យរបស់ផ្ទះប្រជាជន និងការវាស់វែង ហើយការវិភាគនៅក្នុងប័ណ្ណល្បឿង (DMS post-it note) របស់៧០ខ្នងផ្ទះ ជាមួយទិន្នន័យ ដែលយើងប្រមូលបាន ដើម្បីយកមកធ្វើការប្រៀបធៀបគឺវាគ្រប់គ្រាន់អាចទទួលយកបាន ។ ភាគច្រើន ទិន្នន័យរបស់សមាគម ធានីឆ្នោតបង្ហាញថា ខ្នងផ្ទះនីមួយៗអាចទទួលយកបានអត្រាសំណង់ដែលខ្ពស់ ជាងការផ្តល់ឲ្យដោយ គណៈកម្មការអន្តរក្រសួង (IRC)។

ជាពិសេសការចាត់ចំណាត់ថ្នាក់ប្រភេទនៃសំណង់ផ្ទះរបស់ប្រជាជនដោយគណៈកម្មការអន្តរ ក្រសួង(IRC) ត្រូវបានរកឃើញថា ការផ្តល់សំណង់ដល់ផ្ទះនីមួយៗ មានអត្រាទាប។ យើងរកឃើញ ផងដែរថា ផ្ទះរបស់ប្រជាជនដែលមានពីរជាន់ ត្រូវបានគេផ្តល់សំណង់ត្រឹមតែមួយជាន់តែប៉ុន្មោះ។

វាត្រូវបានគេរកឃើញថា អត្រាសំណង់ចំពោះសំណង់ផ្ទះនីមួយៗ ដែលផ្តល់ឲ្យដោយគណៈ កម្មការអន្តរក្រសួង(IRC) គឺមានលក្ខណៈស្តួចស្តើង ជាងតាមការគណនាដោយប្រើប្រាស់ទិន្នន័យ របស់សមាគម ធានីឆ្នោត ដែលថាផ្ទះដែល ប៉ះពាល់មិនអាចទទួលបានសំណង់ពេញលេញ ដែលគួរ តែទទួលបាននោះទេ ។ លើសពីនេះទៀត ប្រហែលជាគ្មានធនធានគ្រប់គ្រាន់ដើម្បីចាត់ចែងធ្វើការសង ដល់សំណង់ពេញថ្ងៃដល់ផ្ទះដែលប៉ះពាល់ទេ ។ ភាពខុសគ្នានៅក្នុងអត្រាសំណង់គឺ យោងទៅលើការធ្វើចំ ណាត់ថ្នាក់នៃប្រភេទសំណង់នីមួយៗ។

ទិន្នន័យរបស់សមាគម ធានីឆ្នោត បានបង្ហាញថា អាចមានចំនួនផ្ទះដែលទទួលរងផល ប៉ះពាល់ទាំងស្រុង និងផ្នែកខ្លះនៃផ្ទះ ច្រើនជាងការរកឃើញរបស់គណៈកម្មការអន្តរក្រសួង (IRC) ។ ឧទាហរណ៍ សមាគម ធានីឆ្នោត បានរកឃើញថា មានផ្ទះចំនួន ៦០គ្រួសារដែលទទួលរងផលប៉ះពាល់ ទាំងស្រុងនៅក្នុងសហគមន៍ទួលសង្កែ និង រទេះភ្លើង ដែលមានទីតាំងនៅសង្កាត់ទួលសង្កែ តែគណៈ កម្មការអន្តរក្រសួង(IRC) បានរកឃើញថាមានតែ ២៨ គ្រួសារប៉ុណ្ណោះ នៅក្នុងសង្កាត់ទួលសង្កែទាំង មូល ។ គណៈកម្មការអន្តរក្រសួង (IRC) ប្រហែលជាមិនមានឯកសារនៃផ្ទះដែលប៉ះពាល់ទាំងអស់ទេ ថវិ ការសំរាប់កំណត់ទីតាំង និងធ្វើការតាំងទីលំនៅថ្មី អាចមិនគ្រប់គ្រាន់។

គោលការណ៍២៥ភាគរយថ្មី សម្រាប់ខ្នងផ្ទះ ដែលគេគិតថាប៉ះពាល់ទាំងស្រុងអាចត្រូវបានថយ ចុះ។ វាអាចធ្វើឲ្យមានគ្រួសារជាច្រើន មានផ្ទះសម្បែងមិនសមរម្យក្នុងចំណីដីផ្ទះរួចភ្លើងដែលផ្ទះខ្លះ មានទំហំតិចតួចប្រមាណ ១០ទៅ ២០ម៉ែតកាវ៉េ សំរាប់ធ្វើការរស់នៅ ។

ប្រាក់ឧបត្ថម្ភសំរាប់ការរស់នៅ ក៏ជាបញ្ហាមួយដែរ ។ បញ្ហាទាំងនេះត្រូវបានគេរកឃើញថា ការ ផ្តល់សំណង់ទៅលើការឧបត្ថម្ភសំរាប់ការរស់នៅមិនត្រូវបានគេគិតទៅលើទំហំបច្ចុប្បន្នគ្រួសារទេ ដែល ធ្វើអោយការផ្តល់សំណង់ទៅលើផ្ទះនីមួយៗមានកំរិតទាប ។វាមានភាពមិនច្បាស់លាស់លើការអោយនិ

យមន័យនៅក្នុងផែនការតាំងទីលំនៅថ្មី(URP) ទៅលើប្រាក់ឧបត្ថម្ភសំរាប់ការ រស់នៅ ។

ទិន្នន័យរបស់សមាគមធានាឆ្នោត បង្ហាញថាក្រុមជនដែលងាយរងគ្រោះមួយចំនួនមិនត្រូវបាន រាប់បញ្ចូលដោយគណៈកម្មការអន្តរក្រសួង (IRC) ទេ។ នៅក្នុងសំណាករបស់សមាគមធានាឆ្នោត បាន រកឃើញថា ជនដែលងាយរងគ្រោះមានចំនួនច្រើនជាងគណៈកម្មការអន្តរក្រសួង(IRC) មួយភាគបី។

តាមការគណនាដោយប្រើប្រាស់ទិន្នន័យរបស់សមាគម ធានាឆ្នោត បង្ហាញថាអត្រាសំណង់ សម្រាប់សំណង់នីមួយៗដែលផ្តល់ឲ្យដោយ គណៈកម្មការអន្តរក្រសួង(IRC) ដូចដែលមានចែងលំអិត នៅក្នុងផែនការតាំងទីលំនៅថ្មី សម្រាប់ផ្ទះដែលប៉ះពាល់ទាំងស្រុងនិងផ្ទះដែលប៉ះពាល់មួយផ្នែក គឺមាន កំរិតទាប ដោយក្នុងនោះ ៩០ភាគរយដែលត្រូវផ្លាស់ទីលំនៅទៅទីតាំងថ្មី ទទួលសំណង់បានសំណង់ តិចជាង ២០០០ ដុល្លារ ហើយ មួយភាគប្រាំ ទទួលសំណង់បានតិចជាង ៥០០ដុល្លារ ។

ទិន្នន័យបង្ហាញក្នុងរបាយការណ៍នេះ ត្រូវបានកំណត់យកតែសហគមន៍៤ នៅក្នុងរាជធានីភ្នំ ពេញ ដើម្បីធ្វើការអង្កេតទៅលើបញ្ហា ហើយទិន្នន័យត្រូវបានរីករាលដាល និងមានការគាំទ្រតាមរយៈ ការតវ៉ារបស់ប្រជាជននៅក្នុងតំបន់ដែលប៉ះពាល់ ហើយមានការផ្តល់យោបល់ថា បញ្ហានេះវាធម្មតាទេ ដំណោះស្រាយនោះគឺគ្រាន់តែ យកចិត្តទុកដាក់ដោយផ្តល់ប្រាក់សំណង់ត្រឹមត្រូវ និង សមរម្យដល់ផ្ទះ ប្រជាជនប៉ះពាល់។

ធនាគារអភិវឌ្ឍន៍អាស៊ីបានចង្អុលបង្ហាញថា គ្រួសារ ដែលមានការវាស់វែងលំអិតមិនប្រក្រតីត្រូវ តែដោះស្រាយតាមយន្តការបណ្តឹងសារទុក ។ ទោះជាយ៉ាងណា នេះគឺជារបាយការណ៍ ដែលបង្ហាញអំ ពីបញ្ហាដែលកើតមានឡើងក្នុងសហគមន៍ ទាំងនេះ ។ ការវាស់វែងដែលធ្វើដោយក្រុមឯករាជ្យរបស់ គណៈកម្មការអន្តរក្រសួង(IRC) អាចមានសារៈសំខាន់សម្រាប់យន្តការដោះស្រាយបណ្តឹងសារទុក តែ ក៏នៅតែមិនអាចដោះស្រាយ នឹងការតវ៉ាជាច្រើនឲ្យបានទាន់ពេលវេលា និងមានប្រសិទ្ធភាពផងដែរ ។ ដោយផ្តល់សំណងសមរម្យ ធ្វើការវាស់វែងលំអិត (DMS) ម្តងទៀត ហើយបើកចំហរពីការកែតម្រូវចំនួន ខ្ពង់ផ្ទះដែលប៉ះពាល់ ធ្វើការចុះកិច្ចសន្យាអោយបានត្រឹមត្រូវ នោះបញ្ហានឹងអាចដោះស្រាយបាន និង ចៀសវាងនូវភាពស្មុគស្មាញទាំងឡាយ។

របាយការណ៍នេះទាមទារឲ្យមានការត្រួតពិនិត្យ គំរោងផ្លាស់ប្តូរទីលំនៅក្នុងរាជធានីភ្នំពេញ ឡើងវិញ ដោយសិក្សាលើការផ្តល់សំណងលើសំណង់ និងប្រាក់ឧបត្ថម្ភសំរាប់ការរស់នៅ ។តាមរយៈ ការវាស់វែងលំអិត(DMS)ថ្មី ថវិកាសម្រាប់យកមកដោះស្រាយអាចត្រូវយកមកពិនិត្យសារឡើងវិញផង ដែរ។

របាយការណ៍នេះបានផ្តល់អនុសាសន៍ថា រាល់សកម្មភាពឲ្យប្រជាជនផ្លាស់ទីលំនៅទាំងអស់ត្រូវ តែពន្យលពេល រហូតដល់ មានការសិក្សាឡើងវិញនូវផែនការផ្លាស់ទីលំនៅនិងនីតិវិធីក្នុងដំណើរការ។

Detailed analysis

For the purposes of this report, the term *totally affected* refers to HHs with less than 30sqm of living space remaining outside of the corridor of impact (COI) which extends 3.5m to either side of the railway centerline. In the vast majority of cases, these HHs are expected to relocate to a site prepared for this purpose. The term *partially affected* refers to HHs whose main structure is partially within the COI and must hence be partly demolished, but who following demolition have more than 30 sqm of living space remaining in the right of way (ROW).

The below analysis provides details of some of the key issues found in the four target communities. The analysis is for the most part based on a comparison between data collected by STT and information obtained from DMS Post-It notes (e.g. Figure 4 below), copies of which were provided to STT by households in the target communities. A total of 70 DMS Post-It notes from what the IRC considers totally and partially affected HHs, as well as an additional 26 notes from HHs whose main structures are not impacted, were obtained (see Table A).

Table A: DMS Post-It notes available to STT, per target community

	Totally affected*	Partially affected*	Main structure not impacted*	Total
Mittapheap, Sangkat Russei Keo	5	0	0	5
Community 3, Sangkat Russei Keo	2	16	10	28
Rotespleung, Sangkat Toul Sangke	0	21	16	37
Toul Sangke A, Sangkat Toul Sangke	5	21	0	26
<i>Totals</i>	<i>12</i>	<i>58</i>	<i>26</i>	<i>96</i>

*According to the IRC

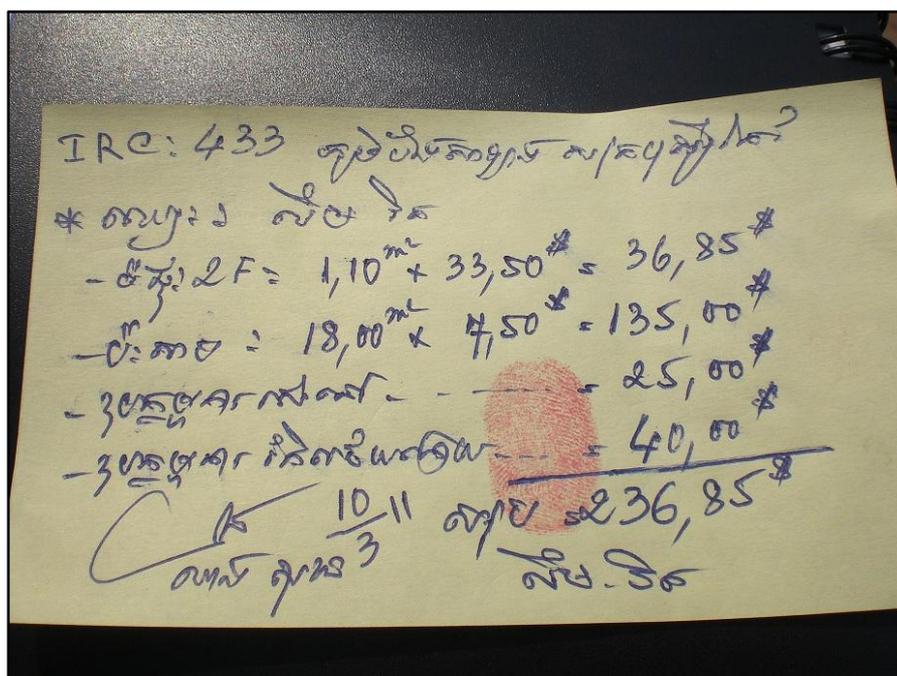


Figure 4. Example of a DMS Post-It note provided by the IRC to HHs accepting compensation

1. Number of totally and partially affected households

Table B displays the degree of impact on structures in the four communities under consideration, based on how much of each structure is inside the 3.5m COI and the amount of living space remaining after demolition.

Table B: Impact on main structures per target community (STT data)

	Total HH	Totally affected (less than 30 sqm remaining)	Partially affected (more than 30 sqm outside COI)	Main structure not impacted
Mittapheap, Sangkat Russei Keo	32	22	0	10
Community 3, Sangkat Russei Keo	142	14	36	92
Rotespleung, Sangkat Toul Sangke	123*	22	56	45
Toul Sangke A, Sangkat Toul Sangke	76	38	37	1
<i>Totals</i>	<i>373</i>	<i>96</i>	<i>129</i>	<i>148</i>

*There is one additional structure in Rotespleung community which STT has no survey data HH for

According to Table 2.1a (p. 6) in the Phnom Penh URP, there are 33 and 28 “landless households” (relocating to the project sponsored site) in Russey Keo and Toul Sangke communes respectively (no. 1.1 and 1.2). The same table indicates the IRC has found a total of 161 “landless AHs” in the whole of Phnom Penh (excluding the Samrong station area for which there is a separate, not yet published resettlement plan).

The PP URP does not contain detailed, commune-level information about the number of partially affected households. Table 2.1a does, however, state that the total number of “AHs with partially or fully affected main structure/house and others (may plus 2.2 and 2.3)” is 570.

Conclusions

- STT data suggests that 96 HHs are totally affected in communes Russey Keo and Toul Sangke, while the IRC acknowledges only 61 HHs
- The difference is particularly marked in Toul Sangke commune, where STT data suggests 60 households are totally affected, while the IRC acknowledges only 28, less than half
- Overall, STT found at least 36% more totally affected households than the IRC in the two communes (there may be more affected HH in other villages in the two communes in question. These would feature in IRC but not STT data)
- Should the IRC have missed a similar number of totally affected households overall, there could in fact be as many as 260 totally affected households in Phnom Penh

Implications

- Some totally affected HH may not receive a plot at the resettlement site which they are entitled to and will instead be forced to live in below adequate housing in the COI.

- There may not be adequate funds allocated to resettlement should additional totally affected HH come to light. The budget for resettlement may need to be revised
- The Resettlement Site (incl. services) may not be prepared/able to accommodate additional HHs

2. Structure type

Structure type or category determines the compensation rate (per sqm) accorded to each affected household in return for demolition of either the part of the structure located in the corridor of impact (COI) or the whole structure in the case of relocating (totally affected) households. Annex 7: Replacement Cost Study Report 2009 in the PP URP provides details of compensation rates per structure type.

STT is able to compare its own data with DMS Post-It notes for 69 HH¹ designated as totally (“landless”) or partially (need to demolish part of house) affected by the IRC.

Conclusion

The structures of 62 HH have been classified by the IRC as being in a lower category than that which was determined by STT. Additionally, the structure of two HHs has been classified by the IRC as being in a higher category than by STT. In the remaining 5 cases, STT and IRC have given HHs the same classification.

Implications

- The investigation by STT suggests systematic downgrading of structure types by the IRC
- 90% of HHs in the sample may receive a lower amount in structure compensation than that to which they are entitled
- HHs may also receive a lower living allowance than they are due as living allowance rates are tied to structure types (poorer structure type results in lower living allowance)

3. Total structure compensation for relocating HH

Table C displays the number of compensated HHs per community, grouped by remuneration level using STT data. The majority of HHs receive compensation in the range of \$1000-\$2000. The community with the highest average compensation is Toul Sangke A, whilst that with the lowest is Mittapheap. Very few HHs received compensation above \$2000.

Table C: Main structure compensation to 96 relocating households (STT data)

	Under \$500	\$501-\$1000	\$1000-\$2000	Over \$2000	Average
Mittapheap (22HH)	14	7	1	0	\$462.47
Community 3 (14HH)	3	3	8	0	\$972.53
Rotespleung (22HH)	2	6	12	2	\$1173.1

¹ Data for one HH was not eligible for this analysis

Toul Sangke A (38HH)	0	1	32	5	\$1592
<i>Totals</i>	<i>20%</i>	<i>18%</i>	<i>55%</i>	<i>7%</i>	<i>\$1050</i>

STT has also documented one case in Toul Sangke A where a relocating household (as documented by the IRC) is set to receive structure compensation for the part of the structure inside the COI only, as well as a living allowance of \$25 and a transportation/demolition of allowance of \$75 only. It would thus seem the IRC is treating this HH as though it is partially affected, despite the observation that the DMS Post-It note clearly states it should to be relocated (and is hence entitled to higher compensation rates).

STT and IRC data exists for 11 HH that are considered totally affected in both datasets. STT data shows average main structure compensation rates for these HH is \$789. IRC data on the other hand indicates it is \$404. Thus compensation rates offered by the IRC are on average \$385, or 49%, lower per household than the rates STT data suggests the affected households should receive. The main reasons are differences in structure type and hence compensation rate, as well as that the IRC is providing 3 of the 11 HH with compensation for one floor only.

According to the IRC, there are 161 totally affected HHs in Phnom Penh. Assuming 20% of these receive an average of \$250, 18% receive an average of \$750, 55% receive an average of \$1500 and 7% receive an average of \$2500 in compensation, the total amount required in compensation would be \$190,785.

Table 3.4 in the PP URP, which provides resettlement costing details for Phnom Penh, however indicates only \$149,417.94 has been budgeted for “Affected main structures and houses” which presumably also includes compensation to partially affected households.

Conclusions

- Due to differences between STT and IRC data, main structure compensation based on STT data represents the best case scenario for the majority of households
- Even if all relocating households were given STT’s main structure compensation based on the PP URP, compensation amounts would be low, with over 90% of HHs in the sample receiving less than \$2000 and one fifth of the HHs receiving less than \$500
- Although only one HH in the sample was set to receive compensation as “partially affected” despite being told to relocate, other similar cases may exist
- STT data suggests a significantly higher amount of funds is required to compensate for main structures in accordance with the PP URP provisions

Implications

- Due to the low amounts of structure compensation, relocating households may struggle to build adequate housing at the relocation site, and may be required to take out loans
- This is a particular concern in Mittapheap community, where the majority of HHs are set to receive less than \$500 in main structure compensation
- The resettlement budget may need additional funds to ensure all eligible HHs receive main structure compensation as per provisions in the PP URP. Resettlement costings may need to be revised

Further issues

- Compensation rates for main structures should, according to all published resettlement plans, be at market rates. However, due to the fact that the first resettlement plan was published in 2006, the “market rates” hail from five years ago. Since then, Cambodia has experienced significant annual inflation, as indicated in Table D. Affected households are consequently unlikely to receive current market rates for the value of their structures.

Table D: Annual inflation in Cambodia

Year	Inflation rate (consumer prices)
2006	5.8%
2007	5.0%
2008	5.9%
2009	19.7%
2010	-0.7%
2011	4.1%

Source: CIA World Factbook, cited on www.indexmundi.com. Accessed May 25, 2011.

4. Structure compensation for partially affected HHs

Partially affected HHs, i.e. HHs moving back out of the corridor of impact (COI) but that remain in the right of way (ROW), are entitled to compensation for the part of their main and any secondary structures within the COI, based on structure type as indicated in Annex 7 of the PP URP.

STT data finds 129 partially affected HH in three target communities. (There are no partially affected HHs in Mittapheap). Should all 129 HHs receive main structure compensation based on STT data, HHs in the three communities would receive the following amounts:

Community 3: 36 HHs. Compensation rates would range between \$9.72 and \$633.96. 83% would receive less than \$300. Average compensation would be \$167.

Rotespleung: 56 HHs. Compensation rates would range between \$49.50 and \$792. 45% would receive less than \$300. Average compensation would be \$349.

Toul Sangke A: 37 HHs. Compensation rates would range between \$102 and \$907. 22% would receive less than \$300. Average compensation would be \$446. (Note these rates assume all HHs receive compensation for all floors of their structures).

The average compensation of all partially affected HHs in the three communities is \$321.

Using a sample of 37 partially affected households and comparing main structure compensation rates indicated by STT data shows average main structure compensation rates for these HH is \$336. IRC data on the other hand indicates it is \$126. Thus compensation rates offered by the IRC

are on average \$210, or 62.5%, lower per household than the rates STT data suggests the affected households should receive. One of the primary reasons for this is the higher structure category accorded HHs by STT.

According to the IRC there are 570 “AHs with partially or fully affected main structure/house and others” among the 1,107 AHs re-organising in the residual ROW. (Table 2.1a, p. 6)

Table 3.4 in the PP URP, which provides resettlement costing details for Phnom Penh, however, indicates only \$149,417.94 has been budgeted for “Affected main structures and houses” which presumably also includes compensation to totally affected households. Should each partially affected household (only) receive an average of \$321 in compensation, it would cost \$182,970.

Conclusions

- STT data suggests all partially affected households might not receive the full main structure compensation to which they are entitled
- STT data suggests a significantly larger amount of funds is required to compensate for main structures in accordance with the PP URP provisions

Implications

- There may not be enough funds allocated for main structure compensation to all affected households (both partially and totally affected)
- Resettlement costings may need to be revised

5. Compensation for one floor only

STT is able to compare its own data with DMS Post-It notes for 70 HHs designated as totally or partially (need to demolish part of house) affected by the IRC. 40 of the HHs have two or more floors according to STT data.

STT is able to compare main structure compensation for 32 HHs with two or more floors. The data for the remaining 8 HH differs between STT and the IRC so that it is not possible to know if the IRC has provided compensation for all eligible floors.

Table E: HHs with two or more floors compensated for one floor only by the IRC

	Totally affected	Partially affected
Toul Sangke A	4	20
Community 3	0	6
Rotespleung	0	2
<i>Totals</i>	4	28

Conclusion

- All 32 HHs for which there is comparable data appear to be receiving compensation for one floor of their structures only

Implications

- Many HHs with two or more floors may not receive full structure compensation
- STT data shows 75 out of 76 HHs in Toul Sangke A have two or more floors. The IRC may have neglected to document 2 floors for all these HH. They would consequently receive half (or less if they have more than two floors) of the structure compensation to which they are entitled. It is possible that similarly constructed HHs (only part visible from the tracks) in other parts of the railways have been similarly documented by the IRC

6. One DMS, 2 families

As shown in Table F, 27 HHs out of a sample of 225 totally and partially affected HHs (STT data) have received only one DMS number despite indicating to STT that one or more families live in the same main structure. The ADB has stated two plots for two families living in one house will be provided. Presumably, two families living in a partially affected house will also receive compensation per family.

Table F: Number of HHs with one DMS for two or more families, by community (STT data)

Mittapheap	6 out of 22
Community 3	1 out of 50
Rotespleung	4 out of 78
Toul Sangke A	16 out of 75

It is worth noting that in Toul Sangke A in particular, all but one of the 76 affected main structures have two or more floors. Visits to the community show some of these structures have two separate entrances (one on the level of the railway track, and one below, see Figures Figure and Figure).



Figure 5: Main structure viewed from the street.



Figure 6: Main structure viewed from the railway.

Out of a total of 76 HHs in Toul Sangke A, at least 16 indicated that there are two or more families living in a two-floor structure with only one DMS number. Many of these HHs are also affected by issues relating to lack of compensation for the whole structure (compensation for one floor only). Furthermore, if acknowledged as containing two households, some of the HHs currently defined as partially affected (more than 30 sqm of living space remaining after demolition) will become totally affected as the living space will be less than 30 sqm per household.

Conclusions

- Two HHs sharing one main structure, particularly if this structure has two entrances on different levels, may not have separate DMS numbers
- This situation is of particular concern in Toul Sangke A where as many as 20% of main structures have been given one DMS number only, despite potentially housing two separate households

Implications

- Separate HHs living in the same main structure may be forced to share compensation.
- Should it be found that a significant amount of totally and partially affected HHs are sharing a DMS number, resettlement costings and provisions at the resettlement site may be inadequate as the number of affected HHs increases.

Further issues

- The issue of multiple HHs per DMS is common outside of Phnom Penh as well and has been raised with the ADB on several occasions.
- The ADB has indicated cases must be solved through Grievance Mechanism.

9. Households that should be relocated

According to the URP, households with less than 30 sqm remaining outside the railway COI should be relocated. The PP URP identifies 161 HHs to be relocated to the relocation site.

In the sample of 70 HH for which both STT and IRC data exists, 25 HHs designated as partially affected (moving back from the railway) by the IRC will after demolishing the part of their main structure within the COI have less than 30sqm of living space according to their DMS Post-It notes. According to the URP, they should consequently be relocated.

In 18 of the cases, STT data also indicates the HH should be relocated (less than 30 sqm living space). In the remaining 7 cases, STT data indicates that 6 of the HHs have two floors, one of which has been unaccounted for by the IRC, meaning they will have over 30sqm after demolition, while data for one HH indicates it is not affected at all (contrary to IRC data).

One HH in Toul Sangke A has been indicated as totally affected and subject to relocation by the IRC. STT data however indicates that if both floors of the main structure are counted, the HH in question will have more than 30 sqm remaining and could thus move back outside of the COI.

Conclusion

- The “rule” of households being required to have 30 sqm remaining to be considered partially affected is not strictly followed by the IRC. Consequently, not all HHs eligible for a plot at the RS may have been accorded one. Instead, they are facing a future in below adequate housing by remaining in the ROW.

Implication

- If all households eligible for relocation have not been correctly identified by the IRC, the resettlement site may not have adequate plots and services for all eligible HH

10. Living allowances

Both totally and partially affected HHs are entitled to living allowances, based on their situation.

Annex 1: Entitlement Matrix Section C1) b) (page 5) of the PP URP defines living allowances for totally and partially affected households as 20kg of rice/person/month for either one, three or six months depending on how the HH is affected.

Table 3.1 Section 4.3 (p. 13) in the PP URP further states that living allowances are “Calculated based on 20kg of rice/person/month for x months OR equal to US\$25/AH by x month(s)”. These allowances are summarised in Table G.

Table G: Living allowances as stated in the PP URP

	Phnom Penh URP, Table 3.1 Section 4.3 (page 13)	Phnom Penh URP, Annex 1: Entitlement Matrix Section C1) b) (page 5)
One month allowance Given to house with light material and wooden houses (Types 1A to 2D) under 5 x12m requiring moving back	\$25	20kg of rice/person/month (for one month)
3 month allowance Given to house with concrete and brick and for large wooden house (Types 2E to 4B) or larger than 5m x 12 m requiring moving back OR Given to house with light material and wooden houses (Types 1A to 2D) under 5 x12m requiring moving to another location	\$75	20kg of rice/person/month (for 3 months)
6 month allowance Given to house with concrete and brick and for large wooden house (Types 2E to 4B) or larger than 5m x 12 m requiring moving to another location	\$150	20kg/person/month (for 6 months)

In addition to the above compensation rates, all the 161 relocating households are meant to

receive an additional 3 months allowance (presumably \$75) (p. 13, asterisk by number 161 in Table 3.1 of the PP URP, Section 4.3.ii).

DMS Post-It notes indicate the IRC is currently following a standardised practice whereby households moving back receive \$25 and relocating households receive \$75.

Based on DMS data of totally and partially affected households obtained by STT (69 samples²):

- Six relocating HHs are in category 1A-2D according to the IRC: set to receive \$75. According to STT data, five of these are in category 2E to 4B and should thus receive \$150. All six HH should also receive the additional \$75.
- Six relocating HHs are in category 2E- 4B according to the IRC. Five HHs are set to receive \$75, one is set to receive \$25. Following Table 3.1, they should all receive \$150 as well as the additional \$75.
- Four partially affected HHs are in category 1A-2D and are set to receive \$25. According to STT data, however, all four are in category 2E to 4B and should thus receive \$75.
- 53 partially affected HHs are in category 2E-4B according to the IRC. 50 are set to receive \$25, one is set to receive \$50, one \$75, and one only \$12.50. Following Table 3.1, however, all should receive \$75.

Conclusions

- The IRC is currently following a standardised practice whereby households moving back receive \$25 and relocating households receive \$75, regardless of structure type and number of persons in the household. None of the relocating households seem to be indicated to receive the additional three month allowance mentioned in Table 3.1 of the PP URP.
- It is unclear if any of the HHs were given the option of rice (or monetary value of rice) as opposed the designated allowance.
- The IRC seems to have adopted the policy of Table 3.1 of the PP URP, but is applying it incorrectly or selectively. Consequently, 68 of the sample's households, or 98.5%, may receive a lower amount of living allowance than that to which they are entitled.

Implications

- Because the IRC have followed the PP URP Table 3.1 entitlement structure, which defines one month's allowance as being equal to \$25, most affected households will receive a lower living allowance than if they were to receive the monetary value of 20kg of rice/person by x month(s). For example, assuming 1kg of rice costs 2000 riel or \$0.50³, 20kg of rice would cost \$10. Say an affected household has 5 members. This household should then receive: \$50, \$150, or \$300, depending on which category the household falls into.
- Because the entitlement structure as set out in Table 3.1 appears to be applied incorrectly or

²Data for one HH cannot be compared

³ On May 23, 2011, 1kg of rice was sold at the following prices at Orussey Market in Phnom Penh: Pka Khnhey 2500 riel, Neang Pinh 2000 riel, Pka Malis 3000 riel, Neang Khhun 2300 riel, Dorg Malis 3500 riel. On May 31, 2011, the Phnom Penh Post reported the price of rice as 2020 riel per kg on average, with 2000 riel per kg base.

selectively, affected households may not receive the correct living allowance even as set out in Table 3.1.

Further issues

- Due to affected household main structures having been systematically downgraded by the IRC, affected households may receive less in compensation than they are due.
- The practice of according a lower amount of living allowance to affected households currently living in poorer structures is questionable, as it would seem these are in fact poorer households and hence likely to be in need of more (or at least the same amount), not less assistance than households currently residing in better structures.

11. Vulnerable households

According to the PP URP Table 2.6 (p. 10), there are 127 HHs that are considered vulnerable.

STT data finds the following number of totally and partially affected HHs in the four target communities as being headed either by disabled, aged, or widowed individuals (Table H). The numbers do not include female-headed and poor HHs.

Table H: Vulnerable HH per community (STT data)

Mitapheap	8
Community 3	14
Rotespleung	12
Toul Sangke A	20
<i>Total</i>	<i>54</i>

Among the sample of 70 partially and totally affected HH for which STT and IRC data are both available, the IRC has identified 18 vulnerable HHs. STT has identified an additional nine vulnerable HHs. It thus seems the IRC may have identified only around 66% of all potentially vulnerable HHs. Note that it is assumed that vulnerable HHs with only secondary affected structures are not eligible to receive the allowance.

On the DMS Post-It notes, HHs identified as vulnerable were indicated to receive an additional \$150, following section 4.1 of Table 3.1 in the PP URP. It is unclear, however, whether the HHs were given the option of 20kg of rice per person for 6 months (*see Living Allowance issues*).

Conclusions

- STT found 54 vulnerable HHs in only four communities. This represents 42.5% of the 127 HHs identified as vulnerable in the PP URP by the IRC.
- The IRC may have identified only around 66% of all potentially vulnerable HHs.

Implication

- Not all vulnerable HHs may have been identified by the IRC. Vulnerable HHs that have not been identified will not receive the additional six-months living allowance for which they are

eligible.

Further issues

- There are differences in the definition of vulnerable HHs:
 - Section C6, Annex 1: Entitlement Matrix (p. 6) contained in the PP URP: female-headed households, the elderly, the disabled, income less than US\$20/month per person, indigenous AHs
 - Table 2.6, PP URP (p. 10): Female-headed AHs, Disabled-headed AHs, Aged-headed AHs, Poor AHs (income less than US\$15/person)
- There are differences in the allowance amount (*See Living Allowances*):
 - Annex 1 Entitlement Matrix states vulnerable AHs will "receive special assistance allowance equivalent to 20kg of rice per family member per month for six months"
 - Table 3.1 of the PP URP (p. 13) states "Receive special allowance of 20kg of rice per person for 6 months or equal to cash assistance of US\$150 per HH and a member from each AH receive IRP."

12. Transportation/Demolition allowance

Some DMS Post-It notes mention "demolition allowance" while others refer to "transportation allowance". It presumed these refer to the same allowance, namely "Transportation allowance" as detailed in section C1 in Annex 1: Entitlement Matrix and Section 4.2 in Table 3.1 of the PP URP, page 13. Relocating HHs are set to receive \$70 in transportation allowance. It is questionable whether such an amount is adequate for transporting all possessions and salvaged structure materials to the resettlement site over 20km away.

13. 25% of main structure affected

On May 27, 2011, an STT staff member who monitored a meeting between the IRC and Toul Sangke A community reported that ADB consultants had informed the community that a new definition for fully affected households would be applied in Phnom Penh. According to the new rule, HHs with 25% or more of its main structure within the COI would be considered totally affected and subject to relocation.

Should this new rule be applied, the numbers of totally affected households would change as follows in STT's target communities:

Table I: Number of HH totally affected per community (STT data)

	30 sqm rule	25% rule
Toul Sangke A	38	18 (incl. 4 previously partially affected)
Community 3	14	4
Rotespleung	22	5 (incl. 1 previously partially affected)
Mittapheap	22	22
Totals	96	49

Conclusion

- By applying the 25% rule, the number of totally affected (relocating HH) is halved. Furthermore, some HHs previously considered partially affected become totally affected.

Implication

- Some HHs with small main structures, but with less than 25% of the structure within the COI, will be expected to continue living in the ROW in below adequate housing, in some cases with less than 20 sqm or even 10 sqm of living space.

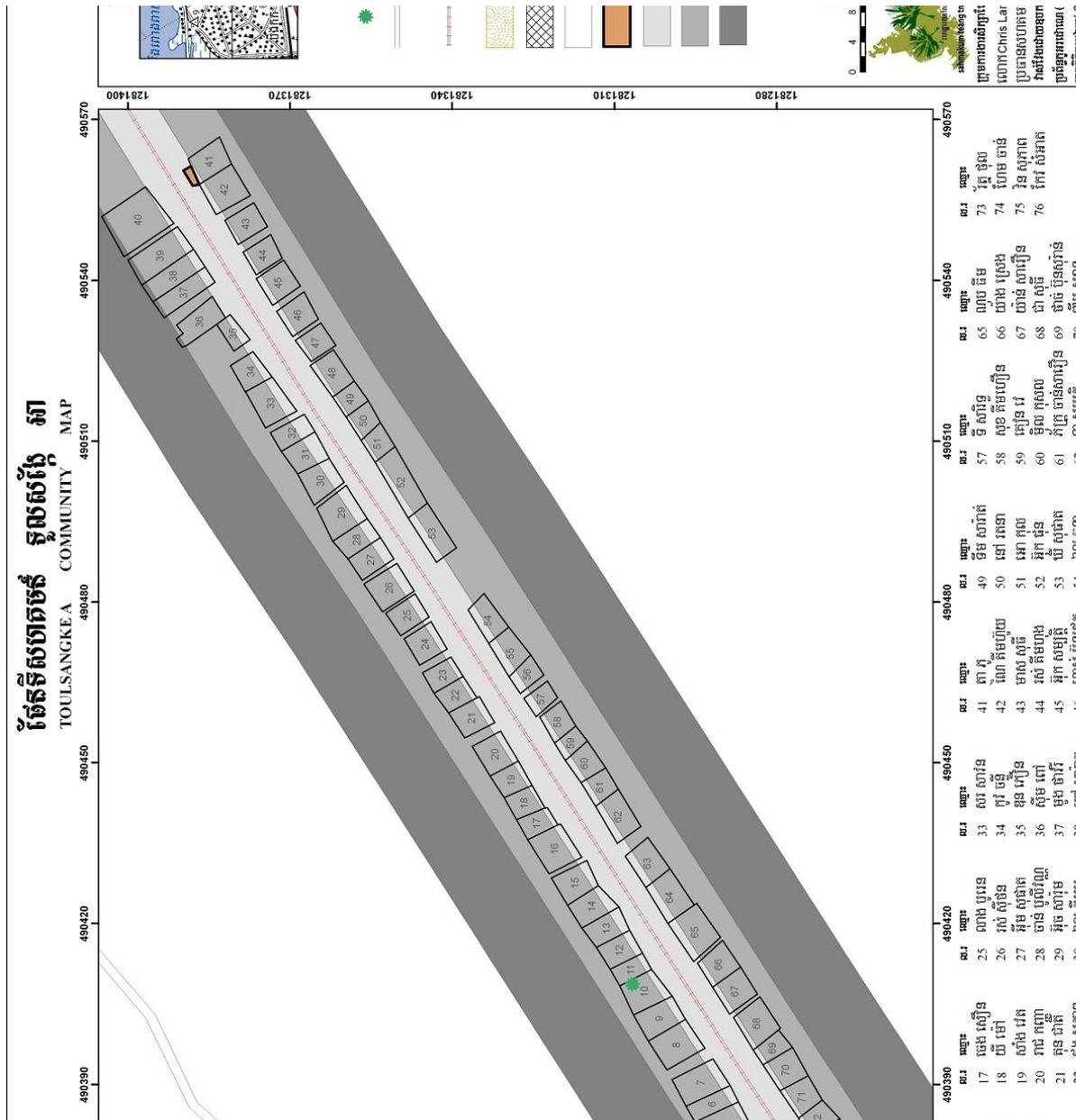
Further issues

- There is no mention of the 25% rule in the PP URP.

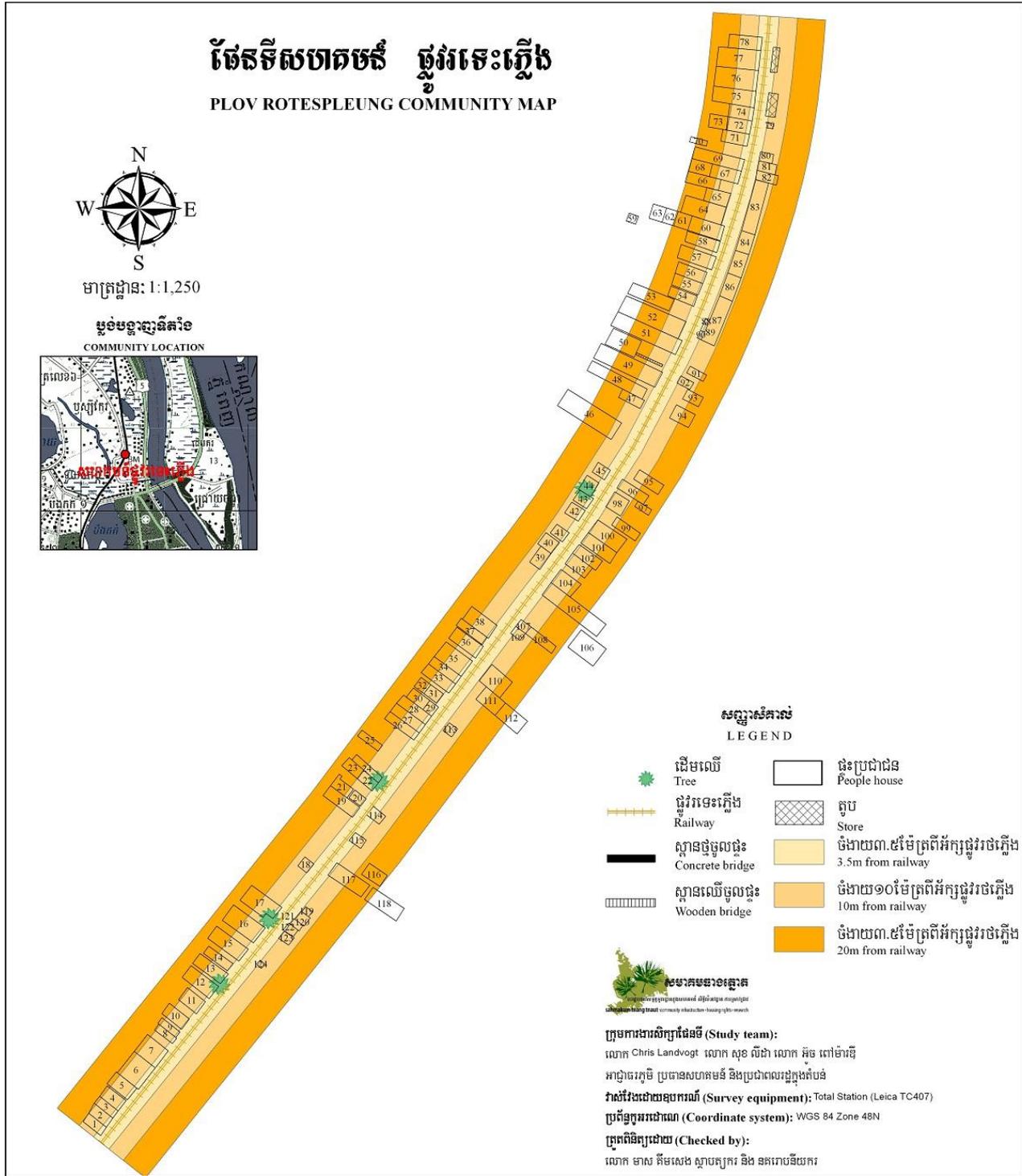


Figure 5: Sign for Kralkor village, located at kilometer 6 along the Phnom Penh branch line.

Annex 1: Map of Toul Sangke A



Annex 2: Map of Rotespleung



ល.រ	ឈ្មោះ	ល.រ	ឈ្មោះ	ល.រ	ឈ្មោះ	ល.រ	ឈ្មោះ	ល.រ	ឈ្មោះ	ល.រ	ឈ្មោះ	ល.រ	ឈ្មោះ
1	តាំង ស្រៀកប៊ុន	11	សេង កៀន	21	យីម ប៊ុនជុន	31	ខៀង តឹមសេង	41	យន់ ស្រែង	51	នង ចី	61	និន ភារម្យ
2	សូ យ៉ន	12	ថៃ ម៉ាច	22	តឹប កុង	32	សេង ចន្ទី	42	ភាង សារីង	52	តឹម សុធី	62	ប៉ាន់ សណ្ត
3	ម៉េង ហុង	13	មាស សុវណ្ណ	23	យ៉េង សុខា	33	ជួង កៀន	43	ជេង ហេង	53	កៅ ចន្ទ	63	
4	ជុយ វុឌ្ឍី	14	ម៉ក់ យ៉េត	24	ខ្លុង តឿន	34	ប្រាជ្ញ ជណ្តា	44	លឹម ណាង	54	សៀប សុខហ៊ុន	64	ថ្មើ សារឿន
5	ឈុន តឹមឈន	15	ម៉េង សុខហុរ	25	ជាន់ ម៉ៅ	35	ប៊ុន ជា	45	ទា វណ្ណារ៉ា	55	សុខ សុវណ្ណ	65	សុខ សុខ
6	កែវ សុខន	16	មាយ សារឿន	26	នេវ៉ា ហាក់	36	ឈឹម សារីង	46	ជុំវី សុខា	56	វណ្ណ ម៉ុ	66	សុខ សារីង
7	នាង តឹម	17	អុន សំអាត	27	សុខ តឿន	37	សេង សុំណេត	47	សៅ សុផល	57	សូ ប៊ុន	67	ម៉ៅ ខេង
8	នូ អ៊ុក	18	មិន បូរ	28	ហ៊ុម ប៊ុនតឿន	38	អេវី ស៊ុមហ៊ុន	48	ស៊ី សុម៉ាសិន	58	ចន់ តឿន	68	ប្រាក់ សាឡាន
9	មួង សារីឡ	19	មួន ចាន់រ៉ា	29	តឹម បុត្រា	39	ផល សំណាង	49	កៅ ចន្ទី	59	អេង សំអុន	69	ប៊ុន ធម្មសុខា
10	ហ៊ី ហ្គើន	20	ម៉ៅ សុភា	30	យី តឹមស្រី	40	សូ ឌីម៉ាន់	50	ហួត សារីន	60	តឹម សារី	70	នួន យ៉ន
71	ង ម៉ាឌី	81	ជុន កលីកា	91	តឿន សារី	102	តឹម ជុនី	113	តឹម សុំនី				
72	វណ្ណ សុធីរិទ្ធ	82	ជុន កសិកុល	92	តឿន សារី	103	តង់ ហាង	114	មាស សារីកាត់				
73	ប្រាក់ វិយ	83	ជុន កសិកុល	93	ណាត សម្បត្តិ	104	យេង សំអាត	115	មាស វិទ្ធី				
74	មីម រស់	84	ជុន លេបៀបភារីន	94	ណាត សម្បត្តិ	105	ហៃ ប៊ុនលឿង	116	ទូ ផុល				
75	តឹម ណែ	85	ឌី ស៊ុម	95	អេង ណារី	106	សេង អាភិរុន	117	កែវ វិសុទ្ធ				
76	ខៀវ សំអាត	86	ស សំអុន	96	អេង ណារី	107	តឹម ហ៊ុម	118	កែវ វិសុទ្ធ				
77	មីន សុផា	87	តឹម ណារី	97	សេង ប៊ុនឌី	108	កែវ បុត្រា	119	អុង សុផា				
78	ចៅ សារីង	88	តឹម ចាន់សេន	98	ខៀវ សុខា	109	យ៉េង សុខា	120	ហៃ មួនហេង				
79	តឹម ណារី	89	តឹម ណារី	99	តឹម សុផាន	110	សៅ សំបុរ	121	ចេន តឿន				
80	នួន សុខា	90	ចាន់ តឿន	100	ប្រាជ្ញ ចាន់	111	ជាន់ ឌុន	122	កុង សោភ័ណ				
				101	សាង សុផល	112	ឈី ឡាឡុ	123	លឹម ហេង				
								124					

កំណត់សំគាល់: ព័ត៌មានប្រទេសកម្ពុជាតាមឈ្មោះនិងប្រើស្រាប់តែមានលេខប្រទេសកម្ពុជាក្នុងផែនទីតែមានកំណត់ដោយក្រុមផ្តើមផែនទី

Annex 3: Map of Mittapheap

