

COASTAL EMBANKMENT IMPROVEMENT PROJECT

PHASE 2 (CEIP-2)

RESETTLEMENT POLICY FRAMEWORK (RPF) DRAFT

BANGLADESH WATER DEVELOPMENT BOARD (BWDB)

May 2022

Executive Summary

Introduction

The Government of Bangladesh (GoB) planned to develop a safe and inhabitable coastal zone and constructed embankments and polders surrounding the coastal area to continue the commitment. The main purpose was to protect from tidal flooding. The embankments and polders were designed to protect against high tides, but the effect of storm surges was neglected then. Breaching of embankments caused waterlogging inside the polders, and poor maintenance caused internal drainage congestion and heavy external siltation—all of these results in salinity intrusion in the polders. As a result, the embankments were substantially damaged, and the integrity of polders was threatened.

Coastal Embankment Improvement Project–Phase 1 (CEIP-1) was initiated with a long-term objective to increase the resilience of the entire coastal population to tidal flooding and natural disasters by upgrading the whole embankment system. With an existing network of the embankment nearly of 6,000 km long with 139 polders, the magnitude of such a project was enormous. So, in the first phase, 17 polders were selected using the multi-criteria analysis method, and the development interventions were undertaken. With the continuation of the CEIP-1, CEIP-2 is being undertaken for the next batch of 15 chosen polders.

This Resettlement Policy Framework (RPF) is prepared for the Coastal Embankment Improvement Project (Phase 2) – CEIP–2 by Bangladesh Water Development Board (BWDB) in accordance with GoB’s legal policy and World Bank’s Environmental and Social Framework (ESF), specifically ESS-5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

The purpose of this RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to project components to be prepared during project implementation. Land acquisition and resettlement is expected in this project but the likely nature or magnitude of the land acquisition or restrictions on land use related to the project with potential physical and/or economic displacement are unknown till now. Once the individual project works locations are defined and the necessary information becomes available, this framework will be expanded into one or more specific Resettlement Action Plan/s (RAP/s) proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by ESS5 have been finalized and approved by the Bank.

Project Components

The CEIP-2 project will have the same component of CEIP -1 and consist of specific interventions for improving the embankment (polders). The project will support five major components, explanation of which is in the main text:

Component A – Rehabilitation and Improvement of Polders

Component B -- Implementation of Social Action and Environmental Management Plan

Component C-- Supervision and Monitoring and Evaluation of Project Impact

Component D – Project Management, Technical Assistance, Training, and Strategic Studies

Component E – Contingent Emergency Response.

Legal and Policy Principles Governing Resettlement

The Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain for land acquisition and requisition in Bangladesh. ARIPA 2017, detailed the land acquisition process from section 4 to section 19 and land requisition process from section 20 to section 28. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1). The DCs thereafter, enhance the assessed value of land by 200% and 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is known as Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (*Bargadar*) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided the project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.

Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting of ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers relating to the identification and assessment of environmental and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through ongoing stakeholder engagement. Among the ten standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. BWDB has prepared this RPF following the guidelines suggested under ESS5 and the ARIPA 2017.

Resettlement Planning Procedures

This RPF is the guiding tool for involuntary resettlement management including identification, planning and implementation in the project process. The following resettlement planning procedures will be followed during preparation of RAP and implementation.

Table ES-01: Resettlement Planning Procedures

Screening and Preparation Step	Responsibility	Timing
Final identification of specific location	BWDB Social and Resettlement Specialist, Land Acquisition Specialist, Gender Specialist; and Consultation Specialist.	After land acquisition process is approved in principle
Census, SES, IOL and Property Valuation Survey	Once the specific location is identified, BWDB with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social Specialists and Gender Specialist will conduct consultation meetings with the local people and affected HHs.	As required

Screening and Preparation Step	Responsibility	Timing
Preparation of specific plans and instruments (RAP, LAP)	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. BWDB will also prepare land acquisition plan with the support of implementing NGO/ firms and submit to DC office.	RAP/LAP will be prepared and approved before land acquisition started to ensure all land acquisition and involuntary resettlement practices are in line with RAP and ESS5
Implementation of RAP	Once the RAP is approved, BWDB will implement the same with the support of NGO/Consulting firm and DC office. World Bank E&S team will review the status of implementation through supervision.	As recommended in RAP.

Entitlement and Eligibility Criteria

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All Project Affected People (PAPs) including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

Other than PAPs any entities affected by the project within the Right of Way (RoW) are entitled for the compensation. If any Common Property Resources (CPR) are affected or unavoidable, according to section 4(13) and 20(1) of ARIPA 2017, CPRs can be acquired or requisitioned. However, before affecting any CPRs, all compensation has to be paid and ensure that affected CPRs are reconstructed before dismantling or damaged. For example, if a school is affected by the project, a new school has to be constructed before demolishing the affected school. For sensitive structures and CPRs like the mosques, temples, churches and graveyards, BWDB and its consultants will work with the communities and the management committees of these CPRs to decide appropriate measures and relocation. According to the GoB ARIPA 2017, some of these socially sensitive CPRs (churches, temples and graveyards) cannot be acquired by the Project. Only with community consultations and consent, these can be purchased and relocated. If these are not possible, the Project will have to by-pass these structures and choose an alternative RoW.

Consultation and Participation

Consultations with affected people and communities are the starting point for all resettlement related activities. Experience indicates that involuntary resettlement generally leads the affected population to facing severe problems in the socio-economic life making them apprehensive towards the Project. Project aims to provide a two-way communication channel between the stakeholders and the scheme proponents. In keeping with the same, the process of public consultation and participation in the project was initiated during CEIP-Phase 1. Stakeholder consultations have been extensively reported in SEP containing Project socioeconomic context, Consultation and Communication Strategy etc. applying ESS 10. People's opinion about relocation, resettlement, project messages, planning etc are important from consultation perspective. The consultations were held to ensure people's participation right from the planning stage of the project, in particular from the people of the impacted area. Given the COVID-19 pandemic situation, managing public consultation and stakeholder engagement in the Project needs to adhere to national requirements and any updated guidance issued by WHO. The alternative ways of managing consultations and stakeholder engagement will be in accordance with the local applicable laws and policies, especially those related to media and communication.

Grievance Redress Mechanism (GRM)

The ARIPA 2017 allows objections by the landowners to acquisitions at the beginning of the legal process. Once the objections are heard and disposed of, there is virtually no provision to address grievances and complaints that individual landowners may bring up in the later stages of the process. Since the act does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As experienced in past projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by censuses, the valuation of affected assets, compensation entitlements, complains against noise, pollution, accident, GBV and other social and environmental issues. In view of this, CEIP- 1 has already established a procedure to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RPF for assessment and mitigation of social and environmental impacts through the Grievance Redress Mechanism (GRM). The GRM deals with complaints and grievances related to both social/resettlement and environmental issues in this Project. Grievance Redress Committees (GRC) have been formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure helps to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal actions.

Institutional and Implementation Arrangements

BWDB under the Ministry of Water Resources (MoWR) is the executing agency (EA) of the project on behalf of the GoB. A Project Steering Committee (PSC) provides the forum for overall guidance, policy advice and coordination of the project activities and addressing the inter-agency issues. BWDB is responsible for the execution and implementation of the Project through the Project Management Unit (PMU) established at Dhaka and three field offices (FOs) established in the field.

The PMU is headed by a Project Director (PD) and reports directly to the Director General (DG). The PMU has a Social, Environment Communication Unit (SECU) having its staff resources at the headquarters and at three FOs, one at Khulna, one at Bagerhat and one at Patuakhali/ Barguna. The FO is headed by a Project Manager (PM) of the rank of Executive Engineer, recruited by the project. The SECU is supported by an experienced NGO/agency for social mobilization and activities related to implementation of the RAPs. The NGO/agency activities are directly supervised by the PMs with assistance from the Design and Supervision Consultant (DSC). A Monitoring and Evaluation (M&E) consultant provides support in the supervision of RAP implementation. The PMU is assisted by an Independent Panel of Expert (IPOE) for oversight of all aspects of the project including social safeguards.

BWDB has prior experience of dealing with land acquisition and resettlement through CEIP-Phase 1. However, the PMU staff will again be oriented on preparation of RAP and implementation at the field level.

Tentative Budget

A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget does not include the cost of land acquisition and resettlement.

Table ES-02: Tentative Budget

Items	Man-month	Total (in USD)
Senior Social Development and Resettlement Specialist	24	60,000
Consulting firm for RAP preparation	Lump-sum	60,000
RAP Implementing Agency (NGO/consulting firm)	Lump-sum	2,00,000
External Monitor	24 months over the period of 5 years	1,00,000
Capacity Building for PSC, PMU, NGO/consulting firm and relevant government agencies	Lump-sum	1,00,000
Grievance handling cost	Lump-sum	40,000
Cost of land acquisition and resettlement	Unknown at this stage as land acquisition and resettlement impact to be identified	

Monitoring

The SECU at PMU has been set up with a system of monitoring of preparation and implementation of RAPs with assistance from the FOs and the implementing NGO/agency. RAP implementation guideline has been prepared by the PMU. The Senior Social Specialist of the PMU and DSC are assigned to supervise and monitor land acquisition, social impact assessment, and implementation of RAPs as per the guideline as well as assessing the ability of PAPs to restore their living standards and livelihoods to pre-project levels. An external monitoring and evaluation agency has been engaged by BWDB for periodic review of design and implementation of RAP and end-term evaluation.

ABBREVIATIONS

AP	Affected Person
ARAP	Abbreviated Resettlement Action Plan
ARIPA 2017	Acquisition and Requisition of Immovable Property Act, 2017
BWDB	Bangladesh Water Development Board
CBO	Community Based Organization
CCL	Cash Compensation under Law
CEIP	Coastal Embankment Improvement Project
CIO	Chief Implementation Officer
CPD	Continuous Professional Development
CPR	Common Property Resources
DDR	Due Diligence Report
EA	Executing Agency
EHS	Environmental Health and Safety
ESS	Environmental and Social Standards
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
EP	Entitled Person
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress System
GBV	Gender Based Violence
IA	Implementing Agency
IoL	Inventory of Losses
IP	Indigenous Peoples
IPP	Indigenous People Plan
IPDP	Indigenous Peoples Development Plan
IPPF	Indigenous Peoples Planning Framework
IPF	Investment Project Financing
IVC	Inventory Verification Committee
LMP	Labor Management Plan
M&E	Monitoring and Evaluation
NGO	Non-Governmental Organizations
PAH	Project Affected Households
PAP	Project Affected Persons
PAI	Project Area of Influence
PAVC	Property Assessment and Valuation Committee
PC	Polder Committees
PD	Project Director
PIC	Project Implementation Committee
PMU	Project Management Unit
PPCR	Program for Climate Resilience
PPR	Public Procurement Rule
PSC	Project Steering Committee
PVAC	Property Valuation Advisory Committee
RAC	Relocation Advisory Committee
RAP	Resettlement Action Plan
RCS	Replacement Cost Study
RPF	Resettlement Policy Framework
ROW	Right of Way
RV	Replacement Value
SES	Socio-economic survey
SEP	Stakeholder Engagement Plan
TOR	Terms of Reference
TTO	Technology Transfer Offices
VLD	Voluntary Land Donation

WB	World Bank
WBG	World Bank Group
WMO	Water management Organizations

Table of Contents

Executive Summary	2
Abbreviations	7
Chapter 1: Introduction	11
1.1 Background	11
1.2 Rationale for RPF	11
1.3 Objective of RPF	11
1.4 Methodology Followed for Preparation of the RPF	11
1.5 Structure of the Document	12
1.6 Effectiveness and Updating of the RPF and RAPs	13
Chapter 2: Project Description and Scope of Impacts	15
2.1 Project Background	15
2.2 Project Objective and Components	15
2.3 Project Area and Population	17
2.4 Approach for Identification of Subprojects	19
2.5 Potential Social Risks and Resettlement Impacts	19
Chapter 3: Legal Framework and Policies Related to Land Acquisition and Resettlement	21
3.1 Land Acquisition Policy of Bangladesh Government	21
3.2 Land Requisition Policy of Bangladesh	24
3.3 The World Bank Environment and Social Standards	24
3.4 Gaps between ESS5 and ARIPA 2017 and Gap Filling Measures	26
3.5 ESS 5 Requirements:	27
Chapter 4: RAP Preparation, Eligibility Criteria, and Procedures for Defining Various Categories of Affected People	31
4.1 Principle and Objective	31
4.2 Resettlement Planning Process	32
4.3 Detailed Assessment and Survey	33
4.4 Preparation of RAP	34
4.5 Project Affected People (PAP)	34
4.6 Methods to Determine Cut-Off Date	35
4.7 Eligibility Criteria	35
4.8 Entitlements Matrix: Eligible PAPs, Assets and Compensation Guidelines	36
4.9 Voluntary Land Donation (VLD)	39

Chapter 5: Land Acquisition and Compensation for Involuntary Resettlement	40
5.1 Type of Compensation Payment	40
5.2 Compensation Payment Method	40
5.3 Determination and Payment of Top-up	41
Chapter 6: Consultation and Stakeholder Engagement Procedure	43
6.1 Objective, Scope and Purpose of Stakeholder’s Engagement	43
6.2 Project Stakeholders	43
6.3 Stakeholder Engagement at COVID-19 Outbreak	44
6.4 Public Consultation and Participation	45
6.5 Consultation Outcomes Relevant to Social Concerns	47
6.6 Consultation and Stakeholders Engagement Plan	48
6.7 Documentation and Reporting	49
Chapter 7: Project Grievance Redress Mechanism	50
7.1 Objective and Scope of GRM	50
7.2 National Grievance Redress System	50
7.3 Project GRM	51
7.4 Grievance Redress Committees (GRC)	51
7.5 Grievance Resolution Process	51
7.6 Composition of GRC	53
Chapter 8: Institutional and Implementation Arrangements	56
8.1 Institutional Arrangement	56
Project Executing Agency (EA)	56
Project Steering Committee (PSC)	56
Project Management Unit (PMU)	56
Ministry of Water Resources	56
Water Management Organizations	58
BWDB Field Offices	58
Implementing NGO/Agency	58
Deputy Commissioners	58
Participatory Management Bodies	59
8.2 Steps for RAP Implementation	60
8.3 Specialist Responsibility for RAP Implementation	62
8.4 Capacity Building	68
8.5 Budget	68
Chapter 9: Monitoring and Evaluation	69
9.1 Supervision and Monitoring Mechanism	69
9.2 Internal Monitoring	69

9.3 External Monitoring	69
9.4 Review and Evaluation	70
9.5 Documentation, Disclosure and Reporting	70

DRAFT

Annexes

Annex 1: Social Screening Form	73
Annex 2: Guideline to Prepare a Resettlement Action Plan	78
Annex 3: Quarterly Grievance Report	80
Annex 4: Procedures of Voluntary Land Donation	81
Annex 5: Terms of Reference for Independent Evaluation	83
Annex-6: PAP Declaration on Self-Relocation	85
Annex 7: PAP Declarations on Temporary Relocation	86
Annex 8: Glossary	87

Tables and Figures

Table ES-01: Resettlement Planning Procedures	3
Table ES-02: Tentative Budget	6
Table 01: Basic Dataset for CEIP-2 Project Area	18
Table 02: Types of Adverse Impact and Affected Groups	19
Table 03: Land Acquisition Process under ARIPA, 2017	21
Table 04: Gaps Between GOB policies/act and ESS5	26
Table 05: Resettlement Planning, Responsibility and Timing	32
Table 06: Eligibility and Entitlement Matrix	36
Table 07: Project Stakeholder Analysis	44
Table 08: Summary of Consultation Meetings and FGDs	45
Table 09: Future Stakeholder Engagement Activities	48
Table 10: Steps in Grievance Resolution Process	52
Table 11: GRC Membership at Local level	53
Table 12: GRC Membership at Project level	53
Table 13: GRC Membership at Ministry level	54
Table 14: Membership of PAVC	59
Table 15: Membership of PRAC	60
Table 16: A Tentative Budget	68
Table 17: Monitoring, Review and Evaluation Process of Key Indicators	70
Table 18: Reporting Requirements	72
Figure 01: Project Intervention Area	18
Figure 02: Land Acquisition and Compensation Payment Process Under ARIPA 2017	23
Figure 03: Grievance Redress Flow Chart	55
Figure 04: Project Institutional Arrangements	57

Chapter 1: Introduction

1.1 Background

This Resettlement Policy Framework (RPF) is prepared for the Coastal Embankment Improvement Project (CEIP)–Phase 2, which is a continuation of CEIP-Phase 1 under the Bangladesh Water Development Board (BWDB) in accordance with Government of Bangladesh’s (GoB) legal and regulatory framework (ARIPA 2017) and World Bank’s (WB) Environmental and Social Framework (ESF), specifically ESS-5 guiding Land Acquisition, Restrictions on Land Use and Involuntary Resettlement associated with the project in Bangladesh.

1.2 Rationale for RPF

The purpose of this RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to various land acquisition and resettlement requirement of CEIP-2. Likely nature or magnitude of the land acquisition or restrictions on land use related to the Project with potential to cause physical and/or economic displacement *is unknown*. Therefore, this has been developed in the form of framework so that guidance, policies, procedures are illustrated herein for the future Resettlement Action Plans (RAPs). Once necessary information becomes available, this framework will be expanded into one or more specific Resettlement Action Plan/s (RAP/s) proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by ESS5 have been finalized and approved by the Bank.

1.3 Objective of RPF

The overarching objective of the RPF is to provide a framework of procedures and measures to manage physical and economic displacement of persons which is likely to occur as a result of CEIP-2 activities. Where involuntary resettlement is not properly managed, long-term hardship may be wrecked on the intended beneficiaries of the project and communities. It may give rise to severe economic, social and environmental risks resulting in production and communal systems being dismantled, people facing impoverishment when their productive skills may be less applicable and the competition of resources greater; community institutions and social networks being weakened; kin groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. For these reasons, projects supported by the World Bank are designed to avoid involuntary resettlement. Where it is unavoidable appropriate measures to minimize, as much as possible are taken. For adverse impacts on displaced persons and host communities, there is the need to carefully plan and implement a framework to mitigate the impacts.

1.4 Methodology Followed for Preparation of the RPF

In preparing the RPF, the following methodology was followed:

Literature Review

Review of relevant Bangladesh (ARIPA 2017) and World Bank Policy (ESS5) and procedures regarding land acquisition and involuntary resettlement

Reviewed laws and regulations relating to the Implementing Agency responsible for implementing resettlement activities for CEIP-2

Identified gaps, between local laws covering resettlement and the World Bank's resettlement policy, and provided measures for addressing such gaps

Reviewed some previous RPFs prepared for other recent World Bank projects in Bangladesh (e.g. WeCare, ASSET, BEST etc.)

Reviewed context, risk and impacts related to CEIP-1.

Reviewed and incorporated relevant data on population and social characteristics in the project areas.

Field Work, Data Gathering and Public Consultation

Undertook social survey in selected areas where project investments will occur. This was helpful in defining the content of the RPF. Issues such as the identification of existing land conflicts and/or patterns of conflict in the project area, how conflicts are being resolved, the existence and effectiveness of the existing grievance redress systems were addressed

Undertook Public Consultation with the appropriate stakeholders including local inhabitants and other stakeholders

Development and Preparation of Resettlement Policy Framework Report

Analysis of social groups and population in the area that may be affected by the project

General description of project impacts, avoidance measures and mitigation measures

Description of eligibility conditions for entitlement of compensation

Description of entitlement for categories of affected assets

Description of valuation framework

Description of framework for preparing Grievance Redress Mechanism

Procedure for assessing capacity need for RAP implementation

Reporting Requirements

Preparation and Submission of Inception Report

Preparation and Submission of Draft Report

Preparation and Submission of Draft Final Report

Preparation and Submission of Final Report

1.5 Structure of the Document

The RPF structure follows the following framework that begins with the background and project description, covering principles, policies and regulations, entitlement matrix, institutional framework, stakeholder consultation and grievance redress issues. It also delineates various

responsibilities of parties and risk and impacts of the resettlement process including mitigation recommendations. It also provides a structure for future Resettlement Action Plan.

Executive Summary. Provides an overview of the RPF.

Chapter 1. Introduction and Background. Illustrates background of the CEIP-2, RPF rationale and objectives and principles to be followed.

Chapter 2. Project Description and Scope of Impact. Provides component description and type of risk and impacts that may materialize in the project in terms of acquisition.

Chapter 3. Resettlement Principle, Eligibility Criteria. This Chapter provides an overview of the resettlement principles for the CEIP-2, including eligibility criteria and entailment matrix to be used for future RAPs.

Chapter 4. Legal Framework and Policies Related to Land Acquisition and Resettlement. This covers both ARIPA 2017 and ESS5 criteria, their gaps and gap filling measures.

Chapter 5. Methods of Valuation of Affected Assets. This illustrates how compensations will be calculated for various assets including top up determination.

Chapter 6. Consultation and Participation. This speaks of need for stakeholder engagement, identification of stakeholders, consultation process and their outcomes including information disclosure methods.

Chapter 7. Grievance Redress Mechanism. Objectives of GRM, various GRCs and grievance redress process are discussed in this chapter.

Chapter 8. Institutional and Implementation Arrangements. Duties and responsibilities of various agencies and committees are illustrated in this chapter including capacity development and budgetary issues.

Chapter 9. Monitoring. Monitoring process for the implementation of RAPs are given in this chapter.

1.6 Effectiveness and Updating of the RPF and RAPs

The RPF will approved and will be disclosed publicly. The approval, disclosure and updating steps are as follows:

- The RPF will be submitted to the Ministry of Water Resources for approval by BWDB. Upon approval of the Ministry, it will be sent to the World bank for review. The reviewed RPF will be edited as per comments for final review and approval of the World bank. The RPF will be disclosed in the BWDB site after World Bank approval.
- RAPs will be prepared based on the RPF

- The draft RAP shall be subject to discussion with Project Affected People (PAPs) who will receive a copy of the RAP a week before the discussion. Public consultations shall be attended by PAPs, BWDB, and RAP preparation firm's/NGO's representatives.
- After the discussion, comments and proposals shall be reflected in the RAP.
- The RAP shall include a section of the consultation process with the matrix of comments and proposals for the inclusion and implementation thereof.
- The Social Specialists of BWDB shall submit the RAP to the Ministry of Water Resources for approval.
- After inclusion of the comments received as a result of disclosure of the RAP and after approval thereof by Ministry, the RAP shall be officially sent to the World bank (WB) for review and confirmation on the compliance with ESS5 and other applicable policies/procedures.
- Once the World Bank confirms the acceptability of the quality of each RAP, it shall be disclosed on the WB website, published as a final RAP on the BWDB and Ministry of Water Resources website and re-shared with all stakeholders. Private information about PAPs shall not be made publicly available.

No changes shall be made to the compensation entitlement matrix, eligibility criteria, compensation rates, or provisions for assistance without the prior World Bank's consent.

Chapter 2: Project Description and Scope of Impacts

2.1 Project Background

The Coastal Embankment Improvement Project (CEIP) Phase 2 is the continuation of CEIP Phase 1. The CEIP-1, implemented by the Bangladesh Water Development Board (BWDB) and funded by the World Bank (WB), safeguards the Coastal Zone of Bangladesh against flooding due to storm surges and cyclones, combats erosion and enhances the coastal resilience. Project's objectives are to reduce the loss of assets, crops, and livestock during natural disasters, reduce the time of recovery after natural disasters, improve agricultural production by reducing saline water intrusion, which is expected to worsen due to climate change and improve the GoB's capacity to respond promptly and effectively to a natural disaster. The long-term objective of CEIP is to increase the resilience of the entire coastal population to tidal flooding and natural disasters by upgrading the whole embankment coastal polders. With an existing network of the embankment of nearly 6,000 km long with 139 polders, the magnitude of such a project is enormous. Hence, a multi-phased approach has been adopted over 15 to 20 years. The Coastal Embankment Improvement Project – Phase 1 (CEIP-I) is the first phase of this long-term program. Developing a Multi-Criteria Analysis (MCA) (e.g., physical condition of the embankment and the drainage system, economic activities in the polders, population and socio-economic conditions, environmental condition, and economic efficiency) 17 polders were selected in the first phase of CEIP-I.

Of the 139 polders along the Bangladesh coast, 17 polders have been included in the defined Packages 1, 2, and 3 of the CEIP-1 program. Currently, only ten polders of Packages 1 & 2 are being implemented, and the seven remaining polders of the envisaged Package 3. Consequently, 122 polders were potentially considered for inclusion in CEIP-2. However, some of these 122 polders are not eligible for CEIP-2 because the locations are where threats are relatively limited and remote in terms of logistics.

Furthermore, certain polders will be improved by other Government budgets or other donors. After the detailed prioritization and the Multi-Criteria Analysis (MCA), 15 polders have been chosen for inclusion in CEIP-2.

2.2 Project Objective and Components

The project development objectives (PDO) are to (a) increase the area protected in selected polders from tidal flooding and frequent storm surges, which are expected to worsen due to climate change; (b) improve agricultural production by reducing saline water intrusion in selected polders; and (c) improve the Government of Bangladesh's capacity to respond promptly and effectively to an eligible crisis or emergency.

The CEIP-2 project will have the same component of CEIP -1 and consist of specific interventions for improving the embankment (polders) which are explained below. The project has five components:

Component A – Rehabilitation and Improvement of Polders
Component B -- Implementation of Social Action and Environmental Management Plan
Component C-- Supervision and Monitoring and Evaluation of Project Impact
Component D – Project Management, Technical Assistance, Training, and Strategic Studies
Component E – Contingent Emergency Response.

Component A - Rehabilitation and Improvement of Polders

This component will finance activities that aim to increase community resilience to tidal flooding and storm surges. Investments include: (i) rehabilitation of critical portions of polder embankments including slope protection work, (ii) increasing embankment height in some stretches to improve resilience, (iii) repairing and upgrading drainage and flushing systems within polders, and (v) improving operations and maintenance (O&M).

This component will also fund afforestation for the security of embankments and the livelihoods of communities as it provides protection from tidal flooding and storm surge. Planting selected mangrove and other salt tolerant species are planned on BWDB's land to demonstrate the important role of a protective belt on the tidal inundation zone on the riverside of the embankment.

Component B-Implementation of Social and Environmental Management Frameworks and Plans

This component will support consultation with and strengthening of polder stakeholders and beneficiaries. Polder Committees (PCs) will be strengthened or established in all Polders to determine the competing needs and uses for water resources, and to decide on the operation of hydraulic infrastructure. The establishment of Water Management Organizations (WMOs) will follow an eight-step process, as identified in the *Guidelines for Integrated Planning for Sustainable Water Resources Management*, published by BWDB in 2008. This component will be implemented with the assignment of a Non-Government Organization (NGO).

The component will also fund the implementation of Resettlement Policy Framework (RPF) and Resettlement Action Plans (RAPs). A Social Management and Resettlement Planning Framework (SMRPF) was prepared for CEIP Phase 1 and was disclosed in accordance with Bank guidelines. This component will finance the implementation of the RAP, embankment monitoring and public consultation plans. The component will also finance land acquisition and the resettlement and rehabilitation of persons adversely affected by the project.

An overall environmental assessment (EA) of the polder system; a draft *Environmental Management Framework* (EMF) for the project; and *Environmental Impact Assessment* (EIA) for polders targeted under the first package of investment have already been prepared and disclosed. This component will finance: (i) the preparation of EIAs for all remaining polders; (ii) the implementation of the *Environment Management Plan* (EMP) and environmental mitigation and enhancement measures; and (iii) the establishment of an environmental monitoring system in BWDB to enable it to track continuous improvement in environmental performance of the polder system.

Component C- Construction Supervision, Monitoring and Evaluation of Project and Coastal Zone Monitoring

This component will cover consulting services for (i) surveys, designs of remaining polders to be included in the project and (ii) construction supervision of rehabilitation and improvement of coastal embankments. This will include facilitating consultations with local communities in identifying needs and suitable design of the embankment as well as with other stakeholders such as local government, *upazilla* and union level governments. The component will finance surveys required prior to construction work.

This component will cover consulting services for continuously monitoring project activities and providing feedback to the government and the implementing agency on the project's performance. This includes supervising the implementation of the Governance and Accountability Action Plan (GAAP), EMP and RAP. This will be provided through third party assessment and monitoring of key aspects of project implementation.

The component will also support a comprehensive monitoring and morphological assessment of the Bangladesh Delta. A program to extend the current monitoring systems in Coastal Bangladesh is also essential to generate data, information, and new knowledge for assessments of effects of multiple drivers on the environment of coastal zone and guide future design, rehabilitation and improvement requirements. The monitoring will cover sediment rates and composition; erosion rates; SLR; subsidence rates; tidal dynamics changes; river cross section changes and meander migration; shoreline changes; and any relevant geomorphological attributes.

Component D - Project Management, Technical Assistance, Training and Strategic Studies

This component will support BWDB in implementing the project through Project management support and audits; whereby a fully functioning Project Management Unit (PMU) will be established, and all necessary audit reports financed; Technical assistance and training whereby institutional capacity building, technical assistance and training for BWDB will be provided. In addition, this component will support the coordination and management of the Pilot Program for Climate Resilience (PPCR) at program level; and Strategic studies and future project preparation: whereby resources will be provided for needed strategic studies (including the continuous updating of the strategic polder assessment as well as all necessary preparatory studies for following phases of the CEIP.

Component E - Contingent Emergency Response. In case of a major natural disaster, the Government may request the Bank to re-allocate project funds to this component (which presently carries a zero allocation) to support response and reconstruction.

2.3 Project Area and Population

The project locations/polder locations will be in the same districts as of CEIP-1—Patuakhali, Borguna, Satkhira and Khulna. There are 15 polders selected for CEIP-2 (4, 5, 7/1, 7/2, 10-12, 13-14/2, 39/ 1A, 39/ 1B, 41/5, 41/7, 45, 47/1, 50-51, 54, 55/2D). Total gross protected area is 185,026 ha with 977 km of embankment. Total population is around 1.25 million.

In the area of interventions, as with CEIP-1, around 53% are male and remaining 47 % are female. In the area, about 93 % HHs are headed by the males while only 7% are headed by the females. Among the affected population, the Muslims make up around 72 % while the Hindus are about 28%. Literacy

rate of the project affected population (5 years above) in Khulna, Satkhira & Bagerhat is 51.41% on an average which is relatively lower than national average according to the statistics of BBS (BBS, 2017). As per available statistics, 78 % of this population is literate having education at different levels while the remaining 17% population can sign only and 5% is illiterate who cannot put their signature.

Among the demography, about 51% have the monthly income up to BDT 7,250 (Yearly income is BDT 87,000). Meaning their income is under the poverty line considering BBS (Bangladesh Bureau of Statistics) information on household income and expenditure. Sources of income of the affected households are mostly from agriculture and business. About 24 % of the HHs has a standard income level i.e. above 120,000 per year whose income level above BDT 10,000 per months. The table below illustrates basic dataset of the area of CEIP-2 interventions.

Table 01: Basic Dataset for CEIP-2 Project Area

Polder No	Location/ Thana	Gross Protected Area (HA)	Embankment (Km)	Drainage Channel (Km)	Polder Population
4	Assasuni	10500	80.00	0.00	69882
5	Kaliganj, Shymnagar	55061	192.00	0.00	494835
7/1	Assasuni,Shamnagar	3110	34.25	0.00	25932
7/2	Assasuni.	10486	60.00	0.00	91121
10-12	Koyara, Paikgacha	16315	67.00	19.00	127460
13-14/2	Koyara	17854	93.00	0.00	127590
39/1A	Pathargatha	11740	58.00	40.00	100819
39/1B	Matbaria	13100	74.18	0.00	43077
41/5	Barguna Sadar	3880	50.00	39.50	17211
41/7	Mirzaganj	6984	47.48	74.00	53013
45	Amtali	4089	26.57	24.00	12143
47/1	Kalapara	2478	22.00	24.50	12002
50-51	Galachipa	6935	48.80	17.00	11551
54	Kalapara, Amtoli, Galachipa	13954	59.33	30.00	46230
55/2D	Patuakhali, Dashmina	8540	64.50	20.00	24936
		185,026	977	288.00	1,257,802

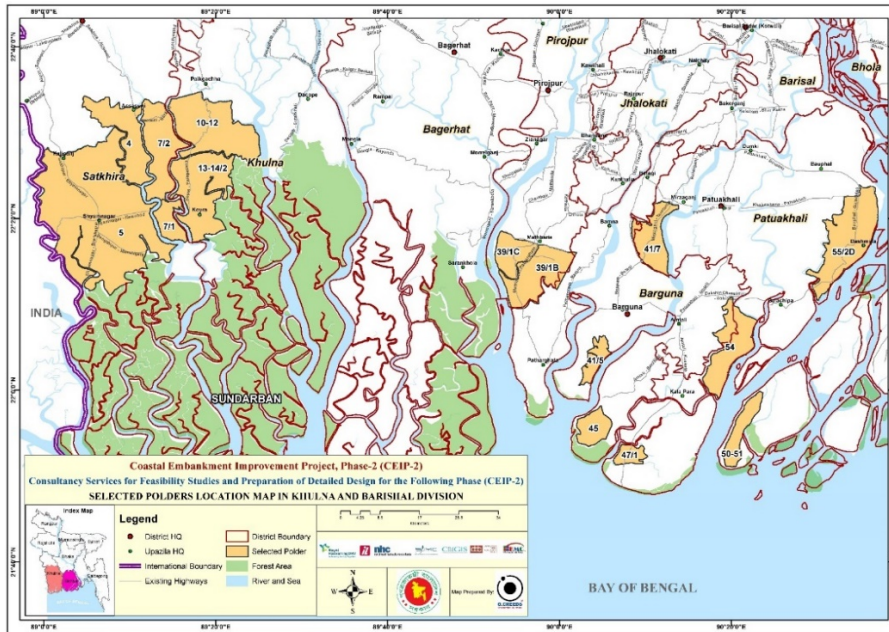


Figure 01:- Project Intervention Area

DRAFT

2.4 Approach for Identification of Subprojects

The subprojects or the Polders for the CEIP-2 have been identified. As was mentioned, in CEIP-1, 17 polders have been included in the defined Packages 1, 2, and 3. Currently, only 10 polders of Packages 1 & 2 are being implemented, and the seven remaining polders of the envisaged Package 3. Consequently, 122 polders were potentially considered for inclusion in CEIP-2. However, some of these 122 polders are not eligible for CEIP-2 because the locations are where threats are relatively limited and remote in terms of logistics. Furthermore, certain polders will be improved by other Government budgets or other donors. After the detailed prioritization and the Multi-Criteria Analysis (MCA), 15 polders have been chosen for inclusion in CEIP-2.

2.5 Potential Social Risks and Resettlement Impacts

The CEIP-1 project activities will entail land acquisition and impacts on different categories of PAPs including landowners, tenants/users, pastoralists and other land-based livelihoods. This RPF in line with the principles of ESS5 and ARIPA 2017 provides guidance to impact avoidance and minimization. In consultation with stakeholders including communities, the adverse social impacts associated with the CEIP-2 involuntary resettlement concerns and the potential affected groups are described in the following Table.

Table 02 Types of Adverse Impact and Affected Groups

No	Type of Impact	Description of Potential Impact	Affected Group
1	Loss of fallow and agricultural Land	Acquisition of land for the project will affect agricultural land, fallow land and all land owned and/or used for varying livelihood purposes	Landowners, tenants, informal settlers, farmers (livestock & crop), pastoralists
2	Land use alteration, depletion, and high cost for land	It is not inconceivable that land acquisition will deplete reasonably the available land for different land use and will trigger high cost of land and conflict over land use	Farmer groups, community and land users
3	Displacement	Possible cases of involuntary resettlement will occur. This could alienate the people from their associations, cultures and kinsmen	Communities and settlers
4	Loss of grazing ground	Land clearing /use will deny herdsmen the pastoral grounds and pastures for their livestock and livelihoods	Settled cattle herders and transit pastoralists
5	Loss of common natural property	Land acquisition and restriction is expected to result to loss or disturbance to common natural resources such as water bodies, forest materials, fisheries and wildlife	Vulnerable group, (women, children, person with disability, aged) farmers
6	Loss of building and Structures	This impact may not occur because the project will to a large extent, involve renovation only, but where project activities involve new constructions, it will be carried out in a manner that avoids demolition of structures	NA

Resettlement Policy Framework

7	Loss of employment	Use of farmland for grazing grounds/poultry farms will lead to loss and/or depletion of land for land based agricultural livelihood	Women, youth, crop farmers
8	Loss of sensitive cultural heritage	This may range from artefacts to shrines and graveyards	Community
9	Local conflicts	Issues of compensation benefits may result to conflicts among kinsmen and neighbors. The migration of strangers induced by the project development may also result to conflict between the host communities and migrants	Host communities, migrant workers, investors
10	Grievances, court cases and social unrest	These impacts are envisaged as fallout of poor implementation of involuntary resettlement or due to dissatisfaction by the PAPs. It may not only affect the community but may stall project implementation and sustainability	Farmers, government, community
11	Residual loss of livelihood and assets	Some groups of persons may suffer adverse impacts more than others due to their physical incapacitation, age and gender. Also, certain people in crisis affected areas may have relocated and may not return to participate in the RAP process until cut-off date.	Elderly, Widows and most poor female headed households, Internally displaced persons

DRAFT

Chapter 3: Legal Framework and Policies Related to Land Acquisition and Resettlement

3.1 Land Acquisition Policy of Bangladesh Government

The Acquisition and Requisition of Immovable Property Act 2017 (ARIPA 2017) is the principal legislation governing eminent domain for land acquisition and requisition in Bangladesh. ARIPA 2017, detailed the land acquisition process from section 4 to section 19 and land requisition process from section 20 to section 28. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1). The DCs there after enhances the assessed value by 200% and another 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is called the Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (Bargadar/sharecropper) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided that project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.

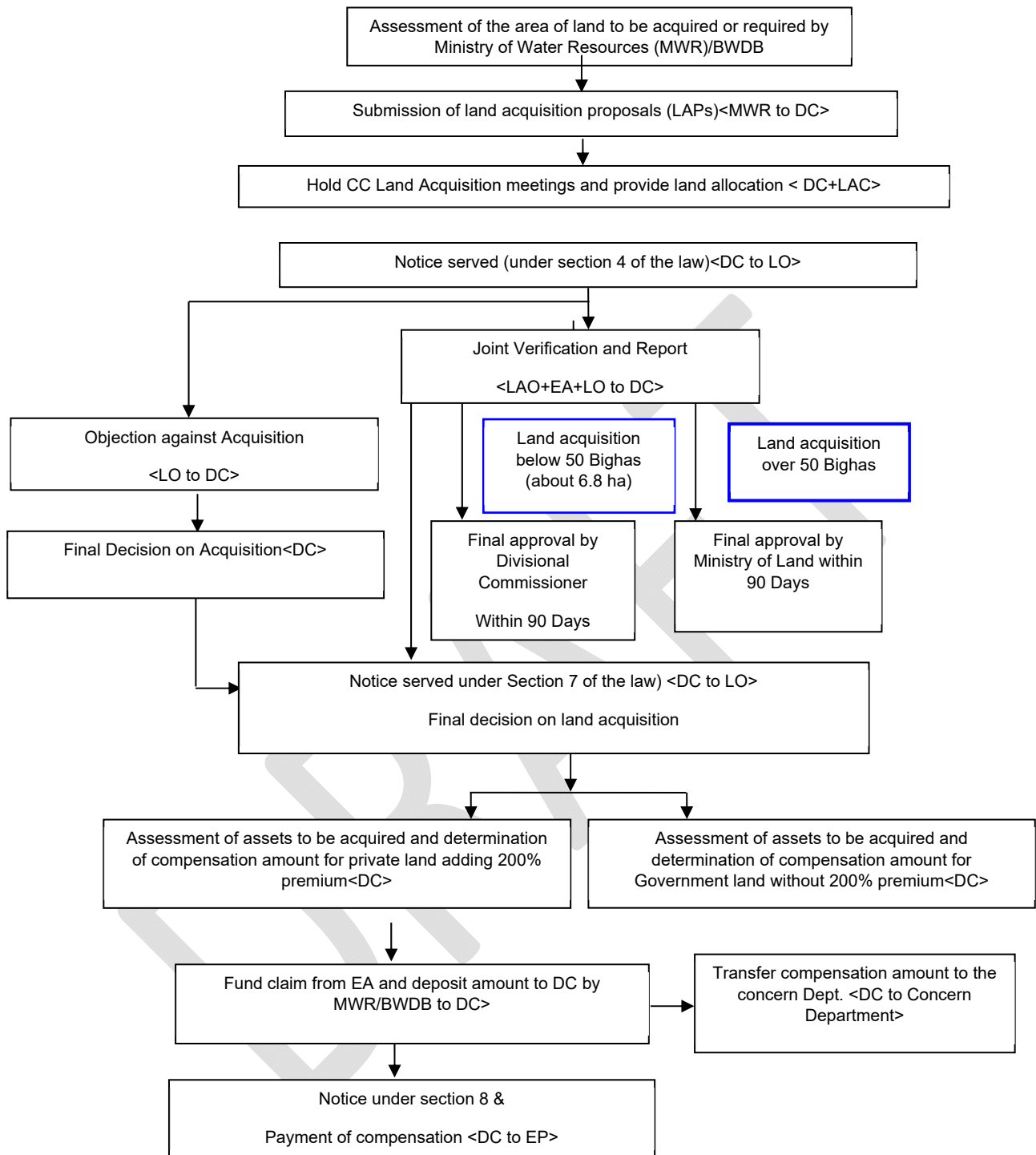
Households and assets moved from land already acquired in the past for project purposes and/or government khas land are not included in the acquisition proposal and therefore excluded for considerations for compensation under the law. Lands acquired for a particular public purpose cannot be used for any other purpose. Furthermore, the Act under its section 15 provides for the acquisition of entire houses/buildings if their owners request to acquire the entire house or building against partial acquisition. The government is obliged to pay compensation for the assets acquired.

Table 03: Land Acquisition Process under ARIPA, 2017

Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
Section 4(1)	Publication of preliminary notice of acquisition of property for a public purpose	Deputy Commissioner
Section 4 (3) (1) (i)	Prior to the publication of section 4(1) notice; Identify the present status of the land, structures and trees through videography, still pictures or appropriate technology.	Deputy Commissioner
Section 4 (3) (1) (ii)	After the publication of the section 4(1) notice a joint verification should be conducted with potentially affected households and relevant organizations.	Deputy Commissioner
Section 4 (7)	After publication of preliminary notice under the section 4(1), if any household has changed the status of the land for beneficial purposes, changed status will not be added to the joint verification notice.	Deputy Commissioner
Section 4 (8)	If the affected person is not happy with the joint verification assessment, he/she can complain to Deputy Commissioner within 7 days of issuing sec 4(1) notice.	Affected Person
Section 4 (9)	Hearing by Deputy Commissioner within 15 working days after receiving the complaints. In case of government priority projects, hearing will be within 10 working days.	Deputy Commissioner
Section 5 (1)	Objections to acquisition by interested parties, within 15 days of the issue of section 4 (1) Notice	Affected Person

Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
Section 5 (2)	Deputy Commissioner submits hearing report within 30 working days after the date of the sec 5(1) notice. In the case of government priority projects, it will be within 15 working days.	Deputy Commissioner
Section 5 (3)	DC submits his report to the (i) Government (for properties that exceed 16.50 acres; (ii) Divisional Commissioner for properties that do not exceed 50 standard bighas. Deputy Commissioner makes the final decision If no objections were raised within 30 days of inquiry. In case of government priority project, it will be 15 days	Deputy Commissioner
Section 6 (1) (1)	Government makes the final decision on acquisition within 60 working days after receiving report from the Deputy Commissioner under sec 5(3) notice.	Government
Section 6 (1) (2)	Divisional Commissioner makes the decision within 15 days or with reasons within 30 days since the submission of the report by Deputy Commissioner under sec 5(3) notice.	Divisional Commissioner
Section 7 (1)	Publication of the Notice of final decision to acquire the property and notifying the interested parties to submit their claims for compensation	Deputy Commissioner
Section 7 (2)	Interested parties submit their interests in the property and claims for compensation within 15 working days (in case of priority project 7 days).	Affected Person
Section 7 (3)	Individual notices have to be served to all interested persons including the shareholders within 15 days of issuing Section 7(1) notice	Deputy Commissioner
Section 8 (1)	Deputy Commissioner makes a valuation of the property to be acquired as at the date of issuing Section 4 Notice; determine the compensation; and apportionment of compensation among parties interested.	Deputy Commissioner
Section 8 (3)	DC informs the award of compensation to the interested parties and sends the estimate of compensation to the requiring agency/person within 7 days of making the compensation decision	Deputy Commissioner
Section 8 (4)	The requiring agency/person deposits the estimated award of compensation with the Deputy Commissioner within 120 days of receiving the estimate.	Deputy Commissioner
Section 9 (1)	During valuation of assets, Deputy Commissioner will consider the following: (i) Average market price of land of the same category in the last 12 months; (ii) Impact on existing crops and trees; (iii) Impact on other remaining adjacent properties; (iv) Impact on properties and income; and (v) Relocation cost for businesses, residential dwellings etc.	Deputy Commissioner
Section 9 (2)	Additional 200% compensation on current mouza rate is added to the estimated value. If private organizations acquire, added compensation will be 300%.	Deputy Commissioner
Section 9 (3)	Additional 100% compensation on top of the current market price for impacts mentioned under sec 9(1) and (2)	Deputy Commissioner
Section 9 (4)	Appropriate action should be taken for relocation on top of the above mentioned sub-sections.	
Section 10 (2)	If an entitled person does not consent to receive compensation, or if there is no competent person to receive compensation, or in the case of any dispute with the title to receive compensation, Deputy Commissioner deposits the compensation amount in a deposit account in the Public Account of the Republic and Deputy Commissioner acquires the land. But if any person complains about the ownership of the land, with appeal, he/she will be able to collect the amount from Deputy Commissioner. There is no fixed time for this.	Deputy Commissioner
Section 11 (1)	Deputy Commissioner awards the compensation to entitled parties within 60 days of receiving the deposit from the requiring agency/person.	Deputy Commissioner
Section 12	When the property acquired contains standing crops cultivated by shareholders, such portion of the compensation will be determined by the Deputy Commissioner and will be paid to the sharecropper in cash.	Deputy Commissioner

DRAFT



(EA=Executing Agency DC=Deputy Commissioner)

Figure 02: Land Acquisition and Compensation Payment Process under ARIPA, 2017

3.2 Land Requisition Policy of Bangladesh:

For requisition of land for temporary purposes, the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain land acquisition and requisition in Bangladesh. The Act requires compensation to be paid for: (i) vacating the requisitioned property (ii) reoccupying the property upon released from the requisition (iii) damaged the cost to the property during period of requisition including the expenses that may have to be incurred for restoring to the original condition

Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the requisitioned assets under section 22(1) and 22(2) with due consultation with the landowners. According to section 22(6), requisition is allowed only for 2 years. If land is required more than 2 years, a new contract is required with the landowners with an agreed compensation rate. Under section 23, DC will pay the compensation to the landowners. If the land requisitioned has standing crops cultivated by a tenant (Bargadar) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. Under no circumstances, land requisition is not allowed due affecting residential and community properties. However, under section 20, requisition is only allowed for emergency road repairing. Any losses for structures, trees, and business will follow the provisions of ARIPA 2017.

3.3 The World Bank Environment and Social Standards

Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting of ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers relating to the identification and assessment of environmental and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through ongoing stakeholder engagement. Among the ten standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. BWDB has prepared this RPF following the guidelines suggested under ESS5.

3.3.1 Objectives of ESS 5

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives
- To avoid forced eviction
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure

- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected

3.3.2 Applicability of ESS 5

ESS5 will apply as the direct social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The ESS5 also applies in case any project activities found as 'linked' or 'associated facility'. This ESS requirements and provisions apply to all components of BWDB that result in involuntary resettlement, regardless of the source of financing. This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- (a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law
- (b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures
- (c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project
- (d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date
- (e) Displacement of people as a result of project impacts that render their land unusable or inaccessible
- (f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas
- (g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- (h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for the project.

Forced eviction: The project will not resort to forced evictions of affected persons. The exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forced eviction providing it complies with the requirements of ARIPA 2017 and the provisions of this ESS and is conducted in a manner consistent with basic principles of due process. Due process includes the following types of procedural protections:

- consultation with all affected household

- adequate and reasonable notice for all affected persons prior to the scheduled date of resettlement
- information on the proposed resettlement
- where groups of people are involved, impartial observers will be presented during resettlement
- all persons carrying out the resettlement will be properly identified
- movement are not to take place in inclement weather or at night, or during festivals or holidays unless the affected persons consent otherwise
- provision of legal remedies; and
- provision, where possible, of legal aid to persons who are in need of it to seek redress from the courts.

3.4 Gaps between ESS5 and ARIPA 2017 and Gap Filling Measures

The following are the key gaps of the ARIPA, 2017 vis-a-vis the World Bank ESS5:

Table 04: Gaps between GOB policies/act and ESS5

Sl. No	Gaps between WB ESS 5 and GOB ARIPA 2017	Gap-filling measures/actions taken in this Project
1	Gaps with regard to avoidance and minimized project impacts	The project designs adopted aimed to minimize impacts and adjusted tracks and station design further to reduce impacts and risk.
2	ARIPA 2017 does not require the preparation of resettlement plan or resettlement action plan (RAP);	RAP/s will be prepared for all sub-project's interventions and without the approval of RAP/s by the bank, construction works will not be started.
3	ARIPA 2017 recognize title owners only; informal settlers are not covered. DC declare cut-off date only for title-holders	All affected persons including titled, non-titled, encroachers will be identified for the compensation and assistance at full replacement cost Cut-off date for non-title holder will be consider the date of census survey.
4	Existing acts and methods of assessments do not ensure full replacement costs and transitional support	If the compensation according to the ARIPA 2017 do not meet the replacement cost, additional top-up payments will ensure replacement cost at current market price together with transitional support
5	Consultation with affected communities not legally required under ARIPA 2017	Extensive consultations will be carried out during all phases of the project. A separate SEP will be prepared.
6	The affected landowners can object to the acquisition in the beginning, but once hearing is done and settled, there is no scope of further complaint during the acquisition process.	There is a provision of three-tier grievance redress mechanism in the project. 1 st level GRC is Union Level, 2 nd is Project level and the 3 rd is the Ministry level. People will first approach to 1 st level and consequently go to higher level if required. Aggrieved person may go to court at any level of grievance mechanism for verdict.
7	Relocation assistance or support allowed for tittle holders only under ARIPA 2017.No support is allowed for the informal settlers	Affected households and businesses will receive relocation assistance and support from the project irrespective of titled, non-titled, encroachers etc.
8	Income and livelihood restoration assistance is restricted only to additional 100% compensation	The project benefits include income and livelihood restoration, including training for alternative incomes, and seed grants for small businesses. Vulnerable people will be also included livelihood restoration program
9	There is no policy against land restriction and force eviction	Force eviction and land restriction is not allowed in this project. However, the exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forced eviction providing it complies with the requirements of ARIPA 2017 and the provisions of ESS 5, and is conducted in a manner consistent with basic principles of due process
10	ARIPA 2017 do not consider / recognize impacts imposed by the associate	A common approach will be taken, and impact and risk assessment will be conducted for the associated facilities as well.

Sl. No	Gaps between WB ESS 5 and GOB ARIPA 2017	Gap-filling measures/actions taken in this Project
	facilities. The act even does not explicitly cover restriction of access as an impact that would require compensation or resettlement	Impact and risk assessment will be also conducted for any kind of “restriction of access” by the project.
11	ARIPA 2017 does not have any provision to give special attention to the vulnerable groups like women, disables, ultra-poor or disadvantaged group	Special attention will be taken by the project for the vulnerable groups for i.e. additional grant, livelihood training, job opportunities during construction etc.
12	There is no provision for voluntary land donation	ESS5 clearly describes voluntary land donation procedures.

3.5 ESS 5 Requirements:

Project design: Project will try to avoid involuntary land acquisition, voluntary land donation or restrictions on land use. For this purpose, project will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement. The overall principle will be to balance the environmental, social, and financial costs and benefits, while paying particular attention to impacts on the women, poor and vulnerable.

Compensation and benefits for affected persons: All lands proposed to be acquired, requisitioned, affected structures, trees, business, community property and crops under the project will be compensated as per replacement cost consistent with both government and ESS 5. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, project will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods to the pre-project level. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

Impacts on Temples, Mosques, Madrasahs and Grave: It is expected that no community properties will be affected due to project interventions. However, if affected, project will provide compensation and relocation assistance to all community groups for respective community facilities. Project with the support of implementing NGO/firm will provide all necessary assistance including finding out alternative sites for relocation of the establishments.

Some of the CPRs are very sensitive on religious and social ground and will require consultation with the management committees and local people during relocation. Adequate funds for compensation will be kept in the budget for land acquisition and reconstruction, so that the committee may build new community structures.

Measures for Relocation of the CPRs

As per land acquisition law of Bangladesh Common Property Resources such as mosque, school, graveyard, *madrasha*, temple cannot be acquired without obtaining a no-objection certificate from the Management Committee of the concerned CPR. Nevertheless, CPRs would be relocated for

execution of such development project. For relocation of these CPRs the following points should be taken into consideration:

DRAFT

i. Relocation of Mosques

Each of the mosques has a management committee. The mosques are being maintained with financial assistance of the local people. This is a very sensitive religious institution in this almost exclusively Muslim community. Muslims go to the mosque to pray five times in a day. Therefore, it is critical that the management committee and the mosque users will be consulted before the acquisition of the mosque and during the relocation process. Before shifting of the existing mosque, a new one will have to be established so that people can continue praying without interruption. It should be ensured that the new mosque would be of better quality than the previous one.

ii. Relocation of Temple/Church

As per land acquisition law, these cannot be acquired. But due to greater interest of the Project, the temples and church may be purchased in consultation with the concerned community. In that case, the temple and church management committee will be consulted before relocation and will need to provide the Project owners with a no-objection statement for acquisition of the Temple/Church. A new temple and church will be established in the respective communities with easy accessibility. The compensation will be paid to the management committee in case of the community-operated temples and churches. In the case of a family-operated temple the project will pay compensation and reestablishment of such is the responsibility of the HH operating the temple after compensation is paid to them.

iii. Relocation of Graveyard/mazar

According to the GoB ARIPA 2017, graveyards cannot be acquired by the Project. But in many projects with an extensive RAP, graveyards have been relocated with the cooperation of the local people. The community and the management committee of the graveyard will be consulted in detail regarding the relocation. The religious leaders will be included in the decision-making process and all costs for relocation will be borne by the Project.

The following steps will be followed during relocation of the graveyard:

- ✓ The affected community will identify an alternate location
- ✓ The Project will buy or acquire or take possession of the alternative land for relocation of the graveyard
- ✓ The Project will develop the graveyard with all infrastructures available in the present one; at least up to the existing standard, if possible, with improved conditions such as boundary wall, levelling of land, inside paths, mosque or other infrastructures related to a graveyard
- ✓ The Project will transfer all the top soils from the existing graveyard (one-meter depth) to the new one by following religious customs and norms

All these steps will either be undertaken by the PMU with full compensation depending on the agreement reached by both parties. The project will have a big role in keeping the liaison with the community and ensure all necessary support as required and desired by the affected community. The PMU and the Grievance Redress Committee (GRC) will have an important role in this respect.

Compensation will be made to the management committee covering the land, boundary wall, inside paths and other infrastructures, trees (if any in the affected graveyard), registration cost and stamp duty to buy new land and If any other losses are identified

Public services and facilities: Public services and facilities interrupted and/ or relocated due to relocation will be fully restored and re-established at their original location or a relocation site. All compensation, relocation, restoration and rehabilitation provisions of this RPF are applicable to public services and facilities. These include but are not limited to schools, health centers, parks, community centers, local government administration, water supply, shrine and graveyards. However, for graveyard, the consent of the religious persons, local persons as well and local administration will be sought to mitigate the impact. Impacts on religious sites will be avoided as much as possible.

Vulnerable PAPs: All vulnerable PAPs including disabled-headed, elderly-headed and poor household etc are entitled to livelihood restoration/ improvement support in the form of cash, job-placement, and additional financial support in the form of grants for investments in business or re-employment related equipment and buildings, as well as organizational and logistical support to establish the PAP in an alternative income generation activity.

Affected Women and Female headed households : To ensure a clear understanding and due consideration of specific relocation and/ or resettlement impacts on displaced women and to safeguard their livelihoods, specific provisions for women will be adopted for the resettlement process, including (i) enumeration of all women and, if applicable, of their status as heads of household or otherwise vulnerable persons; (ii) collection of gender disaggregated socio-economic data; (iii) consultation of women in joint or separate meetings; (iv) due consideration of grievances lodged by women; and (iv) provision of compensation and/ or new titles to women if they are titled or recognized owners of lost assets, and provisions of restoration and rehabilitation measures to women, if households are female headed or women's livelihood is directly concerned. The RAP for relevant activities will detail the scope of impacts on women and where required gender action plans will be prepared, implemented and monitored within or outside RAPs.

Community engagement: Project will engage with affected communities through the process of stakeholder engagement described in ESS10 on Stakeholder Engagement and Information Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

Grievance mechanism: The Project will use CEIP Phase 1 GRM which is in place to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. The GRM includes the management of Gender Based Violence (GBV) with the guidelines of ESS 2 and ESS 10. A separate GRM for labor will be developed and implemented in line with ESS2 requirements.

Planning and implementation : Where land acquisition or restrictions on land use are unavoidable, project will, as part of the environmental and social assessment, conduct census, inventory of losses(IOL) and socio-economic survey (SES) to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be

eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, the project will establish a cutoff date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

DRAFT

Chapter 4: RAP Preparation, Eligibility Criteria, and Procedures for Defining Various Categories of Affected People

4.1 Principles and Objectives

The following principles and objectives will be followed governing RAP preparation and implementation.

- ✓ Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area.
- ✓ Force eviction will be avoided.
- ✓ Affected households will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that discriminate against achievement of the resettlement objectives. Lack of legal rights to lost assets or tenure status and social or economic status will not bar the affected households from entitlements to compensation and assistance.
- ✓ No site clearing will be done in anticipation or before being considered for inclusion in the project site.
- ✓ Affected households residing, working, doing business and/or cultivating land within the impact area during the conduct of the census and in the detailed measurement survey (DMS), are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and will be provided with assistance to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
- ✓ Affected households will be fully consulted and given the opportunity to participate in matters that will affect their lives during the design, implementation and operation. Moreover, plans for the acquisition and use of assets will be carried out in consultation with the affected households who will receive prior information of the compensation and other assistance available to them.
- ✓ Any acquisition of, or restriction on access to, resources owned or managed by the affected households as a common property such as pasture area will be mitigated by arrangements that will ensure they have access to equivalent resources.
- ✓ There will be no deductions in compensation payments for structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other payments.
- ✓ There will be effective mechanisms for hearing and resolving grievances during the planning and implementation of the component subprojects.
- ✓ If ownership over any affected asset is under dispute, the case will be handled in accordance with the grievance redress mechanism agreed with the EA.
- ✓ Temporarily affected land and structures will be restored to pre-project conditions following the requisition procedures.
- ✓ Existing social, cultural and religious practices will be respected.
- ✓ Special measures will be incorporated in the RAP to complement mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment. Appropriate assistance will be provided to help them improve their socioeconomic status.
- ✓ Particular attention will be paid to the needs of vulnerable and disadvantaged groups as those individuals or groups who, by virtue of, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity,

economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits and ensure their participation in consultations.

- ✓ Adequate resources will be identified and committed during the preparation of the RAP. This includes adequate budgetary support fully committed and made available to cover the costs of compensation, resettlement and rehabilitation within the agreed implementation period for the project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- ✓ Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system.
- ✓ The RAP or its summary will be translated into local language (Bangla) and placed in district and sub-district offices for the reference of affected households and other interested groups.
- ✓ Civil works contractors will not be issued a notice of possession for any given geographic location in accordance with the approved RAP until (a) compensation payment at replacement cost have been satisfactorily completed for that area; (b) agreed rehabilitation program by BWDB and affected persons is in place; and (c) the area is free from all encumbrances. The RAP implementation consultant will submit the report with written consent of the affected individual/HH. This will be verified by the PMU.
- ✓ Cash compensation for affected households losing commercial structures will be made available well ahead of civil works to allow the affected households sufficient lead time for reconstruction and to re-establish the business. No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated.

4.2 Resettlement Planning Process

A social screening will provide a preliminary assessment of the potential impacts of the Project activities in terms of acquisition, resettlement and livelihood restoration. BWDB will conduct the social screening and an outline is at **Annex 1**. The screening will help to identify issues which can be verified during field investigations and also provide a preliminary idea regarding the nature, extent, and timing of resettlement and acquisition issues that would need to be handled during the subsequent stages. It will also help to identify opportunities for avoidance or minimization early in the project cycle so that the design process can be informed appropriately. The screening will also help to identify the scope of further assessments and timeframe required for obtaining the regulatory clearances (if any). If further assessments and plans (such as RAP, ARAP, etc.) are deemed necessary, these plans will be prepared according to the guidelines provided in this RPF. Following resettlement planning procedures will be followed:

Table 05: Resettlement Planning, responsibility and timing

Screening and Preparation Step	Responsibility	Timing
Final identification of specific location	BWDB Social and Resettlement Specialist, Land Acquisition Specialist, Gender Specialist; and Consultation Specialist.	After land acquisition process is approved in principle
Census, SES, IOL and Property Valuation Survey	Once the project location is identified, BWDB with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social Specialists will conduct consultation meetings with the local people and affected HHs.	As required

Screening and Preparation Step	Responsibility	Timing
Preparation of specific plans and instruments (RAP, LAP)	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. BWDB will also prepare land acquisition proposal (LAP) with the support of implementing NGO/firms and submit to DC office.	RAP/LAP will be prepared and approved before land acquisition starts to ensure all land acquisition and involuntary resettlement practices are in line with RAP, ARIPA 2017 and ESS5
Implementation of RAP	Once the RAP is approved BWDB will implement the same with the support of NGO/Consulting firm and DC office. World Bank ES team will review the status of implementation through supervision.	As recommended in RAP.

4.3 Detailed Assessment and Survey

Project will conduct census and socioeconomic survey(s), with appropriate socioeconomic baseline data to identify all persons who will be affected by the project and to assess the project's socioeconomic impacts on them. Once the detailed design is finalized, the required social surveys will be conducted by BWDB, if necessary, with the support of a consultancy firm or NGO. Based on this survey outcomes, a social impact assessment will be done which will include potential social impacts, income and livelihood of displaced persons and gender-disaggregated information pertaining to the economic and socio-cultural conditions of displaced persons. The project's potential social impacts and risks will be assessed against the requirements presented in this RPF and applicable laws and regulations of the jurisdictions in which the project operates that pertain to involuntary resettlement matters.

The census will cover 100% of affected persons. The purpose of the census is to: (i) register who the potentially affected persons are; (ii) assess their income and livelihoods; and (iii) inventory of their assets affected due to the project; (iv) gender-disaggregated and where relevant ethnicity-disaggregated in case of presence of small ethnic communities, information pertaining to the economic and socio-cultural conditions of displaced persons. Before census survey, consultation must be conducted with all affected households. The purpose of the baseline socioeconomic sample survey of affected persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socioeconomic status of affected persons. The survey will cover at least 30% of affected persons and 20% of significantly affected persons and rest 50% may cover samples from the project impact zone. The survey will also collect gender-disaggregated data to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the project area; and (ii) analysis of social structures and income resources of the population.

As part of the social impact assessment, the project will identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. Where such individuals and groups are identified, project will propose and implement targeted measures, so that adverse impacts do not fall disproportionately on them, and they are not disadvantaged in relation to sharing the benefits and opportunities resulting from development.

The census and socio-economic survey will identify

- The scope and scale of land acquisition and impacts on structures and other fixed assets

- Any project-imposed restrictions on use of, or access to, land or natural resources
- Identifying public or community infrastructure, property or services that may be affected
- Characteristics of displaced HHs, baseline information's on livelihood and standards of living
- Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non- title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area
- The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- Social and cultural characteristics of displaced communities, including a description of formal and informal institutions that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

4.4 Preparation of RAP

The RAP will be based on the social impact assessment and meaningful consultation with the affected persons. It will include the results and findings of the census of affected persons, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, Grievance Redress Mechanisms (GRM), and results monitoring mechanisms. RAPs will comply with the principles outlined in this agreed RPF. Disbursement of compensation payments and entitlements will be made prior to displacement.

RAP will include measures to ensure that the displaced persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives. During the identification of the impacts of resettlement and resettlement planning, and implementation, the EA will pay adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards. The resettlement plan will specify the income and livelihoods restoration strategy, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule. Guideline to prepare a RAP is in **Annex 2**.

The RAP will include the following at minimum: (i) baseline census and socioeconomic survey information; (ii) specific compensation rates and standards; (iii) policy entitlements related to any additional impacts which are not identified in this RPF but which are identified through the census or survey during implementation; (iv) programs for improvement or restoration of livelihoods and standards of living; (v) implementation schedule for resettlement activities; (vi) and detailed cost estimate.

4.5 Project Affected People (PAP)

The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to

another location. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistances. Affected persons will be classified as:

- (i) Persons who have formal legal rights to land or assets
- (ii) Persons who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- (iii) Persons who have no recognizable legal right or claim to the land or assets they occupy or use.

Those covered under (i) and (ii) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF. Persons covered under (iii) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, informal settlers or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

4.6 Methods to Determine Cut-Off Date

Cut-off date is the date after which eligibility for compensation or resettlement assistance will not be considered. It will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. Date of service of notice under Section 4 of Land Acquisition and Requisition of Property Act (ARIPA 2017) is considered as legal cut-off dates. The 1st day of the census survey to be the cut-off date for the informal settlers and encroachers.

4.7 Eligibility Criteria

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal settlers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project

- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

Other than PAPs, any entities affected by the project within the Right of Way (RoW) are entitled for the compensation. If any Common Property Resources (CPR) are affected or unavoidable, according to section 4(13) and 20(1) of ARIPA 2017, CPRs can be acquired or requisitioned. However, before affecting any CPRs all compensation has to be paid and ensure that affected CPRs are reconstructed before dismantling or damaged. For example, if any schools are affected by the project, a new school has to be constructed before demolishing the affected school.

Where land is to be acquired, titled or legal owner will receive compensation for land acquired by the Project at replacement cost. This will be in cash at replacement value or land-for-land with a combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken to the satisfaction of the PAP (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. The table below presents the Project's entitlement matrix, based on potential losses.

Compensation eligibility will be limited by a cut-off date to be set for the project and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however, will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated, and they will not pay any fine or sanction.

4.8 Entitlements Matrix: Eligible PAPs, Assets and Compensation Guidelines

Table 06: Eligibility and Entitlement Matrix

Unit of Entitlement	Entitlements
Impact category 1: Acquisition of agricultural, homestead, commercial, water bodies (ponds) land	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 200% premium • Replacement Value (RV) and dislocation Allowance as recommended by PAVC. • If RV is higher than CCL, the difference will be paid by BWDB. • If the remaining land is unusable, the compensation provided will be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).
Impact category 2: Requisition of agricultural, homestead, commercial, water bodies (ponds) land	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> • Rental price of land as determined by DC with consultation with the landowners and BWDB following the guideline of ARIPA 2017

Unit of Entitlement	Entitlements
	<ul style="list-style-type: none"> • Replacement Value (RV) and dislocation Allowance as recommended by PVAC, if any assets other than the land is affected and required relocation. • If the land or assets are leased to third party, compensation to the third party and income loss to the owners will be paid as recommended by DC • if the remaining land is unusable, the compensation provided will be calculated based on the total land requisitioned (i.e., the actual land required plus the remaining unusable land). • Requisition can be maximum of 2 years Land has to be returned to the owner as original condition, otherwise compensation has to be paid as decided by DC and landowner.
Impact category 3: Loss of residential, commercial structures with title to land	
<p>Legal owner(s) as identified by DC in the process of CCL payment.</p>	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 100% premium or RV whichever is higher • If RV is higher than CCL, the difference will be paid by BWDB as top-up. • Transfer Grant at actual cost which will include labor cost and transportation cost • Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost • BWDB in collaboration with local government and RAC will make best efforts to identify alternative residential or commercial sites for the affected HHs. • Owner will be allowed to take away all salvageable materials free of cost. • Dismantling cost for non-shiftable structure will be determined by the PVAC based on the actual price and consultation with affected HHs.
Impact category 4: Loss of residential, commercial structures without title to land (informal settlers/vendors/encroachers)	
<p>Non-titled persons owners, vendors and encroachers those own residential and commercial structures (shift able and non-shift able built on GoB land as found during census</p>	<ul style="list-style-type: none"> • Replacement value of the structure as determined by PVAC in consultation with affected HHs. • Transfer Grant at actual cost which will include labor cost and transportation cost • Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost • BWDB in collaboration with local government and RAC will make best efforts to identify alternative residential or commercial sites for the affected HHs. • Owner will be allowed to take away all salvageable materials free of cost. • Dismantling cost for non-shift able structure will be determined by the PVAC based on the actual price and consultation with affected HHs.
Impact category 5: Loss of common property resources (CPR) with or without title to land	
<ul style="list-style-type: none"> • Legal owners (land, structures, trees or any other assets) identified by DC in the process of CCL payment. • Socially recognized owners/ non-titled (structures, trees or any other assets) affected on the ROW as identified by Census and verified by IVC. 	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 200% premium for land (title holder) • If RV of land is higher than CCL, the difference will be paid by BWDB as top-up. • Cash compensation under law (CCL) which includes 100% premium for assets other than land (title holder) • If RV of assets other than land is higher than CCL, the difference will be paid by BWDB as top-up (title holder) • Replacement Value (RV) of structure, trees or any other assets other than land for non-titled holder • Transfer Grant at actual cost which will include labor cost and transportation cost • Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost • Owner will be allowed to take away all salvageable materials free of cost.

Unit of Entitlement	Entitlements
	<ul style="list-style-type: none"> • Dismantling cost for non-shift able structure will be determined by the PVAC based on the actual price and consultation with affected HHs. Or • Project will construct a new community property in consultation with community and / or managing committee • No community property cannot be demolished until new one is constructed.
Impact category 5: Loss of timber and fruit bearing trees, bamboo and banana groves	
<ul style="list-style-type: none"> • Legal owner(s) as identified by the DC in the process of CCL payment. • Socially recognized owners of trees grown on public or other land, as identified by Census and verified by PVAC. 	<ul style="list-style-type: none"> • Timber trees and bamboo: RV of trees and bamboo. • Fruit-bearing trees without timber: if the tree is at or near fruit-bearing stage, the estimated current market value of the fruit. • Fruit-bearing trees with timber: RV for the timber, and estimated current market value of fruit. • Banana groves: RV of all trees and estimated current value of one-time crop of each full-grown tree. • Owners will be allowed to fell trees and take the timber, free of cost after payment of CCL or RV as applicable.
Impact category 6: Loss of standing crops/fish stock	
<ul style="list-style-type: none"> • Owner cultivators as identified in joint verification by DC and BWDB. • Socially recognized owners of crops/fish stock as identified by Census and verified by PVAC. • Sharecroppers 	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 100% premium for title holder and sharecroppers • 100% top-up payment on DC's CCL for legal owners and sharecroppers • Replacement value of crops if planted on GoB land by informal settlers and /or sharecroppers • 1-month advance notice to be issued in time to harvest standing crops. If not possible, the value of standing crops at full harvest value will be paid. • RV of existing standing crops/fish stock • Owners will be allowed to harvest crops and fish stock.
Impact category 7: Loss of leased /mortgaged in land/ponds	
<p>Leaseholder with legal papers. Socially recognized lessee or sharecropper, in case of customary informal tenancy arrangements, including socially recognized agreements.</p>	<ul style="list-style-type: none"> • RV of crops/fish stock. • Outstanding lease money back to the lessee by the owner as per agreement. • Dislocation Allowance will be calculated according to the recommendation of PVC and based on the current market rate.
Impact category 8: Loss of income from displaced commercial/ industrial premises (owner operated)	
<p>Any proprietor or businessman or artisan operating in premises, at the time of issuance of Notice u/s 4 and/or during Census.</p>	<p>One-time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PAVC and transitional allowance @ three months rental cost.</p>
Impact category 9: Temporary loss of income (wage earners in agriculture, commerce & small business and industry) for title and non-title	
<ul style="list-style-type: none"> • Regular wage earners affected by the acquisition. • Also applicable for non-titled 	<ul style="list-style-type: none"> • Grant to cover temporary loss of regular wage income @ average wage/day in the locality for 30 days for wage labour or as determined by PVAC • Income and livelihood restoration assistance, to be created by the Project.
Impact category 10: Loss of income from rented -out and access to rented-in residential/ commercial premises	
<p>Owner of the rented-out premises as identified by Census and verified by PVAC. Household/person rented-in any such structure as identified by Census and verified by PVAC.</p>	<p>One-time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PVAC and transitional allowance @ three months rental cost. Actual shifting assistance</p>
Impact category 11: Adverse Impact on Host Population Due to Relocation of PAPs	
<p>Households relocated to the host villages</p>	<p>Enhancement of carrying capacity of common civic amenities/utilities of the host communities as per assessment by BWDB.</p>

Unit of Entitlement	Entitlements
Impact Category 12: Severally affected and Vulnerable HHs and livelihood assistance	
<ul style="list-style-type: none"> Persons losing more than 10% of their income from all sources as identified by Census and verified by PVAC. Informal Settlers 	<ul style="list-style-type: none"> Income restoration grants for three months based on the average monthly income loss Skill training and credit support under income generation program. Special Assistance of a one-time payment for vulnerable household as each female-headed, disabled-headed, elderly-headed and poor household as decided by RAC All the vendors and informal settlers will be eligible for Skill training and credit support under income generation program.
Loss Item 13: UNFORESEEN ADVERSE IMPACTS	
Households/persons affected by any unforeseen impact identified during RAP implementation	Entitlements will be determined as per the resettlement policy framework
Impact category 14: Construction induced impact	
Title and non-title land structure, tree and /or any type of assets owners	<ul style="list-style-type: none"> RV of damaged land structure, tree, crops/fish stock and /or any type of assets owners as determined by PVAC and affected land / asset owners Owner will be allowed to take away all salvageable materials free of cost.

4.9 Voluntary Land Donation (VLD)

Voluntary donation of land by individuals or community groups is traditionally practiced in this part of the subcontinent as well as Bangladesh. In case of small sections of land required for micro level project activities, the project may seek support from the community to donate lands. However, the community members have the right to make a contribution of their land or other assets without seeking or being given compensation at full replacement value. Voluntary contribution is an act of informed consent. Local Authorities must assure that voluntary contributions are made with the affected person’s full and prior knowledge of the availability of other options (including compensation at replacement cost) and are obtained without coercion or duress. Also, voluntary donations are allowed only if the affected people are direct beneficiaries of the investments that cause such impact. Proposals including voluntary contributions will not be submitted for approval where they would significantly harm incomes or living standards of individual owners or users (the size of land contributed on a voluntary basis should not exceed 10% of that individual’s total land holding).

If the local people are interested to donate land voluntarily, voluntary land donation procedures and steps described in ESS5 has to be followed. If donated land is used in this project, BWDB must demonstrate that:

- the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them
- potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation
- the amount of land being donated is less than 10% of the potential donor’s land holding and that it would not have significant impact on their livelihood
- no household relocation is involved
- the donor is expected to benefit directly from the project
- For community or collective land, donation can only occur with the consent of individuals using or occupying the land. BWDB will maintain a transparent record of all consultations and agreements reached; and

- All consultations and documentation procedures regarding the donation has to be well documented and preserved.

DRAFT

Chapter 5: Land Acquisition and Compensation for Involuntary Resettlement

5.1 Type of Compensation Payment

Compensation for all land use and assets in kind or cash as guided by the entitlement matrix will be required for the following:

- ✓ Land;
- ✓ Affected trees
- ✓ Residential buildings, structures and fixtures;
- ✓ Cultivated crops (both cash and food crops) and trees;
- ✓ Affected Business
- ✓ Informal settlers
- ✓ Community Resource Properties
- ✓ Construction Induced Impacts

In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix. However, this is for guidance only and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation. All cash amounts will be adjusted to reflect any economic changes and buying power of currency since the preparation of this RPF. The PAVC will evaluate the compensation amounts recommended in the RAP and ensure that they reflect market reality and that it is consistent with Bangladesh laws as long as it meets the requirements of WB ESS5.

5.2 Compensation Payment Method

5.2.1 Valuation Method for Land

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.

Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land). If land is required temporarily, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the sharecroppers rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). There will hence be no adjustment in the terms of the rent of share cropping agreement. Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.

5.2.2 Valuation Method for Structure

Structures replacement values will be based on:

- ✓ Depreciation of the structures are not allowed.
- ✓ Transition allowance will be provided, if a place needs to be rented before new house construction
- ✓ Measurements of structures and detail of materials used.
- ✓ Average replacement costs of different types of household buildings.
- ✓ Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.). Prices of these items collected in different local markets.
- ✓ Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- ✓ Estimates of construction of new buildings including labor required.
- ✓ Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

5.2.3 Valuation Method for Trees and Crops

The current prices for the crops will be determined taking into account the forest and agricultural department recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate, depending on the crop will be compensated. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimates depending on the crop. The crops used will be the ones that are currently or have most recently been cultivated on that land. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be consultation beforehand so that harvesting can be properly planned. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.

All the affected trees within the RoW will be identified through census and Inventory of Loss (IOL). For perennial trees, cash compensation at replacement cost is equivalent to current market value given the type, age, and productive value (future production) at the time of compensation. Timber trees will be based on diameter at four feet height at current market value.

Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

5.3 Determination and Payment of Top-up

Where an owner loses lands and other assets in more than one mouza or land administration unit, the person will be counted once, and his/her top-up will be paid as a single amount. The amount of top-up payment to be received by the affected person will be determined by comparing the total amount of CCL paid by the DCs for lands and other assets acquired in all mouzas with the total replacement costs and/or market prices thereof. Top-up payment will be counted in a manner that positive differences will be counted as positive but negative differences will be calculated as zero. But if any PAP produces more than one CCL together (for one category of loss such as land or structure) for top-up payment where one CCL carries positive difference between CCL and RV and another carries negative difference, the top-up amount will be calculated considering both CCL and if there is additional payment found from the calculation BWDB will arrange for payment.

Partial CCL and Top-up Payment: Where DC's CCL payment is not made together for all lands and other assets acquired from an owner due to legal disputes or other reasons, BWDB will determine the top-up payment amount for the acquisitions as a whole but pay on the lands and other assets for which CCL has been paid. Top-up for the rest will be paid whenever the CCL payment is made after resolution of the disputes.

Compensations/entitlements due to the PAPs, including those who are not covered by the ARIPA 2017, but eligible according to this RAP and ESS 5, will be paid in full before they are moved from the acquired private and public lands. Entitlement matrix is given in Table 2.

DRAFT

Chapter 6: Consultation and Stakeholder Engagement Procedure

6.1 Objective, Scope and Purpose of Stakeholder's Engagement

Consultations with affected people and communities are the starting point for all resettlement related activities. Experience indicates that involuntary resettlement generally leads the affected population to facing severe problems in the socio-economic life making them apprehensive towards the Project. Project aims to provide a two-way communication channel between the stakeholders and the scheme proponents. A standalone Stakeholder Engagement Plan (SEP) has been prepared for this project. Stakeholder consultations have been extensively reported in SEP containing Project background, Socio economic context, Consultation and Communication Strategy etc. applying ESS 10, which will be followed through the project cycles. This chapter mainly focuses on the structure of consultation and outcome of people's opinion about relocation, resettlement, project messages, planning about resettlement relocation of the displaced households.

As defined by the ESF and ESS10, the objective of stakeholder engagement is to identify stakeholders, communicate with them about project scope, risk and impact and get their feedback for project design to complete the feedback loop and ensure their participation in the Project. This is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project's environmental and social risks. According to ESS10, Stakeholder engagement is most effective when initiated at an early stage of the project development process and is an integral part of early project decisions and the assessment, management and monitoring of the project. BWDB and other stakeholders will ensure the following engagement procedures:

- ✓ Project will engage meaningful consultations with all stakeholders throughout the project life cycle, commencing such engagement as early as possible in the project development process and in a timeframe that enables meaningful consultations with stakeholders on project design. The nature, scope and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.
- ✓ The process of stakeholder engagement will involve (i) stakeholder identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with stakeholders; (v) addressing and responding to grievances; and (vi) reporting to stakeholders.
- ✓ Project will maintain and disclose as part of the environmental and social assessment, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was taken into account, or the reasons why it was not.

6.2 Project Stakeholders

Stakeholders are people, groups, or institutions, which are likely to be impacted (either negatively or positively) by the proposed Project interventions or those who can influence the outcome of the Project. The primary stakeholders include all directly affected persons such as title owners losing land, physically displaced people living on their own land, informal settlers and businessmen residing in project area and indirectly affected persons and communities/ host communities. The secondary stakeholders are NGOs, community-based organizations, community development projects, governance agencies, development

partners, media, community leaders, civil society, traders, construction laborers and consultants in the project area. During preparation of the RPF, BWDB has identified different stakeholders. A summary of potential project stakeholders for RPF are given below.

Table 07: Project Stakeholder Analysis

Stakeholder group	Interest/cause in engagement
Local landowners, informal settlers and vulnerable groups	If there is land acquisition and resettlement, the landowners and informal settlers will be impacted. Potential vulnerable groups, affected communities and other interested parties living in close vicinity to the project areas
Local businessmen and entrepreneurs	Loss of business and employment also ensue following land acquisition and resettlement
Contractors, sub-contractors, wage labor, vendors and suppliers	Different labors, contractors, sub-contractors, suppliers and vendors will be engaged with physical activities and construction works etc of this project.
Local community leaders	Represents interests of affected communities (land users, local businessmen etc.) and vulnerable groups
Administrative body of various Ministries	Legislative and executive authorities. Functions of supervision and monitoring
Local government and administrative bodies	Due to the development and construction works, local administrative permissions are required
NGOs and Women organizations in the area	Represents the interests of different interested parties and vulnerable groups, different women organizations in the project will be highly interested with the project as during the implementation and operational stage, there may be issues of GBV and employment of local women in the project.
Mass media (Print and Electronic)	They are intermediaries for informing the general public about the planned activities of the project developer and for information disclosure in connection with the proposed Project.

6.3 Stakeholder Engagement at COVID-19 Outbreak

Ongoing COVID-19 pandemic situation, managing public consultation and stakeholder engagement in the Project needs to adhere to national requirements and any updated guidance issued by WHO. The alternative ways of managing consultations and stakeholder engagement will be in accordance with the local applicable laws and policies, especially those related to media and communication. The suggestions set out below are subject to confirmation that they are in accordance with existing laws and regulations applying to the project. With growing concern about the risk of virus spread, there was an urgent need to adjust the approach and methodology for continuing stakeholder consultation and engagement. Taking into account the importance of complying with national law requirements, below are some suggestions for stakeholder consultation amidst COVID-19 outbreak:

- Identify and review planned activities under the project requiring stakeholder engagement and public consultations.
- Assess the level of proposed direct engagement with stakeholders, including location and size of proposed gatherings, frequency of engagement, and categories of stakeholders.
- Assess the level of risks of the virus transmission for these engagements, and how restrictions that are in effect in the country / project area would affect these engagements.
- Identify project activities for which consultation/engagement is critical and cannot be postponed without having significant impact on project timelines.

- Assess the level of ICT penetration among key stakeholder groups, to identify the type of communication channels that can be effectively used in the project context.

Based on the above, specific channels of communication that will be used while conducting further stakeholder consultation and engagement activities need additional considerations. The following are some considerations while selecting channels of communication, in light of the current COVID-19 situation:

- Avoid public gatherings (taking into account national restrictions), including public hearings, workshops and community meetings
- If smaller meetings are permitted, conduct consultations in small-group sessions, such as focus group meetings; If not permitted, make all reasonable efforts to conduct meetings through online channels, including WebEx, Zoom and Skype
- Be sure that everyone involved in stakeholder planning articulate and express their understandings on social behavior and good hygiene practices, and that any stakeholder engagement events be preceded with the procedure of articulating such hygienic practices
- Diversify means of communication and rely more on social media and online channels. Where possible and appropriate, create dedicated online platforms and chat groups appropriate for the purpose, based on the type and category of stakeholders
- Employ traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, and mail) when stakeholders do not have access to online channels or do not use them frequently. Traditional channels can also be highly effective in conveying relevant information to stakeholders, and allow them to provide their feedback and suggestions
- Where direct engagement with project affected people or beneficiaries is necessary, identify channels for direct communication with each affected household via a context specific combination of email messages, mail, online platforms, dedicated phone lines with knowledgeable operators
- Each of the proposed channels of engagement should clearly specify how feedback and suggestions can be provided by stakeholders
- However, in situations where none of the above means of communication are considered adequate for required consultations with stakeholders, PMU should discuss whether the project activity can be rescheduled to a later time. Where it is not possible to postpone the activity or where the postponement is likely to be for more than a few weeks, PMU should consult WB Teams to obtain advice and guidance.

6.4 Public Consultation and Participation

As part of the Environmental and Social Assessment of the CEIP-2 the Project conducted 41 public consultation meetings at the local level in the coastal area.

Table o8: Summary Information of the Consultation Meeting

Ser	Meeting place	District	Hydrological zone	Date of Meeting	Total number participants		
					M	F	T
1	Pakhimara Primary school, Samnagar, Paddopukur	Satkhira	GTPW	5 th December, 2021	129	02	131

Resettlement Policy Framework

2	Protap Nagor Union Parishad Assasuni	Satkhira	GTPW	5 th December, 2021	22	13	35
3	Garkumarpur Bazar Samnagar	Satkhira	GTPW	5 th December, 2021	110	01	111
4	Goaldanga Fokirbari High School, Assasuni	Satkhira	GTPW	6 th December, 2021	67	0	67
5	Anualia Govt. Primary School Assasuni	Satkhira	GTPW	6 th December, 2021	46	01	47
6	Baradal Union Parishad, Assasuni	Satkhira	GTPW	6 th December, 2021	47	10	57
7	Chechua Fazil Madrasha Assasuni	Satkhira	GTPW	6 th December, 2021	46	06	52
8	Khazra Union Porishad, Assasuni	Satkhira	GTPW	6 th December, 2021	36	02	38
9	Fotapur Primary School, Chandkhali UP, Paikgacha	Khulna	GTPW	7 th December, 2021	50	15	65
10	Bagba Kathaltola Bazara, Koyra.	Khulna	GTPW	7 th December, 2021	95	0	95
11	Mosjidkur Govt. Primary School, Koyra.	Khulna	GTPW	7 th December, 2021	37	08	45
12	Horinkhola Govt. Primary School & Cyclone Centre, Koyra.	Khulna	GTPW	7 th December, 2021	64	34	98
13	Gazi Abdul Zabbar School & College, Koyra.	Khulna	GTPW	8 th December, 2021	83	0	83
14	Bagali Union Parishad, Koyra	Khulna	GTPW	8 th December, 2021	42	04	46
15	Motbari Santimoyee Govt. Primary School, Koyra	Khulna	GTPW	8 th December, 2021	41	29	70
16	Voyang Sarafatia Secondary School, Mirzagonj.	Patuakhali	GTPW	11 th December, 2021	87	0	87
17	Kudbarchar Adarsha Secondary Girls School, Mirzagonj.	Patuakhali	GTPW	11 th December, 2021	71	0	71
18	92 Baliatoli Govt, Primary School, Barguna Sadar	Barguna	GTPW	12 th December, 2021	63	0	63
19	Chalitatoli Secondary School, Barguna Sadar	Barguna	GTPW	12 th December, 2021	47	0	47
20	Khalishakhali Bazar, Mirzagonj	Patuakhali	GTPW	13 th December, 2021	82	0	82
21	South Gabua Hamidia Shamsun Nahar Dakhil Madrasha., Mirzagonj	Patuakhali	GTPW	13 th December, 2021	46	01	47
22	Ronogopaldi Union Parishad Dashmina	Patuakhali	GTPW	14 th December, 2021	199	06	205
23	Alipur Union Parishad Office, Dashmina	Patuakhali	GTPW	14 th December, 2021	71	02	73
24	Hazirhat Govt. Primary School Dashmina	Patuakhali	GTPW	18 th December, 2021	112	03	115
25	Betagi Sankipura Union Parishad Office, Dashmina	Patuakhali	GTPW	18 th December, 2021	134	12	146
26	Aoliapur High School, Dashmina.	Patuakhali	GTPW	18 th December, 2021	112	01	113

Resettlement Policy Framework

27	Debpur Govt. Primary School, Kalapara	Patuakhali	GTPW	9 th January 2022	82	0	82
28	Londa Hafiz Uddin Secondary School, Kalapara	Patuakhali	GTPW	9 th January 2022	70	0	70
29	Haldia Union Parishad Amtoli	Barguna	GTPW	9 th January 2022	37	0	37
30	Gazipur Bandar Secondary School, Amtoli.	Patuakhali	GTPW	9 th January 2022	114	03	117
31	Patuabazar, Kalapara	Patuakhali	GTPW	9 th January 2022	118	0	118
32	Charbadura Govt. Primary School, Galachipa.	Patuakhali	GTPW	11 th January 2022	186	03	189
33	Nizampur Govt. Primary School, Kalapara.	Patuakhali	GTPW	16 th January 2022	66	01	67
34	Mohipur Union Parishad, Kalapara	Patuakhali	GTPW	16 th January 2022	110	09	119
35	Nizshipbaria Primary Govt. School, Kalapara	Patuakhali	GTPW	16 th January 2022	52	0	52
36	Assasuni Union Parishad, Assasuni	Satkhira	GTPW	6 th February 2022	68	04	72
37	Champaful Union Parishad, Assasuni	Satkhira	GTPW	6 th February 2022	82	0	82
38	Mariala High School, Assasuni	Satkhira	GTPW	7 th February 2022	43	09	52
39	Kalimakhali Govt. Primary School, Assasuni	Satkhira	GTPW	7 th February 2022	68	01	69
40	Shovonali Union Parishad, Assasuni	Satkhira	GTPW	8 th February 2022	47	05	52
41	Kola Govt. Primary School, Assasuni	Satkhira	GTPW	8 th February 2022	66	0	66
						185	3333

A participatory approach was followed to identify the participants and conduct a public consultation. Initially, the consultants talked with the Upazila Chairman, Upazila Nirbahi Officer (UNO), UP Chairman, and knowledgeable person in the study area to get a clear view of the study area and get support for identifying the potential key persons who should be invited to attend the consultation meetings. The venue, date, and time of those meetings were fixed in consultation with the Upazila Nirbahi Officer (UNO) and the key persons of the respective venues. In the consultation meetings, the Upazila Chairman, Upazila Nirbahi Officer (UNO), Upazila officials from different departments (fisheries, agriculture, and livestock, etc.); Chairman, Member, and secretary of Union Parishad, local people of varying occupations, including farmers, businessmen, day laborers, farm and non-farm laborers, etc.; the knowledgeable persons including teachers, service holders, journalist, etc. and representatives of project authority participated.

6.5 Consultation Outcomes Relevant to Social Concerns

The findings obtained from the consultation meetings are summarized below:

Problems in coastal areas, including polders:

- Cyclones and storm surges are major hazards in the coastal region
- Cyclones, along with storm surges, are creating unfortunate deaths and huge damage to crops and houses due to breaching the embankment
- Crisis of irrigation water during agriculture practices, fish culture (Fresh/sweet water), plant, etc. due to Salinity increase/salinity intrusion
- The agricultural land is losing its normal productivity day by day because of salinity intrusion
- Proper irrigation facilities are required for dry season crop production
- Water supply and sanitation facilities
- Silted up rivers and canals.
- Drainage congestion/water logging is hampering agriculture, fisheries, shrimp/prawn culture
- Overflow of water during the rainy season due to an unprotected area
- Early floods due to storm surges in the coastal region are affecting agriculture, fisheries, shrimp/prawn culture, and salt culture
- Weak WMO activities.

6.6 Consultation and Stakeholders Engagement Plan

Stakeholder engagement activities will need to continue to provide stakeholder groups with relevant information and opportunities to voice their views on issues that matter to them. The activity types and their frequency are adapted to the three main project stages: project preparation (including design, procurement of contractors and supplies), construction, and operation and maintenance. The following table illustrates the future consultation modalities:

Table 09: Future Stakeholder Engagement Activities

Target stakeholders	Topic(s) of engagement	Method(s) used	Responsibilities
Preparatory Phase			
<ul style="list-style-type: none"> • Project Affected community • People potentially affected by land acquisition • People residing in project area • Roadside residential and business, informal settlers • Vulnerable households • Local government • Media • Transport workers • Local businessmen 	<ul style="list-style-type: none"> • All the social management planning documents will be disclosed • Land acquisition process • Assistance in gathering official documents for authorized land uses • Compensation rates, methodology • Project scope and rationale • Resettlement principles • Resettlement and livelihood restoration options 	<ul style="list-style-type: none"> • Public meetings, separate FGD for women and vulnerable • Face-to-face meetings • Disclosure of written information: brochures, posters, flyers, website • Information boards or desks in local language • Grievance procedures through consultation, information brochures <p>The following modes to be adopted specifically for the vulnerable groups:</p> <ul style="list-style-type: none"> • Robust engagement with local community-based organizations. • The project would arrange separate consultation sessions for different target groups • Resources allocation towards local administration representatives and councilors. • Engagement of local CBO's who work with vulnerable people at the community level to help disseminate information and organize consultations • Manageable and gendered FGD to be arranged so that women can speak freely 	<ul style="list-style-type: none"> • BWDB, PMU, and PSC • Specialists responsible for land acquisition • Environmental and Social consultants

	<ul style="list-style-type: none"> Grievance mechanism process Future consultation 	<ul style="list-style-type: none"> The project must have adequate means to reach the disabled ones in the community. If need be, teams must visit the disabled ones in their habitat Notice board for employment recruitment Training/workshop 	
Construction Phase			
<ul style="list-style-type: none"> Project Affected People People potentially affected by land acquisition People residing in project area Vulnerable households Contractors Local Government Local NGOs and CBOs DC office Local Press Local businessmen Transport workers 	<ul style="list-style-type: none"> Grievance Mechanism Health and safety impacts (RAP, community H&S, community concerns) Employment opportunities Project status 	<ul style="list-style-type: none"> Public meetings, open houses, trainings/workshops Separate meetings as needed for women and vulnerable Individual outreach to PAPs as needed Disclosure of written information: brochures, posters, flyers, website Information boards in BWDB local offices Notice board(s) at construction sites Grievance mechanism <p>The following modes to be adopted specifically for the vulnerable groups:</p> <ul style="list-style-type: none"> Robust engagement with local community-based organizations. The project would arrange separate consultation sessions for different target groups Resources allocation towards local administration representatives and councilors. 	<ul style="list-style-type: none"> BWDB, PMU, PSC Specialists responsible for land acquisition Environmental and social consultants Contractor NGO External Monitor

6.7 Documentation and Reporting

The mechanism of information documentation, reporting and dissemination should be simple and be accessible to all. Two of the important means followed now include briefing material and the organization of community consultation sessions. The briefing material (all to be prepared in the local language) can be in the form of (a) brochures (including project information, details of entitlements including compensation and assistance to be given to the PAPs; grievance mechanism) that can be kept in the offices of local self-government (Union Parishad office) and project office; (b) posters to be displayed at prominent locations and (c) leaflets that can be distributed in the polder areas. Consultation meetings should also be organized at regular intervals by the project to acquaint the communities, target group beneficiaries, and affected persons with the following:

- Timeline and progress of the project by packages
- Information on beneficiary participation
- Information on involuntary displacement, compensation, and entitlements
- Statement of participation of small ethnic communities
- Timeline for the acquisition of land using voluntary donation, direct purchase, and any other voluntary approach

Also, the opinion and consensus of the community need to be sought for livelihood transformation, relocation of any community assets, and involuntary resettlement management. Information disclosure procedures are mandated to provide citizen-centric information and all documentation necessary for

addressing any queries. Disclosure of information will enhance governance and accountability, specifically regarding strengthening monitoring indicators to help the World Bank monitor compliance with the agreements and assess the impact on outcomes.

Electronic copies of the social management planning documents will be placed on the project website. This will allow stakeholders with access to Internet to view information about the planned development and to initiate their involvement in the public consultation process. The website will be equipped with an on-line feedback feature that will enable readers to leave their comments in relation to the disclosed materials. The mechanisms which will be used for facilitating input from stakeholders will include press releases and announcements in the media, notifications of the aforementioned disclosed materials to local, regional and national NGOs as well as other interested parties.

DRAFT

Chapter 7: Project Grievance Redress Mechanism

7.1 Objectives and Scope of GRM

The fundamental objectives of the GRM, implemented through the GRC serving as a para-legal body, are to resolve any resettlement-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans. Another important objective is to democratize the development process at the local level and to establish accountability to the affected people. The procedures will however not a person's right to go to the courts of law pre-empt.

7.2 National Grievance Redress System

7.2.1 Description. In 2007 the Government of Bangladesh (GoB) established a framework for a grievance redress system in all line ministries to address complaints and improve public service delivery. In 2014, the Cabinet Division launched the Grievance Redress System (GRS), an online and centralized system that includes line ministries, government departments and subordinate departments/agencies. The GRS is intended to address i) public grievances about service provision that is under the purview of government, semi-government or autonomous organizations, and ii) staff complaints that can be submitted by the officials of government/semi-government/autonomous organizations regarding their access to services or rights as employees. Citizens can also use the GRS to provide suggestions for simplification of services, law and regulation reforms or share other ideas. However, complaints related to religious matters, right to information, departmental cases against government officials or employees, or issues pending in any court are beyond the scope of the GRS. The GRS includes all government ministries and departments/agencies under them, as well as the Union Parishad, the lowest tier of local government in Bangladesh which are the most recent additions.

7.2.2 Uptake Channels. The GRS has online and offline uptake channels. To avail of the online option, complainants are required to register through the GRS webpage, upon which they can submit their feedback and receive email and SMS-based notifications acknowledging the receipt of their complaint. The GRS webpage also provides the option to submit complaints anonymously, though such cases do not receive email notifications and their status cannot be tracked. For offline submission of complaints, members of the public can download and print the grievance form from the GRS webpage. They can also use citizen service booths located at the gates of the Cabinet Secretariat Complex in Dhaka. These booths are staffed by authorized personnel who have administrative access to the GRS software, and who are tasked with recording the particulars of the complaint in the GRS software, generating acceptance slips for the users, and forwarding letters to the grievance redress officer (GRO) of the concerned ministry. Complainants can use the information printed on their acceptance slips to track their complaints on the GRS website. For departments/agencies which are outside Dhaka, the complainant(s) can submit their written grievance in the 'complaint box' of the respective institutions' premises or send by post.

7.2.3 Processing System. The GRS has a three-tier redressal mechanism. Upon receipt, complaints are classified as severe, medium or low based on their sensitivity, and forwarded to the GROs of respective ministries/divisions/agencies. If the complaint is forwarded successfully, a receipt specifying the case tracking number and information about the GRO is emailed to self-identified complainants. The GRO addresses and responds to the complaint. If there is no resolution or understanding, the Cabinet Division will forward the grievance to one or more relevant ministries, that will endeavor to address the issue in cooperation with the GRO. If a third-party decision is required as a last resort, the complaint will be

forwarded to an authority that is superior to the GRO. Self-identified complainants can track the status of their complaints and are notified via SMS and email when their complaint has been resolved. Procedures for grievance redress are outlined in detail here.

7.2.4 Timeframe. GROs are expected to address complaints within 40 working days, and to resolve cases for which an investigation has been initiated in no more than an additional 20 working days.

7.3 Project Grievance Redress Mechanism

The ARIPA 2017 allows objections by the landowners to acquisitions at the beginning of the legal process. Once the objections are heard and disposed of, there is virtually no provision to address grievances and complaints that individual landowners may bring up in the later stages of the process. Since the act does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As experienced in past projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by censuses, the valuation of affected assets, compensation entitlements, complains against noise, pollution, accident, GBV and other social and environmental issues. In view of this, BWDB has established a procedure in CEIP Phase-1 to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RPF for assessment and mitigation of social and environmental impacts through Grievance Redress Mechanism (GRM). This will be used in CEIP-2. The GRM will deal with complaints and grievances related to both social/resettlement and environmental issues in this Project. The GRM will also be accessible to all Internal, external, regional and international stakeholders, including affected people, community members, civil society, media, vulnerable people and other interested parties. External stakeholders including international and regional can use the GRM to submit complaints, feedback, queries, suggestions, or even compliments related to the overall management and implementation of the Project. The GRM is intended to address issues and complaints in an efficient, timely, and cost-effective manner.

7.4 Grievance Redress Committees (GRC)

Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal actions. The procedure will, however, not pre-empt a person's right to go to the courts of law.

7.5 Grievance Resolution Process

There will be three tiers of grievance resolution system – Union/local level, Project level and the Ministry level. The complaint will first be received at the local level. If the resolution attempt at the local level fails, the GRC will refer the complaint with the minutes of the hearings to the Project level for further review. The PD will assign the Senior Social Specialist at PMU for review the grievance cases and assist PD in making decision. The Social Specialist will review the case records and pay field visits for cross examining and consult the GRC members and aggrieved persons, if required. If a decision at this level is again found unacceptable by the aggrieved person(s), BWDB can refer the case to the Ministry level with the minutes of the hearings at local and project level. At the Ministry level, decisions on unresolved cases, if any, will be made in no more than four weeks by an official designated by the Secretary, MoWR. A decision agreed with the aggrieved person(s) at any level of hearing will be binding upon BWDB.

Various steps in the grievance process are summarized in the Table below in light of the institutional responsibilities:

Table 10: Steps in Grievance Resolution Process

Step 1	<ul style="list-style-type: none"> • The Implementing NGO/agency on behalf of BWDB informs PAPs and counsels them on land acquisition and resettlement policy, compensation and entitlement modalities, entitlement packages, and eligibility and process to obtain the entitlements. • PAPs with clear understanding approach DC and EA for compensation under law and assistance under the RAP as applicable. • PAPs with confusion and valid complaints on land acquisition and resettlement process and entitlements approach GRC for resolution. The aggrieved persons may also opt to produce their grievances directly to the PMU or to the Secretary, MoWR for resolution.
Step 2	<ul style="list-style-type: none"> • The implementing NGO/agency assists the aggrieved PAPs to produce a written complaint to the convener of GRC at local level with stories, expectations and any parties. The NGO counsels the aggrieved persons on the mandate and procedure of grievance resolution. • GRC scrutinize the case records and sort out cases to be referred to the DC or the court of law and those to be resolved in GRC. • Hearing is organized on cases with merit at the GRC secretariat or at Union Parishad Offices at local level and resolution is given by the GRC in 4 weeks of receiving the complaints. • Aggrieved PAPs satisfied with the resolution approach the EA for resettlement assistance. The agreed resolution is forward to PMU for approval by the PD before processing entitlements for the entitled person. • In case the resolution is not acceptable to the aggrieved person, he/she approaches the Project level through the local GRC convener with assistance from the implementing NGO/agency for further review.
Step 3	<ul style="list-style-type: none"> • Cases with all proceedings are placed with the Project level GRC, where the PD reviews them at PMU with assistance from the Senior Social Specialist. If found necessary, field investigation is carried out and the resolutions are given within 4 weeks of receiving the complaints. • Aggrieved PAPs satisfied with the resolution approach the EA for resettlement assistance. The resolution will be sent to the Conveners office to communicate to the aggrieved persons for acceptance. The resolution accepted by the aggrieved person is then approved by the PD. • In case the resolution is not acceptable to the aggrieved person, he/she approaches the Secretary, MoWR at the Ministry Level GRC through the Social Staff at PMU.
Step 4	<ul style="list-style-type: none"> • Cases with all proceedings from local and Project level GRC are placed with the Secretary, MoWR where the Secretary appoints a reviewer to resolve the grievance in view of the merits and redirect the case records to the PD with written resolutions within 4 weeks of receiving the complaints. • Aggrieved PAPs satisfied with the resolution approach the EA for resettlement assistance. The

	<p>resolution will be sent to the Conveners office to communicate to the aggrieved persons for acceptance. The resolution accepted by the aggrieved person is then approved by the PD.</p> <ul style="list-style-type: none"> Aggrieved PAPs may opt to approach to the Court of Law, if the resolution at MoWR is not acceptable to him/her.
Step 5	<ul style="list-style-type: none"> The resolution accepted by the aggrieved persons at any level (Local, Project , Ministry) is approved/nodded by the PD and forwarded back to the Conveners' office keeping records at his/her office. Based on the approved grievance resolution, the implementing NGO/agency processes his/her entitlements and assists EA in arranging payment.

7.6 Composition of GRC

The Grievance Redress Committees (GRCs) will be established at three levels: (i) Local Level (ii) Project level and (iii) Ministry Level.

7.6.1 Composition of Local Level GRC

The local level complaints will be received at the local level GRC. This local GRC will ensure easy accessibility by the PAPs, local communities and interested stakeholders, so that any grievances can be solved directly or within a very short period of time. All cases at the local level complains will be heard within four weeks of their receipt.

Table 11: GRC membership at Local level

Executive Engineer (PMU, FO)	Convener
UP Local UP Member/Ward Councilor	Member
Teacher from Local Educational Institution (nominated by Upazila Administration)	Member
Representative from Local Women's Group	Member
Representative from the PAP Group	Member
Representative of the Implementing Agency	Member Secretary

7.6.2 Composition of Project Level GRC

If the resolution attempt at the local level fails, the GRC will refer the complaint with the minutes of the hearings of the local GRC to Project level for further review. With active assistance from the social specialist of implementation support unit, the committee will make a decision and communicate it to the concerned GRC. The decisions on unresolved cases will be communicated to the GRC within four weeks of the complaint receipt. PD will be the convener, and social specialist will be the member secretary of the Project level GRC.

Table 12: GRC membership at Project level

Project Director (PD)	Convener
Senior Social Specialist at PMU	Member-Secretary
Representative from respective areas local government	Member
Representative from respective areas Local Women's Group	Member

Representative from respective areas PAP Group	Member
--	--------

The membership of the GRCs will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions. Where grievances are among the affected persons, the membership composition of the GRCs will take into account any traditional conflict resolution arrangements that communities may practice. If the aggrieved person is a female, BWDB will ask the concerned female UP Member or Municipal Ward Councilor to participate in the hearings. All cases at the project level will be heard within four weeks of their receipt. Grievances received through any channel will be registered and a notification of receipt with assurance of necessary review and resolution given in writing to the aggrieved persons.

7.6.3 Composition at Ministry level GRC

If a decision at project level is again found unacceptable by the aggrieved person(s), the Project level GRC can refer the case to the Ministry level GRC with the minutes of the hearings at local and Project levels. All the unsolved cases will be decided on in no more than four weeks by an official designated by the Secretary, Ministry.

Table 13: GRC membership at Ministry level

Secretary of the MoWR	Convener
Project Director (PD)	Member-Secretary
Communication Specialist	Member
Senior Social Specialist	Member
External Monitor	Member

A decision agreed with the aggrieved person(s) at any level of hearing will be binding upon BWDB. There will be budgetary allocation for local, Project and Ministry committee members for participating meetings and refreshments during meeting. To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the Convener will apply the following guidelines:

- Reject a grievance redress application with any recommendations written on it by a GRC member or others such as politicians and other influential persons.
- Remove a recommendation by any person that may separately accompany the grievance redress application.
- Disqualify a GRC member who has made a recommendation on the application or separately before the formal hearing: Where a GRC member is removed, appoint another person in consultation with the Project Director.
- The Convener will also ensure strict adherence to the impact mitigation policies and guidelines adopted in this RPF and the mitigation standards, such as compensation rates established through market price surveys.

The affected persons and their communities will be informed of the project’s grievance redress mechanism in open meetings at important locations and in PAP group meetings. Bangla translations of the RPF in the form of information brochures will be distributed among the affected persons. The PAPs will also be briefed on the scope of the GRC, the procedure for lodging grievances cases and the procedure of grievance resolution at the project level.

To ensure impartiality and transparency, hearings on complaints will remain open to the public. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures. Each GRC will maintain the following three Grievance Registers:

Intake Register: (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband, (6) Complete address, (7) Main objection (loss of land/property or entitlements), (8) Complainants' story and expectation with evidence, and (8) Previous records of similar grievances.

Resolution Register: (1) Serial no., (2) Case no., (3) Name of complainant, (4) Complainant's story and expectation, (5) Date of hearing, (6) Date of field investigation (if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.

Closing Register: (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants' satisfaction, and (8) Management actions to avoid recurrence.

If aggrieved persons are not satisfied with the resolution, can appeal to higher level GRCs for further investigation. Even if the case is not resolved with MoWR, can appeal to court according to the law of the land.

Grievance resolution will be a continuous process in project level activities and implementation of those. The GRCs will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by Bank and any other interested persons/entities. The PMU also prepares periodic reports on the grievance resolution process and publish these on the Project website. The format in **Annex 03** will be used for periodic grievance reporting.

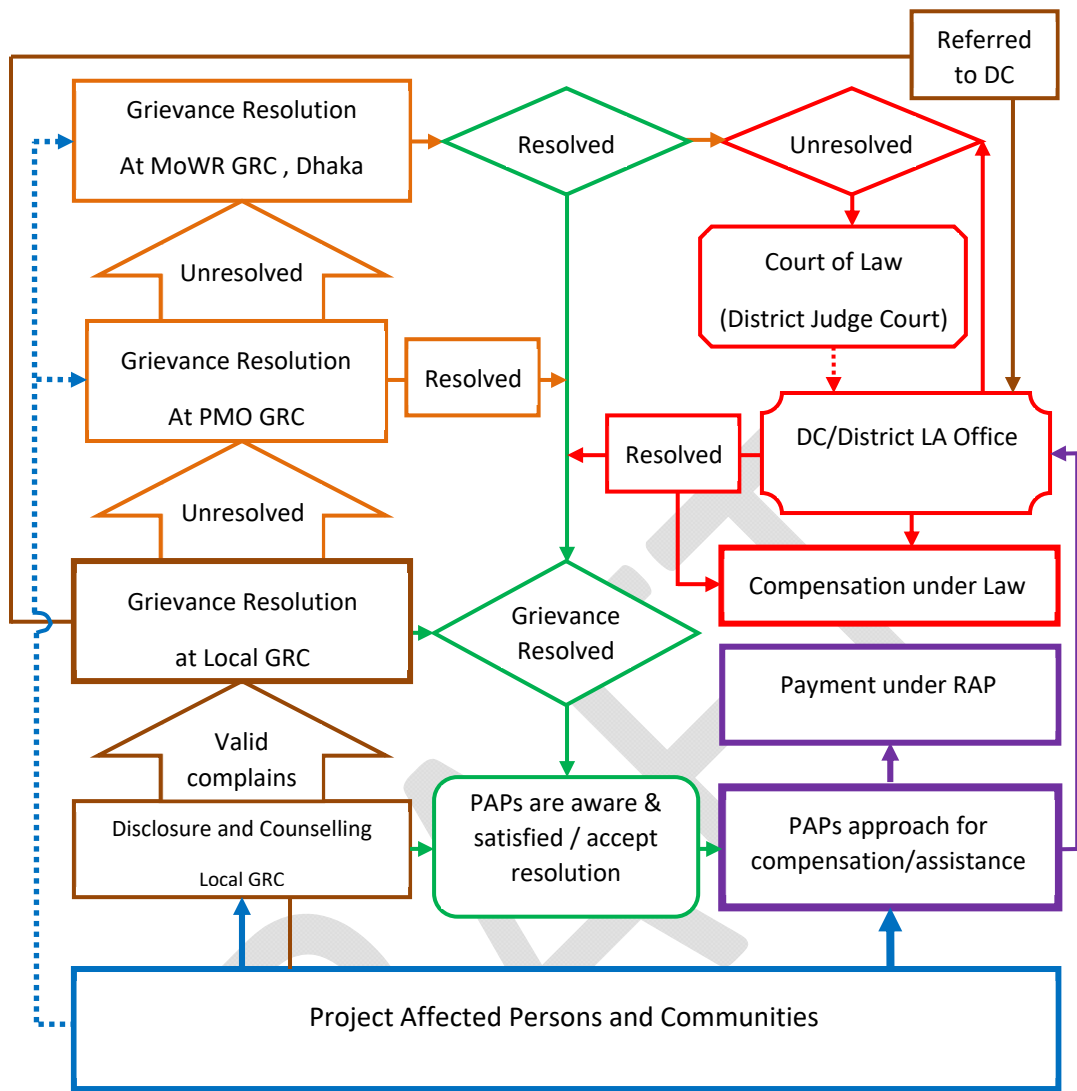


Figure 03: Grievance Redress Flow Chart

Chapter 8: Institutional Arrangements and Implementation

8.1 Institutional Arrangement

Project Executing Agency (EA)

The implementation arrangement of CEIP Phase 2 will follow that of CEIP Phase 1. GoB will implement the project under the overall responsibility for project management and coordination through the MoWR. A Project Steering Committee (PSC) provides the forum with overall guidance, policy advice and coordination of the project activities and addressing the inter-agency issues. BWDB under the MoWR is the Executing Agency (EA) of the Project. BWDB shall be responsible for the execution and implementation of the Project through the PMU.

Project Steering Committee (PSC)

The PSC would be chaired by the Secretary of MoWR and will include the Secretaries of Finance, Agriculture, Environment, Public Health Engineering, Forestry and Wildlife, the Chief Executive officer of selected NGO, and representatives of the local/district administration as its members. The PSC will oversee the project; provide policy-level guidance and inter-agency coordination for the project. The PD of the PMU will act as the secretary of the PSC.

Project Management Unit (PMU)

BWDB will set up a PMU to oversee the development and management of the project. The PMU will be led by a Project Director (PD) appointed by BWDB. It will have a central project office located at the headquarters of BWDB in Dhaka. The PD will have the rank of Chief Engineer and will report directly to the Director General (DG). The PMU will have 3 subordinate units: (i) Engineering Unit; (ii) Procurement and Finance Unit; and (iii) Social, Environment & Communication Unit (SECU). In addition to PMU at Dhaka, 3 Field Offices (FO) will be set up, each headed by a Project Manager (PM) of the rank of Executive Engineer, recruited by the project. The FOs will be located in each of the three main project districts, namely Khulna, Patuakhali/Barguna, and Bagerhat. The role of the PMU is, therefore, largely to contract competent organizations, to carefully supervise their performance, to enable them to perform efficiently, and to ensure transparent and regular reporting to MoWR and BWDB.

The PMU will be supported by an experienced and reputable Non-Governmental Organization (NGO) with strong presence in the project area for social mobilization including establishment of Water Management Organizations (WMO), and activities related to compensation, resettlement and rehabilitation of project affected persons (PAPs). The NGO will perform its activities directly under the supervision of the PD but will coordinate with the Design and Supervision Consultant (DSC) acting as the Engineer for the project. A separate consultancy for Monitoring and Evaluation (M&E) will provide support in the supervision of the preparation and implementation of RAPs and will report to the PMU. The PMU will also be assisted by an Independent Panel of Expert (IPOE) for oversight of all aspects of the project including social issues.

Ministry of Water Resources (MoWR)

MoWR will provide overall administrative support and inter-ministerial coordination. The Ministry through gazette notifications will form various participatory management bodies (committees) for preparation and implementation of the RAPs at the field level. The Implementing NGO will work as the member secretary for all the committees involving representatives from DC, BWDB, LGIs and PAPs. These committees will

ensure stakeholders' participation and uphold the interest of the vulnerable PAPs. The powers and jurisdictions of the committees will be clearly defined in the gazette notification.

DRAFT

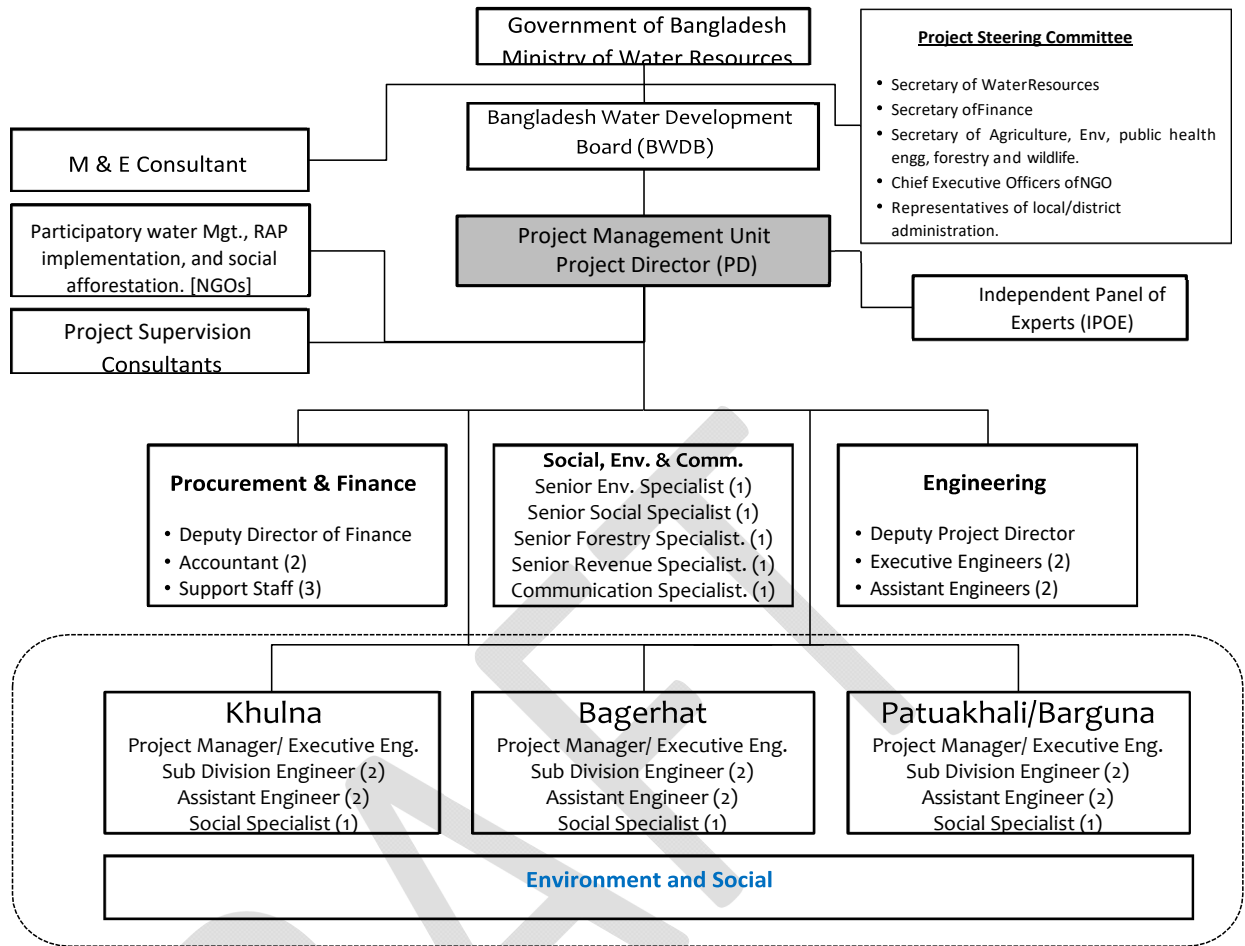


Figure 04: Project Institutional Arrangement

Water Management Organizations (WMO)

Beneficiary communities and affected persons will be involved in project conceptualization, planning and implementation. Existing Water Management Organizations (WMO) will be strengthened and new WMOs will be established where necessary as per the policy and practices of BWDB¹. These WMOs will provide input to the design and implementation of the project interventions and participate in preparation and implementation of RAP. The WMOs will also be involved in the monitoring and evaluation.

BWDB Field Offices

The Field Offices (FO) of the PMU will be established one at Khulna, one at Bagerhat and one at Patuakhali/Barguna. The FOs will coordinate and manage resettlement and rehabilitation of the PAPs, disburse resettlement benefits, and ensure PAP access to development programs. The field offices will be supported by Senior Social Specialist and Revenue Specialist to deal with land acquisition, resettlement and rehabilitation under the SECU at the PMU.

Implementing NGO/Agency

The project will finance NGO/consultancy services for social survey, following up land acquisition and implementation of RAPs for each phase of construction by packages including social mobilization and formation and operation of WMOs. Services of NGOs/agencies have been recognized as instrumental in successful implementation of resettlement plans considering their experience of working with the grassroots level people. On the other hand, BWDB has limited manpower in its zone, circle and division levels to take up preparation and implementation of resettlement plans following the local law and the guidelines of the World Bank on land acquisition. It has, therefore, been adopted in this program to engage experienced NGO/agency to assist PMU and the FOs in the implementation of RAPs.

The principal tasks of the NGOs/agencies will be social mobilization, formation of WMOs and training up members of WMOs with assistance from relevant government agencies including the district agriculture extension offices, identify the project affected households/business enterprises and persons relating to the enterprises, estimate their losses and dislocations, and process their entitlement as per the packages contained in the RAPs of annual works packages. The ultimate main task would be to assist FOs in disbursing entitlements, which are provisioned under a polder beyond the provision of the law on land acquisition of the Government of Bangladesh. The NGOs/agencies would also play an important role in addressing legitimate grievances of the project affected persons and vulnerable groups. The assigned NGOs/agencies will employ experienced and trained staff for field survey, data collection, data management and development and production of implementation tools in the effect under the leadership of an experienced land acquisition and resettlement specialist and a resettlement information management specialist.

Deputy Commissioners

The Deputy Commissioners (DC) of the project districts will act to legalize land acquisition and pay compensation under law to the owners of lands proposed for acquisition under their respective

¹ BWDB encourages beneficiary participation in participatory scheme cycle management (PSM) following the Guidelines on Participatory Water Management (GPWM), November 2000. Water Management Organizations (WMO) were instrumental in Integrated Planning for Sustainable Water Resources Management Project, Southwest Area Integrated Water Resources Planning and Management Project, and Water Management Improvement Projects in BWDB. Water management organizations include Water management groups (WMG) on hydrological units in a polder/scheme and an apex body of the groups titled Water management association (WMA). Beneficiaries/WMOs participate in project identification, planning, implementation and operation and maintenance.

jurisdictions. The compensation under law is part of the replacement cost to be disbursed to the affected landowners. Any top-up of the compensation under law to match the replacement value (if the replacement value is higher than the compensation under law) will be provided directly by the BWDB with assistance from NGO/agency. The MoWR will constitute two committees i.e. Property Assessment and Valuation Committee (PAVC) and Grievance Redress Committee (GRC). Among these committees, PAVC will be constituted with representatives of BWDB, implementing NGO/agency and the DCs. The DC office will appoint representatives as member(s) of the committees for quantifying losses and determining valuation of the affected properties. BWDB and the NGO/agency shall liaise with concerned DC offices to complete the tasks following the notification of the MoWR.

Participatory Management Bodies

Property Assessment and Valuation Committee (PAVC)

Deputy Commissioners (DC) and BWDB will conduct joint on-site verification of affected physical properties on private land proposed for acquisition for CEIP-2 in selected Polders. DCs will also assess the market price of the affected land, structure, trees and crops with data and assistance from Sub- Registry offices for land, Public Works Department (PWD) for structure, Department of Forest (DoF) for trees, and Agriculture Extension and Agriculture Marketing departments for crops. As per World Bank ESS5, the authorized and informal occupants of public land/BWDB land will also be entitled for compensation and assistance as per RAPs prepared following the RPF. These non-titled affected persons (persons without title to the land under acquisition) and their physical and economic losses will be assessed and replacement value of affected physical assets and income will be determined by a Property Assessment and Valuation Committee (PAVC) established for each FO of BWDB under the project. The PAVC will be a 5-member committee at each FO. The members of PAVC will be nominated by the Executive Engineer of BWDB Division offices and approved by the Project Director, PMU, BWDB, Dhaka.

Membership of PAVC

Table 14: Membership of PAVC

Sub-Divisional Engineer, BWDB Sub-Division (concerned)	Convener
Representative of the D&S Consultant/Implementing NGO	Member-Secretary
Representative of concerned DC office	Member
Assistant Director, Land and Revenue or Representative of Land and Revenue Wing, BWDB	Member
Ward Member/Councilor (concerned)	Member

The PAVC verifies and cross check the field book of the joint verification survey (JVS) conducted jointly by BWDB and the Deputy Commissioners at respective project area. The PAVC will also review and certify the census of affected households (titled and non-titled) and assets by the BWDB conducted through NGO/consultant. If there is major variation between Census and JVS data (more than 10%) in assessing affected properties, PAVC will consult the JVS for titled losses and the Census for non- titled losses. PAVC will assess quantity and category of affected physical property (structure, tree, business, common properties, etc.) on BWDB/public lands. Replacement value of the affected physical property will also be determined by the PAVC based on current market price. The PAVC will design and conduct a property valuation survey (PVS) through survey and public consultation and consult secondary data to recommend replacement value of land and structures and market price of trees and crops as well as amount of loss of income at current market price.

Physical Relocation Assistance Committee (PRAC)

A Physical Relocation Assistance Committee (PRAC) will be formed for each polder under improvement with elected representatives from concerned Union Parishads, village leaders, representatives from the affected persons, WMOs (if any), women and BWDB representations. The PRAC will be headed by the Executive Engineer, BWDB Field Office of the project and authorized to undertake land search and assist the affected informal settlers in relocation and resettling on a more permanent site. PRAC will look up BWDB’s own resources in case of failure in finding out suitable alternative lands for relocation of the affected households, owners of affected businesses and other entities including informal settlers. They will request the Director, Land and Revenue (DLR) of BWDB/Concerned Executive Engineer to allow informal settlers in situ incase no alternative are found feasible.

Membership of PRAC

Table 15: Membership of PRAC

Concerned Executive Engineer, BWDB Division	Convener
Representative of the D&S Consultant/Implementing NGO	Member-Secretary
Local UP Member/Ward Councilor (nominated by concerned UP Chairman or Municipal/City Mayor)	Member
Assistant Director, Land and Revenue/Representative of Land and Revenue Wing, BWDB	Member
Sub-Divisional Engineer/Assistant Engineer/Sub-Assistant Engineer, BWDB	Member
Representative from displaced households/persons	Member

8.2 Steps for RAP Implementation

Implementation of RAP for affected persons will be carried out in eight (8) steps. BWDB will ensure implementation of the RAP with the support of the NGO/consulting firm.

Step-1: Formation and Preparation

- Organize inception meeting with relevant stakeholders
- Provide social management orientation to the team according to ESS 2, ESS 5 and ESS 7, ESS 10
- Capacity building through organizing training and workshop
- Institutional Arrangements & Logistics
- Submit inception report and require approval from RAP verification survey

Step-2: Develop Implementation Tools/Mechanism

- Develop tools and materials for information campaign (i.e. Booklet, Leaflet, etc.)
- Develop monitoring tools for implementation progress
- Develop reporting format such as monthly/quarterly/semi-annual/annual
- Develop/update GRC application form
- Develop/update focus group meeting checklist
- Develop format of Entitled Persons file and Entitlement Card
- Develop format of payment debit voucher
- Develop ID card format for the EPs

- Develop computerized Management Information System (MIS)
- Develop internal server for data management, sharing and monitoring

Step-3: Social Preparation and Information Dissemination

- Formation of focused groups with various occupation groups at the field
- Information campaign
- Disclosure of RAP policy
- Regular meetings with affected people for updating record of rights and other documents for receiving compensation from DC office
- Consult the displaced people to get ready for relocation after getting compensation
- Develop ideas, script, and mechanism for organizing and executing awareness campaign outside the RAP implementation
- Organize, follow-up and recap various awareness campaign

Step-4: Land Acquisition (simultaneously with Step 5)

- Liaise with DC office for land acquisition and compensation payment
- Assist DC offices in land acquisition process
- Assist in serving notice under section 4 and Joint Verification
- Assist in serving notice under section 7
- Assist in preparation of LA estimate and award book
- Assist in serving notice under section 8 by DCs
- Assist PAPs in updating record of rights and receiving compensation
- Assist DC office during transfer of land

Step-5: Payment of Compensation

- Collection of award book from the DC office
- Collection of CCL from PAPs after getting compensation
- Prepare CCL statement as per DC payment
- Devise ID number for each of the entitled persons
- Preparation of EP file and EC
- Preparation indent (EP payment list)
- Opening Bank Account by the APs
- Prepare ID cards for the EPs using photograph
- Calculate Individual entitlement based on category of losses and policy of the RAP
- Prepare Debit voucher and other necessary documents for making payment of additional compensation and other benefits
- Payment of additional grants and resettlement benefits
- Assist EPs in producing Grievances, if any

Step-6: Relocation/Resettlement

- Payment of resettlement benefits to EPs
- Assess relocation options of the PAPs and provide facilities in relocation choices
- Assist APs in moving private graves (if requested by the affected households)
- Assist displaced households/EPs in relocation and resettlement

- Support APs in retitling and updating of their record of rights
- Implement Income and Livelihood Restoration Program (ILRP)
- Develop training need assessment report & training materials for ILRP
- Assist to relocate common public property
- Give moral support to affected person in terms of resettlement

Step-7: Establishment of Grievance Mechanism

- Development/finalization of format for grievance cases including
- Assist PAPs in producing grievances
- Conduct meetings on GRM
- Disclose GRM process among the people
- Resolve grievances and report on monthly basis

Step-8: Submission of Progress Report

- Generate progress reports for real-time monitoring of RAP implementation progress using user-friendly menu driven software
- Share the draft report with project authority and relevant stakeholders
- Incorporate feedback and response
- Submission of final reports.

8.3 Specialist Responsibility for RAP Implementation

1. Project Management Unit, BWDB

A. Project Director

Overall responsibility: Coordinating preparation and implementation of the land acquisition and resettlement activities in time.

Specific responsibility:

- Routinely reviews and updates the schedules for Polder selection, and design & implementation of civil works and other tasks and coordinates them with the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinates, facilitates and monitors all activities performed at PMU and Field Office (FO) levels and ensures that all process tasks leading to polder selection; design of the rehabilitation/improvement works with land acquisition needs and their ground locations; and placement of acquisition funds with DCs, are all completed intime.
- Monitoring the PAP censuses and other tasks for RAP preparation and implementation, and that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensures that the phase-wise RAPs are prepared in time for review and approval by the Bank before the civil works packages are accepted for IDA financing.
- Liaises with and appraises the Ministry of Water Resources to resolve any issues that are deemed

instrumental for land acquisition and preparation and implementation of the resettlement activities.

- Ensures that all information on land acquisition, RAP preparation and implementation activities, which are transmitted from Zone and Circle levels, are collated and reported to IDA on a monthly basis, and status reports are prepared for all formal review missions.

B. Senior Social Specialist (SSS)

Overall responsibility: Responsible for overseeing and coordinating the process tasks required for preparation and implementation of land acquisition and resettlement activities in time, analyzing and collating all related information in the PMU and transmitting them to FO.

Specific responsibility:

- Review, update and coordinate with project schedules for polder selection, design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinate and facilitate all activities contained in Resettlement planning such as social survey, public consultations etc. and land acquisition plan (LAP) preparation by respective Project Manager at FO level in association with the LARS of Design Supervision Consultants (DSC) and approval thereof by MoWR and DCs/DLACs; and placement of funds for acquisition.
- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation and monitors the RAP implementation process ensuring that 'the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands. Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct DSC to prepare the phase-wise RPs. Routinely monitor progress in land acquisition and RAP implementation activities and keep Project Director informed on a monthly basis and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the District level.

2. BWDB Zonal Office

A. Chief Engineer

Overall responsibility: Overseeing and coordinating the process tasks required for civil construction and preparation & implementation of land acquisition and resettlement activities in time, analyzing and collating all related information in the Zones and transmitting them to PMU.

Specific responsibility:

- Review, update and coordinate with PD the Zonal schedules for polder selection, design and implementation of civil works and other tasks required for land acquisition, and RAP preparation and implementation under the CEIP-2.
- Coordinate and facilitate all activities contained in the project Polders, social screening and public consultations; design of the civil works identifying the land acquisition needs and their ground locations; LAP preparation by respective Executive Engineers (XENs) in association with the Assistant Director Land and Revenue, and approval thereof by MoWR and DCs/DLACs; and placement of funds

Resettlement Policy Framework

for acquisition.

- Coordinate and facilitate PAP censuses, market price surveys and other process tasks for RAP preparation, implementation and monitors the RAP implementation process ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the Circles and Divisions, and are analyzed, collated and sent to PMU to prepare the phase-wise RAPs.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep PMU informed on a monthly basis and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the Zone

B. Superintending Engineer

Overall responsibility: Coordinate with Chief Engineers and XENs at Zone and Division levels the process tasks leading to and oversee preparation of the land acquisition proposals by DLR staff, review and approve the land acquisition budgets from DCs, and actively assist DLR staff and XENs follow through the acquisition process.

Specific responsibility:

- Oversee LAP preparation by DLR staff in coordination with engineering design of the rehabilitation/improvement works and their ground locations.
- Reviews and approves land acquisition budgets prepared received by XENs, and monitors placement of acquisition funds with DCs. a Review and approve the top-up and other compensation (for those not covered by the acquisition law, but provided in the Resettlement Policy Framework) budgets.
- Facilitate the overall acquisition process by helping the XENs and DLR staff resolve any acquisition-related issues.

C. Assistant Director, Land and Revenue

Overall responsibility: Prepare Land Acquisition Proposals (LAPs), liaise with the land acquisition officials and follow through the acquisition process, and assist affected landowners in procuring any missing legal documents required to claim CUL.

Specific responsibility:

- In close consultation with the PM and SS, prepare the formal Land Acquisition Proposals including all the documents as required by the acquisition authority (acquiring body).
- Liaise with the land acquisition officials and follow through the acquisition process, including CUL payment by DCs.
- Monitor the NGO activities in assisting PAPs in procuring any missing legal documents that are required to claim CUL from DCs.
- Assist SS (at FO), SSS (at PMU) and others in collecting CUL payment information from DCs by keeping liaison with Land Acquisition section of DC office.

Resettlement Policy Framework

- Participate in Physical relocation assistance procedure of the displaced households. Play role as member of the Physical Relocation Assistance Committee (PRAC) and make aware of the affected people in relocation process.
- Perform other tasks that are pertinent to land acquisition and resettlement.

3. Field Office (FO)

A. Project Manager (XEN)

Overall responsibility: Monitoring the process tasks of preparing and implementing land acquisition and resettlement activities in time, analyzing and collating all related information in the FO and report to PMU.

Specific responsibility:

- Review, update and coordinate with Project schedules for polder selection, design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinate preparation of land acquisition proposal in association with the LARS of Design Supervision Consultant (DSC) and send them to the PMU for getting approval from MoWR and sending to DCs for necessary acquisition process.
- Perform as convener of the grievance redress committee and ensure that all APs are aware of their right to make grievance on valid ground regarding land acquisition, resettlement and environmental issues. Ensure that all grievances so far received by the GRC are heard and resolved in time in a transparent manner as prescribed in the RAP.
- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation and monitors the RAP implementation process ensuring that 'the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct DSC to prepare the phase-wise RAPs.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep SSS and Project Director informed on a monthly basis and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the District level.

B. Sub-Division Engineer (SDE)

Overall responsibility: Monitoring the data collection and assessing valuation of affected property, providing assistance to DC office regarding land acquisition and to SSS in resettlement activities, analyzing and collating all related information in the FO and reporting to PMU.

Specific responsibility:

- Assist SS in project schedules for polder selection, design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and

implementation.

- Preparation of land acquisition proposal in association with the LARS of Design Supervision Consultant (DSC) and other officials of F and submit to SS for sending them to the PMU.
- Perform as convener of the Property Assessment and Valuation Committee (PAVC) and ensure that all properties within the proposed area have been enumerated and replacement value of the affected properties has been determined in a transparent manner.
- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation, implementation, and monitors the RAP implementation process ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct DSC to prepare the phase-wise RAPs.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep SS informed on a fortnightly basis and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the District level.

C. Social Specialist

Overall responsibility: Prepare LAPs, liaise with the land acquisition officials and follow through the acquisition process, and assist affected landowners in procuring any missing legal documents required to claim CUL with assistance from the AD, Land and Revenue at the zonal office.

Specific responsibility:

- In consultation with the XENs, prepare the formal LAPs with the documentation as required by the acquisition authority (acquiring body).
- Liaise with the land acquisition officials and follow through the acquisition process, including CUL payment by DCs.
- Assist PAPs in procuring any missing legal documents that are required to claim CUL from DCs.
- Assist XENs, SDEs, and others in collecting CUL payment information from DCs which are required to determine top-up payment. Participate in grievance redress procedure as member- secretary and keep detailed records of grievances and the hearings, and assist to report the outcomes as per the format provided in the Resettlement Policy Framework.
- Perform other tasks that are pertinent to land acquisition and resettlement.

4. Implementing NGO

Overall responsibility: Assist BWDB in social mobilization, formation and operation of water management organizations, preparing/updating and implementing the resettlement plans for subprojects/works packages. The principal tasks will be to identify the project affected households/business enterprises and persons relating to the enterprises, estimating their losses and dislocations, and processing their entitlements. The next main tasks would be to assist BWDB in disbursing entitlements.

Specific responsibility:

Social Mobilization

- Review rules, regulations and policy guidelines on participation water management applicable for the project and identify areas of participation by the beneficiary communities in project implementation process.
- Review and analyze project objectives and approach of social mobilization in the light of the GPWM and experience of IPSWAM.
- Develop workable approach and interventions for social mobilization under guidance of the design and supervision consultant and the PMU.
- Identify the beneficiaries, existing water management organizations, demarcate areas for water management groups and motivate them on participatory water management.
- Educate and refresh the BWDB relevant staff in division offices on social mobilization and participation of beneficiaries in project process through personal contact and local level meetings and consultation workshops.
- Develop awareness on social mobilization and participation of WMOs through formal or informal meetings, discussion sessions, training, and workshops.
- Review and study the identified problems related to social mobilization and assist BWDB to overcome the problems.
- Monitor the roles of WMOs in context of their development, performance, relation with the community people/other stakeholders related to water management issues.
- Prepare position and progress reports on social mobilization and participation for the Project Director.
- Any other activities as instructed by the Project Managers at field offices and the Project Director, PMU.

Resettlement and Rehabilitation of PAPs

- Design and carry out disclosure campaign including tools for disclosure and information dissemination among the potential displaced persons and their feedback.
- Liaise with the Deputy Commissioners' offices in the process of land acquisition including joint verification, notifications and payment of cash compensation.
- Carry out social surveys and public consultations under the guidance and supervision of the Social Specialist at FO level and the LARS of DSC.
- Carry out PAP censuses, market price surveys and other process tasks under the guidance of the Property Assessment and Valuation Committee (PAVC) for RAP preparation or updating and implementation ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Assist BWDB in preparation of land acquisition plan and following up of the land acquisition process by Deputy Commissioners.
- Participate in grievance redress process and facilitate the aggrieved PAPs and their communities in producing grievance petitions to the GR focal points. Communicate GRC decisions to the PAPs and

take necessary measures as per the decisions agreed by the aggrieved persons.

- Develop PAP database tapping information from the Deputy Commissioners' payment of compensation under law, PAP census and inventory of losses by the PAVC and design and operate automated Management Information System (MIS) for determining and making payment of entitlements to the eligible PAPs and generate reports on progress monitoring and evaluation.
 - Identify eligible PAPs and determine their loss and entitlements based on DC's payment data, updated inventory of losses and GRC decisions. Assists the MIS staff at PMU to process the data for cross checking the resettlement budgets, as required to prepare and implement the phase-wise RAPs.
 - Identify relocation sites and facilitate eligible PAPs in finding alternative sites for lone or group relocation with project support as per RAPs and the RPF.
 - Prepare loss and entitlement cards (LEC) for individual entitled persons (EPs) and process payment of entitlements on behalf of the BWDB division offices.
 - Assist BWDB division offices in documenting issuance of photo ID cards and payment of entitlements including ID register, payment register, payment vouchers and advice notes.
 - Assist eligible PAPs in opening Bank accounts for receiving payment of entitlements.
 - Assist titled PAPs in organizing documents for receiving compensation under law from the respective Deputy Commissioners' offices.
 - Identify problems and place them with the resettlement officers of BWDB and the resettlement specialist of the DSC for corrective measures.
 - Document updates on land acquisition, payment of compensation under law, identification of EPs, payment of entitlements, grievance resolution and relocation, and include them in the monthly progress reports for submission to the PMU and the SMOs.
 - Assist BWDB in preparing any updates and reports time to time required.

8.4 Capacity Building

BWDB has prior experience of dealing with land acquisition and resettlement in compliance with GoB and WB Guidelines through CEIP Phase 1. However, the PMU staff will be reoriented on preparation of RAPs and implementation of them at the field level. An experienced implementing NGO/agency will be employed for social survey and implementation of RAPs along with other social mobilization and participation activities.

However, in monitoring land acquisition and RAP implementation activities, the BWDB SSS at the PMU will identify any issues that may be impeding progress and coordinate them with the PD and FOs for actions by the PMs at the field level. Jointly with the DS Consultant's Land Acquisition and Resettlement Specialist (LARS), the SSS will design and conduct training of BWDB field staff, especially those who will implement the project including the SDEs, on social compliance issues relating to involuntary resettlement, as well as implementation of the various impact mitigation policies and measures.

8.5 Budget

A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget does not include the cost of land acquisition and resettlement.

Table 16: A Tentative Budget

Items	Man-month	Total (in USD)
Senior Social Development and Resettlement Specialist	24	60,000
Consulting firm for RAP preparation	Lump-sum	60,000
RAP Implementing Agency (NGO/consulting firm)	Lump-sum	2,00,000
External Monitor	24 months over the period of 5 years	1,00,000
Capacity Building for PSC, PMU, NGO/consulting firm and relevant government agencies	Lump-sum	1,00,000
Grievance handling cost	Lump-sum	40000
Cost of land acquisition and resettlement	Unknown at this stage as land acquisition and resettlement impact to be identified	

DRAFT

Chapter 9: Monitoring and Evaluation

9.1 Supervision and Monitoring Mechanism

Monitoring will consist of an array of steps related to land acquisition, and preparation and implementation of RAP. BWDB will establish an internal monitoring system for routine internal monitoring of land acquisition and implementation of RAP. The RS will assist BWDB to set up and operate a computerized system to monitor and report progress and performance in land acquisition and resettlement activities.

BWDB will carry out internal monitoring through the PMU that will involve the division level responsible staff (Executive Engineers, Sub-Divisional Engineers, Assistant Engineers, Sub-Assistant Engineers), the Assistant Director (land and revenue) at the circle level, and the implementing NGO. Monitoring data on land acquisition will be available from the DC offices and on implementation of RAP from the subproject management offices (division office) and from the RAP implementing NGO. The NGO and the subproject management offices will maintain registers for data on developments in land acquisition and on components of RAP implementation separately. These registers will be open for review by interested parties and the World Bank. Monitoring will be done quarterly including a mid-term review and an end-term evaluation.

9.2 Internal Monitoring

Internal monitoring of land acquisition and resettlement will be carried out monthly by the subproject management offices and the NGO for developments on following indicators for each contract package:

- Progress in land acquisition and CUL payment by DCs, and any issues that are to be addressed to facilitate the acquisitions
- Updates on BWDB's part of the payment: (i) top-up and other applicable entitlements to the CUL recipients; (ii) compensation/entitlements to the affected informal settlers; and (iii) compensation/entitlements to any other persons/groups not covered in this RPF but found later to be affected by the project works
- Accounts of GRC activities and their impact on project management
- Implementation problems identified on site and the corrective measures including policy decisions to rectify any inconsistencies.

BWDB will produce quarterly progress monitoring reports to the Bank and its implementation support missions covering the entire resettlement program, which will include, among other information, the latest status in land acquisition and compensation payment by DCs and BWDB; implementation of any other stipulations adopted in the RAP; accounts of the GRC activities; and any issues that are to be addressed to improve performance of the resettlement program.

9.3 External Monitoring

BWDB will engage an Independent Monitor during RAP implementation period. The major tasks that are to be monitored and TOR of the Independent Monitor would be annexed to the RAP. The regular independent

review of social issues will include evaluation of effectiveness and efficiency in land acquisition, and implementation of impact mitigation plans (RAPs or Abbreviated RAPs). It will identify any problems and issues arising to be addressed by BWDB in order to improve the procedure and ensure compliance with safeguard policies. The evaluation will focus on the adequacy of the mitigation policies, the socio-economic impact on the persons affected by land acquisition, and the extent to which the intended social development goals have been achieved. It will identify lessons to make recommendations for improving BWDB land acquisition processes for CEIP-2 and subsequent other projects.

9.4 Review and Evaluation

Several objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social well-being. The establishment of appropriate indicators in the RAPs/ARAPs is essential since what is measured is what will be considered important. Indicators will be created for affected people, for key stakeholder groups, and for special categories of affected groups such as women headed households, disable persons, marginalized persons etc.

Several objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social well-being.

Table 17: Monitoring, Review and Evaluation Process of Key Indicators

Monitoring Aspects	Potential Indicators
Delivery of Entitlements	<ul style="list-style-type: none"> Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix. Disbursements against timelines. Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps, been included. Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule. Documented evidence of land donation Documented evidence of land acquisition completed with transfer of title Documented evidence of land requisition/rented Percentage of compensation paid for land acquisition/requisition or rented Percentages of compensation paid for the affected structures/assets/crops/trees Restoration of social infrastructure and services. Affected businesses receiving entitlements, including transfer and payments for net losses resulting from lost business.
"Private-Private" disputes	<ul style="list-style-type: none"> clear and adequate rules for the recognition of relevant land tenure rights is provided fair criteria and functioning, transparent and participatory processes for resolving competing tenure claims are established efforts are taken to inform affected people about their rights and access to impartial advice are provided
Consultation	<ul style="list-style-type: none"> Strategy for consultation and information disclosure is prepared Consultations organized as scheduled Project information's are disclosed Affected, interested, disadvantage and vulnerable groups are identified views of disadvantage and vulnerable groups are considered during designing the entitlement and special measures are taken Schedules are planned for the various stakeholder engagement activities

Monitoring Aspects	Potential Indicators
	<ul style="list-style-type: none"> Knowledge of entitlements by the relevant stakeholders including project affected people If tribal people are affected, separate consultation has to be conducted with them
Grievances	<ul style="list-style-type: none"> Operationalization of the grievance redress mechanism proposed with RPF. Operationalization of the GRM for labor and GBV Information on the resolution of the grievances Process by which people affected by the project can voice their grievances and concerns Process to document complaints and concerns Grievance recording (e.g. MIS, grievance log book) Stipulated timeframes for acknowledgement and resolution of complaints Awareness raising, or communications efforts to inform stakeholders about the GRM and appeals process to analyze complaints and share feedback with management Grievance reports published and frequency
Communications and Participation	<ul style="list-style-type: none"> Number of general meetings (for both men and women). Percentage of women out of total participants. Number of meetings exclusively with women. Number of meetings exclusively with vulnerable groups. Number of meetings at new sites. Number of meetings between hosts and the displaced persons. Level of participation in meetings (of women, men, and vulnerable groups). Level of information communicated—adequate or inadequate. Information disclosure. Translation of information disclosure in the local languages.
Budget and Time Frame	<ul style="list-style-type: none"> Social Specialist/expert appointed and mobilized on schedule for the field and office work. Capacity building and training activities completed on schedule. Achieving resettlement implementation activities against the agreed implementation plan. Funds allocation for resettlement to implementing agencies on time. Receipt of scheduled funds by resettlement offices. Funds disbursement according to the resettlement action plan. Social preparation phase as per schedule.
Livelihood and Income Restoration	<ul style="list-style-type: none"> Types of training and number of participants in each. Number of displaced persons who have restored their income and livelihood patterns (women, men, and vulnerable groups). Number of new employment activities. Extent of participation in rehabilitation programs. Degree of satisfaction with support received for livelihood programs/activities. Percentage of displaced persons who improved their income (women, men, and vulnerable groups) Percentage of displaced persons who improved their standard of living (women, men, and vulnerable groups) Number of displaced persons with replacement agriculture land (women, men, and vulnerable groups) Quantity of land owned/contracted by displaced persons (women, men and vulnerable groups)
Voluntary land Donation	<ul style="list-style-type: none"> Progress on the process of providing official documentation to those who donated land of their landholding.

9.5 Documentation, Disclosure, Reporting

BWDB will prepare periodic report to be submitted to the Bank and the Ministry. These reports will summarize the following:

- Progress in implementing this RAP and subsequent other social planning documents, etc.;
- Findings of the monitoring programs, with emphasis on any breaches of the control standards, action levels or standards of general site management;
- Summary of any complaints by external bodies and actions taken / to be taken; and

- Relevant changes or possible changes in legislation, regulations and international practices.

Monitoring of and reporting on the project must be complemented by an effective GRM proposed in RPF in order to address issues arising from project implementation. GRM will help to detect unanticipated or recurring problems, and to manage them. BWDB has set up the GRM, to receive, manage and facilitate resolution of stakeholders’ concerns and grievances in a timely manner.

The following table summarizes the reporting requirements:

Table 18: Reporting Requirements

Report/Document	Description	Prepared By	To	When
Training Records	Register of all Trainings and Capacity Building activities conducted under the project	BWDB with the support of consultants.	PD	Within 3 weeks of any training/capacity building activity
Completed Social Screening Forms	Identifies Potential Environmental and Social Issues	BWDB	PD	After completing forms
GRM Records	Register of grievances received and actions taken	GRC or Consultants during construction phase and then Implementing Agency officer thereafter	PD	Monthly
Preparation of RAP	Site specific RAP will be prepared	RAP preparation Firm with the support of BWDB	PD	Within 3 months of deployment
Internal Monitoring	Monitoring data as defined in the RPF	BWDB	PD	Monthly
External Monitor	Monitoring data as defined in the RPF	External monitor	World Bank	Every quarter

Annex 1: Social Screening Form

[The filled-out forms will be reviewed and evaluated by the Land Acquisition and Resettlement Specialist of the Detail Design Consultant. The consultant will include a summary estimate of the impacts and mitigation requirements for each polder in the Screening Report. Impacts identification and the mitigation eligibility and requirements should follow the principles adopted in RPF.]

REVIEW and EVALUATION

Name of polder:

Name of District:

Union/Municipality:

Upazila:

I. Resettlement Impacts

In respect of the social impacts and community concerns, is there a need to,

Undertake an in-depth social impact assessment study? Yes No

Prepare a Resettlement Action Plan? Yes No

II. Impacts on Ethnic Community

Project activities will be excluded if they affect any tribal peoples (TP), their language or culture or sources of livelihoods or access to common property resources.

Are there any TPs in the project impact area? Yes No

Will any of the TPs be affected by project interventions? Yes No

On behalf of the consultant, the attached filled out format has been reviewed and evaluated by:

Name:

Designation:

Signature:

Date:

SCREENING FOR LAND ACQUISITION AND RESETTLEMENT

[To be filled in for each polder jointly by BWDB, Consultants and NGO (if engaged). Where private lands are to be acquired or public lands (including BWDB’s own) are to be resumed from authorized and unauthorized private users, census of affected persons and inventory of losses to be carried out.]

D. Identification

- 1. Name of polder: Name of District:
- Union/Municipality: Upazila:
- 2. Embankment section screened:.....
-
- 3. Project component:.....
- 4. Brief description of the physical works:
-
-
-
- 5. Screening Date(s):

E. Participation in Screening

- 6. Names of Consultants’ representatives who screened the subproject:
.....
.....
- 7. Names of BWDB officials participated in screening:
-
.....
- 9. Local Government representatives and community members & organizations participated in screening: List them in separate pages with names and addresses, in terms of embankment sections/spots and any other information to identify them during preparation of impact mitigation plans.
- 10. Would-be affected persons participated in screening: List them in separate pages with names, addresses in terms of embankment sections/spots where they would be affected, and any other information to identify them during preparation of impact mitigation plans.

F. Land Requirements & Ownership

10. Will there be a need for additional lands* to carry out the intended works under this contract?
Yes No (* 'Additional lands' mean lands beyond the existing right of way)

11. If 'Yes', the required lands presently belong to (Indicate all that apply):
 BWDB Government – khas& other GoB agencies Private citizens
 Others (Mention):

G. Current Land Use & Potential Impacts

12. If the required lands belong to Private Citizens, they are currently used for (Indicate all that apply):
 Agriculture # of households using the lands:
 Residential purposes # of households living on them:
 Commercial purposes # of persons using them: # of shops:
 Other Uses (Mention): # of users:

13. If the required lands belong to BWDB and/or other Government agencies, they are currently used for (Indicate all that apply):
 Agriculture # of persons/households using the lands:
 Residential purposes # of households living on them:
 Commercial purposes # of persons using them: # of shops:
 Other Uses (Mention): # of users:

14. How many of the present users have lease agreements with any government agencies?

15. Number of private homesteads that would be affected on private lands:
Entirely, requiring relocation: Partially, but can still live on present homestead:

16. Number of business premises/buildings that would be affected on private lands:
 Entirely and will require relocation: # of businesses housed in them:
 Partially, but can still use the premises: # of businesses housed in them:

17. Residential households will be affected on BWDB's own and & public lands:
Entirely affected and will require relocation: # of these structures:

Resettlement Policy Framework

of structures built with brick, RCC, & other expensive and durable materials:

of structures built with inexpensive salvageable materials (bamboo, GI sheets, etc.:

Partially affected, but can still live on the present homestead: # of structures:

of structures built with brick, RCC, & other expensive and durable materials:

of structures built with inexpensive salvageable materials (bamboo, GI sheets, etc.):

18. # of business premises that would be affected on BWDB's own & other public lands:

Entirely affected and will require relocation:

of these structures:

of businesses housed in these structures:

of persons presently employed in the above businesses:

of these structures built with brick, RCC, & other durable materials:

of structure built with inexpensive salvageable materials (bamboo, GI sheets, etc.):

Partially affected, but can still stay in the present premises:

of these structures:

of businesses housed in these structures:

of persons presently employed in these businesses:

of these structures built with brick, RCC, & other durable materials:

of structure built with inexpensive salvageable materials (bamboo, GI sheets, etc.):

19. # of businesses/trading activities that would be displaced from make-shift structures on the embankment, and other areas/spots:

20. Do the proposed project works affect any community groups' access to any resources that are used for livelihood purposes?

Yes

No

21. If 'Yes', description of the resources:

22. Do the proposed works affect community facilities like school, cemetery, mosque, temple, or others that are of religious, cultural and historical significance?

Yes

No

23. If 'Yes', description of the facilities:

.....

.....

.....

.....

.....

.....

.....

.....

24. Describe any other impacts that have not been covered in this questionnaire?

.....

.....

.....

.....

25. Describe alternatives, if any, to avoid or minimize use of additional lands:

.....

.....

.....

.....

.....

On behalf of the consultant, this Screening Form has been filled in by:

Name: Designation:

Signature: Date:

Annex 2: Guideline to Prepare a Resettlement Action Plan

1. **Description of the project.** General description of the project and identification of the project area.
2. **Potential impacts:** Identification of (a)the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;(b)the zone of impact of such components or activities;(c)the scope and scale of land acquisition and impacts on structures and other fixed assets;(d)any project-imposed restrictions on use of, or access to, land or natural resources;(e)alternatives considered to avoid or minimize displacement and why those were rejected; and(f) the mechanisms established to minimize displacement, to the extent possible, during project implementation
3. **Objectives:** The main objectives of the resettlement program.
4. **Census survey and baseline socioeconomic studies:** The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project .The census survey also serves other essential functions: (a)identifying characteristics of displaced house-holds, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;(b)information on vulnerable groups or persons for whom special provisions may have to be made; (c)identifying public or community infrastructure, property or services that may be affected; (d)providing a basis for the design of, and budgeting for, the resettlement program;(e)in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and (f)establishing baseline conditions for monitoring and evaluation purposes .As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:(g)land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;(h)the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and(i)social and cultural characteristics of displaced communities, including a description of for-mal and informal institutions (e .g ., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities
5. **Legal framework:** The findings of an analysis of the legal framework, covering:(a)the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;(b)the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;(c)laws and regulations relating to the agencies responsible for implementing resettlement activities; and(d)gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps .
6. **Institutional framework.** The findings of an analysis of the institutional framework covering:(a)the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;(b)an assessment of the institutional capacity of such agencies and NGOs/CSOs; and(c)any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation
7. **Eligibility.** Definition of displaced persons and criteria for determining their eligibility for compensation and other

resettlement assistance, including relevant cutoff dates.

8. **Valuation of and compensation for losses.** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. **Community participation.** Involvement of displaced persons (including host communities, where relevant):(a) a description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and(d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented .
10. **Implementation schedule.** An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. **Costs and budget.** Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
12. **Grievance redress mechanism.** The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
13. **Monitoring and evaluation.** Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation .
14. **Arrangements for adaptive management.** The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes

Annex 3: Quarterly Grievance Report

Period from..... to..... 20.....

Project Phase.....

Case No.	Complainant's name, gender and location	Nature of complaints and expectation of complainant	Date of Petition submitted	Method of resolution with dates	Decisions and date of communication to the complainant	Agreement with and commitment to complainant	Progress (solved/pending)	Reason, if pending

DRAFT

Annex 4: Procedures of Voluntary Land Donation

Preparation of Land Survey Map and Documentation: After collecting the information related to land and assets which will be affected by project/sub-project implementation, the responsible official, with assistance from the related persons, will prepare a land survey map. The following conditions will be confirmed by the BWDB

- Confirmation that affected people agree to donate land or asset, based on a face to face meeting and stakeholder's consultation
- No one would lose more than 10% of the total productive assets;
- No physical relocation necessary.
- There is an alternative, in case the donor refuses to donate the piece of land in question.

Verification process (surveys) to identify land ownership and use: BWDB and local government will ensure that the land study will include specific surveys to understand the type of land rights that exist in the sub-component area, and to identify any particular issue relating to land ownership and use. The specific surveys must be conducted on each parcel of land proposed for donation to identify:

- The owner or owners of the land;
- The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land);
- Any competing claims of ownership or use;
- Structures and assets on the land; and
- Any encumbrances on the land.
- Owners can donate the land for temporary use during construction and operation.

It is important to: (i) identify the right that is being transferred (an ownership right, a use right, a right of way, etc.); and (ii) check whether the transferee actually has the right s/he claims to have. In many circumstances where careful due diligence has not been carried out, significant conflict has arisen at a later stage when another party claims that they have the same or a competing right. In some circumstances – but not all – the transferee will have documentary evidence of such right. Where no such evidence exists, the due diligence can establish rights by speaking with local community officials and neighbors.

Transferring and formalizing the land: Process for land donation includes very clear procedures that explain the process that should be followed to transfer the land, and appropriate ways to formalize the respective transfer. The process includes consideration of the legal and administrative requirements based on government regulations and World Bank Policy. The process will describe a clear and transparent decision-making process.

Public consultations and disclosure: The decision to donate land must be taken based on a full understanding of the sub-projects and the consequences of agreeing to donate the land. Accordingly, the parties that will be affected by the donation (the owners and users of the land) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation will have on them and their families. It is important that prior written notification indicating the location and amount of land that is sought be provided and that its intended use for the sub-project is disclosed.

The right to refuse must be a legitimate right, unconditional, and the potential transferee must can exercise it in the local community and political context. For this reason, it is important to be sure that the decision to donate is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. For collective or communal land, donation must be based upon the informed consent of all individuals using or occupying the land.

Documentation: BWDB will ensure that

Resettlement Policy Framework

- Refers to the consultation has taken place;
- Sets out the terms of the transfer;
- Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure;
- Attaches an accurate map of the land being transferred (boundaries, coordinates);
- Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights;
- Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;
- Ensure that the transfer and title is registered or recorded; and
- Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.
- confirming that there is no disputed ownership and that there are no claims by renters, users, informal settlers, or encroachers

DRAFT

Annex 5: Terms of Reference for Independent Evaluation

Objectives

The primary objectives for engaging independent evaluation consultant are to review the planning and implementation of land acquisition and involuntary resettlement and its results and provide feedback to BWDB and the World Bank on: (a) the project's achievements and shortcomings in respect of land acquisition; and (b) policy improvement and enhancement of the implementation process. The consultants will review the implementation process as per the policies set out in the RPF, assess the achievement of resettlement objectives, the changes in living standards and livelihoods, the restoration of the economic and social base of affected people with special focus on women and vulnerable groups, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and identify strategic lessons for future policy formulation and planning.

Scope of Work

The scope of work of the consultants will include the following tasks:

- Review the policies and procedures for land acquisition and involuntary resettlement under CEIP-2, and the monitoring processes and their outputs, and summarize the results based on the available monitoring data.
- Evaluate and assess the adequacy of compensation given to the PAPs and the livelihood opportunities offered, including those for vulnerable women and TPs, and the effects on incomes as well as the quality of life of PAPs of project-induced changes.
- Review the quality and suitability of the relocation sites from the perspective of both affected and host communities.
- Identify the categories of impacts and evaluate the quality, timeliness and sufficiency of delivery of entitlements (compensation and rehabilitation measures) for each category in relation to the approved policy. Assess how the entitlements were used and evaluate their impact and adequacy to meet the specified objectives of the Plans.
- Review the results of internal monitoring and evaluate the claims through checks at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups, including vulnerable women and TPs, in assessing the impact of land acquisition.
- Evaluate the adequacy and effectiveness of the participatory and consultative process with PAPs, particularly vulnerable groups and women, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.
- Provide a quantified assessment of the types of conflicts and grievances reported and resolved and the consultation and participation procedures.
- Assess the adequacy of budget for resettlement activities.
- Evaluate whether land acquisition and involuntary resettlement was implemented (a) in accordance with the RAPs, and (b) in accordance with the stated policy, define the socio-economic impacts on PAPs, and assess whether the project social development goals were achieved and adverse impacts avoided.
- Identify the strengths and weaknesses of the land acquisition/resettlement policies, objectives and implementation strategies applied, and make recommendations on policy improvement and enhancement of the implementation process.

DRAFT

Qualification and experience

The independent consulting organization that carries out the evaluation will have extensive experience in SIA including census and socio-economic surveys, stakeholder consultation, and analyzing social impacts including gender issues in compliance with the social safeguard policies of international development financing institutions and in planning, implementation and monitoring of RAP. Institutional capacity analysis and implementation arrangements for preparation and implementation of tribal peoples plans, gender action plans etc. will be treated as an additional qualification. It is required to have knowledge of the latest social safeguard policies of the World Bank.

The consultant team should constitute with a livelihood specialist, a land acquisition and RS and a computerized database specialist. The livelihood specialist should have at least masters in Economics and 5 years' experience in livelihood related operation. The land acquisition and RS should have masters in sociology or any other social sciences and 10 years practical experience in relevant field. The database specialist should be a science graduate with professional experience of 5 years in development and management of computerized database including at least 2 years in management of involuntary resettlement.

Time Frame and Reporting

At the commencement of each works package the consultants will: (a) review the CEIP-2 land acquisition/resettlement policies, objectives, implementation strategies and procedures; (b) design in consultation with BWDB the impact evaluation methodology, sampling frame and field survey procedures; and (c) collect and analyses baseline data.

Prior to project mid-term of each works package the consultant will expand the collection and analysis of baseline data and conduct and analyses sample impact evaluation surveys including field consultations.

Towards end of each works package, the consultant will carry out all additional work necessary, including field data collection and analysis and field consultations, to complete the evaluation study.

At each of the three stages of the work the consultants will submit a draft report for review by BWDB and the World Bank and finalize the report incorporating the comments and feedback received.

Annex-6: PAP Declaration on Self-Relocation

Declared by: Name: _____ Age: _____ Years
Sex: Male/ Female Father's/Husband's Name: _____
ID No.: _____

Location of Affected Structure:

Embankment Chainage: _____ m Village: _____
Union: _____ Upazila: _____
Polder No.: _____ BWDB Division: _____

Description of Structures: Use: [1] Residential/ [2] Commercial/ [3] Community

Dimensions: Length: _____ ft. Width: _____ ft., Floor Area: _____ sq. Ft.

Construction materials: Fence: _____ Roof: _____

I, the undersigned, hereby declare that I am aware of the need for improvement of the embankment section I am using and have taken the option for self-relocation at my own discretion. I have arranged alternative site for reconstruction of my structure(s).

Signed: _____ Date: _____

Witnessed by (signed with date):

Union Parishad/Municipality
Chairman/Mayor/Member/Councilor

SDE, _____ Field Office,
_____, BWDB

Annex 7: PAP Declarations on Temporary Relocation

Declared by: Name: _____ Age: _____ Years
Sex: Male/ Female Father's/Husband's Name: _____
ID No.: _____

Location of Affected Structure:

Embankment Chainage: _____ m Village: _____
Union: _____ Upazila: _____ Polder
No.: _____ BWDB Division: _____

Description of Structures: Use: [1] Residential/ [2] Commercial/ [3] Community Dimensions:
Length: _____ ft. Width: _____ ft. Floor Area: sft.
Construction materials: Fence: _____ Roof: _____

I, the undersigned, hereby declare that I am aware of the need for improvement of the embankment section I am using and have taken the option for TEMPORARY RELOCATION at my own discretion. I have arranged alternative site for temporary shelter during construction.

Signed: _____ Date: _____

Witnessed by (signed with date):

Union Parishad/Municipality

Chairman/Mayor/Member/Councilor

SDE, _____ Field Office, BWDB

Annex-8: Glossary

“Associated Facilities” means facilities or activities that are not funded as part of the project but are: (a) directly and significantly related to the project; and (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist.

“Census” is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

“Cut-off date” is the date by which PAPs and their affected assets, as relevant, have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

“Involuntary resettlement” means the involuntary taking of land resulting in direct economic and social impacts caused by The involuntary taking of land resulting in relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the PAP has moved to another location and causes adverse impacts on the livelihoods of the displaced persons due to Involuntary restriction of access to legally designated parks and protected areas.

“Land acquisition” refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.

“Livelihood” refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

“Negotiated settlements” refers to situations where the Borrower needs to acquire specific land or restrict its use for project purposes, but rather than doing so through an expropriation proceeding, the Borrower first tries to arrive at a mutually agreeable negotiated settlement with the landowner/user.

“Project affected persons” (PAPs) means persons who are impacted by involuntary resettlement as defined below.

“Resettlement Action Plan (RAP)” is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

“Resettlement Assistance” means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

“Restrictions on land use” refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.

“Security of tenure” means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

“Voluntary Land Donation” means communities or individuals may agree to voluntarily provide land for sub-projects for desired community benefits with “informed consent and power of choice”.

Informed consent means the people involved are fully knowledgeable about the project and its implications and consequences and freely agree to participate in the project. Power of choice refers to the people involved have option to agree or disagree, without adverse consequences imposed formally or informally by others.

DRAFT