

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
LOCAL GOVERNMENT ENGINEERING DEPARTMENT

**TECHNICAL ASSISTANCE ON INTEGRATED
SOLID WASTE MANAGEMENT IMPROVEMENT
PROJECT**

PREPARATION AND DESIGN CONSULTANCY SERVICES

**RESETTLEMENT PLANNING
FRAMEWORK (RPF)**



DOCUMENT LEAD SHEET

Project	Technical Assistance on Integrated Solid Waste Management Improvement Project		
Assignment	Preparation and Design Consultancy Services		
Report	Task 2 –Resettlement Planning Framework (RPF)		
Client	Local Government Engineering Department		
Funding Agency	Asian Infrastructure Investment Bank		
Contract No.	ISWMIP/LGED/S-01	Project No.	

CURRENT ISSUE

Issue No.:	Date:	Reason for Issue:		Client Approval (if required)
B	20.11.2022	Final Report Addressing Client's Comments		
Sign-Off	Originator	Reviewer		
Signature	Mayen Uddin Tazim		Iftekhar Enayetullah	
Date	20.11.2022			

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This RPF is a guiding document of the LGED, prepared by the Social Safeguard Specialist assigned by the LGED. LGED, AIIB, and other respective consultants have reviewed the document and made comments and suggestions, which are responded to finalize the RPF.

PROJECT SYNOPSIS

Project Title	Technical Assistance on Integrated Solid Waste Management Improvement Project
Assignment Title	Preparation and Design Consultancy Services
Task No.	Task I Resettlement Planning Framework
Contract Number:	ISWMIP/LGED/S-01
Client	Local Government Engineering Department
Consultant	Waste Concern Consultants, in association with IPE Global, AQUA and RPMC
Country	People's Republic of Bangladesh
Signature of Contract	27.01.2022
Effective Date	27.01.2022
Commencement	17.02.2022
Project Duration	12 months
Short description and overall Objective	The specific objectives are to: (i) prepare policy recommendations for improving the regulatory and institutional framework (ii) investment sub-project identification and prioritisation; (iii) carry out pre-feasibility studies, detailed feasibility studies, including technical, economic and financial, legal, social and environmental aspects; (iv) prepare detailed engineering designs and cost estimates for a portion of Phase-I sub-projects; (v) prepare all necessary tender documents following AIIB's procurement policy; (vi) prepare environment and social safeguard instruments; (vii) undertake institutional and financial management capacity assessment of the project implementation units at ULB level; and (viii) assist relevant central and local governments including the LGED and participating ULBs in the procurement of works through a period of association following the delivery of outputs.
Client's Project Director	Md. Hamidul Hoque
Funding Agency's Focal Person	Sangmoo Kim

ABBREVIATIONS

AP	Affected Person
ARIPA	Acquisition and Requisition of Immovable Property Act
AIIB	Asian Infrastructure Investment Bank
CCRIP	Coastal Climate Resilient Infrastructure Development Project
CCL	Cash Compensation under Law
CPR	Common Property Resources
DDR	Due Diligence Report
EA	Executive Agency
ESS	Environmental and Social Standards
ESF	Environmental and Social Framework
EP	Entitled Person
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
GBV	Gender based Violence
IoL	Inventory of Losses
ISWMIP	Integrated Solid Waste Management Improvement Project (ISWMIP)
IR	Involuntary Resettlement
IP	Indigenous Peoples
IPP	Indigenous People Plan
IVC	Inventory Verification Committee
LMP	Labour Management Plan
M&E	Monitoring and Evaluation
MOE	Ministry of Environment
MoRTB	Ministry of Road Transport and Bridges
NGO	Non-Governmental Organisations
OFC	Optical Fibre Cable
PSF	Project Preparation Special Fund
PAH	Project Affected Households
PAP	Project Affected Persons
PVAC	Property Valuation Advisory Committee
PIC	Project Implementation Committee
PIA	Project Implementing Agency
PIU	Project Implementation Unit
PMO	Project Management Office
PMU	Project Management Unit
PSC	Project Steering committee
PVAC	Property Valuation Advisory Committee
RPF	Resettlement Planning Framework
RP	Resettlement Plan
RC	Replacement Cost
SC	Steering Committee
LGED	Local Government Engineering Department
RPF	Resettlement Planning Framework
ROW	Right of Way
RSEC	Social and Environmental Circle of LGED
RV	Replacement Value
SES	Socio-economic survey

SEP	Stakeholder Engagement Plan
TOR	Terms of Reference

GLOSSARY

Assistance means support, rehabilitation and restoration measures extended in cash and/or kind over and above the compensation for lost assets.

Bargadar (Tennent), a Bargadar is a person who cultivates the owner's land. The Bargadar has to bear all expenses of cultivation, meaning he has to arrange for the cattle, seed, plow, manure, and irrigation. On the basis of contract agreement with the land's owner. A Bargadar, in most cases, gets 50% of the total production of the crops.

Cash Compensation under Law (CCL) CCL comprises all land acquisition compensation under The Acquisition and Requisition of Immovable Property Act 2017. The Project, to meet the Asian Infrastructure Investment Bank's (AIIB's) Policy on Involuntary Resettlement, also provides project resettlement grants in addition to CCL.

Compensation includes payments in cash or kind for assets acquired or affected by a Project at replacement cost or current market value.

Cut-off Date refers to the date after which eligibility for compensation or resettlement assistance will not be considered. The date of service of notice under Section 4 of the Acquisition and Requisition of Immovable Property Act 2017 is considered to be the cut-off date for recognition of legal compensation and the start date of carrying out the census/inventory of losses is considered the cut-off date for eligibility of resettlement benefits.

Displaced Person (DP), *displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.*

Encroachers include those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project. The term also refers to those extending attached private land into public land.

Entitlements include the range of measures comprising cash/kind compensation, relocation cost, income restoration assistance, transfer assistance, income substitution, and business restoration which are due to AHs, depending on the type and degree/nature of their losses, to restore their social and economic base.

Household: A household includes all persons living and eating together (sharing the same kitchen and cooking food together as a single-family unit).

Inventory of losses includes assets listed during the survey/census as a preliminary record of affected or lost assets.

Non-titled refers to persons who have no recognisable rights or claims to the land that they are occupying and includes people using private or public land without permission, permit or grant i.e., those people without legal title to land and/or structures occupied or used by them.

Project Affected Household includes residential households and commercial & business enterprises except CPRs.

Project Affected Person (PAP) includes any person, affected households (AHs), firms or private institutions who, on account of changes that result from the Project will have their (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing

land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement.

Public Account of the Republic : it mentioned in the Section-23 of the Land Acquisition Act, 2017 that the Deputy Commissioner shall keep the amount of the compensation in a deposit account in the **Public Account of the Republic** which shall be deemed payment of the compensation for the requisitioned property without any prejudice to the claim of the parties to be determined by the Arbitrator.

Relocation means displacement or physical moving of the APs from the affected area to a new area/site and rebuilding homes, infrastructure, provision of assets, including productive land/employment and re-establishing income, livelihoods, living and social systems.

Replacement Cost refers to the value of assets to replace the loss at the current market price or its nearest equivalent and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged.

Replacement Land refers to land affected by the Project that is compensated through the provision of alternative land, rather than cash, of the same size and/or productive capacity as the land lost and is acceptable to the AP.

Resettlement Action Plan (RAP) refers to a time-bound action plan with a budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation. RP is the public document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate for losses, and provide development benefits to persons and communities affected by an investment project.

Resettlement Assistance refers to support provided to people physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost workdays.

Squatters (Informal settlers) include non-titled households, businesses and common establishments on land owned by the Government.

Structures include all buildings, including primary and secondary structures, including houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructures, shops, businesses, fences, and walls.

Vulnerable Households include households that are (i) headed by single women or women with dependents and low incomes, (ii) headed by elderly/ disabled people without means of support, (iii) households that are below the latest nationally defined poverty line, and(iv) households of the indigenous population or ethnic minority.

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The Executive Summary

A. INTRODUCTION

The Resettlement Planning Framework (RPF) has been prepared by the Local Government Engineering Department (LGED) under the Ministry of Local Government, Rural Development and Cooperatives by following the Government of Bangladesh's (GoB) legal policy and Environmental and Social Framework, May 2021 of the Asian Infrastructure Investment Bank (AIIB). This RPF deals with the section of Involuntary Resettlement of AIIB Environmental and Social Standards-2 (ESF2). This RPF will be used as a guidance document of ISWMIP for the preparation of the Resettlement Plan and the subsequent implementation of the subprojects financed by the AIIB. The subprojects under the ISWMIP will be implemented by the respective City Corporations and Puroshava in eight Divisions of the country, guided by a Project Director assigned by the LGED.

B. DESCRIPTION OF THE PROPOSED PROJECT

AIIB is assisting the Government of Bangladesh in planning and implementing the proposed sub-projects under ISWMIP in the different City Corporations and Pouroshova to address the critical issues of environmental hazards and to improve the provision of SWM services in the selected urban cities.

The GoB has received a Project Preparation Special Fund (PSF) from AIIB to support the preparation of the proposed ISWMIP for considering USD500 million in AIIB financing. The PSF is being implemented by the Local Government Engineering Department (LGED) under the Local Government Division (LGD), the Ministry of Local Government Rural Development and Co-operatives (MLGRDC). The investment shall be undertaken in a phased manner with a likely investment size of USD 150 million for Phase I.

The Project will function under the overall guidance of a Steering Committee (SC), which will be chaired by the Secretary, Local Government Division (LGD), the Ministry of Local Government Rural Development and Co-operatives (MLGRDC). The SC will consist of representatives from various Ministries, which will play a significant role in high-level decision-making, ensure seamless coordination among the different governmental actors, and accelerate the implementation of the proposed activities under various Components.

The AIIB supports the current Integrated Solid Waste Management Improvement Project (ISWMIP) will improve the SWM system in the selected municipal areas. This will help:

- (i) improve public health and quality of life by reducing exposure to pollutants and disease vectors associated with solid waste;
- (ii) strengthen the Government's capacity to plan for and implement effective waste management services; and
- (iii) Improve SWM practices in the country, encouraging waste minimization, recycling, and segregation at source. The Project has aligned with the Government of Bangladesh (GoB)'s priorities for providing sustainable urban infrastructure. The country is facing, in particular, an immense challenge in tackling its solid waste management. The Project would directly contribute to one of the key objectives of the 8th Five Year Plan and the long-term Perspective Plan for 2020-2025, improving the urban environment and quality of life.

C. OBJECTIVE OF THE RESETTLEMENT PLANNING FRAMEWORK

The objectives of the Resettlement Planning Framework (RPF) are to provide policies and procedures to determine requirements of the AIIB's ESS 2 on Involuntary Resettlement, to assess potential risks and impacts, identify detailed steps to develop appropriate mitigation measures, including mitigation and compensation plan for the impact caused by implementing the subprojects.

The Local Government Engineering Department (LGED) of the GOB intends to utilize financial support from the AIIB to strengthen the institutional and service delivery systems for solid waste management services in urban areas of selected City Corporations and Pouroshovas in the different districts in eight divisions in Bangladesh by implementing the ISWMI project. The Project Objective is to strengthen the institutional and service delivery systems for municipal solid waste management through implementing the following components.

- i. **Component 1: Waste Collection and Transportation;**
- ii. **Component 2: Waste Processing and Disposal System;**
- iii. **Component 3: Project Management and Supervision Support; and**
- iv. **Component 4: Policy Support and Capacity Building.**

D. JUSTIFICATION OF THE RPF

This RPF document expresses the Government's commitment to avoid any negative impacts due to the project interventions or to mitigate them, ensuring that the DPs are able to maintain or improve their livelihood at the end of the Project. The RMF is a formally agreed and approved document between the Government and AIIB. Gaps between national law and AIIB Social Safeguard Framework are identified and bridging measures are included in the Entitlement Matrix along with major types of losses and the corresponding nature and scope of entitlements in accordance with GoB's LAR and AIIB's ESS 2 relating to safeguard requirements for the Project.

The document incorporates a Land Acquisition and Resettlement Entitlement Matrix consistent with this Project. The basic justifications of the RMF are to:

- guide the EA for compensating Project Affected People properly,
- serve as a binding document to ensure DPs will be assisted and paid compensation, and
- provide direction preparing, implementing and monitoring sub-project RPs. The Executing Agency (EA) will be responsible for ensuring the preparation and implementation of Resettlement Plans (RPs) consistent with this RMF.
- Where the entitlement matrix does not cover a particular impact, it can be enhanced in the resettlement plans based on the findings of the socio-economic assessment and detailed census survey. Standards described will not be lowered but can be enhanced in the subproject RPs as required.

E. SCOPE OF WORK AND NEEDS OF RESETTLEMENT PLANNING FRAMEWORK

It is anticipated that the sub-projects under ISWMIP will primarily require private land dealing with the land acquisition for which IR impacts are observed. Consequent to this land acquisition and IR impacts, there may be a potential need for the resettlement and livelihood restoration program for landowners, project-affected persons, and non-title landowners/ squatters who are using/occupying the lands of others. Thus, this RPF has been prepared for those sub-projects that may entail involuntary resettlement and impacts on the livelihood of communities. In addition, to abide by the legal and policy framework of the GOB, the RPF defines eligibility criteria and entitlements for the Project Affected Persons (PAPs) and, as and when required, to ensure livelihood restoration, relocation, and rehabilitation in line with the Social Safeguards Policy of AIIB.

Scope of Application: In line with the AIIB Social Policy Framework, once the sub-projects are identified and designed and specific information becomes available, the Resettlement Planning Framework (RPF) needs to be expanded and used to prepare Resettlement Action Plan (RAP) after applying to all sub-projects under ISWMIP. RAPs (as required) are proportionate to potential risks and impacts applicable to activities requiring the payment of compensation for the lost properties /assets and resettlement of the Project Affected Persons (PAPs). The EA is required to manage the environmental and social risks and impacts associated with its Project in a manner designed for the application to AIIB Environmental and Social Standards-2 (ESF2), 2021.

F. LAND REQUIREMENT

Investment for construction of infrastructure will only start when land ownership, and development rights are secured for waste management facilities. However, during initial field visits to different city corporations and Pouroshova to determine the availability of lands with the EA, in most cases, about 98% , of lands are belonging to them (city corporations and Pouroshova). Despite the fact that, the following points to be addressed in case of the land availability risks and the risk mitigation plan before the implementation :

- identification of unencumbered government land for new processing and disposal facilities, identification and rehabilitation of existing dumpsites;
- identification of private land parcels for acquisition under the Rights to Fair Compensation dealing with the Land Acquisition Acts of the GOB, 2017 and the AIIB framework agreement;
- develop incremental disposal cells at the local smaller dumpsites as interim disposal facilities.

G. LEGAL & POLICY FRAMEWORK

This Resettlement Planning Framework (LPF) is prepared in connection with the social safeguard and land acquisition upon the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) of Bangladesh and AIIB's ESF, specifically ESS2. The primary objective of ESS2 is to ensure that PAPs are provided appropriate compensation for affecting their livelihoods due to the implementation of development project and is required to assist them in improving or, at a very minimum restore, their former living standards, income earning capacity, and production levels. Details are mentioned in the chapter-10 of this report.

H. AIIB's ENVIRONMENTAL AND SOCIAL POLICY

The AIIB Environmental and Social Policy applies to the Project funded by it (AIIB) and sets out the general processes and requirements for project screening and categorization, environmental and social due diligence, environmental and social assessment, environmental and social management plans, environmental and social assessment tools and management plan framework, information disclosure, public consultation, monitoring and reporting as well as grievance redress. It also defines the roles and responsibilities between the Bank and the clients. The Policy must be complied with to secure AIIB financing for the development projects.

I. AIIB'S INVOLUNTARY RESETTLEMENT, ESS 2:

In line with the Social Standard 2 of the AIIB ESF 2021, Involuntary Resettlement Standard aims to avoid involuntary resettlement wherever possible; to minimize Involuntary Resettlement by exploring Project alternatives, where avoidance is not feasible, to enhance or at least restore the livelihoods of displaced persons in real terms relative to the pre-project levels, to improve the overall socio-economic status of the displaced poor and other vulnerable groups, and to conceive and implement resettlement activities as sustainable development programmes, providing sufficient resources to enable the persons displaced by the project to share in project benefits. Thus, the EA/ IE will follow the AIIB's principle of the Social Standard during the preparation and implementation of RPs for the sub-projects under ISVMIP.

J. BANGLADESH LAWS AND REGULATIONS

This chapter will cover the compensation of the Project Affected Persons (PAPs) due to Involuntary Resettlement (IR) impacts under the Land Acquisition, Requisition and Immobile Property Acts 2017. In addition, other policies concerning solid waste management and labor laws are to be addressed.

The legislation governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Act (ARIPA), 2017. The ARIPA, 2017 requires that compensation will be paid for (i) land and assets permanently acquired (including standing crops, trees, and houses); and (ii) any other damages caused by such acquisition. The Act 2017 provides certain safeguards for the owners and has provision for payment of "fair value" for the property acquired. The landowner can appeal against land acquisition within 15 (fifteen) days of notice under Section 4 of the Act 2017. Despite this, the Act 2017 does not cover Project-affected Persons without titles or ownership records, such as informal settler/squatters, occupiers, and informal tenants and leaseholders (without document). It does not ensure the replacement value of the property acquired. The Act has no provision of resettlement assistance and transitional allowances for restoration of livelihoods of the non-titled Project affected persons.

The Deputy Commissioner (DC) determines the "market value" of acquired assets on the date of notice of acquisition served (under Section 4 of the Act 2017). The DC then adds a 200% premium of the assessed value of land for cash compensation under the law (CCL) for government acquisitions. The CCL paid for land is generally less than the "market value" as owners customarily report lower values during registration to avoid and pay fewer taxes. Suppose acquired Land has standing crops cultivated by the tenant (bargadar is said in Bangla) under a legally constituted written agreement. In that case, the law requires that part of the compensation money be paid in cash to the tenants as per the agreement. The DC adds a 100% premium of the assessed value to compensate for the loss of structures, crops, and trees. **Details are mentioned in the chapter 10.4 of this report.**

K. AIIB POLICIES

AIIB considers a fundamental aspect of achieving outcomes consistent with its mandate to support infrastructure development and enhance interconnectivity in Asia. AIIB has a policy in the name of "Environmental and Social Standards (ESS)" to address environmental and social sustainability issues. The objective of its principal policy is to facilitate the achievement of development outcomes through a system that integrates sound environmental and social management into Projects.

AIIB has three associated environmental and social standards (ESSs), which set out more detailed mandatory environmental and social requirements relating to the following:

- **ESS 1: Environmental and Social Assessment and Management (ESS 1)**
- **ESS 2: Involuntary Resettlement (ESS 2)**
- **ESS 3: Indigenous Peoples (ESS 3)**

L. AIIB ESS2: RESETTLEMENT & RELOCATION PRINCIPLES

This chapter will cover the AIIB's principles of resettlement and relocation from the perspective of social safeguards and resettlement principles to address land acquisition, restrictions on land use, and involuntary resettlement impacts. AIIB ESF policy deals with the objectives of social safeguards are to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in comparison to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. Accordingly, in the case of implementing the sub-projects under ISWMIP, AIIB's ESS 2 will need to be applied to all components of the sub-projects owing to involuntary resettlement being directly related to the subproject activities.

M. ELIGIBILITY & ENTITLEMENT CRITERIA

This chapter outlines the eligibility and entitlement framework detailed in the entitlement matrix in line with the laws and regulations of Bangladesh and AIIB's Environment and Social Framework 2021. And all tasks related to resettlement of the Project will be implemented by following the eligibility and entitlement framework detailed in the entitlement matrix (chapter-7 of this report). RP of each sub-project will incline the actual compensation measures adopted based on entitlements stipulated in the RP. Persons affected by a sub-project under the ISWMIP are eligible for resettlement compensation or at least relocation/ rehabilitation entitlements for their loss of assets and incomes. And the following three main points are to be identified in the beginning to determine the eligibility of the affected persons:

- Who has formal legal rights to land or assets?
- 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,
- Who has no recognizable legal right or claim to the land or assets but occupies or uses the land as a non-title landowner?

In principle, this Resettlement Planning Framework (RPF) is designed as the resettlement guideline for the Project, which is to :

- (a) determine all displaced persons irrespective of their title to Land,
- (b) provide compensation for lost assets, and
- (c) facilitate restoration or enhance the livelihoods of all categories of PAPs or displaced persons.

N. Institutional Roles and Responsibilities For RP Implementation

This chapter describes in detail the intuitional arrangement, roles and responsibilities of the EA, and others' intuitions in the implementation process for each subproject under the ISWIMP . At the implementation level of the project, apart from the PIU of the LGED and City Corporations/ Pouroshova, other governments and non-government agencies need to be involved in the process of the RP implementation. These agencies will play a vital role in determining the assessment and valuation of the affected properties for paying compensation to the affected persons. , which are:

Assigned NGO. Public Works Department (PWD), Department of Forest (DoF), Deputy Commissioner (DC), Dept. of Agriculture Extension (DAE), District Land Acquisition Officer assigned by The DC, Land Registry Office, Word Commissioners. Each agency has a specific task in the implementation process of the RP. For example, A Property Valuation Advisory Committee (PAVC) and Joint Verification Committee will be formed comprising the assigned officers of the PWD and the DoF, including the representative from City Corporations, LGED, DC Office, NGO, Local Govt. representatives (Word Commissioners) and Project Affected Persons in order to determine the affected assets and valuation of those assets for the recommendation of the compensation.

O. Ministry Of Local Government, Rural Development & Cooperatives

The LGED, under the Ministry of LGRD & C, Rural Development Division, will be Executing Agency (EA) responsible for implementing the RPs. LGED shall establish a Project Management Unit (PMU) for the Project, headed by a Project Director (PD) responsible for the overall execution of the Project. The EA also will set up a Sub-projects Management Office (SMOs) headed by the Executive Engineer of the respective City Corporation / Pouroshava. The PD may hire an experienced Resettlement Consultant and implementing NGO to assist the EA in implementing the resettlement program. To expedite the process, the RP implementing NGO will coordinate with the DC office and assist EA in the land acquisition process. EA will engage a Management Supervisory Consultant (MSC) in carrying out a range of activities, including implementing and monitoring the safeguards aspects of the project. The Ministry of LGRD will constitute required committees, i.e. Joint Verification Team (JVT),

Property Valuation Advisory Committee (PVAC), Grievance Redress Committee (GRC) etc., with the involvement of representatives from LGED, DC, NGO, LGI and PAPs.

The Ministry of LGRD&C, through a gazette notification/administrative circular, shall form various committees/teams involving representatives from DC, LGED, LGI and APs for implementation of the RP at the field level. These committees/teams will ensure stakeholders' participation and uphold the interests of the vulnerable DPs. The powers and jurisdictions of the committees will be clearly defined in the gazette notification. The EA also will set up a Sub Management Office (SMO) headed by the Executive Engineer of the concerned Pouroshova/ City Corporation in the district, which will work under the PMU. The respective Executive Engineer will prepare a LA plan to be acquired for each subproject found with the land acquisition & resettlement impacts and shall submit it to the concerned DC.

P. Project Director/ Project Implementation Unit

At the Project level, ISWMIP will exercise its functions through a PIU. The PIU will be responsible for the general project execution of the project and streamline the safeguards-related tasks of different sub-projects headed by the PD. The PIU is responsible for ensuring compliance with the national and AIB environmental and social safeguard requirements, including preparing RPs and other management plans.

The PD will be responsible for implementing the safeguards instruments for all sub-projects and for maintaining regular contact with the local community and authorities. The PD will collect information and progress on social safeguards compliance from the PIU, which will be tasked with day-to-day project-related activities at the subproject level. The PIU will be established to serve as a central unit for providing technical backstopping regarding safeguards management for all sub-projects and has the overall responsibility for planning, implementation and supervision of safeguard functions described in this RMF.

Q. Grievance Redress Committee Under Grievance Redress Mechanism

It is required to explain the necessity and existing GRM mechanism in place and the formation of a grievance redress committee (GRC) in the right places as an institution responsible for project implementation to address the grievances of PAPs to resolve the issues during the implementation of the Project.

During the sub-project implementation, the Grievance Redress Committee (GRC) is essentially required to be formed at the Pouroshava/ City Corporation following the approved Resettlement Framework. The objective of the formation of the Grievance Redress Committee (GRC) is to resolve complaints as quickly as possible and at the local level through a conciliation process; and, if that is not possible, to provide clear and transparent procedures for appeal. A well-defined grievance redress and resolution mechanism have to be established to resolve grievances and complaints promptly and satisfactorily. All affected persons will be made fully aware of the grievances redress procedures and will be publicized through an effective public information campaign.

R. Stakeholders Consultation & Information Dissemination

In all stages of the project cycle, from the planning to implementation of commencing the civil construction works, information dissemination among the affected people and other stakeholders concerned will help understand and make trust in the project's benefits and also make them aware of the adverse impacts of the project which should be minimized in finding choices. Stakeholders' consultations should begin with the initial social assessment activities during the project preparation phases and will be continued as a constant process. Affected Persons (AP) are regularly provided with information on the project and the resettlement process before and during the RAP preparation and implementation stage.

S. Disclosing Of Information

Disclosing the information will need to be done to the stakeholders, essentially covering the topics of the compensation package in the national policy on Involuntary Resettlement. LGED will ensure to conduct the consultation process throughout the project cycle from the very beginning to the end of the implementation among the PAPs and stakeholders of the project and will take the following steps

- (i) A draft resettlement plan endorsed by the EA before the project appraisal
- (ii) The final resettlement plan endorsed by the EA after the census of affected persons has been completed
- (iii) A new resettlement plan or an updated resettlement plan, and a corrective action plan to be prepared during project implementation, if required; and
- (iv) The resettlement monitoring reports

T. Monitoring And Reporting

IAIB and the EA will have complementary actions for planning and implementing the project activities for which the extent of monitoring activities, including their scope and periodicity, corresponds to the Project's risks, and impacts are to be identified.

Monitoring and Reporting by the Client, AIB requires the Client to (a) implement the Project in compliance with the ESMP, ESMPF, LARP/LAP/RP, LARPF/LAPF/RPF, IPP and IPPF (as applicable) or other Bank-approved documentation, and any other environmental and social obligations in the Legal Agreements for the Project; and (b) prepare and furnish to the Bank periodic monitoring reports on the Client's performance under the Project relating to environmental and social risks and impacts. This may include information on health and safety issues and implementation phase consultations.

In order to determine the outcomes of the resettlement and its impact, Internal and External monitoring processes will be proposed in the RP for each subproject by incorporating the appropriate Monitoring Indicators. The EA will be assigned the experienced staff and hire the Monitoring Expert both for Internal and external monitoring.

U. Preparation Of Cost Estimates

The resettlement Budget for each sub-project must be prepared by the Management Consultant in consulting with the Pouroshava/City Corporation to be incorporated into the RAP. The budget will spell out the estimated cost for acquired land, affected structures and trees, replacement costs, and skill training for the affected households. The calculation and estimation of cost for acquired lands are to be assessed based on the information derived from the socio-economic households' survey and discussions with affected landowners as well as other stakeholders concerned.

All land acquisition, compensation, relocation and rehabilitation, administrative expenses, monitoring, consultant & implementation NGO costs, if appointed, and income and livelihood restoration costs will be considered an integral component of project costs and timely disbursement of funds will be required for efficient RP implementation. The PD will be responsible for allocating the funds on time, which needs to implement each RP under each subproject included in the overall project estimate.

I. PROJECT DESCRIPTION & BACKGROUND

I.1 INTRODUCTION

The Resettlement Planning Framework (RPF) has been prepared by the Local Government Engineering Department (LGED) under the Ministry of Local Government, Rural Development and Cooperatives by following the Government of Bangladesh's (GoB) legal policy and Environmental and Social Framework, May 2021 of the Asian Infrastructure Investment Bank (AIIB). This RPF deals with the section of Involuntary Resettlement of AIIB Environmental and Social Standards-2 (ESF2). This RPF will be used as a guidance document of ISWMIP for the preparation of the Resettlement Plan and the subsequent implementation of the subprojects financed by the AIIB. The subprojects under the ISWMIP will be implemented by the respective City Corporations and Puroshava in eight Divisions of the country, guided by a Project Director assigned by the LGED.

Bangladesh is one of the region's fastest and most densely populated countries, putting significant pressure on basic urban services and infrastructure. Solid Waste Management (SWM) has been one of the significant urban challenges in the country, given its rapid urban growth. Despite the Government's efforts to improve the SWM system, waste collection and disposal capacity is still limited. Less than half of the total waste generated is collected, while uncollected waste is often informally burned, buried, or illegally dumped in streets, public spaces, drainage channels, and waterways. This has resulted not only in public health hazards and the contamination of the environment, including air, water, and soil but also in the blocking of major drainage channels and sewerage networks.

The current Integrated Solid Waste Management Improvement Project (ISWMIP) supported by the AIIB, therefore, will improve the SWM system in selected municipal areas. This will help: (i) improve public health and quality of life by reducing exposure to pollutants and disease vectors associated with solid waste; (ii) strengthen the Government's capacity to plan for and implement effective waste management services; and (iii) improve SWM practices in the country, encouraging waste minimisation, recycling, and segregation at source. The Project has aligned with the Government of Bangladesh (GoB)'s priorities for providing sustainable urban infrastructure. The country is facing, in particular, an immense challenge in tackling its solid waste management. The Project would directly contribute to one of the key objectives of the 8th Five Year Plan and the long-term Perspective Plan for 2020-2025, which is to improve the urban environment and quality of life.

I.2 DESCRIPTION OF THE PROPOSED PROJECT COMPONENTS

AIIB is assisting the Government of Bangladesh in planning and implementing the proposed sub-projects under ISWMIP in the different City Corporations and Pouroshova to address the critical issues of environmental hazards and to improve the provision of SWM services in the selected urban cities.

The GoB has received a Project Preparation Special Fund (PSF) from AIIB to support the preparation of the proposed ISWMIP for considering USD500 million in AIIB financing. The PSF is being implemented by the Local Government Engineering Department (LGED) under the Local Government Division (LGD), the Ministry of Local Government Rural Development and Co-operatives (MLGRDC). The investment shall be undertaken in a phased manner with a likely investment size of USD 150 million for Phase I.

The Project will function under the overall guidance of a Steering Committee (SC), which will be chaired by the Secretary, Local Government Division (LGD), the Ministry of Local Government Rural Development and Co-operatives (MLGRDC). The SC will consist of representatives from various Ministries. The SC will play a significant role in high-level decision-making, ensure seamless coordination among the different governmental actors, and accelerate the implementation of the proposed activities under various Components.

- I. The following four components are covered in the sub-projects under ISWMIP:
 - **Component 1: Waste Collection and Transportation.** This will help improve and optimize solid waste collection and transport services in selected Urban Local Bodies (ULBs), including collection containers and fleet, mechanical cleaning equipment, transfer stations etc.
 - **Component 2: Waste Processing and Disposal Systems.** This will finance prioritized waste processing and disposal infrastructure, including the closure of polluted landfill sites, construction and

rehabilitation of engineered sanitary landfills (standalone or regional/ clustered), and provision of facilities related to composting, resource recovery, and waste-to-energy.

- **Component 3: Project Management and Supervision Support.** This will support in the areas of project management, monitoring and evaluation, procurement, financial management, environmental and social safeguards (including public awareness campaigns and public consultation), and provision of support with respect to supervision and maintenance of infrastructure investments.
- **Component 4: Policy Support and Capacity Building.** This will support (i) improvement of the SWM sector policy and legal framework; (ii) policy and guideline development related to waste minimisation and recycling, private sector participation, inclusion of informal workers, and multi-jurisdictional waste management; and (iii) institutional capacity strengthening for relevant central and local agencies in SWM.

1.3 OBJECTIVE OF THE RESETTLEMENT PLANNING FRAMEWORK

The objectives of the Resettlement Planning Framework (RPF) are to provide policies and procedures to determine requirements of the AIIB's ESS 2 on Involuntary Resettlement, to assess potential risks and impacts, identify detailed steps to develop appropriate mitigation measures, including mitigation and compensation plan for the impact caused by implementing the subprojects dealing with the SWM under the ISWMIP. Virtually, this RPF covers the following precisely:

- In comparing with AIIB's ESS 2 on Involuntary Resettlement for identifying gaps and providing gap-filling measures, it reviews the existing national legal and regulatory framework of Bangladesh.
- It defines and addresses the process for preparing RP/s, cut-off dates for the title and non-title holders, valuation process of impacted assets/ properties etc.
- It provides principles and methods required to be used in the valuation of losses and a description of eligibility and entitlements.
- It identifies the consultation mechanism and approaches to be adopted while preparing and implementing RPs, including public disclosure.
- It describes and defines the roles and responsibilities of different stakeholders and monitoring and tools of evaluation of subprojects.
- It outlines the legal framework, eligibility criteria of displaced population, valuation methodology of the affected assets, compensation provision, and entitlement matrix and implementation process.
- It summaries the implementation arrangement, including the schedule and grievance redress mechanism
- It summaries principles and objectives governing resettlement preparation and implementation
- It addresses the significance of due diligence and its procedures in case the Project's interventions deal with the SWM.
- It also addresses the overall capacity of the LGED's Social and Environmental component to identify the impacts and manage the related risks in line with AIIB ESS 2.

1.4 SOCIAL POLICY FRAMEWORK OF AIIB

AIIB has disclosed the Environmental and Social Policy Framework (ESF), 2021, which deals with its client/borrower for the projects financed by it (AIIB). The Environmental and Social Policy Framework (ESF) comprises each Project's mandatory environmental and social requirements. It is accompanied by: (a) the associated mandatory Environmental and Social Standards (ESSs) setting out requirements applicable to AIIB Clients on Environmental and Social Assessment and Management; Land Acquisition and Involuntary Resettlement and Indigenous Peoples; and (b) an Environmental and Social Exclusion List (ESEL). Thus, it is required to highlight the ESF as part of due diligence for AIIB. And the social safeguards issues of the Land Acquisition & Resettlement Plan (LARP) need to be addressed by following this Resettlement Planning Framework (RPF) during the implementation of the sub-projects of the solid waste management in covering the agreed upon 4 (four) components.

1.5 SCOPE OF WORK AND NEEDS OF RESETTLEMENT PLANNING FRAMEWORK

It is anticipated that the sub-projects under ISWMIP will primarily require private land dealing with the land acquisition for which IR impacts are observed. Consequent to this land acquisition and IR impacts, there may be a potential need for the resettlement and livelihood restoration program for landowners, project-affected persons, and non-title landowners/ squatters who are using/occupying the lands of others. Thus, this RMF has

been prepared for those sub-projects that may entail involuntary resettlement and impacts on the livelihood of communities. In addition, to abide by the legal and policy framework of the GOB, the RPF defines eligibility criteria and entitlements for the Project Affected Persons (PAPs) and, as and when required, to ensure livelihood restoration, relocation, and rehabilitation in line with the Social Safeguards Policy of AIIB.

Scope of Application: In line with the AIIB Social Policy Framework, once the sub-projects are identified and designed and specific information becomes available, the Resettlement Planning Framework (RPF) needs to be expanded and used to prepare Resettlement Action Plan (RAP) after applying to all sub-projects under ISWMIP. RAPs (as required) are proportionate to potential risks and impacts applicable to activities requiring the payment of compensation for the lost properties /assets and resettlement of the Project Affected Persons (PAPs). The EA is required to manage the environmental and social risks and impacts associated with its Project in a manner designed for the application to AIIB Environmental and Social Standards-2 (ESF2), 2021.

2. OVERVIEW, PRINCIPAL & OBJECTIVES OF RESETTLEMENT PLANNING FRAMEWORK

2.1 OVERVIEW OF THE RESETTLEMENT PLANNING FRAMEWORK (RPF)

Following the AIIB Environmental and Social Framework (ESF), 2021 and the applicable laws and regulations of the GoB, this RPF has been prepared for the Integrated Solid Waste Management Improvement Project (ISWMIP). And it requires spelling out the policy and operational guidelines of the resettlement principles, objectives and implementation procedures for which the legal, institutional and implementation framework for the compensation of lost assets, livelihoods, community property, relocation and the resettlement/relocation of Project Affected Persons (PAPs). In addition, the eligibility criteria of the PAPs, entitlements, modes of compensation and resettlement, participation, consultation procedures and grievance redress mechanisms are described in this document.

For each sub-project, a Resettlement Action Plan (RAP) is required for facilitating the relocation/ resettlement of PAPs in which the adverse social, financial and physical impacts will be addressed and incorporated to determine the detailed compensation and administrative budgets, as well as an implementation schedule linking to resettlement activities before commencing the civil construction works. The RAPs will be prepared in accordance with the principles included in this RPF.

2.2 PRINCIPLE OF RESETTLEMENT PLANNING FRAMEWORK

The Resettlement Planning Framework (RPF) document expresses the Government's commitment to avoid any negative impacts due to the Project's interventions or mitigate them, ensuring that the PAPs can maintain or improve their livelihood at the end of the Project. In principle, the RPF is:

- I. to guide the EA in compensating PAPs properly
- II. to serve as a binding document to ensure PAPs are assisted and paid compensation, and
- III. to provide direction in preparing, monitoring and implementing the RAPs of sub-projects. The document incorporates a Land Acquisition and Resettlement Entitlement Matrix consistent with this Project.

The RPF is a formally agreed document between the Government and AIIB. The Executing Agency (EA) will ensure the preparation and implementation of the Resettlement Plan (RP) for each sub-project consistent with this RPF. Gaps between the national law of Bangladesh and AIIB's ESF 2021 are identified, and bridging measures are included in the Entitlement Matrix (EM) along with major types of losses and the corresponding nature and scope of entitlements in line with GoB's Land Acquisition, Requisition and Immovable Property Acts 2017 and AIIB's Safeguard Policy, 2021, relating to safeguarding requirements for the Project. If the EM does not cover a particular impact, it can be enhanced in the RAP, based on the findings of the socio-economic assessment and detailed census survey. Nevertheless, the social safeguard standards described in the document will not be lowered; to some extent, it can be enhanced in the sub-projects RAPs as per requirements. In line with the AIIB ESS2, the principle of RPF are:

- I. To avoid Involuntary Resettlement (IR) wherever possible
- II. To minimise IR by exploring project alternatives
- III. Where avoidance of IR is not feasible to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels
- IV. To improve the overall socio-economic status of the displaced poor and other vulnerable groups; and
- V. To conceive and implement resettlement activities as sustainable development programs, providing sufficient resources to enable the persons displaced by the Project to share in project benefits

2.3 OBJECTIVE OF THE RESETTLEMENT PLANNING FRAMEWORK

The RPF provides policies and procedures to determine requirements of the AIIB's ESS 2 on IR, to assess potential risks and impacts, to identify detailed steps to find and prepare appropriate mitigation measures, including mitigation and compensation for the impacts due to the intervention of the sub-projects under the ISWMIP. Finally, in short, the RPF covers the following objectives:

- In comparing with the AIIB's Environmental and Social Framework, 2021 at the discussion points of ESS 2 on IR for identifying gaps and providing gap-filling measures, it is required to review of the existing national legal and regulatory framework of Bangladesh
- Outlines the process for preparing RPs, cut-off dates for the title and non-title holders, valuation process of affected assets/ properties etc.
- Addresses the principles and methods to be used in the valuation of losses and identify the criteria of eligibility and entitlements
- Summaries of the consultation methods and mechanisms to be adopted while preparing and implementing RPs
- outline the monitoring and evaluation arrangement and roles and responsibilities of different stakeholders
- Outlines the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, and entitlement matrix and implementation process.
- Outlines implementation arrangement including schedule and grievance redress mechanism
- Outlines principles and objectives governing resettlement preparation and implementation
- Explains the due diligence procedures in case of project interventions linked to activities financed by AIIB.
- Institutional Capacity Development of the LGED in case of preparing and implementing RAPs for sub-projects in identifying the impacts and managing the related risks.

3. SOCIAL CONTEXT AND BASELINE CONDITIONS

3.1 OVERVIEW

This chapter will cover the socio-economic conditions of each sub-project of urban cities under the selected Pouroshava/City Corporation concerning SWM, which faces severe environmental hazards and provides service delivery. The key issues and challenges are unplanned infrastructure and encroachments by unplanned low-income settlements in which dumping of uncollected solid waste into drains, inside the roads, and paddy lands are observed. And these wastes have not been removed; consequently, these hazards create mosquitos, viral disease, and smell spreading by air which affect the health of urban citizens.

The Project will potentially support the design and development of solutions to improve the treatment of non-municipal waste streams such as households, shops, medical, industrial, or construction waste, which will involve:

- An assessment of existing systems for collection, transport, and disposal of various waste streams
- The identification of critical gaps to be addressed through improving processes, investments, and technological solutions
- The development of service improvement plans needed to build fully functional solutions for specific streams and,
- The identification of priority investments, including technical specifications for transport and disposal solutions, optimal locations for facilities, contractual arrangements, et al. The Project will support the implementation of the plans through financing priority investments.

Given the preliminary information available from the Pouroshava/City Corporations, social baseline conditions of the sub-project sites are provided in the following chapter:



Figure 1 Dumping Place on the land belonging to the Pouroshova of Dinajpur

3.2 PROPOSED SUB-PROJECTS CITIES & LOCATIONS

Primarily the following city corporations and pouroshova have been considered through the physical visits by the consultants during the feasibility phase in which lands are found available with the EA:

Table I Selected sub-projects under City Corporation & Puroshava

SI No	City Corporation/Paurashava	Name of the sub-project	Availability of the land for sub-projects	Households or private structures within the sub-project boundary
1	Raishahi City Corporation	ISWMIP	Land is available, belongs to City Corporation	No
2	Rangpur City Corporation	ISWMIP	Land is available, belongs to City Corporation	No
3	Chattogram City Corporation	ISWMIP	Land is available, belongs to City Corporation	No
4	Kushtia	ISWMIP	Land is available, belongs to Paurashava	No
5	Munshiganj	ISWMIP	Land is available, belongs to Paurashava	No
6	Bhola	ISWMIP	Land is available, belongs to Paurashava	No
7	Kishoreganj	ISWMIP	Land is available, belongs to Paurashava	No
8	Chapai Nawabganj	ISWMIP	Land is available, belongs to Paurashava	No
9	Faridpur	ISWMIP	Land is available, belongs to Paurashava	No
10	Magura	ISWMIP	Land is available, belongs to Paurashava	No
11	B-Baria	ISWMIP	Land is available, belongs to Paurashava	No
12	Moulibajar	ISWMIP	Land is available, belongs to Paurashava	No
13	Manikganj	ISWMIP	Land is available, belongs to Paurashava	No
14	Lalmonirhat	ISWMIP	Land is available, belongs to Paurashava	No
15	Joypurhat	ISWMIP	Land is available, belongs to Paurashava	No
16	Netrokona	ISWMIP	Land is available, belongs to Paurashava	No
17	Naogaon	ISWMIP	Land is available, belongs to Paurashava	No
18	Chandpur	ISWMIP	Land is available, belongs to Paurashava	No
19	Noakhali	ISWMIP	Land is available, belongs to Paurashava	No
20	Dinajpur	ISWMIP	Land is available, belongs to Paurashava	No

ISWMIP=Integrated Solid Waste Management Improvement Project

4. PREPARING AND APPROVING RESETTLEMENT PROCESS

4.1 SOCIAL IMPACT ASSESSMENT

This chapter will cover the preparation of the Resettlement Action Plan (RAP) for each sub-project with resettlement impacts for which the respective sub-project will require a detailed social impact assessment. And the social impact assessment needs to be done through social screening of sub-projects by following the project criteria.

A Detailed Measurement Survey (DMS), census and Socio-Economic Survey (SES) of PAPs, and Valuation of lost Assets (VLA) will be done. The results of the Social Impact Assessment will be presented in aggregate form in the subproject RPs, and the impacts inventory link to the respective PAPs will be incorporated in the annexes to the RP document.

4.2 SUBPROJECT CATEGORISATION CONTEXT & SOCIAL DUE DILIGENCE

In line with the AIIB framework guideline/requirement, the purpose of Screening and CATEGORISATION has to be performed at the beginning for each of the proposed sub-projects to determine the nature and level of the obligatory environmental and social review, type of social safeguard impacts. The Categorization needs to consider the nature, location, sensitivity and scale of the sub-project and must be assessed proportionally to the significance of its potential social risks and impacts.

4.3 SCREENING & CATEGORISATION I

For the sub-projects under ISWMIP, an initial impact assessment will be carried out as a screening exercise to determine potential social impacts for RP preparation, implementation and monitoring requirements based on the severity of impacts. The RP will be detailed and comprehensive for each sub-project, cover all affected persons, and address all adverse social impacts by following the RPF. Finally, in line with the AIIB's ESF, the following CATEGORISATION will be followed during the screening of each sub-project under ISWMS:

Category A

A Project is categorized A if it is likely to have significant adverse environmental and social impacts that are irreversible, cumulative, diverse, or unprecedented. These impacts may affect an area larger than the sites or facilities subject to physical works and may be temporary or permanent.

In this case, it is required to conduct a social impact assessment (SIA) for each 'Category A' Project and to prepare Social Management Planning Framework (SMPF), which can be included in the SIA report for the Project. The SIA for a 'Category A' Project examines the project's potential social risks and impacts, both positive and adverse, compares them with those of feasible alternatives (including the "without Project" alternative), and recommends any measures needed to avoid, minimise, mitigate, offset or compensate for adverse impacts and improve environmental and social performance of the Project.

Category B

A Project is categorized B if: (i) it has a limited number of potentially adverse environmental and social impacts; (ii) the impacts are not unprecedented; (iii) few, if any of them are irreversible or cumulative; (iv) these are limited to the project area; and (v) these can be managed appropriately using good practice in an operational setting.

In the above case, it is required to conduct an initial review of the social risks and impacts of the Project. Based on this review, the EA will determine to use the appropriate instrument to assess the Project's social risks and consequences for each sub-project. The commonly used tools for Category B include a Social Management Plan (SMP) or a Social Management Planning Framework (SMPF).

Category C

A Project is categorized as C if it is likely to have minimal or no adverse environmental and social impacts. It does not require an environmental and social assessment, but it is required to prepare an analysis of the environmental and social aspects of the Project.

¹ Categorizations are defined based on the AIIB Safeguard Policy 2021

In the case of sub-projects under ISWMP, it is anticipated that the sub-projects will be considered mainly in the B Category, in which obtaining the available Land is a vital issue as it (sub-project) will be screened in the beginning.

It is anticipated that during the implementation of each sub-project, the surrounding communities, especially landowners, will be adversely affected due to the acquisition of lands by the EA for the SWM project. In practice, the Executive Agency (EA) can obtain Land by taking steps in the following ways mainly:

4.4 CENSUS SURVEY

The census survey will determine the entitlement to receive compensation, assistance, relocation, and other assistance from the EA/ Project Authority concerned. The purpose of the census survey is to identify and determine PAPs entitled for compensation, appropriate assistance, and other benefits from the EA for which 100 per cent of the only affected households must be covered under the survey. The inventory of affected assets and other losses will be itemized by enumerating losses of each category of structure, and other assets, which will help provide compensation for the lost assets. For structures, type, age, the affected area, utility connections, building materials, and area of the building will be recorded. Additional information is required for income losses, affected public utilities, preferences for relocation, loss of cultural and religious properties, and territorial claims by any ethnic group. The census will be based on preliminary engineering/technical designs of the Project. The census data will be updated once the final and detailed engineering designs are completed.

4.5 BASELINE SOCIO-ECONOMIC PROFILE

It is essentially required to identify and recognize the PAPs under each subproject; subsequently, necessary preparation will be taken to conduct the 100% of census survey by covering the entire households of PAPs, including women and vulnerable families to make a detailed socio-economic profile of PAPs under the specific subproject. The socio-economic and baseline information and potential project impacts will be assessed through a household census survey in consulting directly and indirectly with all affected households. The extent and magnitude of impacts and data on socio-economic conditions will be collected at household and community levels through various field surveys and stakeholder consultation meetings. The structure survey questionnaire will be used as an inventory of losses of each affected household, including details of potentially affected property structures like houses, agricultural land, trees and other assets belonging to each household. The information derived from the census survey will focus on mainly:

- I. Household composition and demography
- II. Education
- III. Livelihood patterns
- IV. Ownership pattern of households
- V. Income levels of APs and expenditure patterns
- VI. Availability of social services in project areas
- VII. Views of APs on the sub-project and various resettlement and rehabilitation options
- VIII. Specific impacts on the poor, women and other vulnerable groups. In addition to the demographic and socio-economic household-level baseline data, the survey will be used as a benchmark for monitoring the socio-economic status of APs

Table 2 Outline of the Project Impact and Baseline Assessment Methodology

Unit Level	Data Collection Tools and Technique
Household Level	<ul style="list-style-type: none"> ▪ Household Level ▪ Households' census/interviews ▪ Inventory of losses survey (structures, trees, and other assets) ▪ Inventory of businesses/commercial units ▪ Affected agricultural plots' survey ▪ Livelihood assessment survey ▪ Gender assessment survey ▪ Communication needs assessment survey
Community Level	<ul style="list-style-type: none"> ▪ Inventory of community structures ▪ Village profiles for livelihood impact assessment survey ▪ Stakeholders and community consultation meetings ▪ Focus group discussion ▪ Stakeholders' meetings with the Upazila² administration

² **Upazila** is a unit in the administrative system of [Bangladesh](#). An upazila is made up of a few villages or unions and a district is made up of a few upazilas. There are 492 upazilas in 64 districts under 8 divisions in Bangladesh.

4.6 DETAILED MEASUREMENT SURVEY (DMS)

DMS is the process through which all fixed assets (i.e., lands used for residence, commerce, agriculture - including ponds, dwelling units, shops; secondary structures, such as fences, tombs, wells; trees with a commercial value, etc.) and sources of income and livelihood inside the right-of-way of each sub-project to be identified, measured, identify owners of the assets, and their exact pinpointed/ locations. It is also required to determine the severity of the Project's impacts on the affected assets and the severity of impacts on the livelihood and productive capacity of PAPs.

The Detail Measurement Survey (DMS) is required which needs to be undertaken with the participation of PAPs. The objectives of the DMS to identify the measurement of the dimensions and quantities of all affected assets, including acquired land, buildings, communal/public or cultural/religious facilities, incomes and wages that will be the basis of the assessment of the impacts to be included in the RAP. The data gathered for the DMS will be considered for preparing accurate lists of PAPs based on the socio-economic census survey. The pricing for the loss of houses and structures will be based on the precise measurement, type and quality of materials. It will be calculated based on the replacement cost, i.e., the cost of new building materials and labour.

4.7 IDENTIFICATION OF VULNERABLE HOUSEHOLDS

In the census survey, vulnerable groups, including (but not limited to) female-headed households, disabled, elderly persons and persons below the poverty line, will be identified to ensure that assistance is provided to those genuinely in need to reduce vulnerability and improve their living standards.

4.8 RESETTLEMENT DATABASE

A resettlement database is crucial. As soon as the DMS and valuation of assets are completed, the census data of the PAPs will be updated by incorporating entitled compensation costs for the acquired lands, assets and applicable relocation, resettlement and income restoration costs payable to the respective PAPs. To ensure efficient safeguards management and monitoring of RAP implementation progress, the updated census inventory of the lost assets and the socio-economic baseline of PAPs will be consolidated and computerized in a database form for each sub-project RAP. Eventually, this database will be used as baseline information for the subsequent implementation and monitoring of sub-projects' RPs; similarly, the EA will produce semiannual social monitoring reports, which will be submitted to AIB on time for its review and disclosure.

4.9 DETERMINATION OF VALUATION FOR AFFECTED PROPERTIES & REPLACEMENT COST

An assessment of replacement costs and valuation of assets will be carried out through a Property Valuation Advisory Committee (PVAC)³ consisting of the representatives from the respective District Administration/DC, LGED, Public Works Department., Dept of Forest (DoF), Local Govt representative, Woman UP Member concerned and a representative from the PAPs under the subproject. (the role of PAVC has been mentioned in detail in the following section of the Institutional Arrangement).

4.10 DETERMINATION OF ACQUIRED LANDS FOR THE SUB-PROJECTS UNDER ISWMIP

Socio-culturally, public lands are occupied by the surrounding communities to establish residential houses, shops etc. even after completing the land acquisition process and handing over the lands to the EAs. In the case of the proposed sub-projects under ISWMIP, lands have already been acquired before 2015, which were obtained by the respective City Corporations / Pouroshava after paying the compensation to the landowners for the acquired lands as per the land acquisition acts of the GoB. During the physical visits to the locations in six City Corporations and eleven Pouroshava for selecting the proposed sub-projects, it is observed that lands are found available belonging to the respective authority (City Corporations and Pouroshava) and acquired lands are mostly demarcated as a buffer zone, and no physical infrastructures are established on the lands by any non-titleholders. Moreover, proper documents of the lands' registration like mutation/ records and receipts of paying the taxes are available in the offices of the respective City Corporations and Pouroshavas.

From the perspective of environmental laws and associated with the policy of DoE, residential houses cannot be allowed to exist within the buffer zones of any sub-project related to solid waste management projects; thus, this issue should be taken into highlight before and during the preparation of RPs.

³ PVAC was formed by the Local Govt. Division for one of the LGED projects is called CCRIP.

4.11 INFORMATION DISSEMINATION FOR INVOLUNTARY RESETTLEMENT & MITIGATION MEASURES

This chapter will cover how to disseminate all information relevant to the involuntary resettlement issues on the Project's potential social and environmental impacts, results of social impact assessment, measures to mitigate the adverse impacts, meaningful consultations, eligibility, etc.

It is required that the LGED/ Implementing Agency (IA) will disseminate all information among the communities, PAP and other stakeholders relevant to the involuntary resettlement impacts, which include the potential social and environmental impacts of the Project, results of social impact assessment, measures to mitigate the impact, meaningful consultations, eligibility, entitlements, cut-off-date, RP disclosure, grievance redressal mechanism, unit costs for compensation, resettlement and relocation assistance, procedures of RP implementation, institutional arrangements and responsibilities of RP implementation, time frames, cost estimates, monitoring, and the resettlement planning process. During the preparation of each RP, information incorporated in the RP will be disclosed to all PAPs in their language, and their views and opinions will be taken into consideration in finalizing the RAPS.

4.12 RESETTLEMENT PLAN APPROVAL, CLEARANCE & DISCLOSURE

Immediately after incorporating comments from the PAPs and other stakeholders through disclosure, the draft RP will be reviewed and approved by the Project Director (PD) of ISWMIP. The PD will ensure that the RP complies with the RPF, and after approval, it will be submitted to the AIB for compliance review dealing with its policies and procedures. Additional information will have to be incorporated in the draft RP after receiving the comments from AIB. The RP will be disclosed before the issue of bids corresponding to civil works. The approved RP will be posted on the website of the LGED, and AIB will also disclose the RP on its website.

5. DISPLACEMENT IMPACTS

5.1 TYPES OF RESETTLEMENT IMPACTS

This chapter will explain the resettlement impacts under each component of the Project while the affected persons are relocated/resettled in the new locations.

PAPs who are displaced from the premises of private lands/ homesteads find themselves in a strange environment without proper preparation and taking a choice in their adaptation to accept the new environment, which can have adverse results. Adverse social and economic impacts will aggravate the case of involuntary displacement of people caused by the implementation of the solid waste management improvement project. Displacement can result from land acquisition for the sub-projects, resulting in loss of jobs/activities and income of the persons and households. The new social identity and community systems make them isolated and disassociate from the new communities/groups, forcing them to leave their traditional values and lose cultural identity, which may result in conflicts and loss of social identity and function. Therefore, the acceptance of the new social identity, values and culture should be discussed among the PAPs before relocating and resettling them with other communities in the new places; this will allow them to prepare themselves to accommodate the new communities.

5.2 PHYSICAL DISPLACEMENT ⁴

If physical displacement is required, the EA will develop a plan that covers, at a minimum, the applicable requirements of ESS regardless of the number of people affected. The plan will be designed to mitigate the negative impacts of displacement and, as necessary, to identify development opportunities. It will include a resettlement budget and implementation schedule and establish the entitlements of all categories of affected persons (including host communities). Particular attention will be paid to gender aspects and the needs of the poor and the vulnerable. The EA will document all transactions to acquire land rights, provision of compensation and other assistance associated with relocation activities. If people living in the project area are required to move to another location, the EA will:

- (i) Offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation; and
- (ii) Provide relocation assistance suited to the needs of each group of displaced persons. New resettlement sites will offer living conditions at least equivalent to those previously enjoyed or consistent with prevailing minimum codes or standards, whichever set of standards is higher. Suppose new resettlement sites are to be prepared; in that case, host communities will be consulted regarding planning options, and resettlement plans will ensure continued access, at least at existing levels or standards, for host communities to facilities and services. The displaced persons' preferences concerning the relocation to pre-existing communities and groups will be respected wherever possible.

The displaced persons will offer the choice of replacement property of equal or higher value, with the security of tenure, equivalent or better characteristics, advantages of location, or cash compensation at replacement cost. Where these displaced persons own structures, the EA will compensate them for the loss of assets other than lands, such as dwellings and other improvements to the Land, at replacement cost. Based on the consultation with such displaced persons, the EA will provide relocation assistance instead of compensation for sufficient land for them to restore their living standards at an appropriate alternative site.

5.3 ECONOMICAL DISPLACEMENT⁵

Economic impacts will be observed dealing with the implementation of the sub-projects under the integrated solid waste improvement project at the Pouroshava/ City Corporation level if the sub-projects affect the livelihoods or income-generating activities of the communities. Thus, the EA will plan to take appropriate measures to allow project-affected persons to improve, or at least restore, their incomes or livelihoods. The plan will establish entitlements of the Project affected persons or communities, paying particular attention to gender aspects and the needs of vulnerable communities, and will ensure that these are provided in a transparent, consistent, and equitable manner. The plan will also incorporate arrangements to monitor the effectiveness of livelihood measures during implementation and evaluate once implementation is completed. The mitigation of

⁴ Environment & Social Framework, World Bank, 2017

⁵ Environment & Social Framework, World Bank, 2017

economic displacement will be considered when the completion audit concludes that PAPs (or communities) have received all of the assistance for which they are eligible and have been provided with adequate opportunity to re-establish their livelihoods. Economically displaced persons who face loss of assets or access to assets will be compensated for such loss at replacement cost: (a) In cases where land acquisition or restrictions on land use affect commercial enterprises, affected business owners will be compensated for the cost of identifying a viable alternative location; for lost net income during the period of transition; for the cost of the transfer and reinstallation of the plant, machinery, or other equipment; and for re-establishing commercial activities. Affected employees will receive assistance for temporary loss of wages and, if necessary, assistance in identifying alternative employment opportunities; (b) In cases affecting persons with legal rights or claims to land that are recognized or recognizable under the national law, replacement property (for e.g. agricultural or commercial sites) of equal or greater value will be provided, or, where appropriate, cash compensation at replacement cost; and (c) Economically displaced persons who are without legally recognizable claims to land will be compensated for lost assets other than land (such as crops, irrigation infrastructure and other improvements made to the land), at replacement cost. Additionally, the EA will help in lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere. The EA is not required to compensate or assist persons who encroach on the project area after the cutoff date for eligibility.

Economically displaced persons will be provided opportunities to improve, or at least restore, their means of income-earning capacity, production levels, and standards of living:

- (a) For persons whose livelihoods are land-based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost will be offered where feasible
- (b) For persons whose livelihoods are natural resource-based and where project-related restrictions on access are envisaged, measures will be implemented to allow continued access to affected resources or provide access to alternative resources with equivalent livelihood-earning potential and accessibility. Where common property resources are affected and concerned, benefits and compensation associated with restrictions on natural resource usage may be collective, and
- (c) If it is demonstrated that replacement land or resources are unavailable, the EA will offer economically displaced persons options for alternative income-earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance addition to compensation for assets. Only cash assistance, to some extent, frequently fails to provide affected persons with the productive means or skills to restore livelihoods.

Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and living standards.

5.4 GENDER & VULNERABILITY IMPACTS

The Social Management Framework explains the anticipated Gender and Vulnerability Impacts in the context of solid waste management during the implementation period. The following provisions for gender and vulnerable groups are required to ensure a clear understanding and due consideration of the specific needs and problems of women and vulnerable PAPs and to provide necessary safeguards during the sub-projects' implementation:

- Attention will be given to the development needs and priorities voiced by women and vulnerable respondents during consultations in all phases of the Project, especially in the design of sub-projects
- From the perspective of gender, it should be ensured through the consultation process that women's needs and interests are significant in all aspects of resettlement planning and implementation
- Access for women and vulnerable PAPs to project-related employment opportunities and needs-based special assistance and provision of alternative and suitable livelihoods will be guaranteed as far as possible
- The livelihood planning will provide special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods
- Intra-household gender analysis will be carried out. Women's and men's preferences in terms of compensation mechanisms, e.g. replacement land rather than in cash, shall be explored
- Women will receive compensation for their economic activities in their name
- Resettlement assistance and compensation payments will be issued in the joint names of both spouses or single heads of households as relevant
- Other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs

- Women will be included in the participation and consultation process in a manner suitable and accessible to women
- Due consideration will be given to complaints and grievances lodged by women APs
- The Project will also ensure the inclusion of at least one female representative in the Grievance Redress Committee and the inclusion of female staff in the PIU

6. ELIGIBILITY & ENTITLEMENT CRITERIA FOR PROJECT-AFFECTED PERSONS

6.1 ENTITLEMENT POLICY FRAMEWORK

6.2 ELIGIBILITY & ENTITLEMENT CRITERIA

This chapter will outline the eligibility and entitlement framework detailed in the entitlement matrix in line with the laws and regulations of Bangladesh and AIIB's Environment and Social Framework 2016, and all tasks related to resettlement of the Project will be implemented by following the eligibility and entitlement framework detailed in the entitlement matrix (chapter-7 of this report). RP of each sub-project will incline the actual compensation measures adopted based on entitlements stipulated in the RP. Persons affected by a sub-project under the ISWMIP are eligible for resettlement compensation or at least relocation/ rehabilitation entitlements for their loss of assets and incomes. And the following three main points are to be identified in the beginning to determine the eligibility of the affected persons:

- i. Who has formal legal rights to land or assets?
- ii. 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. Who has no recognizable legal right or claim to the land or assets but occupies or uses the land as a non-title landowner?

In principle, this Resettlement Planning Framework (RPF) is designed as the resettlement guideline for the Project, which is to :

- a. determine all displaced persons irrespective of their title to Land,
- b. provide compensation for lost assets, and
- c. facilitate restoration or enhance the livelihoods of all categories of PAPs or displaced persons. The households/persons displaced by the project interventions will receive cash compensation for the acquired lands and for the other affected properties at full replacement cost as per market price at the time of dispossession. Additional measures will be taken to ensure minimum disruption during the project construction period. Thus, households to be displaced physically and affected economically will receive due to compensation, relocation assistance, and allowances in accordance with the following guidelines and policy:
 - Land acquisition and other involuntary resettlement impacts will be avoided or minimised by exploring all viable alternative project designs
 - Where unavoidable, a time-bound RAP will be prepared, and PAPs or Displacement Persons (DPs)⁶ will be assisted to improve or at least, regain their pre-project standard of living
 - The replacement cost of land and other assets will need to be paid at the current market price, and the titling cost will be included in the replacement cost without any condition
 - Consultation with PAPs/ Displacement Persons (DPs) on compensation, disclosure of resettlement information, and participation in planning and implementation of the project will be ensured
 - PAPs who are vulnerable and severely affected will be provided special assistance
 - Apart from the compensation of acquired lands, non-titled PAPs/ DPs (e.g., informal dwellers or squatters, PAPs or Displacement Persons without land registration) will receive a livelihood allowance and will be fully compensated for losses of other assets
 - Appropriate provision of income restoration and resettlement/ relocation will be ensured
 - The RAP will be disclosed to the PAPs/ DPs
 - Prior to the physical/ civil construction works of any sub-project taken by the assigned contractor's possession of the land, payment of compensation and resettlement assistance need to be fully provided
 - Ensure the appropriate grievance redresses mechanisms/committee in place at different levels to resolve any grievance if it occurs and is raised by the PAPs

⁶ DPs are considered those who physically displaced and economically affected by loss of lands, shelters, and other productive assets and needs to be relocated.

The EA is not required to compensate or assist those who infringe on the project area after the official declaration of the cut-off date for eligibility, provided the cut-off date has been formally established.

6.3 CUT-OFF DATE

The commencement date of the census of project-affected persons is usually considered the cut-off date. The cut-off date is generally established by the borrower government procedures that will verify the eligibility for receiving compensation and resettlement assistance by the project displaced persons. In dealing with such procedures, the borrower/client will confirm a cut-off date for the Project Affected Persons' eligibility. The date at the RP's start of the Detail Measurement and Socio-economic survey is the Cut-off Date. Therefore, it is required that the EA will announce the official cut-off date immediately before the start of the census for each sub-project that involves resettlement impacts in which the illegal claims can be stopped apart from the legal claimants.

6.4 OVERVIEW OF COMPENSATION & BENEFITS FOR THE AFFECTED PERSONS

The involuntary land acquisition or restrictions on land use may be permanent or temporary and cannot be avoided; in that case, the EA will offer compensation to the PAP at replacement cost and other assistance that may be necessary to improve or at least restore their living standard or livelihoods. Rates of compensation will be determined by the concerned government agencies as per policy. Calculation of payment for compensation for all cases will be documented and distributed the compensation in accordance with transparent procedures. Where livelihoods of displaced persons are land-based or where land is collectively owned, the EA will offer the displaced persons an option for replacement land unless it can be demonstrated to the Bank's satisfaction that equivalent replacement land is unavailable. As the nature and objectives of the Project may allow, the EA will also provide opportunities for displaced communities and persons to derive appropriate development benefits from the project. In the case of affected persons under paragraph 10 (c), resettlement assistance will be provided in lieu of compensation for Land, as described in paragraphs 29 and 34 (c). 15.

The EA will take possession of acquired land and related assets only after compensation in accordance with this RPF approved by the EA and AIIB and, where applicable, displaced people have been resettled and moving allowances have been provided to the displaced persons in addition to compensation. Furthermore, the livelihood restoration programs will be commenced in a timely manner to ensure that PAPs are sufficiently prepared themselves to take advantage of alternative livelihood opportunities for fulfilling their needful benefits.

6.5 ELIGIBILITY FOR COMPENSATION & OTHER ASSISTANCE

The Project Affected Persons (PAPs) are entitled to get compensation for those who lost their land (titled or non-titled), structures, crops, trees and other associated assets attached to the land, business, income, employment etc. However, the cut-off date will be followed to consider the eligibility to receive compensation and assistance. The cut-off date for compensation and assistance is considered for those identified within the RoW/ proposed for acquisition at the time of the detailed design. Any persons or households that will be identified within the Buffer Zone of sub-projects during this process will be eligible for receiving compensation and assistance from the project. In any circumstances, the persons /households who have settled in the affected areas after the cut-off date will not be eligible for compensation. Advance notice will be given for requesting to vacate the premises and dismantle structures before project implementation. However, at the implementation stage, if there is any change in alignment /RoW of the sub-project, the inventory of displaced households will be updated through a detailed measurement survey and census of PAPs. For each sub-project, the RAP will be implemented as per compensation and grants eligibility and entitlements framework in line with both the Government's Land Acquisition Acts and AIIB policies (ESF). The entitlements will be determined based on the provisions for paying the compensation for land and other associated assets by following the Acquisition and Requisition of Immovable Property Act, 2017 and replacement cost and additional assistance and allowances will be following the AIIB policies. It is to be noted that all types of compensations and grants will be free from Govt. tax.

6.6 PRINCIPLE FOR VALUATION & COMPENSATION UNIT RATES

In this chapter, it will be discussed how each PAP will be enlisted and issued identification to confirm his/her presence on the proposed site of a sub-project prior to the cut-off date at the time of RP implementation. It is required to determine the method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. The valuation method will be determined based on the provisions for compensation for Land and other assets by following the Acquisition and Requisition of Immovable

Property Act, 2017 and replacement cost and other assistance and allowances following the AIB policy. In any instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable the purchase or construction of housing for meeting acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period between the calculation of compensation rates and delivery of compensation is extensive.

7. ENTITLEMENT MATRIX AND MITIGATION MEASURES

7.1 ENTITLEMENTS, ASSISTANCE & BENEFITS: TYPE OF LOSS & ENTITLEMENT

In order to prevent poverty of the PAPs, which may be created by the adverse impact of the project, the primary objective of this Resettlement Planning Framework (RPF) is to provide for the payment of compensation for project-affected properties (including common properties) and displaced persons; even wherever it is possible to provide support services to them to improve their livelihoods / socio-economic conditions or at least to restore them to the pre-displacement level.

For the implementation of SWMIP, a substantial volume of land is required for which it needs to be acquired from private ownership by imposing the Land Acquisition Acts, 2017 of GOB. In addition to the land acquisition process, land may be donated by the community for the development project of Pouroshova/ City Corporations and land can be purchased from the private owners through the Negotiated Settlement⁷. Social Safeguard Requirements does not apply to negotiated settlements unless expropriation would result upon the failure of negotiations. Negotiated settlements help avoid expropriation and eliminate the need to use governmental authority to remove people forcibly⁸. In this connection, PAPs/ landowners/ non-title holders people will be displaced from the proposed location of the specific subproject along with assets; as a result, PAPs in the process will be affected economically and physically. In considering the adverse social impacts of the sub-projects, RAP is designed instantly for mitigating measures to deal with adverse social impacts that will be generated during the implementation of the project. In compliance with the AIIB policy, proposed comprehensive entitlement types are given in the following table:

Table 3 Type of Loss & Entitlement

A. Impact category/ Type of Loss	B. Entitle Persons / PAPs	C. Type of Entitlement	D. Implementation Guideline
I. All types of land	PAPs who are determined as legal titleholders of lands belonging to them	<ul style="list-style-type: none"> ▪ For agricultural land, pond and garden: Present market value + 10% of it as registration & other costs + another 10% for one-year production of crops, fish, fruits etc. ▪ For homestead & commercial Land: Present market value + 10% of it as registration and other costs + another 10% of it for land development, and ▪ In each project district, one committee, namely, ▪ Property Valuation Advisory Committee (PVAC) will be formed to assess the present market value of land and compensation for crops, fish, fruits and land development of the affected land 	<ul style="list-style-type: none"> ▪ In each project district, one committee, namely Property Valuation Advisory Committee (PVAC), will be formed to assess the present market value of land and compensation for crops, fish, fruits and land development of the affected land ▪ Assessment of type and quantity of land/water bodies by Joint Verification Team (JVT) ▪ Determination of replacement cost of land and water bodies by PVAC through the market survey

⁷ Negotiated Resettlement is defined as “Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status”, ADB SPS, 2009

⁸ Reference taken from the ADB social safeguards policy statement 2009

A. Impact category/ Type of Loss	B. Entitle Persons / PAPs	C. Type of Entitlement	D. Implementation Guideline
2. All types of structures	PAPs who are determined as titleholders belonging to them	<ul style="list-style-type: none"> ▪ 12.5% of the value as Structure Transfer Grant (STG) ▪ 12.5 % of the value as Structure Reconstruction Grant (SRG), and ▪ The owners will be allowed to take away all the salvageable materials free of cost within the period fixed by the Project Implementing Agency (PIA) 	<ul style="list-style-type: none"> ▪ The present value of structures as per the rates of the Public Works Department (PWD) will be determined by the PVAC.
3. All types of trees	PAPs who are determined as titleholders belonging to them	<ul style="list-style-type: none"> ▪ Compensation of the trees and the owners will be allowed to take the salvageable materials free of costs within the period fixed by the Project Implementing Agency (PIA) 	<ul style="list-style-type: none"> ▪ The present market value of trees to be determined by the Property Value Assessment Committee (PVAC), compensation for fruits will be determined by the (PVAC) and the owners will be allowed to take the salvageable materials free of costs within the period fixed by the Project Implementing Agency (PIA)
4. Income loss from business	PAPs who are determined as titleholders and Non-titleholders	<ul style="list-style-type: none"> ▪ Cash compensation is equivalent to six months' net income from the business, and the net income per month 	<ul style="list-style-type: none"> ▪ Cash compensation based on the net income will be determined by the PVAC
5. Income loss from rented-out structures	PAPs who are determined as titleholders and Non-titleholders	<ul style="list-style-type: none"> ▪ The owners will be given the amount equivalent to six months' rent 	<ul style="list-style-type: none"> ▪ Loss of structure, demolition const and its valuation will be determined by the PVAC.
6. Employees of business	PAPs who are determined as titleholders and Non-titleholders	<ul style="list-style-type: none"> ▪ Each employee of business enterprises will be given Tk 18,000: Tk 6,000X3 months 	<ul style="list-style-type: none"> ▪ Emeplyee's loss of income will be assessed by Joint Verification Team (JVT) accordingly affected persons will be paid.
7. Household facilities	PAPs who are determined as titleholders	<ul style="list-style-type: none"> ▪ Owners will be paid for losing the hoseholds facilities. 	<ul style="list-style-type: none"> ▪ For each type of facility, the amount of cash compensation will be determined by the (PVAC)
8. The vulnerable project displaced persons (DPs)	Female, Indigenous, Elderly, Fully Disable And Very Poor	<ul style="list-style-type: none"> ▪ For each type of vulnerability, each DP will get Tk 5,000 as a cash grant. If any DP is considered vulnerable by more than one indicator, s/he will get the amount equivalent to Tk5,000 x number of hands. 	<ul style="list-style-type: none"> ▪ Vulnerable/ elderley and disable persons will be determined by the Joint Verification Team (JVT) accordingly displacement persons will be paid.

A. Impact category/ Type of Loss	B. Entitle Persons / PAPs	C. Type of Entitlement	D. Implementation Guideline
9. Indigenous people	Indigenous People	<ul style="list-style-type: none"> ▪ All Indigenous people will be considered Vulnerable, and each victim will get Tk 5,000 as a cash grant. In addition, they will also get the grants as per Clause-8 above. 	<ul style="list-style-type: none"> ▪ Indigenous People will be determined by the JVT along with EA; accordingly, they will be paid.
10. Affected community properties	PAPs who are determined as titleholders	<ul style="list-style-type: none"> ▪ All the affected community properties will be relocated to the places desired by the community. If the community asks under for cash compensation, the amounts will be determined Clause-1 above 	<ul style="list-style-type: none"> ▪ After section 4(1) publication, a joint verification should be conducted with potentially affected households and relevant organizations.
11. When a part of the land is within RoW / Buffer Zone of the subproject	PAPs who lost physical assets within the RoW & are determined as titleholders	<ul style="list-style-type: none"> ▪ PAPs who lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The inadequate size of remaining Land and structures will be included for compensation during the resettlement planning process. 	<ul style="list-style-type: none"> ▪ The JVT and PVAC will determine the physical assets and land within the Right of Way (RoW) .
12. Provide support to income and employment losers	PAPs who lost employment and income during the transition period as titleholders and non-titleholders	<ul style="list-style-type: none"> ▪ Resettlement assistance will be provided not only for the immediate loss but also for a transition period needed to restore the livelihood and living standards of PAPs. Such support could take the form of short-term jobs, subsistence support, and salary of employees in the affected business, income loss from business & rented out structures or similar arrangements. 	<ul style="list-style-type: none"> ▪ The JVT and PVAC will determine the immediate loss of income during the transition period, and accordingly, they will be paid compensation by the EA
13. vulnerable persons to the adverse impacts of displacement	PAPs who are determined as titleholders and non-titleholders	<ul style="list-style-type: none"> ▪ Provide financial assistance to non-titled and vulnerable PAPs. The resettlement plan must consider the needs of those most vulnerable to the adverse impacts of displacement, the poor, those without legal title to land, ethnic minorities, women, children, the elderly and the disabled, and ensure they are considered for the resettlement planning and mitigation measures identified. The assistance should be provided to help them improve their socio-economic status, which can be assessed through socio-economic indicators. 	<ul style="list-style-type: none"> ▪ The JVT and PVAC will determine vulnerable persons to displacement's adverse impacts, and EA will pay compensation accordingly.

A. Impact category/ Type of Loss	B. Entitle Persons / PAPs	C. Type of Entitlement	D. Implementation Guideline
14. Displaced Persons, while vacating the acquisition of homestead and commercial Land	PAPs who are determined as titleholders / non-titleholders	<ul style="list-style-type: none"> ▪ Displacement must not occur before receiving total compensation and other assistance required for relocation. After receiving total compensation, the PAPs should be considered for six months for land development and construction of new structures at the relocation. Sufficient civic infrastructure is required to be provided at the resettlement site before the relocation. 	<ul style="list-style-type: none"> ▪ The assigned NGO will assist them, and EA will expedite the process of the payment of compensation
15. Sufficiency and efficiency in RAP and its implementation	PAPs who are determined as titleholders	<ul style="list-style-type: none"> ▪ . This will include the provision of adequate human resources for implementation, supervision, consultation, and monitoring of land acquisition and rehabilitation activities 	<ul style="list-style-type: none"> ▪ Organisation and administrative arrangements for the effective preparation and implementation of RAP will be made by the IA/EA.
16. Loss of business owners during shifting of inside goods and materials of structures	PAPs who are determined as business owners titleholders	<ul style="list-style-type: none"> ▪ Those who will lose home and business will be given a grant of an amount equivalent to 5% of the compensation for structures 	<ul style="list-style-type: none"> ▪ With the assistance of NGO, JVT and PVAC will determine the business owners and their goods and structures to be shifted as well as compensation.
17. Tax on compensation money	PAPs who are determined as titleholders	<ul style="list-style-type: none"> ▪ All the compensations and grants will be exempted from all types of GoB taxes 	<ul style="list-style-type: none"> ▪ The respective Govt. agency will exempt the Taxes.
18. Relocation of the displaced homes and business enterprises	PAPs who are determined as titleholders	<ul style="list-style-type: none"> ▪ Relocation is done when a sizable number of PAPs are displaced in a contiguous form. If there is any relocation site, the incumbent PAPs will have to buy land there at market price, and the size of the plot at the relocation site must not exceed the size lost by the incumbent 	<ul style="list-style-type: none"> ▪ The assigned NGO will help with the relocation process of the PAPs.

Note: Any unforeseen impacts and issues not defined in these matrixes will be placed to the notice of the GRC for assessment and decisions with technical assistance from the JVC and the PVAC.

7.2 LAND DONATION & NEGOTIATED SETTLEMENT

LGED may require finding negotiated or donated land if involuntary resettlement impacts are unavoidable. Where resettlement impacts are unavoidable, LGED will implement a process of negotiated settlement (which may include voluntary land donation) with land/property owners. As a refusal to donate land or to enter into a negotiated financial settlement would necessarily lead to expropriation, any subproject that entails land acquisition (either through voluntary or involuntary means) or physical displacement will be subject to a resettlement plan (RP)⁹.

⁹ Resettlement Framework, CCRIP, Project Number: 45084, LGED, July 2021

LGED will not impose on any landowners to sell or to donate the lands belonging to their (landowners) entitlements; rather, it should be free of choice and rights to sell out or donate to the project voluntarily, for which they will be fully informed of the project objectives in dealing with the AIIB, ESS 2. It is mentioned that Purchase of Land, the seller has been given a genuine opportunity to retain the land and to refuse to sell it, is fully informed about the Project and available choices regarding the land transaction and their implications, including refusal to sell the land, and there is no evidence of intimidation or abuse of power in connection with the transaction. In the case of Land Donations, LGED will deal with the AIIB ESS 2 of the following points; similarly, ESS2 does not apply to voluntary, legally documented donations of land without payment of total compensation, where the Client demonstrates to the Bank's satisfaction that:

- a. the donor has been fully informed about the Project and available choices regarding the land and their implications, including refusal to donate the land, and has confirmed in writing their willingness to proceed with the donation;
- b. the amount of land is minor and will not reduce the donor's remaining land area below that which is required to maintain the donor's livelihood at current levels;
- c. no household relocation is involved; and
- d. the donor is expected to benefit directly from the Project¹⁰.

7.3 COMMUNAL, PUBLIC & CULTURAL STRUCTURES AND UTILITIES

This chapter will determine how the loss of communal, public and cultural structures and utilities, including schools, mosques, graveyards and other affected assets, will be restored at the relocation sites.

The community owns and runs the infrastructure, providing services and benefits to the community for different purposes like access to school, madrasa, mosque, temple, church, graveyard, playground, club, office, hospital etc. In addition to affected private properties as aforesaid, the loss of communal, public and cultural structures and utilities, including schools, mosques, graveyards, and other affected assets, may be affected, and these two sets of affected properties will have to be restored at the relocation sites, if necessary. The EA is responsible for finding a suitable location.

In addition to affected private properties as aforesaid, the loss of communal, public and cultural structures and utilities, including schools, mosques, graveyards, and other affected assets, may be affected, and these two sets of affected properties will have to be restored at the relocation sites, if necessary. The EA is responsible for finding a suitable location.

7.4 SPECIAL MEASURES FOR VULNERABLE HOUSEHOLDS

The PAPs belong to a female over 60 years, impoverished economic groups, ethnic minorities (indigenous), and the physically disabled are considered vulnerable, a widespread practice in Bangladesh. A number of cash grants, determined by PVAC, would be needed to propose for all of them for each type of vulnerability. If a DP is found vulnerable by more than one indicator, the amount will be multiplied by the number of indicators for assessing the amount of cash grant.

As per prevalent practices in Bangladesh, the PAPs belonging to the female sex, age above 60 years, marginal economic group, ethnic minority (indigenous) and physically disabled are considered vulnerable. However, the PVAC will determine the vulnerability among the PAPs for paying the cash grant. (National Vulnerability Indicators are to be used)

7.5 MEASURES TO ADDRESS IDENTIFIED GENDER ISSUES

It is observed that a significant number of PAPs are usually found in females. Due to the temporary dislocation of the DPs, regarding the scenarios here in Bangladesh, females go through more struggles than males. It is often said that the PAPs family members should get priority in employment for the project-related work should they desire. This consideration should be taken into account for females too. Demographic characteristics of all the PAPs need to be collected to identify their socio-physical conditions in relation to the clauses of vulnerability, as all the female PAPs are considered vulnerable. It helps determine the types of training suitable for them in new trades for upholding their incomes at least to the pre-project level.

¹⁰ Environmental and Social Framework, AIIB, May 2021

7.6 RESIDENTIAL & COMMERCIAL INFRASTRUCTURE

This section will determine how the loss of residential, and commercial structures and utilities, including, among others, houses, and business premises, will be compensated. It is essentially required to address the loss of residential, commercial structures and other utilities, including, among others, houses, business premises will be compensated as follows:

- In line with good international practice, house for the compensation as a standard is the preferred option which has significant advantages of reducing the chance of displaced people misusing their compensation on items. However, this option will not provide them with an alternative housing facility. In this regard, non-titled squatters, most preferably, will be compensated with fully titled and registered for adequate housing facility on a secure tenure basis in the resettlement site, if one is developed for the project, or another location agreeable to the PAPs; Or,
- In the event, provision of housing is not feasible (e.g. due to non-availability of land, economic constraints etc.): for the loss of a structure or utility non-titled owners, including encroachers/squatters, would be entitled to cash compensation at the full replacement cost for the affected structure and other fixed assets without deductions for salvageable materials, depreciation and transaction cost.
- Owners of affected structures, including encroachers/squatters, will also be allowed to take and reuse salvageable materials for building or rehabilitation of structures

8. PROCEDURES OF COMPENSATION

8.1 CONFIRMATION SURVEY

It is needed to conduct confirmation surveys in compliance with national laws and AIIB policies. PAPs will be continuously notified of the progress of the RAP and the subproject activities. Stakeholders will be kept engaged before and during the Project.

8.2 CALCULATION FOR COMPENSATION

In accordance with the policies of the Ministry of Land, compensation will be paid to the affected persons for any loss of the acquired lands and properties in line with the Land Acquisition Requisition and Immovable Property Acts, 2017. Compensation due to loss of structure will be assessed according to the Schedule of Rates of the PWD for determining the value of the structures. Moreover, compensation will be calculated for the loss of trees and crops using the Ministry of Environment and Forest. The Deputy Commissioner (DC) determines the “market value” of acquired assets on the date of notice of acquisition served (under Section 4 of the Act 2017). The DC then adds a 200% premium of the assessed value of Land for Cash Compensation under Law (CCL) by following Land Acquisition Acts, 2017. The DC adds a 100% premium of the assessed value to pay as compensation for the loss of structures, crops and trees. If there is a dispute regarding the amount of compensation, there will be an option for arbitration, and the procedures are in place. If the current market price is higher than CCL (assessed price + 200% of the assessed price by DC), the difference (Top-up) will be paid by LGED with assistance from the RAP Implementing NGO/ respective consulting firm.

8.3 ADDRESSING DISPROPORTIONATE GENDER IMPACTS

Considering the socio-economic scenarios in Bangladesh, females go through more struggles than males. Accordingly, female DPs would be entitled to extra benefits than their male counterparts. Demographic Characteristics of all the DPs need to be collected to identify their socio-physical conditions in relation to the clauses of vulnerability, as all the female DPs are considered vulnerable.

8.4 PROVISIONS FOR AFFECTED WOMEN

This section requires addressing the land acquisition of household assets, which can affect women disproportionately due to different socio-economic positions in society. In detail, the displacement and experience show that due to the displacement of persons or families, even households’ assets, adverse impacts on women are observed disproportionately from the perspective of their socio-economic status in the respective society to which they belong to the communities. Eventually, it could be difficult for women to uphold their socio-economic activities at the pre-project level because of getting good opportunities even though mobility restrictions, lack of human and social capital etc.

8.5 WASTE PICKERS, INFORMAL SECTOR & SOCIAL ISSUES OF SWM

Significant social issues are observed in which Waste Pickers are one of the key actors to play a role in the SWM. Waste pickers are people who informally collect recyclable wastes or organic wastes on roads, at final disposal sites, and in other places to earn income or livelihoods. While they are key actors in the informal economy and provide a valuable service to their cities, they are often marginalized. They are often comprised of socially vulnerable groups, including low-income families, women, children, and migrant workers. When designing a solid waste project, the social assessment should look at the following issues related to waste pickers:

- Demographic information, such as number of waste pickers and their composition, such as children, women, elderly
- Past experience of waste pickers, skills, constraints and desires with regard to their work
- Working conditions and locations, such as dumpsites, streets
- Earnings, income and livelihood
- Risks and hazards to health
- Access to social services
- Organizational structures
- Potential measures and prospects to address the issues of waste pickers in the project design
- Identifying alternative long-term work opportunities through a consultative process

For the SWM, a well-developed sectoral plan of SWM in a city promotes improvement of SWM in organizational arrangements, techniques, collection, separation, and recovery of solid waste, and the environmentally safe disposal of non-recoverable residues. It is significantly required to analyse the existing sector of the SWM. The social dimensions that need to be considered in a sectoral plan include I I:

- Types and volumes of solid wastes in the city
- Sources and main generators of different types of solid wastes
- Prevailing institutional arrangements for SWM system in the city, including waste storage, collection, transportation, and disposal
- Areas where solid waste collection services may be lacking or approaches may only be informal.
- Opportunities for added-value, provided by the private sector (including micro-entrepreneurs)
- Capacity building needs
- Trends in solid waste generation
- Change in characteristics of wastes
- Diversified urban residents

At the Project Level, social assessment is required, which is an integral part of the feasibility study at the project level. It is an approach and a tool need to incorporate social and gender analysis by including people's participation in the design and implementation of the investment project. In designing a better urban SWM project, social assessment should help collect and analyze relevant social data and information, such as the following:

- Knowledge of the project affected people and others concerned about solid waste
- Practices of household solid waste and problems (e.g. patterns of material use, waste handling, separation, recycling)
- At present, solid waste services and needs of local people, including PAPs
- At present, institutional arrangements of the SWM system
- At present, solid waste service fee and payment arrangements as well as willingness to pay for and affordability of improved SWM services
- Instruments for engaging local people and communities in the design and implementation of the SWM project
- Socio-cultural practices, patterns and tendencies regarding waste generation, management and disposal.
- Economic, ecological and social contributions waste pickers are providing the city – cost/benefit analysis to evaluate ways in which to address informality
- Identification of the social risks (marginalization, exploitation, etc.)
- Level and potential for the organization of waste pickers to increase the political voice

The following table shows the leading issues for social assessment of the waste pickers, including women.

Table 4 Leading Issues for Social Assessment

Issues	Leading Issues for Social Assessment
Waste Pickers	<ul style="list-style-type: none"> ▪ What is the nature and extent of informal solid waste picking? What are the reasons / motivations for waste pickers, different groups of waste pickers? How are the waste pickers organized? ▪ What is the composition of waste pickers by gender and age? ▪ Do waste pickers have any mechanisms for coping with shocks? ▪ Are waste pickers subject to health risks? Are there ways to address these risks? ▪ How will the investment affect waste pickers? What potential alternative methods of livelihoods could suit the conditions of the waste pickers?
Gender	<ul style="list-style-type: none"> ▪ What role do women and children play in the SWM system? ▪ What is the time spent by men, women, boys and girls disposing of trash? ▪ What is the level of satisfaction of male and female users of the current SWM system's convenience, effectiveness and affordability?

¹¹ Social Sustainable and Safeguards, Chaogang Wang Zeynep Darendeliler

	<ul style="list-style-type: none"> ▪ Suppose women are responsible for household waste disposal. Will their role in carrying household waste to bins placed in public places be hindered in cultural settings where women’s presence in public is discouraged? ▪ Are any political or ethnic issues associated with sharing a waste disposal site?
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Generally, waste pickers, including women, live within the project/subprojects' locations in and around the cities. Before establishing the SWM project, they are involved in the informal sector of the SWM; as a result, they can earn their livelihoods, although this is not sufficient for them. Despite this, the social analysis indicates that these pickers will be affected by the well-developed sectoral plan under the INSWMIP. Considering the social assessment and institutional issues, alternative and sustainable livelihoods will be required at the subprojects level to improve the living conditions of the waste pickers under the newly established ISWMIP.

Therefore, the livelihoods program for the project-affected people, including affected solid waste pickers, will be designed for each subproject of SWM during the preparation of the RAP by involving them (PAPs and pickers) and other stakeholders, including the informal private sectors.

9. LIVELIHOOD RESTORATION & REHABILITATION

This chapter will explain why and how the Project significantly impacts livelihoods. A concrete Livelihood Restoration Framework for preparing Livelihood Restoration Plans (LRPs) needs to be detailed in the social safeguards & resettlement framework.

9.1 LIVELIHOOD APPROACH & APPLICABILITY

The EA intends to implement a livelihood restoration program for the project-affected persons. The aim of the livelihood restoration program is to ensure that the standard of living is improved for the poor and vulnerable communities in which the livelihoods of people have been affected by the land acquisition for the sub-projects under the ISWMIP. The consideration of livelihood restoration measures and entitlements outlined below has been guided by the findings of the social studies and consultations carried out as part of the project planning, along with the documented socio-economic and cultural circumstances of those likely to be affected by the project land acquisition. These have been developed as a set of principles that have been subject to discussion with affected landowners, respective officials of the EA, and other stakeholders. These principles are:

- I. The program needs to protect affected peoples' livelihoods where possible and maintain access to livelihoods assets
- II. It would not harm the livelihoods and property of local householders and preferably improve their well-being
- III. Needs to avoid disruption and damage to villages in and around the subproject, homes and other structures
- IV. The program should not increase social and economic disadvantage and inequality
- V. Needs to protect significant social infrastructure such as water supplies, village access points, schools, churches, and meeting places
- VI. It should focus on the existing sustainable livelihoods strategies and assets if assets are taken, and restoration is required;
- VII. consider improving the situation of women and other vulnerable persons
- VIII. where cash compensation is provided to tribes and households, ensure female members receive a fair share, and the money is not wasted.

9.2 RESETTLEMENT/ RELOCATION PACKAGE & BENEFITS

The total resettlement package usually covers payment of cash compensation at Replacement Value (RV) and some cash grants to vulnerable and Displacement Persons (DPs) who lost assets and employment. Thus, relocation of DPs/PAPs will be needed if they are displaced from a marketplace or a village, and rehabilitation of PAPs at the site of relocation by involving them in the project's civil construction works or by creating appropriate livelihoods opportunities.

Due to the solid waste management project, PAPs may be highly dispersed from their land/home due to the land's acquisition which affects them severely. However, the resettlement package should not be limited to only cash compensation at Replacement Value (RV); instead, it needs to consider cash grants to vulnerable and DPs, who lost jobs/ incomes and also provide training on IGAs through linking with NGOs working in their areas. Multiple options and choices are needed to assess the local context and different livelihoods capitals like human capital, social capital, financial capital, and physical capital of the PAPs. Thus, the following points need to be considered at the beginning of the planning for the Livelihoods Restoration program:

- i The total resettlement package usually covers payment of cash compensation at Replacement Value (RV) and some cash grants to vulnerable and Displacement Persons (DPs) who lost assets and employment. Relocation of PAPs happens when they displace in the group from a small area, and rehabilitation of PAPs at the place of relocation through civil construction works
- ii The respective village may be severely affected if the PAPs are highly dispersed from the acquired lands due to the solid waste improvement project. So, the Resettlement package is to give only cash compensation for landowners, non-titleholders, some cash grants to vulnerable and employment loser PAPs and provide training on IGAs and integration of poor PAPs local CBS / NGOs

- iii The resettlement package should not be limited to only cash compensation at Replacement Value (RV); instead, it needs to consider cash grants to vulnerable and DPs, who lost jobs/incomes and provide training on IGAs through linking with NGOs working in their areas
- iv Multiple alternatives should be considered to find the best possible solution for the PAPs to adapt to the livelihood restoration program. Participation with the stakeholders to determine the likely outcome can be outlined as follow:
 - Identify alternatives to avoid or minimise resettlement
 - Assist in preparing inventory and assessment of losses
 - Assist in developing alternative options for relocation and income restoration
 - Identify relocation sites for displaced households and businesses
 - Provide inputs for entitlement provisions, and
 - Identify likely conflict areas with re-settlers

9.3 LIVELIHOOD & INCOME RESTORATION STRATEGY

Livelihood Restoration dealing with the income generating assistance to the affected persons includes both short and medium-term strategies required to be taken. Short-term income restoration strategies are for immediate assistance during relocation and include the following:

- Compensation for land, structures, and all other affected/ lost assets is paid in full before a construction activity begins;
- PAPs losing entire structures are entitled to shifting and reconstruction allowance (cash) for moving to the alternative premise for re-establishing house/business
- Shifting allowance for households based on the actual cost of moving/unloading
- Sixty days' advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for a share of standing crops at market rates
- Business owners/tenants including farmers earning a livelihood from crops and experiencing loss of income are entitled to a one-time lump sum grant of one-month income based on the nature and type of losses assessed on a case-to-case basis or on minimum wage rates, whichever is more.
- For vulnerable groups, additional subsistence allowance equal to their average three months income Tk. 15,000 per vulnerable household for restoring or enhancing their livelihood. Vulnerable households will be prioritized in any project employment

Skill development training based on the need for medium-term income restoration activities is required. With the assistance of respective City Corporations/ Puroshava, assigned NGO and consultants, the PMU/LGED will organize such training for the PAPs. The training may include (i) capacity building, enterprise training, and facilitating economic activities to landowners; (ii) training for self-employment for agricultural laborers. Training for self-employment and skill development which may include but not be limited to (i) cattle fattening, (ii) Poultry and dairy, (iii) tailoring, handicrafts, and (iv) Agriculture and kitchen gardening, etc. Training will be imparted to any willing PAPs/DPs losing income or livelihood. Involving experts from the government agencies like, agriculture, fisheries, livestock, and youth development departments on different enterprises will be invited to provide training to the PAPs. It is expected that this training will help the DPs/PAPs to be self-employed in their respective field and will be able to earn more income to ensure their minimum living standard.

During the construction stage the PAPs/DPs, especially vulnerable persons, will be given preference over others in being engaged in project activities by the contractors suitable to their skills. In order to make the APs employable, the EA/LGED will identify the required skills for the construction activities prior to the commencement of the construction and will provide the required training to the PAPs. Adequate budgetary provision of fund for the above training programs of the PAPs is to be kept in the RP to be prepared for the subprojects.

9.4 MEASURES TO PROVIDE SOCIAL SAFETY NET

The development objective of providing safety nets is to support the government to improve livelihoods through a strengthened safety net system for poor households under the effect of the project. Some of the negative impacts include: (i) possible cases of involuntary resettlement are expected during the construction/rehabilitation of infrastructure; (ii) people who depend on the land for forms of livelihood would be displaced; (iii) project

activities would also lead to loss of economic trees, and non-productive fruit and shade trees; (iv) culturally sensitive areas would be affected by the construction.

Some of the mitigation methods may include: (i) avoiding relocation or displacement of dwelling or landed assets by changing facility location or re-routing; (ii) assisting those who depend on the land for livelihood to identify and access similar resources with similar potentials elsewhere in consultation with them; (iii) translocation or replacement planting to compensate for the loss of any tree; (iv) avoid culturally sensitive areas, and (v) stay in touch with the stakeholders and update them on the progress of their RAP.

Significant PAPs are females. Due to the temporary dislocation of the DPs, regarding the scenarios here in Bangladesh, females go through more struggles than males. PAPs family members should prioritise employment in the project-related activities if they are willing and desire to be involved. This issue should be considered for females too. Demographic Characteristics of all the PAPs need to be collected to identify their socio-physical conditions concerning the clauses of vulnerability, as all the female PAPs are considered vulnerable. It helps determine the types of training suitable for them in new trades for upholding their incomes at least to the pre-project level.

9.5 WASTE PICKER AND INFORMAL SECTOR

It is well-known that a waste picker is a person who salvages/ saves reusable or recyclable materials thrown away by others to sell or for personal consumption. Waste collectors and garbage-men are sometimes called Tokai (a well-known Bangla word), and the public or private enterprises employ waste-picker to collect and dispose of municipal solid wastes (reuse) and recyclables from residential, commercial, industrial or other collection sites. In and around the city corporations and Pouroshavas, waste pickers usually collect household or commercial/industrial waste. Moreover, they collect garbage from private waste bins along streets, dumps, and landfills. Private influential in the name of contractors has been collecting solid wastes in the different urban cities, including Dhaka city corporation. The city corporations and Pouroshovas assign these contractors. Usually, the contractors hire unskilled waste pickers to collect wastes from different generation sources in and around the city corporations/Pouroshovas. These unskilled labourer are found available to engage them by paying low prices for collecting solid wastes from different sources.

According to the Bangladesh Labour Foundation, around 100,000 waste pickers work in Dhaka. They work from 8:00 AM to 4:00 PM to collect waste from all residential buildings, shops, restaurants and other establishments on the street. They collect an average of two tons of waste from a road, which is transported to the city corporation's designated places. For waste collection service, each worker receives BDT 1,000–4,000 (USD 12–47) monthly from their employer, depending on their experience and an additional BDT 100- 125 (USD 1.17–1.46) from selling recyclable items daily. Earnings from resalable items work as incentives for them to collect more waste from households and other sources. The majority of the waste collectors are uneducated, ultra-poor women and children. The widespread use of child labour in the primary waste collection is carried out to maximize profit by giving minimum wages to the working children¹².

Figure 2 Prevailing waste management system in Danajpur Puroshava



¹² Urban Waste Management in Bangladesh: An Overview with a Focus on Dhaka, Sirajul Islam, Background Paper 23rd ASEF Summer University ASEF Education Department October 2021

Challenges are encountered faced by waste pickers. During the field visit for the pre-selection of the subprojects under ISWMIP, deficiencies in proper waste management practised at landfill sites in the City Corporations, and Puroshava are widely observed. Unfair and inconsistent prices from buyers for receiving waste are being prevailed; as a result, waste-pickers are not receiving guaranteed incomes from waste picking to improve their livelihoods.

Role of the informal sector in solid waste management is significantly observed; informal waste pickers deliberately contribute to waste management and resource efficiency by collecting, sorting and assisting the contractors assigned by city corporations of garbage/ solid waste traders from which more significant numbers of picketers have an income opportunity. Virtually, waste reuse and recycling activities are still carried out very informally. This informal segregation occurs when the primarily collected waste is transported to secondary points and landfills. Poor waste pickers come to landfills every day from nearby villages, collect recyclable materials and then sell them to nearby recycling workshops. The livelihoods of waste pickers and recyclers are dependent on the functioning of this informal waste segregation and recycling around the landfills¹³.

Wastages are inevitable as the product of human activities. Rapid urbanization, economic growth, and living standards in urban cities like City Corporations and Pourashovas generate an increase in the volume of waste, which creates complexity in the case ecological balances of the towns. City corporations and Pouroshovas are mostly surrounded by different kinds of industries, mainly garments factories and other enterprises. City Corporations / Pouroshovas cannot manage increasing quantities of waste, resulting in uncollected garbage on roads and other public places.

¹³ Urban Waste Management in Bangladesh: An Overview with a Focus on Dhaka, Sirajul Islam, Background Paper 23rd ASEF Summer University ASEF Education Department October 2021

10. LEGAL AND POLICY FRAMEWORK

10.1 LEGAL AND POLICY FRAMEWORK

This Resettlement Planning Framework (LPF) is prepared in connection with the social safeguard and land acquisition upon the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) of Bangladesh and AIIB's ESF, specifically ESS2. The primary objective of ESS2 is to ensure that PAPs are assisted in improving or, at a very minimum restore, their former living standards, income earning capacity, and production levels.

10.2 ASIAN INFRASTRUCTURE INVESTMENT BANK (AIIB) ENVIRONMENTAL AND SOCIAL POLICY

The AIIB Environmental and Social Policy applies to the Project funded by it (AIIB), and sets out the general processes and requirements for project screening and categorisation, environmental and social due diligence, environmental and social assessment, environmental and social management plans, environmental and social assessment tools and management plan framework, information disclosure, public consultation, monitoring and reporting as well as grievance redress. It also defines the roles and responsibilities between the Bank and the clients. The Policy must be complied with to secure AIIB financing for the development projects.

10.3 AIIB'S INVOLUNTARY RESETTLEMENT, ESS 2

In line with the Social Standard 2 of the AIIB ESF 2021, Involuntary Resettlement Standard aims to avoid involuntary resettlement wherever possible; to minimize Involuntary Resettlement by exploring Project alternatives, where avoidance is not feasible, to enhance or at least restore the livelihoods of displaced persons in real terms relative to the pre-project levels, to improve the overall socio-economic status of the displaced poor and other vulnerable groups, and to conceive and implement resettlement activities as sustainable development programmes, providing sufficient resources to enable the persons displaced by the project to share in project benefits. Thus, the EA/ IE will follow the AIIB's principle of the Social Standard during the preparation and implementation of RPs for the sub-projects under ISWMIP.

10.4 BANGLADESH LAWS AND REGULATIONS

This chapter will cover the compensation of the Project Affected Persons (PAPs) due to Involuntary Resettlement (IR) impacts under the Land Acquisition, Requisition and Immobile Property Acts 2017. In addition, other policies with respect to solid waste management and lab our laws are to be discussed.

The basic principles of compensation for property in Bangladesh are spelt out in the Articles 42 and 47 of the Constitution. The legislation governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Act (ARIPA), 2017. The Acquisition and Requisition of Immovable Property Act, 2017 (henceforth, the Act 2017) repealed the Acquisition and Requisition of Immovable Property Ordinance 1982 (subsequent amendments of it up to 1994) and is used as the legal support for land acquisition and requisition in Bangladesh. The Act 2017 requires that compensation will be paid for (i) land and assets permanently acquired (including standing crops, trees, and houses); and (ii) any other damages caused by such acquisition. The Act 2017 provides certain safeguards for the owners and has provision for payment of "fair value" for the property acquired. The landowner can appeal against land acquisition within 15 (fifteen) days of notice under Section 4 of the Act 2017. Despite this, the Act 2017 does not cover Project-affected Persons without titles or ownership records, such as informal settler/squatters, occupiers, and informal tenants and leaseholders (without document). It does not ensure the replacement value of the property acquired. The Act has no provision of resettlement assistance and transitional allowances for restoration of livelihoods of the non-titled Project affected persons.

The Deputy Commissioner (DC) determines the "market value" of acquired assets on the date of notice of acquisition served (under Section 4 of the Act 2017). The DC then adds a 200% premium of the assessed value of land for cash compensation under the law (CCL) for government acquisitions. The CCL paid for land is generally less than the "market value" as owners customarily report lower values during registration to avoid and pay fewer taxes. Suppose acquired Land has standing crops cultivated by the tenant (bargadar is said in Bangla) under a legally constituted written agreement. In that case, the law requires that part of the compensation money be paid in cash to the tenants as per the agreement. The DC adds a 100% premium of the assessed value to compensate for the loss of structures, crops, and trees.

If there is a dispute regarding the amount of compensation, there is an option for arbitration, and the procedures for such are in place. Places of worship, graveyard and cremation grounds are not to be acquired for any purpose unless the acquisition of these places is deemed unavoidable for the best interest of the people. The proponents will be allowed to acquire such areas, given that it funds the replacement and rebuilding of such places.

Refusing the compensation by the affected property owner/ landowner: In case of refusing to receive the compensation by the PAPs, the Section-23 of the Land Acquisition, Requisition and Immobile Property Acts 2017 mentioned that Payment of compensation: (1) On making an award under section 22, the Deputy Commissioner shall tender payment of the compensation awarded by him to the persons entitled thereto according to the award, and shall pay it to them unless prevented by any of the contingencies mentioned in sub-section (2). (2) If the persons entitled to compensation do not consent to receive or if there be no person competent to receive the compensation, or if there be any dispute as to the title to receive the compensation or as to the apportionment of it, the Deputy Commissioner shall keep the amount of the compensation in a deposit account in the Public Account of the Republic which shall be deemed payment of the compensation for the requisitioned property without any prejudice to the claim of the parties to be determined by the Arbitrator¹⁴.

Many "good practices" include but are not limited to (i) identification of all displaced persons and issuance of ID cards; (ii) cut-off date established by census; (iii) preparation of automated Loss Files and Entitlement Card (iv) Preparation of payment statement (v) compensation for losses irrespective of title to land; (vi) paying replacement cost of land and other assets; (vii) resettlement of the affected households; (viii) special provisions for assistance to poor women and vulnerable groups; (ix) training/livelihood programs for income and livelihood restoration; (x) project benefits for "host" villages; (xi) management information system for processing resettlement benefits, monitoring and evaluation; and (xii) involvement of NGOs in RAP implementation – which has influenced many other projects.

10.5 AIIB POLICIES

AIIB considers a fundamental aspect of achieving outcomes consistent with its mandate to support infrastructure development and enhance interconnectivity in Asia. AIIB has a policy in the name of "Environmental and Social Standards (ESS)" to address environmental and social sustainability issues. The objective of its principle policy is to facilitate the achievement of development outcomes through a system that integrates sound environmental and social management into Projects.

AIIB has three associated environmental and social standards (ESSs), which set out more detailed mandatory environmental and social requirements relating to the following:

- **ESS 1: Environmental and Social Assessment and Management (ESS 1);**
- **ESS 2: Involuntary Resettlement (ESS 2);**
- **ESS 3: Indigenous Peoples (ESS 3)**

In case of any involuntary resettlement, AIIB maintains internationally applicable principles. AIIB carefully screens every project to determine whether or not it instigates any involuntary resettlement due to the project interventions. This includes physical and economic displacement, defined in the Environmental and Social Standards (ESS) 2: 'Involuntary Resettlement' under AIIB's Environmental and Social Framework (Approved February 2016; Amended February 2019).

ESS 2 precisely acknowledges cases where no alternatives can be found to avoid involuntary resettlement. In such cases, AIIB requires the client to ensure that resettlement activities are conceived and carried out as sustainable development programs. The client is required to provide sufficient resources to ensure that the people who are recognised to face involuntary resettlement share the benefits of the project.

The client is required to prepare a Resettlement Planning Framework and/or Resettlement Action Plan (RAP) in case of any involuntary resettlement, which is found proportionate to the extent and degree of impacts of a project. The degree of impact is determined by (a) the overall scope of displacement – from an economic and physical standpoint and (b) the extent of vulnerability of the PAPs. A more comprehensive analysis of the project's social risks and their impacts is complemented by the RAPs for a comprehensive Environmental and Social Impact Assessment (ESIA) of the Project. The RPF, as well as the RAP for a project set, put the principles to be followed to ensure that impacts associated with involuntary resettlement, including but not limited to – any land

¹⁴ Section-23, Land Acquisition, Requisition and Immobile Property Acts 2017

acquisition from, the land use rights changes of, any displacement of, and the need for livelihood restoration of the PAPs are mitigated to ensure Project Affected People (PAP) are no worse off and where possible their lives are improved as a result of the resettlement.

AIBB recognized people without land title or legal rights to Land are entitled to compensation. As specified in the Environmental and Social Framework (2019), AIBB acknowledges that a considerable part of the population in the countries where the Bank operates without land title or recognized land rights. The bank requires the client to ensure that these people receive resettlement assistance and compensation for loss of non-land assets; the procedure to ensure such would have to be in accordance with the cut-off dates established in the RAP for the project. Additionally, AIBB requires the client to include these people in the resettlement consultation process.

10.6 AIBB ESS2: RESETTLEMENT & RELOCATION PRINCIPLES

This chapter will cover the AIBB's principles of resettlement and relocation from the perspective of social safeguards and resettlement principles to address land acquisition, restrictions on land use, and involuntary resettlement impacts. AIBB ESF policy deals with the objectives of social safeguards are to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in comparison to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. Accordingly, in the case of implementing the sub-projects under ISWMIP, AIBB's ESS 2 will need to be applied to all components of the sub-projects owing to involuntary resettlement being directly related to the subproject activities. This RFP is fully adopted, dealing with the principle of AIBB's Environment and Social Standard 2 (ESS2), which are as follows in brief:

The social safeguard will cover physical displacement (relocation, loss of residential Land, or loss of shelter) and economic displacement (loss of Land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary acquisition of Land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. The critical elements of social safeguards are (i) compensation at replacement cost for lost assets, livelihood, and income before displacement; (ii) assistance for relocation, including the provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the Project as without it.

The EA will give attention to the poor and vulnerable households to ensure their improved livelihoods due to project interventions. In integrating these key aspects, the Entitlement Matrix is prepared as part of this RPF, which is to be accommodated with the RP for each sub-project:

Table 5 Eligibility and Entitlement Matrix

Unit of Entitlement	Entitlements
Impact category 1: Acquisition of agricultural, homestead, commercial, water bodies (ponds), land	
The legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> Cash compensation under the law (CCL) which includes a 200% premium Replacement Value (RV) and dislocation Allowance as recommended by PAVC. If RV is higher than CCL, the difference will be paid by LGED. 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	

Unit of Entitlement	Entitlements
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 LGED following the guideline of ARIPA 2017 • 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 a 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). • The requisition can be a maximum of 2 years The land must be returned to the owner in its original condition; otherwise, compensation has to be paid as decided by DC and the landowner.
Impact category 3: Loss of residential and commercial structures with title to land	
Unit of Entitlement	Entitlements
The legal owner(s) as identified by DC in the process of CCL payment.	<ul style="list-style-type: none"> • CCL includes 100% premium or RV, whichever is higher • If RV is higher than CCL, the difference will be paid by LGED as a top-up. • Transfer Grant at an actual cost which will include labour cost and transportation cost • Reconstruction Grant in actual cost, which will include land development, labour cost, and transportation cost • LGED, in collaboration with local government, City corporations and Purashava will do its best to identify alternative residential or commercial sites for the affected HHs. • The owner will be allowed to take away all salvageable materials. • Dismantling cost for a 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 and commercial structures without title to land (squatters/vendors/encroachers)	
Non-titled person owners, vendors, and encroachers those own residential and commercial structures (movable and non-movable built on GoB land as found during the census	<ul style="list-style-type: none"> • Replacement value of the structure as determined by PVAC in consultation with affected HHs. • Transfer Grant at an actual cost which will include labour cost and transportation cost • Reconstruction Grant in actual cost, which will include land development, labour cost and transportation cost • LGED, in collaboration with local government, City corporations and Puroshava, will do its best to identify alternative residential or commercial sites for the affected HHs. • The owner will be allowed to take away all salvageable materials free of cost. • Dismantling cost for a non-shiftable 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 tittle to land	

Unit of Entitlement	Entitlements
<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 recognised 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"> CCL which includes 200% premium for land (title holder) If RV of land is higher than CCL, the difference will be paid by LGED as top-up. CCL which includes 100% premium for assets other than land (titleholder) If RV of assets other than land is higher than CCL, the difference will be paid by LGED as a top-up (titleholder) Replacement Value (RV) of structure, trees, or any other assets other than land for the non-titled holder Transfer Grant at actual cost, which will include labour cost and transportation cost Reconstruction Grant in actual cost, which will include land development, labour cost, and transportation cost The owner will be allowed to take away all salvageable materials free of cost. Dismantling cost for a non-shiftable structure will be determined by the PVAC based on the actual price and consultation with affected HHs. Or The project will construct a new community property in consultation with the community and / or managing committee No community property cannot be demolished until new one is constructed.
Impact category 6: 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 recognised 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 onetime 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 7: Loss of standing crops/fish stock	
<ul style="list-style-type: none"> Owner cultivators as identified in joint verification by DC and LGED. Socially recognised 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 squatters 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 8: Loss of leased /mortgaged in land/ponds	
<ul style="list-style-type: none"> Leaseholder with legal papers. • 	<ul style="list-style-type: none"> RV of crops/fish stock.
Impact category 9: 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 10: Temporary loss of income (wage earners in agriculture, commerce & small business and industry) for title and non-title	
<p>Regular wage earners affected by the acquisition. Also applicable for non-titled</p>	<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

Unit of Entitlement	Entitlements
	<ul style="list-style-type: none"> Income and livelihood restoration assistance, to be created by the Project.
Unit of Entitlement	Entitlements
Impact category 11: Loss of income from rented -out and access to rented-in residential/ commercial premises	
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.	<ul style="list-style-type: none"> 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
Impact category 12: Adverse Impact on Host Population Due to Relocation of PAPs	
Households relocated to the host villages	<ul style="list-style-type: none"> Enhancement of carrying capacity of common civic amenities/utilities of the host communities as per assessment by LGED.
Impact Category 12: Severally affected and Vulnerable HHs and livelihood assistance	
Persons losing more than 10% of their incomes from all sources as identified by Census and verified by PVAC	<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 PAVC and the assign NGO All the vendors and squatters will be eligible for Skill training and credit support under income generation program.
Impact category 14: Construction induced impact	
Households/persons affected by any unforeseen impact identified during RP implementation	<ul style="list-style-type: none"> Entitlements will be determined as per the resettlement policy framework of ADB
Title and non-title land	<ul style="list-style-type: none"> RV of damaged land, structure, tree, crops/fish stock structure, tree and /or any type and /or any type of assets owners as determined by PVAC and affected land / of assets owners Owner will be allowed to take away all salvageable materials
Impact category 15: Voluntary land donation	
	<ul style="list-style-type: none"> 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 donor is expected to benefit directly from the project i.e. job opportunities etc. For community or collective land, a donation can only occur with the consent of individuals using or occupying the land. LGED will maintain a transparent record of all consultations and agreements reached; and All donation consultations and documentation procedures must be well documented and preserved.

CCL: Cash compensation under law (CCL); PVAC= Property Valuation Advisory Committee

10.7 GAPS BETWEEN GOB AND AIIB POLICIES AND GAP-FILLING MEASURES

This chapter will explain the comparison and gaps between the GoB and the AIIB policy framework in case of paying compensation for the lost assets and resettlement to the PAPs. And how those gaps are to be fulfilled as per the policy framework of the AIIB. A brief description of the gaps between the Government laws and AIIB policy, along with a summary of gaps and gap-filling measures, is presented below:

The Act 2017 does not recognize unauthorized occupants on Government land, and there is no clear indication about avoiding or minimizing displacement. AIIB policies strongly require avoiding or minimising adverse impacts through exploring project alternatives.

The adverse social impacts are not fully addressed by the Act 2017– for instance, there are no provisions to ensure that the compensations for resettlement and relocation of the PAPs are adequate as the amounts of compensation are based on the hard rules and not on a project basis; AIIB policies, on the other hand, require to enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels by screening the social impacts in a case by case process based on project benefits, project location, project type etc. The Act has no provision of resettlement assistance for the restoration of livelihoods of affected persons except for legal compensation.

The Act 2017 does not pay attention to public consultation, stakeholders' engagements in project planning and execution and the monitoring of project-affected persons. On the other hand, AIIB policies require meaningful consultation with the affected people and other stakeholders to disseminate project goals and objectives to obtain stakeholders' views and inputs in project planning and implementation.

The Act 2017 provides several mechanisms for grievance redress regarding individual interests in the property and issues related to compensation which get raised with the DC. But there is no provision to hear other resettlement-related grievances arising from loss of livelihoods, loss of access to public infrastructure, or damages to property caused by acquisition and construction-related impacts. LGED, with the support of Pouroushava and city corporations, will establish a local grievance redress mechanism that is easily accessible and immediately responsive; it includes a variety of stakeholders, including the DC.

Finally, AIIB policies pay special attention to gender issues and vulnerable groups in the resettlement processes, particularly the non-titled and the affected poor households. The policy gaps have been bridged by additional project-specific measures adopted in the RAP. While dealing with compensation, replacement cost (for lost assets and income), and rehabilitation and livelihood assistance, PAPs with no legal rights will be taken into consideration as well. The measures will include improvement or at least restoration of the PAPs standard of living at the pre-project level. Special attention will be given to vulnerable groups, including those below the poverty line, the landless, the elderly, the women and the children, indigenous peoples, and those without legal title to land. In sum, the added measures in this Project fully comply with AIIB's policy of involuntary resettlement - Environmental and Social Standard 2. The following table provides a summary of the key measures taken to comply with AIIB Policy requirements:

10.8 BRIDGING GAPS AND RESETTLEMENT PRINCIPLES APPLICABLE FOR THE PROJECT

Table 6 Comparison between GoB laws and AIIB Safeguard Policies on Resettlement

Sl. No.	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap	Gap Filling Measures Through AIIB ESS2
1	Not defined in the Act	Act 2017 does not deal with the depreciation of involuntary resettlement. However, the government uses this approach as a standard practice.	Involuntary resettlement should be avoided wherever possible.
2	Not so clearly defined in the Act. Places of worship, graveyard and cremation grounds are not to be acquired for any purpose unless the acquisition of these places is deemed unavoidable for the best interest of the people.	Act 2017 does not deal with these issues and does not comply with AIIB ESS2, as the Act 2017 has no vital provision for minimizing adverse impacts on private property or common resources and does not deal with an alternate design. The RPF mentions minimising involuntary resettlement through proper alternate engineering design and adequate consultation with stakeholders.	Minimise involuntary resettlement by exploring project and design alternatives.

Sl. No.	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap	Gap Filling Measures Through AIIB ESS2
3	The Act 2017 spells out that upon approval of the request for land by the office of the DC, the acquiring and Requiring body staff will conduct the physical inventory of assets and	The Act 2017 does not require the coverage of the census survey. It only reflects the inventory of losses which is more in physical terms, and only includes the names of the owners, etc. The AIIB policy spells out a detailed census through household surveys of	Conducting a census of displaced persons and resettlement planning
	Properties are found in the land. The inventory form consists of the name of the person, quantity and quality of land, asset assets affected, and the materials used in the construction of the house. The cut-off date is the date of publication of notice that land is subject to acquisition and that any alteration or improvement thereon will not be considered for compensation.	displaced persons to assess the loss of income and vulnerability of the persons affected by land acquisition but also population displacement and other entitlements as per the entitlement matrix. The RPF fills this gap by incorporating the need for a census survey for displaced persons.	
4	Section 3 of the ordinance provides that whenever it appears to the DC that any property is needed or is likely to be needed for any public purpose or in the public interest, s/he shall publish a notice at convenient places on or near the property in the prescribed form and manner stating that the property is proposed for acquisition.	The Act 2017 does not directly meet AIIB ESS2. This section of the ordinance establishes an indirect form of information disclosure/public consultation. However, it does not provide for public meetings and project disclosure, so stakeholders are not informed about the purpose of land acquisition, its proposed use, or compensation, entitlements, and special assistance measures. The RPF deals with the proper consultation process, which involves all stakeholders (DPs, government department/line agencies, local community, NGO, etc.), and the consultation will be a continuous process at all stages of the project development, such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation, and monitoring of the resettlement program.
5	Section 4 allows the occupant of the land to raise objections in writing. These should be filed to the DC within 15 days of the publication. The DC will then hear the complaints and prepare a report and record of proceedings within 30 days following the expiry of the 15 days given to DPs to file their objections.	The section 4 provision is consistent with AIIB's grievance and redress policy. The RPF has a special requirement for grievance procedures, which includes the formation of a grievance redress committee, the appointment of an arbitrator, and the publication of the notice of hearings and the scope of proceedings. The PAPs can raise any grievances relating to LA&R issues	Establish a grievance redress mechanism.
6	The Act 2017 does not address the issues related to income loss, livelihood,	Act 2007 does not comply with AIIB ESS2 as there is no provision to assess the impacts on incomes and livelihood from the loss of	Improve or at least restore the livelihoods of all displaced persons.

Sl. No.	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap	Gap Filling Measures Through AIIB ESS2
	or loss of the non-titleholders. This only deals with the compensation for loss of land, structures, crops, trees, etc. for the legal titleholders.	employment and business or to restore lost incomes and livelihoods. The RPF keeps the provision for a census survey that will have the data on the loss of income and livelihood. The same will be compensated per the entitlement matrix for physically and economically displaced persons.	
7	The Act 2017 does not address these issues.	The Act 2017 does not meet the requirement of AIIB ESS2. The RPF proposes the land-for-land compensation as its priority if feasible. Attempts will be made to find alternative land for the loss of land in case it is available and if it is feasible, looking at the concurrence of the host community and land value. However, this option may be a difficult proposition, considering the urban development projects in Bangladesh.	Land-based resettlement strategy
8	The Act 2017 states that the deputy commissioner (DC) determines the amount of compensation by considering: (i) the replacement cost of the property based on the average sale value of last 12 months preceding the publication of 1st notice of acquisition; (ii) the damage to standing crops and trees; (iii) damage by severing such property from the other properties of the person occupying the land; (iv) adverse effects on other properties, immovable or movable, and/or earnings; and (v) the cost of change of place of residence or place of business. The DC also awards a sum of 50% on the replacement cost of the property to be acquired.	Act 2017 is largely consistent with AIIB ESS2. However, there are differences in the valuation of land and prices of affected assets, where AIIB prescribes the use of current market rates in the project area. Act 2017 does not ensure replacement cost or restoration of pre-project incomes of the displaced persons. The RPF addresses all these issues and spells out a mechanism to fix the replacement cost by putting in an independent evaluator who will be responsible for deciding the replacement cost, taking into consideration the Current Market Price and titling cost of the land.	All compensation should be based on the principle of replacement cost.
9	If DC considers that the structure can easily be transferred, s/he will give relocation cost but not cash compensation under law,	The Act 2017 does not define the additional relocation assistance to displaced persons, other than the compensation for the direct loss of land and property. Hence, Act 2017 does not comply with AIIB ESS2. The RPF provides the eligibility and entitlement for the relocation of the displaced persons in the form of relocation assistance, which includes shifting allowances, right to salvage materials, and additional transitional assistance for the loss of business and employment.	Provide relocation assistance to displaced persons.

Sl. No.	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap	Gap Filling Measures Through AIIB ESS2
10	The Act 2017 does not have this provision.	The Act 2017 is not consistent with the requirements of AIIB's ESS2. This is a major difference in the national law/policy compared to that of AIIB. The Act 2017 only takes into consideration the legal titleholders and ignores the non-titleholders. The objective of the RPF is to ensure that compensation and assistance is provided to all displaced persons, whether physically displaced or economically displaced, irrespective of their legal status of land on which the structure is built. The end of the census survey will be considered to be the cut-off date, and displaced persons listed before the cut-off-date will be eligible for assistance.	Ensure that displaced persons without titles to land or any recognisable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
11	The ordinance only ensures the initial notification for the acquisition of a particular property	There is no requirements under the Act, of disclosure of the RPF, whereas the AIIB's ESS2 requires disclosure. This RPF will ensure that the resettlement plan for each project, along with the necessary eligibility and entitlement will be disclosed to the DPs in the local language (Bangla), in the project location and concerned government offices, and the same resettlement plan will also be disclosed on the executing agency's website and on the website of AIIB.	Disclose the resettlement plan, including documentation of the consultation in an accessible place and a form and language understandable to affected persons and other stakeholders.
12	The Act 2017 has a provision to include all the costs related to land acquisition and compensation of legal property and assets. However, it does not consider	The Act 2017 partially meets the requirement of AIIB ESS2 as it only deals with the compensation pertaining to land acquisition. The resettlement framework provides the eligibility to both titleholders and non-	Conceive and execute involuntary resettlement as part of a development
	the costs related to other assistance and involuntary resettlement.	titleholders with compensation and various kinds of assistance as part of the resettlement packages, and the entire cost will be the part of the project cost.	project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.
13	The Act 2017 has the provision that all the compensation will be paid prior to possession of the acquired land by EA.	The Act 2017 meets the requirement of AIIB ESS2.	Pay compensation and provide other resettlement entitlements before physical or economic displacement.
14	This is not so clearly defined in the Act 2017.	The Act 2017 does not comply with AIIB ESS2. The RPF has a detailed provision for a monitoring system within the executing agency. The executing agency will be responsible for proper monitoring of the resettlement plan implementation, and the	Monitor and assess resettlement outcomes, and their impacts on the standards of living of displaced persons.

Sl. No.	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap	Gap Filling Measures Through AIIB ESS2
		internal monitoring will also be verified by an external monitoring expert.	

10.9 CHANGE OF SUBPROJECT SCOPE OR IDENTIFICATION OF UNANTICIPATED IMPACTS

In case of changes in the scope of the Project, or unanticipated impacts identified during subproject implementation, which are not covered under the eligibility and entitlement provisions of this RPF, additional eligibility and entitlement provisions will be determined in accordance with the resettlement requirements of the AIIB's ESS2 and the applicable legal policy of the GoB. Accordingly, the RPF will be endorsed by the government and AIIB-cleared, updated RPF shall be disclosed on the AIIB and EA websites. Based on the updated RPF, specific sub-project RPs will be updated with new eligibility and entitlement updated provisions on account of unidentified impacts and losses under any sub-projects and the concerned displaced persons of such sub-projects will be consulted and on new entitlement and RP provisions will be disclosed to them.

II. RESETTLEMENT PLANNING PROCEDURES

II.1 RESETTLEMENT AND RELOCATION PROCESS

The components with physical works/interventions require screening. The social screening will occur during the project preparation stage as soon as fairly accurate site location(s) is (are) known for the subproject. A preliminary assessment of the potential impacts of the sub-project is required for which PIU, with the support of PIC will conduct the social screening for each subproject. The screening will help identify impacts and issues which can be verified during field investigations. This social screening will provide a primary idea regarding the nature, extent, and timing of social issues that need to be taken into account during the subsequent stages of taking appropriate measures. The screening will also help identify the scope of further assessments and the timeframe required to obtain the regulatory clearances (if any). If further assessments and plans (such as RP, RAP, etc.) are deemed necessary, these plans will be prepared according to the outline provided in the Annex of this RPF. Thus, at the identification stage, LGED will conduct screening by taking the following steps

Table 7 Resettlement Planning, responsibility, and timing

Screening and Preparation Step	Responsibility	Timing
Identification of Subproject	Project Implementation Committee (PIC) and Project Implementation Unit (PIU) together with Gender Specialist; and Senior Social Specialist.	After identification of potential location(s) in consultations with the local people.
Census, socioeconomic survey, Inventory of Lost (IOL) and Property Valuation Survey	Once the project location is identified, LGED with the support of assigned NGO/ consulting firm will conduct relevant surveys. During the survey, Social and environmental Specialists will conduct consultation meetings with the local people and affected HHHs.	Once the locations are identified
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. LGED will also prepare land acquisition plan with the support of City Corporation/ Puroshava, 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 ESS2
Implementation of RAP	Once the RAP is approved by ministry and AIB, PIU will implement the same with the support of INGO/Consulting firm and DC office. AIB E&S team will review the status of implementation through supervision.	Approximately in three years or as recommended in RAP.

II.2 DETAILED ASSESSMENT AND SURVEY

With the support of the respective City Corporation/ Puroshava, LGED will conduct a census and socioeconomic survey(s), with appropriate socioeconomic baseline data, to identify all persons who will be affected by the project to assess the project's socioeconomic impacts on them. A social impact assessment will be done based on the outcomes of the census survey, which will include potential social impacts, income and livelihood of displaced persons and gender-disaggregated information about 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. All (100%) affected persons will be brought under the socioeconomic survey.

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;

Data on the gender-disaggregated and relevant ethnicity-disaggregated in the case of small ethnic communities, information about displaced persons' economic and socio-cultural conditions will be collected. Before the census survey, consultation must be conducted with all affected households and other stakeholders. 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 the 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 subproject area; and (ii) analysis of social structures and income resources of the population.

As part of the social impact assessment, the LGED will identify individuals and groups who may be differentially or disproportionately affected by the program because of their disadvantaged or vulnerable status. Where such individuals and groups are identified, LGED 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.

11.3 CENSUS AND SOCIO-ECONOMIC SURVEY

The census of the socioeconomic survey will identify the following information :

- The scope and scale of land acquisition and impacts on structures and other fixed assets;
- Any project-imposed restrictions on the 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 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 locally 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 include a description of formal and informal institutions that may be relevant to the consultation strategy and designing and implementation of the resettlement activities.

12. METHODS OF VALUING AFFECTED ASSETS

12.1 AFFECTED ASSETS

This chapter will explain the value of Houses and other structures at replacement cost based on construction type, size of the affected structure, and overall labour cost in the area. No deductions will be made for depreciation, salvageable materials, or transaction costs. Houses and other structures will be valued at replacement cost based on the construction type and size of the affected structure and overall labour cost in the area. No deductions will be made for depreciation, salvageable materials, transaction costs, or taxes. Rates will be evaluated by a valuation committee including representatives of the EA, APs, and relevant line departments to determine the replacement cost. Rehabilitation or replacement of affected structures and utilities (i.e. schools, mosques, etc.) to pre-Project level will be ensured.

12.2 PRINCIPLE FOR VALUATION & COMPENSATION UNIT RATES

The method for valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement need to be ensured. The valuation method will be based on provisions for compensation for land and other assets following the Acquisition and Requisition of Immovable Property Act, 2017 and replacement cost and other assistance and allowances following the AIIB policies. In any instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable the purchase or construction of housing to meet acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in the sub-project areas where inflation is high or the period between the calculation of compensation rates and delivery of compensation is extensive.

12.3 LOSS OF INCOMES

Compensation for the loss of income due to the establishment of the subprojects under ISWMIP will be considered and calculated in the following way:

- PAPs losing structures (residential or commercial), assets, and trees from which they could earn income are entitled to compensation and rehabilitation subsidies, including relocation and business losses allowance.
- Those informal land users without traditional/recognizable rights and encroachers losing land will not be entitled to land compensation but will be provided compensation for their assets, including structures, businesses and resettlement and rehabilitation assistance as per the entitlement matrix prepared for this RF.
- In the pre-project situation, vulnerable women, adolescents, and street children earned money by collecting garbage from the Purashova/ city corporations' dumping points and sorting out valuables from the garbage ; subsequently, they sell it out that are valuable in the markets. These groups of PAPs will be affected by establishing the solid waste management project by losing their jobs in this field. Thus, they should be compensated by assessing their daily, weekly and monthly income. Moreover, these PAPs will have to be involved in the Livelihood Restoration program by providing appropriate training and skills in which they can improve their standard of living at least pre-project situation.

12.4 VALUATION OF LOST/AFFECTED ASSETS

- i. **Loss of Land:** All lands proposed to be acquired under this Project will be compensated as per replacement cost consistent with both Government and AIIB policies. The design consultants will prepare site plan overlays on the cadastral map to define the area and parcels to be acquired. This forms part of the application to the Ministry of Land (MOL). The MOL will then assign the task to the concerned Deputy Commissioner (DC) in the project areas. The DC will then decide the cost of land through its property valuation advisory committee, which will serve as the valuation committee. The land valuation process will consist of two different values – 1) the sale deed record, 2) the expected price. The LGED will be responsible for providing the recorded rate from the Local Land Registry Office (LLRO) (i.e., the sale deed record for the last one year). The LGED will attempt to consult with some

willing buyers or sellers of the area to collect the expected price of land. The LGED will submit the above two rates to the valuation committee. Based on these rates the valuation committee will derive a price which will be called the current market rate. Additionally, the cost for tax and stamp duties, etc will be added to the current market rate as derived by the valuation committee which will finally be considered as the replacement cost.

- ii. **Loss of Private Buildings and Structures.** In case of paying the compensation for houses, buildings, and other immovable properties will be determined on the basis of replacement cost as of a date without depreciation. With assistance from the Public Works Department (PWD), LGED will determine the replacement cost of structures. The PIU will engage experts from PWD and the experts will carry out on the field assessment of each property and will submit the report to the DC office. LGED will ensure that the assessment is done keeping in consideration the market price and consultation with the owners by assessing sources, types, cost of materials, usage of the building and, the cost related to labor and transportation, etc.. Compensation for the loss of structures would be calculated in the following way:
 - Present value of structures as per the rates of the Public Works Department (PWD)
 - 12.5% of the value as Structure Transfer Grant (STG)
 - 12.5% of the value as Structure Reconstruction Grant (SRG)
 - The owners will be allowed to take away all the salvageable materials free of cost within the period fixed by the Project Implementing Agency (PIA)
- iii. **Loss of Community and Government Buildings and Structures.** In accordance with the modalities determined by such bodies/authority to ensure the correct use of the amount of compensation, cash compensation for properties belonging to the community if opted by the community will be provided to enable the construction of the same at new places through the community/ local self-governing bodies / appropriate authority. However, Mosques and Madrasha(s) are considered community properties affected by the project. It is to be noted that for all the affected properties, including trees, the community will be allowed to take away all the salvageable materials (free of cost) within the period to be fixed by the Project Implementing Agency. All compensation rates will be determined by the Property Value Assessment Committee (PVAC) with the help of relevant government departments.
- iv. **Loss of Trees and Crops.** With the help of the City Corporations/ Pouroshava, assigned NGO and consultants, LGED will conduct the survey on unit prices of trees and crops if significant numbers shall be affected by temporary or permanent land acquisition, in consultation with agriculture/horticulture experts. The compensation for crops will be calculated based on the yielding and current market rate. The LGED will collect data on the yielding of various crops in the project area from the department of agricultural extension. Subsequently, the market rate for each crop will be collected from the department of agricultural extension, and accordingly, the unit cost for the crop will be calculated. The unit prices for compensation of different species of fruit trees will be based on the market values of their fruits. Trees producing timber will be based according on their species, age and quality and the cost will be collected after consultation with the divisional forest office. Compensation for the loss of crops and trees would be calculated in the following way:
 - The present market value of trees as determined by the Property Value Assessment Committee (PVAC)
 - Compensation for fruits will be determined by the (PVAC)
 - The owners will be allowed to take the salvageable materials free of cost within the period fixed by the Project Implementing Agency (PIA)
- v. **Loss of Business or Sources of Income.** The PIU of LGED, with the help of the City Corporations/ Pouroshava, assigned NGO and consultants, will conduct the census survey to gather information on the actual monthly income of the PAPs followed by a verification of the income data based on the tax payment. In the absence of authentic income proof, the unit price will be decided mutually between the PAPs and the LGED during the survey through consultation.
- vi. **Gender Impact.** From the country's socio-economic situation perspective, all females displaced by the project will be considered vulnerable. Accordingly, discussions and consultations are undertaken with the women and community people to understand the

current status and needs of female displaced persons and the potential project impacts, both positive and negative and mitigation measures.

12.5 ELIGIBILITY FOR COMPENSATION & OTHER ASSISTANCE

Displaced Persons (DPs) are entitled to compensation for those who lost their land (titled or non-titled), structures, crops, trees, and other objects attached to the land, business, income, employment etc. Eligibility to receive compensation and assistance will be limited to the cut-off date. The cut-off date for payment and service is considered for those identified within the RoW proposed for acquisition at the time of the detailed design. Any households or persons identified within the project RoW during this process will be eligible for compensation and assistance from the project. The DPs who settle in the affected areas after the cut-off date will not be eligible for compensation. However, they will be given sufficient advance notice, requesting to vacate the premises and dismantle structures before project implementation. However, at the implementation stage, if there is any change in alignment and RoW, the inventory of displaced households will be updated through a detailed measurement survey and DPs census.

The RAP will be implemented according to a compensation and grants eligibility and entitlements framework in line with both GOB laws and AIB policies (ESF). The entitlements are based on provisions for compensation for land and other assets following the Acquisition and Requisition of Immovable Property Act, 2017, replacement cost, and additional assistance and allowances following the AIB policies. It is to be noted that all types of compensations and grants will be free from GoB tax.

12.6 TEMPORARY REQUIREMENT OF LAND

This chapter will explain the temporary requirement of land, if necessary, for project contractors' facilities like camps sites, stack yards, etc., through a term lease agreement between the civil works contractor and landowners. And how the Contractor and landowners negotiate and agree on terms and conditions of leasing arrangement and the role of EA in this respect.

Temporary occupation of land, if required for project contractors' facilities like camps sites, stack yards, etc., will be through a term lease agreement between the civil works contractor and landowners. The contractor will directly negotiate with the respective landowners to agree on terms and conditions of leasing arrangement for temporary occupation of Land, and accordingly, a lease agreement can be signed between the contractor and the respective landowners. However, the PIU will ensure the lease terms are judicious and cover provisions on the restoration of land to its original use if it is not otherwise agreed upon between the contractor and the landowners. In case the land is required temporarily for construction or diversions, the PIU can procure occupation of such land on a termed lease through direct negotiations with the landowners. In either case, the temporary occupation term will not exceed three years, and the landowners will be provided with the agreed lease money and incidental land restoration costs to restore the Land to its original use. The provisions on the establishment of campsites, stake yards and temporary diversions will be included in the ESMP prepared for the Project and shall be monitored accordingly.

13. ORGANISATIONAL PROCEDURES FOR RP IMPLEMENTATION

13.1 INSTITUTIONAL ROLES AND RESPONSIBILITIES

This chapter will explain the institutional arrangement, roles and responsibilities of the EA particularly and also others' intuitions in the implementation process. The following institutional organogram is suggested here, but it needs to be reorganized as per discussion with the LGED/ Project Director/ PMU:

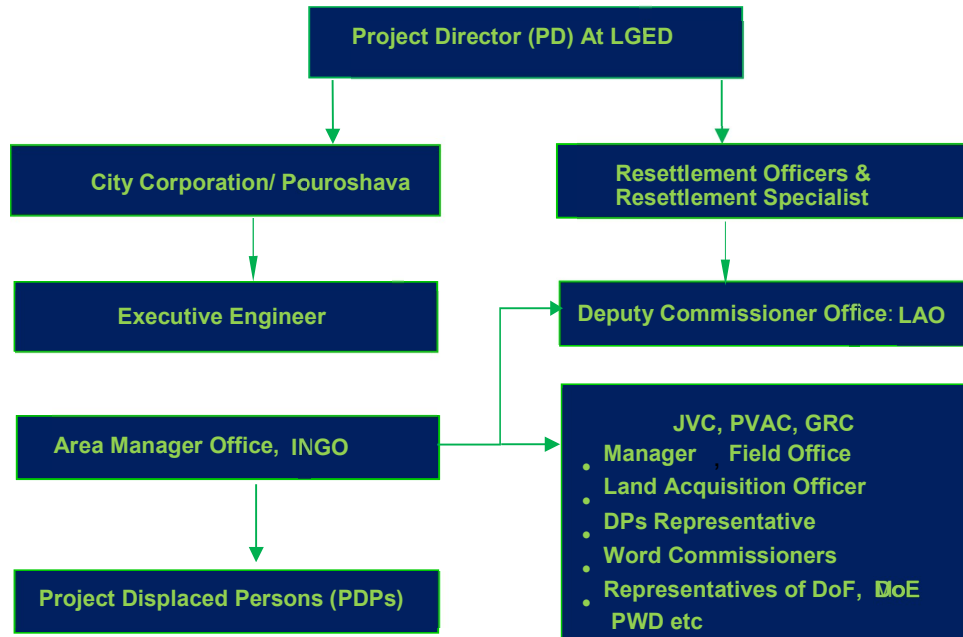


Figure 3 Types of Offices and Committees Needed at Various Levels

13.2 MINISTRY OF LOCAL GOVERNMENT, RURAL DEVELOPMENT & COOPERATIVES

The LGED, under the Ministry of LGRD & C, Rural Development Division, will be Executing Agency (EA) responsible for implementing the RPs. LGED shall establish a Project Management Unit (PMU) for the Project, headed by a Project Director (PD) responsible for the overall execution of the Project. The EA also will set up a Sub-projects Management Office (SMOs) headed by the Executive Engineer of the respective City Corporation / Pouroshava. The PD may hire an experienced implementing NGO to assist the EA in implementing the resettlement program. To expedite the process, the RP implementing NGO will coordinate with the DC office and assist EA in the land acquisition process. EA will engage a Management Supervisory Consultant (MSC) in carrying out a range of activities, including implementing and monitoring the safeguards aspects of the project. The Resettlement Specialist (RS) under the MSC will be overall responsible for arranging or carrying out the activities of preparation/updating/finalizing the RPs for the sub-projects with IR impacts based on the information from the detailed engineering design documentation prepared by the Design & Supervision Consultant (DSC). The Ministry of LGRD will constitute required committees, i.e. Joint Verification Team (JVT), Property Valuation Advisory Committee (PVAC), Grievance Redress Committee (GRC) etc., with the involvement of representatives from LGED, DC, NGO, LGI and PAPs.

The Ministry of LGRD&C, through a gazette notification/administrative circular, shall form various committees/teams involving representatives from DC, LGED, LGI and APs for implementation of the RP at the field level. These committees/teams will ensure stakeholders' participation and uphold the interests of the vulnerable DPs. The powers and jurisdictions of the committees will be clearly defined in the gazette notification.

13.3 LOCAL GOVERNMENT ENGINEERING DEPARTMENT (LGED)

The Local Government Engineering Development (LGED) under the Ministry of Local Government Rural Development & Cooperatives (LGRD & C), Rural Development Division, will be the Executing Agency (EA) responsible for implementing the RPs. LGED shall establish a PMU for the Project, headed by a PD that will be responsible for the overall execution of the Project. The EA also will set up a SMO headed by the Executive Engineer of the concerned Pouroshova/ City Corporation in the district, which will work under the PMU. The respective Executive Engineer will prepare a LA plan to be acquired for each subproject found with the land acquisition & resettlement impacts and shall submit to the concerned DC.

13.4 PROJECT DIRECTOR/ PROJECT IMPLEMENTATION UNIT

At the Project level, ISWMIP will exercise its functions through a PIU. The PIU will be responsible for the general project execution of the project and streamline the safeguards-related tasks of different sub-projects headed by the PD. The PIU is responsible for ensuring compliance with the national and AIB environmental and social safeguard requirements, including preparing RPs and other management plans.

The PD will be responsible for implementing the safeguards instruments for all sub-projects and for maintaining regular contact with the local community and authorities. The PD will collect information and progress on social safeguards compliance from the PIU, which will be tasked with day-to-day project-related activities at the subproject level. The PIU will be established to serve as a central unit for providing technical backstopping regarding safeguards management for all sub-projects and has the overall responsibility for planning, implementation and supervision of safeguard functions described in this Resettlement Planning Framework (RPF). The PD will keep a close liaison with the AIB safeguards team to seek clarity and guidance on the safeguards requirements of the program and will oversee the supervisory consultants for the preparation of safeguard documents. PIU will ensure the quality of safeguards documents prepared by the consultants and shall endorse all safeguards-related documents to AIB for review, clearance and disclosure. The role of PIU will include to:

- Coordinate with the administrative Ministry and other agencies concerned like the Dept. of Environment
- Coordinate with the supervisory consultants and keep an oversight to facilitate them during impact assessment, census and socio-economic surveys and consultations with APs during RP preparation. This is to ensure consistency of approach and avoid variation in information obtained and given, and address issues immediately as they arise on-site.
- Ensure that the RP preparation consultants should be in conformity with the RPF provisions and that the impacted assets be accurately assessed and linked to the respective APs
- Coordinate with supervisory consultants under ISWMIP to streamline resettlement planning activities
- Review the RPF and RPs (draft/updated), coordinate with AIB in the review and approval process, and ensure timely disclosure of approved RPs on EA's Website and translation of Summary RPs in local language for disclosure to APs
- Oversee and review RP implementation progress and ensure timely preparation of quality monitoring reports. The monitoring reports will be internally reviewed to ensure final quality reports are shared with AIB for review and acceptance and shall ensure timely disclosure of approved monitoring reports on the Website.

13.5 CITY CORPORATION / POUROSHAVA

Functions of the CC in Bangladesh have been clearly spelled out in the Local Government (City Corporation) Act, 2009 (Amended in 2011). Section 41 (1) of the Act of 2009 specifies the duties and responsibilities of the CC. Both Pourashavas and City Corporations functions continue to be seen as compulsory and optional. Mandatory Functions:

- Construction and maintenance of roads, bridges and culverts.
- Removal, collection and disposal of refuse.
- Provision and maintenance of public streets and street lighting and trees
- Control over traffic and public vehicles.
- Provision and regulation of water supply.
- Establishment and maintenance of public markets.
- Regulation of unsanitary buildings and prevention of infectious diseases and epidemics.
- Registration of births, deaths and marriages.
- Provision and maintenance of slaughterhouses.
- Provision and maintenance of drainage.

- Control over the construction and reconstruction of buildings.
- Provision and maintenance of graveyards and burning places.

An officer of the respective Pouroshava / City Corporation will be assigned to take the leading role in negotiating with the landowners through the involvement of a third-party professional valuer and the voluntary donors. LGED shall hire an experienced consulting firm / NGO to assist EA in the implementation of the resettlement program. To expedite the process, the RP implementing NGO will coordinate among the DC office and EA in the process of land acquisition.

13.6 SUPERVISORY CONSULTANTS-MANAGEMENT SUPPORT UNIT

The EA will engage a Management Support Consultants (MSC) to assist in carrying out a range of activities, including implementing and monitoring the safeguards aspects of the project. The Resettlement Specialist (RS) of the MSC will be responsible for arranging or carrying out the activities of preparation/updating/finalizing the RPs for the sub-projects with IR impacts based on information from the detailed engineering design documentation prepared by the Design & Supervision Consultant (DSC). The Resettlement Specialist will also oversee and monitor RP Implementation in close liaison with the PIU and SMO, and other agencies concerned. The consultants having adequate human resources for project implementation will be engaged. Supervisory consultants will also assist the PMU in planning and preparation for the implementation and monitoring of the RP in accordance with the RPF. The Supervisory consultants will mobilize a team of qualified resettlement specialists with experienced enumerators and surveyors for impact assessment, census, SES surveys and conducting meaning who will facilitate the PIU in updating the RF (if required) or draft RPs prepared based on the feasibility level design for sub-projects. Overall social management responsibilities of the MSC include:

- Conduct adequate consultations with affected people and other stakeholders of the sub-project area to identify baseline conditions and impacts
- Ensure timely disclosure of information to all APs about project design alignment, land acquisition notifications issued by the DC and also disseminate the information among the Project Affected Persons regarding the compensation payment mechanism, disclosure of RP provisions, and role of GRC/ GRM
- Responsible for monitoring the implementation progress and preparing monthly progress reports and periodic social monitoring reports, including consolidated progress of RP implementation and social management achieved during the monitoring period;
- Provide technical assistance and training to the ESC, line departments, SEPA and contractors and advice on appropriate modifications to improve their effectiveness; and
- Assist PIU in preparing bi-annual subproject reports on the RF implementation, to be submitted to the Steering Committee and the AIIB.

13.7 SUBPROJECT MANAGEMENT OFFICE (SMO)

An SMO under each Pouroshava/ City Corporation for which PD will assign an Engineer consulting with the Purashava Chairman/ City Mayor to undertake day-to-day activities. The concerned Executive Engineer of the SMO will be the convener of the Joint Verification Team (JVT) and Property Valuation Advisory Team (PVAC). The SMO will coordinate and manage the resettlement and rehabilitation of the PAPs, disburse resettlement benefits, and ensure PAPs' access to development programs. The SMO, with assistance from the Resettlement Specialist, will carry out the following specific tasks relating to RP implementation

- Liaise with the district administration to support RP implementation activities i.e. appointment of JVT / PVAC members
- Discharge overall responsibility of the planning, management, monitoring and implementation the of the resettlement and rehabilitation program
- Ensure availability of budget for all activities
- Synchronize resettlement activities and handover the encumbrance-free land to the contractor within the construction schedule
- Develop RP implementation tools and form necessary committees
- Monitor the effectiveness of entitlement packages and the payment modality

The assigned official of the SMO, with the assistance of the Resettlement Specialist, will carry out an information campaign and involve affected persons, including women, in the implementation process. The assigned officer of the SMO office will collect, computerize, and process data for identifying eligible persons correctly for resettlement benefits and assess their entitlements as per RP policy. However, the SMO will make payments after necessary scrutiny. The Executive Engineer (XEN) of the SMO in the resettlement management will report

to the Project Director. He will closely coordinate with the respective field-based offices on the day-to-day activities of the resettlement implementation.

The SMO, LA Office under DC and the City Corporation will execute joint verification of the affected properties due to land acquisition by JVT, valuation of the affected property by PVAC and monitor the progress of the RP implementation work. The SMO will ensure coordination between the relevant departments, GRC, PVAC and the Project affected people. Apart from the GRC, a Joint Verification Team (JVT) for quantification of affected properties and a Property Valuation Advisory Team (PVAC) will be formed by the Ministry of LGRD&C for valuation of the affected property, together with a GRC for resolution or redressal of disputes. The composition and formation of committees and mechanisms for quantification and valuation of properties and grievance resolution will be constituted through a government gazette. People's participation will be ensured by recruiting their representatives onto these committees. A proposed RP implementation organogram at the central level at LGED is given below in the Figure that may be considered in consulting with PD, LGED and other officials concerned as per the requirement of the implementation level:

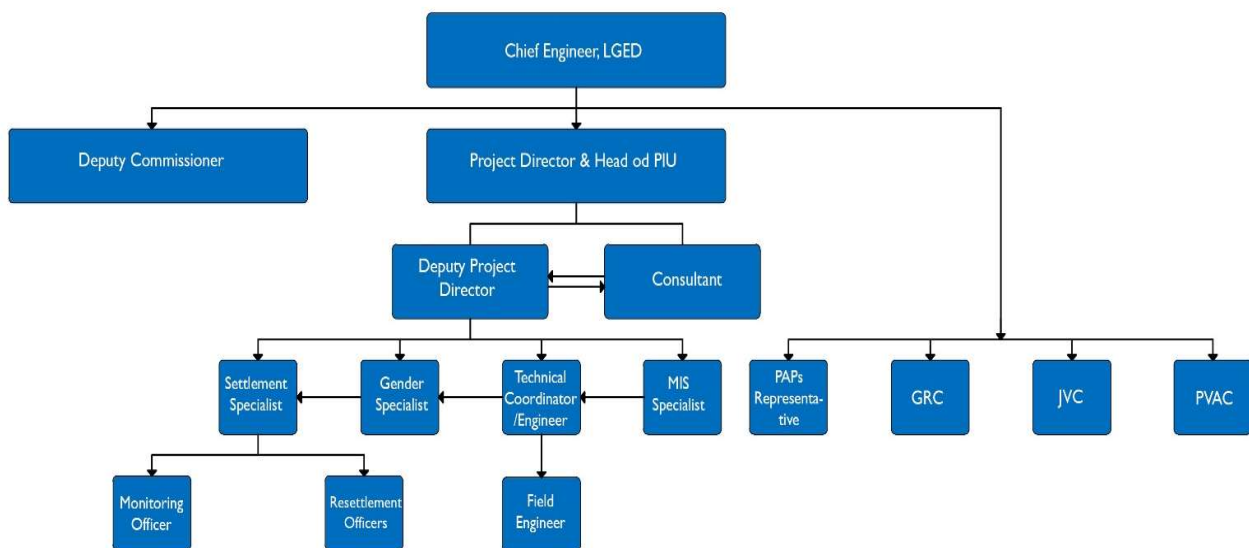


Figure 4 Organogram for RP Implementation

Upon approval of the project by AIB & Government and finalization of the detailed design and the RP, an experienced RP implementing NGO shall be engaged as a sub-consultant by the PIU. The Resettlement Officer will prepare ID cards, Entitlement Persons (EP) files & EC and other documents for assisting LGED in making payment, and the LGED will disburse account payee cheques to the entitled persons. The Resettlement Officer will also assist the PAPs and LGED in all aspects. During calculating the unit rates for affected structures, the PVAC will collect information by interviewing different categories of people such as Imam, Teachers, Community leaders, traders, brokers, elected representatives of the local government, etc.

13.8 OTHER AGENCIES INVOLVED IN THE PROCESS

Involvement of the other agencies in the implementation process of the RP is required, like the Deputy Commissioner (DC) Office, Department of Forest and Environment, Department of the Public Works (DPW), and leading NGO, and their role and responsibilities are described in the following chapters.

13.9 JOINT VERIFICATION COMMITTEE

The primary responsibility of the Joint Verification Committee (JVC) to be formed by the Ministry of LGRD is to review the physical verification data collected by the NGO and the DC's assessment of the loss of physical assets and their owners. The scope and responsibility of the JVC will be clearly defined in the gazette. The NGO

will process the entitlements of the project-affected persons using the JVT data as one of the determinants. The JVT will be a three-member body and be comprised as follows:

- i Executive Engineer of Pouroshava / City Corporation – Convener
- ii Representative of Deputy Commissioner – Member
- iii Resettlement Officer/ Representative of RP Implementing NGO – Member Secretary (If NGO is assigned for the resettlement work).

13.10 IMPLEMENTING NGO

An implementing NGO is required to be engaged by the PD, LGED for implementing the resettlement activities. The NGO (NGO) through the Management Supervisory Consultant (MSC) for all kinds of activities dealing with the implementation of the RP at the field level that will also be covered the households census survey. The LGED, through the management consultancy, will contract out clearly defined tasks of the RP Implementing NGO in detailed Terms of Reference (mentioned in the Annex—in details) such as consultation /public information campaign for rapport building, issuance of ID cards, payment of eligible benefits to affected households/ individuals, institutional development, skill training/management training, community awareness and empowerment, etc. The assigned NGO will initially create ID numbers for each entitled person (EP) as identified during the Joint Verification survey by the Joint Verification Team (JVT). The ID card will comprise information on the name; father's/husband's name, mother's name, age, education, identifiable marks, detailed address, details of the number of losses etc. The ID card will be issued by LGED with the joint signature of the LGED and NGO representatives and distributed among the EPs by the NGO.

With the assistance of the assigned Resettlement Officer of the EA, the NGO will establish an MIS section in their central office for record-keeping of the PAPs/ DPs, recording individual ID numbers of the entitled persons, and preparing entitled person's (EP) files based on the number of losses and entitlement cards (EC) based on loss type and budget. The NGO will submit monthly progress reports to the MSC describing the progress of activities carried out during the last month and planned activities to be carried out in the following month.

Upon fulfilment of criteria, i.e. necessary documents to make payment/benefits to the Entitlement Person (EP), the NGO will prepare payment debit vouchers and other documents for payment. LGED will disburse account payee cheques to the EPs in a public place or Union Parishad (UP) office in the presence of the UP Chairman, after issuing prior notice to the concerned EPs.

13.11 DISTRICT ADMINISTRATION/ DEPUTY COMMISSIONER (DC)

The Ministry of LGRD will constitute three committees, i.e. Joint Verification Team (JVT), Property Valuation Advisory Team (PVAC) and Grievance Redress Committee (GRC). JVT and PVAC will be constituted among these committees with representatives from LGED, RP implementing NGO and Deputy Commissioner (DC). The DC office will appoint representatives as member(s) of the committees for quantifying losses and determining the valuation of the affected properties. LGED and NGO shall liaise with concerned DC offices to complete the tasks following the notification of the Ministry.

13.12 Property Valuation Advisory Committee (Pvac)

A Property Valuation Advisory Committee (PVAC) will be formed for the project by the Ministry of LGRD through a gazette notification/ administrative circular. It will review the assessment of the respective City Corporation/ Pouroshava, NGO, Public Works Department (PwD) and Forest Department on the market price of the properties affected by the project at their replacement cost. The scope and responsibility of the PVAC will clearly be defined in the gazette. The respective City Corporation/Pouroshava will process the entitlements of the project-affected persons using the PVAC data as one of the determinants. The PVAC will be comprised as follows:

- i Executive Engineer of Pouroshava/ City Corporation – Convener
- ii Representative of DC, member
- iii Respective Word Commissioner (male)
- iv Respective Word Commissioner (female)
- v RP Implementing NGO – Member Secretary
- vi Representative of the Public Works Department (PWD)
- vii Representative of the Forest Department

The valuation of the property will be followed by discussions with affected households at the beginning of a negotiated settlement. There is a Government and community preference for a negotiated settlement, mainly through a voluntary donation of small parcels of land, to speed up infrastructure funding and development. All negotiations, particularly those resulting in voluntary land donations, will be overseen by an independent third-party external to LGED. Both negotiating parties (EA and PAPs) will access all information, including the RPF, Entitlement Matrix, brochures, valuation and planning documents. PAPs will not be allowed to donate land if it results in their physical displacement or losing more than 5% of their productive assets. A negotiated settlement can be taken with such PAPs as long as the third party oversees it and the valuations are known. Although it is preferable for PAPs and the EA to negotiate an applicable settlement, they can refuse, in which case land expropriation will result under the government's eminent domain powers.

14. GRIEVANCE REDRESS MECHANISM

In this section, it is required to explain the necessity and existing GRM in place and the formation grievance redress committee (GRC) in the right places as an institution responsible for project implementation, in addition to delineating proposed GRM procedures for the project itself to address the grievances of the communities as well as PAPs to resolve the issues during the implementation of the Project.

GRM systems are a vital component of the project implementation process. The EA is required to respond to concerns and grievances of project-affected persons dealing with the environmental and social performance of the project on time. With this aim, the EA will propose and implement a grievance mechanism by forming Grievance Redress Committee (GRC) to receive and facilitate the resolution of such concerns and grievances. Land acquisition Laws in Bangladesh allow landowners to submit their objections at the beginning of the legal process under the Land Acquisition, Requisition and Immovable Property Acts 2017. Once the objections are heard and addressed by the respective court, there is virtually no provision to attend to complaints and grievances in which an individual landowner cannot be able to bring any grievances in the latter stage against the acquisition process. Furthermore, the law does not recognize the non-titled users of land; there is no mechanism to hear and redress their grievances in the legal process. Therefore, complaints and grievances may range from land acquisition, resettlement, procurement, and quality of works on site. Despite this, on-site project interventions and construction activities may raise environmental, social, and public health concerns among displaced persons and their communities. The communities may also be interested in transparency in procurement and quality of construction. Disputes over ownership and inheritance of the acquired lands of displaced persons and assets missed by the census, joint verification; valuation of affected assets; compensation payment; and the like may arise in resettlement.

In dealing with resettlement-related disputes, a complaint and grievance mechanism will be considered during the project's implementation. The mechanism will be an officially recognized community-based system to resolve disputes arising out of various matters related to land acquisition, compensation and resettlement, environment, safety, and other social concerns. The fundamental objectives of this mechanism are to resolve any resettlement-related grievances locally in consultation with the aggrieved party to facilitate the 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 for the displaced people. The procedure will help resolve issues/conflicts amicably and quickly based on consensus, saving the aggrieved persons from resorting to expensive, time-consuming legal actions. The complaint and grievance mechanism has been developed to allow a displaced person to appeal any disagreeable decision, practice or activity arising from land and assets and from construction-related activities. The DPS will be fully informed of their rights and of the procedures for addressing complaints, whether verbally or in writing, during the consultation, survey, and time of compensation. The project planning and implementation will be cautious enough to prevent grievances through advanced counselling and technical assistance to the DPs in the land acquisition and compensation collection process. This will be ensured through careful land acquisition and resettlement design and implementation, by ensuring full participation and consultation with the DPs, and by establishing extensive communication and coordination between the affected communities, the LGED and local governments in general

14.1 GRIEVANCE REDRESS COMMITTEE UNDER GRIEVANCE REDRESSAL MECHANISM

The objective of the formation of the Grievance Redress Committee (GRC) is to resolve complaints as quickly as possible and at the local level through a conciliation process; and, if that is not possible, to provide clear and transparent procedures for appeal. A well-defined grievance redress and resolution mechanism are supposed to be established to resolve grievances and complaints promptly and satisfactorily. All affected persons will be made fully aware of the grievances redress procedures and will be publicized through an effective public information campaign. During the sub-project implementation, the Grievance Redress Committee (GRC) is essentially required to be formed at the Pouroshava/ City Corporation by following the approved Resettlement Framework. And it will be done through discussion at all the respective levels of the Executive Agency.

At the beginning of the project implementation, LGED, in consulting with the Pouroshava/City Corporation, will establish a mechanism to receive and facilitate the resolution of affected peoples' concerns, complaints, and grievances about the safeguard performance of the project at each sub-project level with IR impacts, with the assistance from Implementing Pouroshava/ City Corporation. The grievance mechanism will be scaled to the risks and adverse impacts of the project. It will promptly address displaced persons' concerns and complaints, using an understandable and transparent process that is gender-responsive, culturally appropriate, and readily

accessible to all segments of the affected people at no cost. The mechanism developed shall not impede access to the existing judicial or administrative remedies.

Under the GRM, a Grievance Redress Committee (GRC) will be formed with the involvement of local stakeholders. The PAPs will be appropriately informed about the mechanism initiated by the EA. This GRC will help the PAPs save time and money instead of proceeding with the legal process, which may be lengthy. To ensure that the GRM will be able to redress grievances within a short time at a nominal cost, the Grievance Redress Committee members will consist of assigning officers of the respective City Corporation/ Pouroshava, PAP's and public representatives. The GRC costs will mainly relate to communication, stationeries, etc., which would be covered by the RP's contingency budget or a specifically allocated lump sum. The EA shall ensure that the GRC is working impartially by monitoring GRC activities on a regular basis.

GRC will be established for each sub-project under ISWMIP with IR impacts to ensure stakeholders' participation in the implementation process. Through public consultations, the APs will be informed that they have a right to grievance redress from the LGED. The PAPs can also call upon the support of the respective Word Commissioner engaged in implementing the RP to assist them in presenting their grievances or queries to the GRC. Other than disputes relating to ownership rights and compensation award by the DC under the court of law, GRCs will review grievances involving all resettlement assistance, relocation and other supports. Grievances are to be redressed within 21 days of lodging the complaints. The GRC are to be formed and activated during the RP implementation process to allow APs sufficient time to lodge complaints and safeguard their recognised interests. The project will support any PAP wishing to lodge a complaint. Assistance will be given to document and record the complaint and, if necessary, provide advocate services to address the GRC. Any complaints of ownership or other suits are to be resolved by the judicial system, not by GRC. All APs can access the legal process at any time without having to proceed through the Project GRM.

The GRCs are to be formed and activated during the RP implementation process to allow APs sufficient time to lodge complaints and safeguard their recognized interests. Any AP wishing to lodge a complaint will be supported by the project. Assistance will be given to document and record the complaint and if necessary, provide advocate services to address the GRC.

Any complaints of ownership or other suits are to be resolved by the judicial system, not by GRCs. All APs can access the legal process at any time without proceeding through the Project GRM.

Grievance Redress Committee: GRCs will be formed for each subproject or group of subprojects to deal with grievances involving resettlement benefits, relocation, and other assistance. Gazette notification on the formation and scope of the GRCs will be required from the Ministry of LGRD. The GRC for a subproject will be comprised as follows:

- i Upazila Nirbahi Officer (UNO) within the city corporation- Convenor
- ii Executive Engineer, City Corporation/ Pouroshava – Member Secretary
- iii Resettlement Officer, Management Consultant/ NGO- Member
- iv Concerned Word Commissioner – Member
- v Concerned Woman Word Commissioner – Member
- vi One representative of APs – Member
- vii One Representative from the Civil Society

The proposed procedures for resolving grievances are spelt out in the following Table :

Table 8 Grievance Redressal Procedures

Steps of the Procedure	Functions for determining the Resolve of Grievances
Step-1	An AP has a grievance about any part of the Land Acquisition and Resettlement Process (LARP) and assumes/ finds that it cannot be resolved.
Step-2	The AP can approach the assigned Resettlement Officer/NGO field level officials for clarification by raising his grievances. The Resettlement Officer/NGO will provide clarification to the AP as per RP within one day.
Step-3	If not resolved or not satisfied with the clarification given by NGO/ Resettlement Officer within two days, thus, the AP can approach to the issue before GRC in writing. Resettlement Officer/ NGO staff will assist the AP in producing the

	complaints and organize hearing within 21 (twenty one) days/ three weeks of receiving the complaints
Step-4	GRC will scrutinize applications to resolve the complaints. And cases are referred to DC through EA if beyond their mandate.
Step-5	If within its mandate, GRC sessions will be held with the aggrieved AP, minutes are recorded. If resolved, the Project Director will approve it in writing.
Step-6	If not resolved, the AP may accept GRC decision, if not, he/she may file a case to the court of law for settlement.
Step-7	The GRC minutes, approved by the Project Director, are received at the Convener's Office. The approved verdict is communicated to the complainant AP in writing.

Affected Person or Persons (AP/ APs) can submit their grievance/complaints about any aspect of the Resettlement Plan implementation and compensation. Grievances can be shared with the City Corporation/ Pouroshova verbally or in written form, but in the case of the verbal form, the Resettlement Officer/NGO representatives in the GRC shall write it down in the first instance during the meeting at no cost to APs. The APs will sign and formally submit the grievance to the GRC at the NGO's respective office, which is assisting EA in implementing the RP.

15. INDEPENDENT MONITORING AGENCY (IMA)

The EA will hire an agency or an individual expert (with the team) to conduct independent monitoring and evaluation (the IMA) for the implementation of RP. The IMA shall review the implementation progress throughout the RP implementation and evaluate the level of achievement of RP objectives, identify gaps, if any, and propose remedial measures for implementation. The IMA shall be hired either for all sub-projects.

16. LINKING RESETTLEMENT IMPLEMENTATION TO CIVIL WORKS

It is required that compensation of payments for affected assets and resettlement of households must be completed as a condition for clearing of private lands before commencing civil works under ISWMIP. PAPs should be informed of the resettlement plans, which contain acceptable measures that link with resettlement activities dealing with civil works and are in compliance with this document. On-time and coordination of civil works shall ensure that no PAPs will be economically or physically displaced due to civil works activities of the sub-projects before compensation is paid to them (PAPs). In this connection, the following are key considerations regarding linking resettlement implementation to the civil works:

- Resettlement Plans (RPs) for sub-projects need to be approved /cleared by EA and AIIB and will disclose prior to issuing bids for associated construction works, and
- Civil works shall commence only after the implementation of RPs and the EA taking over the site.

17. ARRANGEMENT OF RESETTLEMENT FUNDING & BUDGET

17.1 PREPARATION OF COST ESTIMATES

A provisional estimated Resettlement Budget for each sub-project must be prepared by the Management Consultant in consulting with the Pouroshava/City Corporation to be incorporated into the RAP. The budget will spell out the estimated cost for acquired land, affected structures and trees, replacement costs, and skill training for the affected households. The calculation and estimation of cost for acquired lands are to be assessed based on the information derived from the socio-economic households' survey and discussions with affected landowners as well as other stakeholders concerned.

The PD will be responsible for the allocation of the funds on time which needs to implement each RP under each subproject which is included in the overall project estimate. All land acquisition, compensation, relocation and rehabilitation, administrative expenses, monitoring, consultant & implementation NGO costs, if appointed, and income and livelihood restoration costs will be considered an integral component of project costs and timely disbursement of funds will be required for efficient RP implementation. This budget includes:

- i costs of land acquisition, structure, trees, relocation, and livelihood and income restoration and improvement
- ii administrative costs
- iii RP implementation cost
- iv All training costs for the APs, including capacity building of LGED personnel
- v monitoring cost, and
- vi contingencies etc. This budget will require to be updated by the MSC/PMU at the implementation stage.

17.2 RP IMPLEMENTATION SCHEDULE AND COMMENCEMENT OF WORKS

The primary objective of the Implementation Schedule is to ensure the payment of compensation to all the PAPs in time in which they can re-establish their social and economic livelihoods, at least to the pre-project condition. Accordingly, the Project through the RAP for each subproject will provide arrangements for cash compensation and relocation of displaced persons along with their properties.

The sub-projects under ISWMIP will be implemented over about four years. In the case of each subproject, there will be a separate time-bound implementation schedule to be included in the RAP for the particular sub-project. The implementation of each RP will consist of:

- identification of cut-off date and notification
- verification of losses and extent of impacts
- finalization of entitlements and distribution of identity cards
- consultations with DPs on their needs and priorities, and resettlement, provision of compensation and assistance, and income restoration for DPs

18. STAKEHOLDER CONSULTATION AND INFORMATION DISCLOSURE

18.1 STAKEHOLDERS CONSULTATION & INFORMATION DISSEMINATION

Stakeholder consultation and community participation are processes in which stakeholders have the scope of influencing and sharing their opinions and control over development initiatives and take part in the decision-making process that may impact their livelihoods. It is an active and continuous interaction process among the key stakeholders, including the communities directly affected (whether positively or adversely), the project proponent and consultants, civil society and international development partners or agencies. In all stages of the project cycle, from the planning to implementation of commencing the civil construction works, information dissemination among the affected people and other stakeholders concerned will help understand and make trust in the project's benefits and also make them aware of the adverse impacts of the project which should be minimized in finding choices. Stakeholders' consultations should begin with the initial social assessment activities during the project preparation phases and will be continued as a constant process. Affected Persons (AP) are regularly provided with information on the project and the resettlement process before and during the RAP preparation and implementation stage.

With the assistance of the consulting team and LGED, City Corporations/Pouroshova will conduct meaningful consultations with PAPs, their host communities, and civil society for each sub-project identified as having involuntary resettlement impacts. Meaningful consultation is a process which will:

- i start beginning in the project preparation stage and be carried out on an ongoing basis throughout the project cycle
- ii Provide timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people
- iii be undertaken in an atmosphere free of intimidation or coercion
- iv be gender-inclusive and responsive, tailored to the needs of disadvantaged and vulnerable groups,
- v Incorporate all relevant views of affected people and other stakeholders into decision makings, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues; and
- vi Share the anticipated impacts of the sub-project, the EA /LGED will pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female-headed households, women and children, Indigenous Peoples, and those without legal title to land.

18.2 COMMUNITY AWARENESS & ENGAGEMENT PLAN

A community awareness and stakeholders engagement plan for each sub-project is necessary to guide the overall approach to consulting, engaging, and partnership with local communities and to bridge gaps in information and expectation between communities and EA. Engaging with local communities and other stakeholders will help implement the project successfully. Effective engagement of the different stakeholders and the community concerned are necessary across all project stages. These include the initial mapping, consultations with communities, contract negotiations to establish a grievance mechanism, ongoing community dialogue, and monitoring of environmental and social impacts.

The details of the consultation process and disclosure at various phases of project development are described as an example in the following format, which will be done by implementing / executive agency:

Table 9 Stakeholder Consultation and Disclosure Plan

1	2	3	4	5	6	7
Date & Time	Type of stakeholders	No of participants: Male=M Female=F	Activity	Instrument/ methods	Key Issues & Concerns Raised/ Suggestions	Project Response to the Raised Concerns
			Stakeholder Identification	Mapping of the project area		

			Project Information Dissemination	Distribution of information leaflets to affected persons (APs)		
			Consultative Meetings with PAPs during Scoping Phase	Discuss potential impacts of the project		
			Socio-Economic Survey	Collect socio-economic info on APs as well as AP's perception of the project		
			Consultative Meetings on Resettlement Mitigation Measures	Discuss entitlements, Compensation rates, income restoration, site selection, grievance redress mechanisms		
			Disclosure of the resettlement plan (RP)	Distribute Leaflets or Booklets in the local language to APs		
			Web Disclosure of the RAP	RAP posted on donor and/or project owner's website		
			Consultative Meetings during Detailed Measurement Survey (DMS)	Face-to-face meetings with APs		
			Disclosure after DMS	Disclose updated RAP to APs		
			Web Disclosure of the Updated RP	Updated RAP posted on EA and AIIB website		
			Consultation and disclosure arrangements during (i) implementation (ii) monitoring and evaluation			
			Others, if any			

18.3 DISCLOSING OF INFORMATION

The rights of those displaced by the sub-projects shall be fully respected, and persons who will be displaced from their lands/homes will be treated with dignity and assisted in keeping their livelihoods and safeguards. Thus, disclosing information will need to be done to the stakeholders, essentially covering the topics of the compensation package in the national policy on Involuntary Resettlement. However, disclosure of information needs to be dealt with the policies of the Government of Bangladesh and with the help of AIIB's technical assistance, it will be consistent with the government's general policy.

LGED will ensure to conduct the consultation process throughout the project cycle from the very beginning to the end of the implementation among the PAPs and stakeholders of the project and will take the following steps :

- i A draft resettlement plan endorsed by the EA before the project appraisal
- ii The final resettlement plan endorsed by the EA after the census of affected persons has been completed
- iii A new resettlement plan or an updated resettlement plan, and a corrective action plan to be prepared during project implementation, if required; and
- iv The resettlement monitoring reports

Consultation, Participation, And Disclosure: With the assistance of the City Corporation, assigned NGO and Resettlement Consultant/ Officer, LGED will provide relevant resettlement information, including information from the above-mentioned documents in a timely manner, in an accessible place and in a form and language(s) understandable to APs (Bengali language) and other stakeholders. For illiterate people, suitable other communication methods such as briefing them, holding discussions/ meetings, broadcasting in the radio/television etc. will be used. In case there is no impact and no RP, the EA will disclose this issue, informing the main villages, habitations, and marketplaces under the subprojects that no land or structure, irrespective of their title, will be affected by any activities of this subproject. The report of this disclosure giving detail of the date and location will be shared with AIIB. The cost required for this purpose is to be included in the RP budget. The steps in preparation of RPs. Consultations, approval, and disclosures need to be described adequately. The details on the consultation process and disclosure at various phases of project development, including the responsible agency, are described in following Table.

Table 10 Consultation and Disclosure Roles and Responsibilities at Different Stages

Project phase	Activities	Details	Responsibility
Initiation Phase	-Sub-project information dissemination on various components -Disclosure of Preliminary proposed for required land acquisition to APs -Preliminary Information Sharing about the tentative alignment/ sites with the APs in case of temporary impact on business, income and livelihood	-Leaflets containing information on the Project and sub-project area to be prepared -Public notice issued in public places, including newspapers and direct consultation with APs	LGED, City Corporations, Purosava
	Stakeholder consultations	-Further consultations with APs and households, titled and non-titled. -Summary RP made available to all APs at a convenient place which is easily accessible and should be in the local language (Bengali)	LGED, City Corporations, Purosava
RP Preparation Phase	-Disclosure of final entitlements and rehabilitation packages and disclosure of draft RP	RPs disclosed to all APs in the local language (Bengali)	
	Finalization of RP	-Review and approval of RP by EA. -Review and approval of RP by AIIB (prior to award of the contract). -Web disclosure of the RP. -Disclosure of the Final RP to APs	
RP Implementation Phase	Consultation with APs during RP implementation	-Consultations with APs; -Payment of entitlements prior to displacement or dislocation; -Written notification from LGED to AIIB that all compensation paid before displacement occurs	LGED, City Corporations, Purosava

19. MONITORING, EVALUATION & REPORTING

19.1 OVERVIEW

In general, AIIB and the EA have complementary actions for planning and implementing the project activities; on the other hand, it has distinct project monitoring responsibilities. The extent of monitoring activities, including their scope and periodicity, corresponds to the Project's risks and impacts.

Monitoring and Reporting by the Client¹⁵. AIIB requires the Client to (a) implement the Project in compliance with the ESMP, ESMFP, LARP/LAP/RP, LARPF/LAPF/RPF, IPP and IPPF (as applicable) or other Bank-approved documentation, and any other environmental and social obligations in the Legal Agreements for the Project; and (b) prepare and furnish to the Bank periodic monitoring reports on the Client's performance under the Project relating to environmental and social risks and impacts. This may include information on health and safety issues as well as implementation phase consultations. To this end, the Bank requires the Client to take the following actions under the Project:

- Establish and maintain appropriate procedures to enable it to monitor progress on the implementation of the environmental and social measures agreed with the Bank
- Verify the compliance with these specific measures and their progress toward the intended outcome.
- Document monitoring results and identify necessary corrective actions in its periodic monitoring reports to the Bank (see below, *Section 81.9*)
- Follow up on these actions to measure progress toward the intended outcomes
- Retain suitably qualified and experienced environmental and social experts to verify the monitoring information on a routine basis if the project presents significant risks and impacts or if the Client lacks sufficient capacity to do so appropriately
- As needed, retain a suitably qualified and experienced third party, including in appropriate situations, non-governmental or civil society organizations, approved by the Bank to monitor the Project
- Use suitably qualified and experienced individual environmental and social experts or independent advisory panels not affiliated with the project to monitor implementation if the project is very complex or sensitive
- Furnish the Bank with periodic monitoring reports on the environmental and social measures agreed with the Bank according to a time frame agreed with the Bank; the frequency of these reports is proportional to the complexity of the issues but not less than annual; and
- Disclose the periodic environmental and social monitoring reports per the Client's Environmental and Social Information Disclosure

19.2 INTERNAL MONITORING

This RPF requires detailed supervision, monitoring and evaluation of the project's impact on the impacts of the land acquisition and resettlement aspects, for which EA will appoint a Social Development & Monitoring Specialist. Accordingly, RP for each subproject will be prepared by incorporating the Monitoring process. The respective Pourashava / City Corporation will expedite all the matters related to monitoring and evaluating the sub-projects. In coordination with the resettlement consultant, officers associated with the project, and field officials, the PD will monitor the RP implementation process. The monitoring will be done internally and externally to provide feedback to the PD and assess the effectiveness of the resettlement policy and implementation. Intermittent monitoring of resettlement activities will also be carried out by the donors (financiers) through an Independent Monitoring Team (IMT) to assess the impact and sustainability of the resettlement program and to learn lessons for future policy framework and planning. On their behalf, the NGO's day-to-day activities regarding the RAP implementation will be supervised and monitored by the Resettlement Specialist of the Construction Supervision Consultant Team. He will prepare and submit his report on a monthly basis as a part of the progress report of the whole project. Monitoring in a package is an integral part of project implementation, which must be emphasized if the implementation performance has to progress according to the projected plan and schedule. Based on the approved RAP, monitoring activities will be involved in collecting,

¹⁵ Environmental and Social Framework, AIIB, May 2021

analysing, reporting and using the relevant information about the progress of all aspects of the implementation of a resettlement program.

19.3 EXTERNAL MONITORING

LGED will engage the services of an independent external monitoring agency (EMA), not associated with project implementation to undertake external monitoring and evaluation (M&E). The external monitor will monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitor will also evaluate the performance of the PIU of LGED on resettlement issues. The external agency will report its findings simultaneously to LGED and to AIIB half-yearly. The EMA will advise on safeguard compliance issues, and if any significant involuntary resettlement issues are identified, a corrective action plan will be prepared by the EMA to address such issues. The EMA will closely monitor the implementation of the RAP and be engaged in the following tasks:

- Review and verify internal monitoring reports prepared by PIU, LGED
- Review of RAP and information pamphlet disclosure
- assessment of the way the compensation has been carried out in relation to the stipulations of the RAP
- Verification that all APs have been compensated in the amounts stipulated in the RAP
- Assessment of the accuracy of survey and asset valuation
- Review of complaint and grievance cases and of their solution
- Assessment of the rehabilitation program for severely affected and vulnerable APs
- Assessment of the satisfaction of the PAPs
- Lessons learnt to be applied to the next projects

A corrective action plan will be taken in this process, if any significant issues are identified, to address such issues by LGED and submit to the AIIB. In addition, the external monitor shall document the good practices as well as the difficulties encountered in resettlement plan implementation, which shall provide lessons on the subject for subsequent projects.

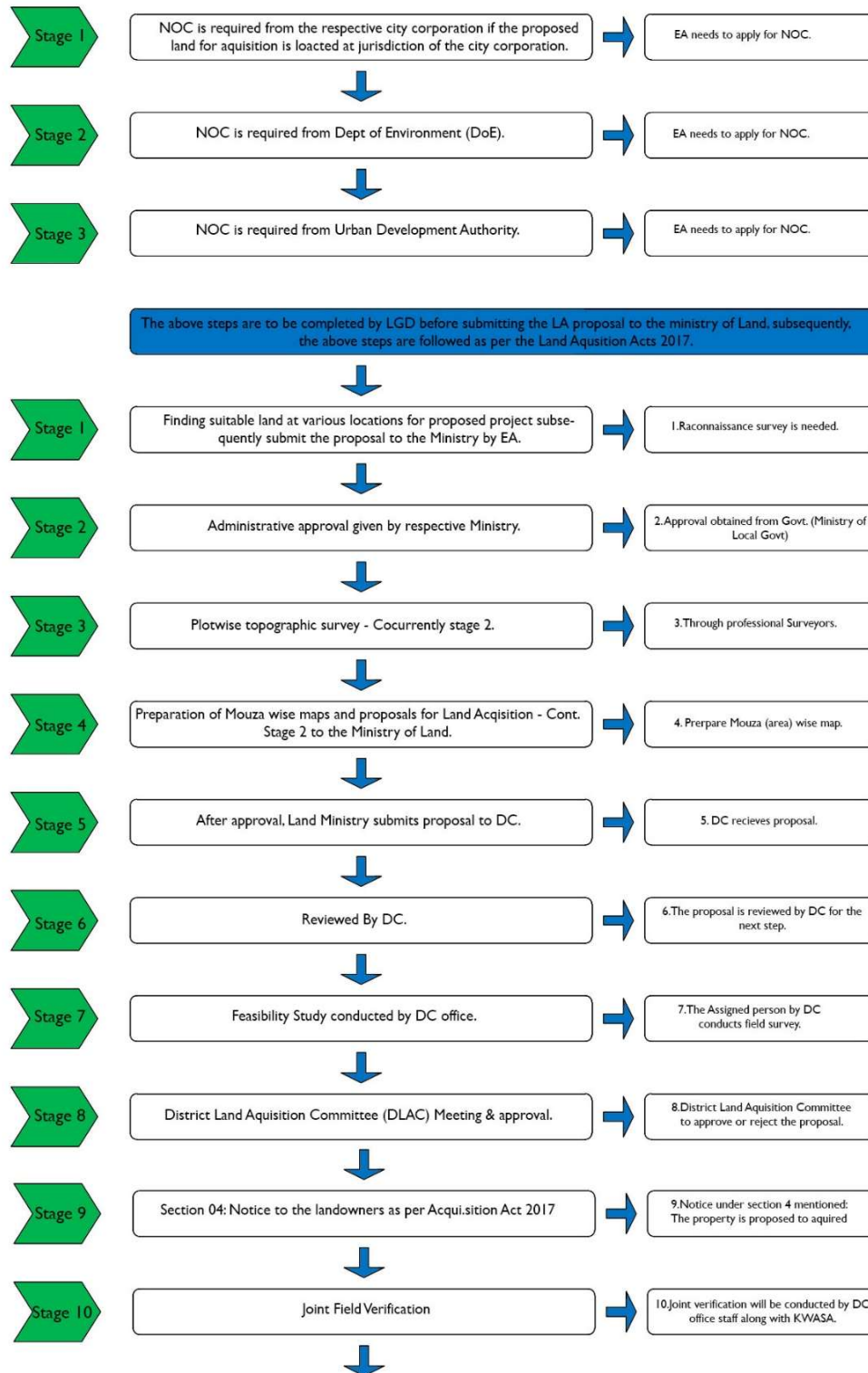
20. ANNEXURES

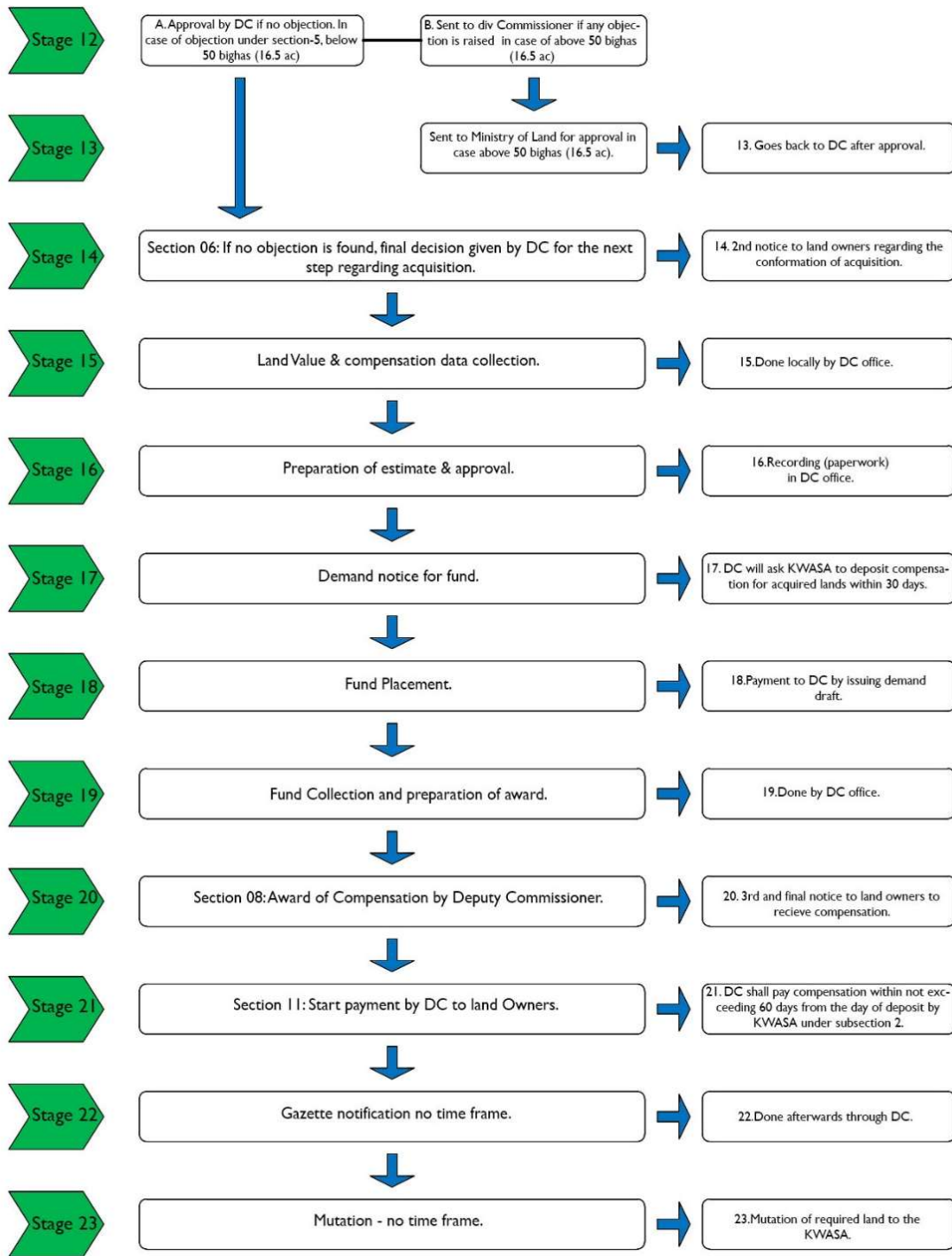
ANNEXURE 1: Outline of Land Acquisition and Requisition of Immovable Property Acts, 2017

Relevant Section under ARIPA, 2017	Steps in the process	Responsibility	Remarks
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.		
Section 4 (3) (1) (ii)	After the publication of section 4(1) notice, a joint verification should be conducted with potentially affected households and relevant organizations.	Deputy Commissioner	
Section 4 (7)	After the publication of the preliminary notice under section 4(1), if any household has changed the status of the land for beneficial purposes, the 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	
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. DC makes the final decision If no objections were raised within 30 days of inquiry. In the case of the 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 the 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	

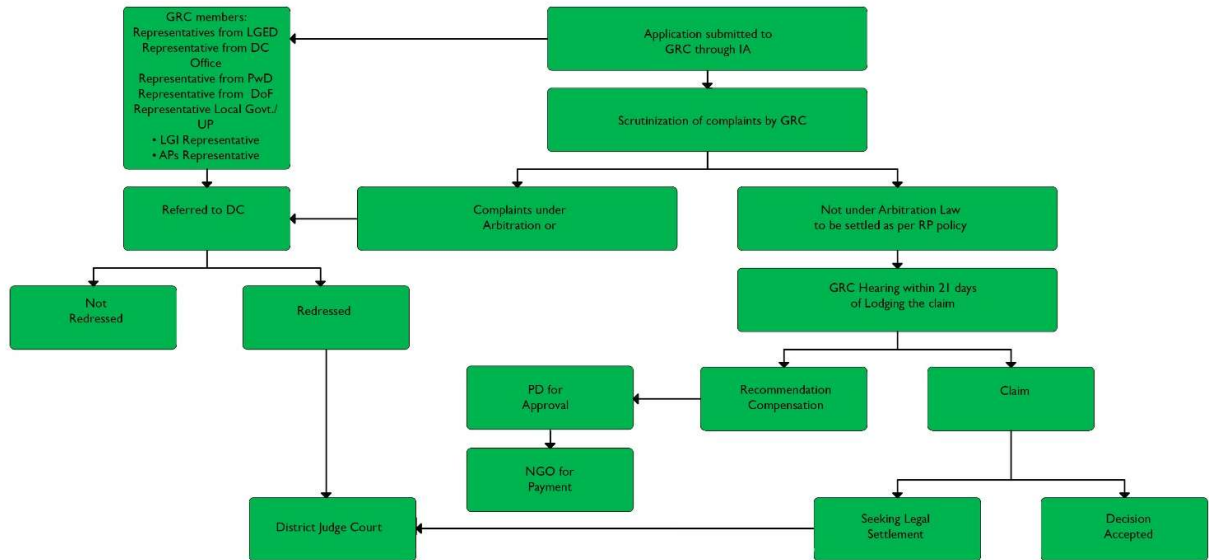
Section 7 (2)	Interested parties submit their interests in the property and claims for compensation within 15 working days (in case of priority project 7 days).	Affected Persons	
Section 7 (3)	Individual notices must be served to all interested persons including the shareholders within 15 days of issuing 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 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 bargadar (shareholders), such portion of the compensation will be determined by the Deputy Commissioner and will be paid to the bargadar in cash.	Deputy Commissioner	

ANNEXURE 2: Land Acquisition & Compensation Steps Flow Chart Under Aripa, 2017





ANNEXURE 3: Flow Chart for Grievance Redress Committee (GRC)



ANNEXURE 4: Monitoring Indicators for IM And EM Implementation Process

Monitoring Indicators	Activities/ Issues against Indicators
A. For the Internal Monitoring (IM)	
1. Budget and Timeframe	<ul style="list-style-type: none"> ▪ Have all land acquisition and resettlement staff been appointed and mobilized for the field and office work on schedule? ▪ Have capacity building and training activities been completed on schedule? ▪ Are resettlement implementation activities being achieved against agreed implementation plan? ▪ Are funds for resettlement being allocated to resettlement agencies on time? ▪ Have resettlement offices received the scheduled funds? ▪ Have funds been disbursed according to RP/RAP ▪ Has the social preparation phase taken place as scheduled? ▪ Has all land been acquired and occupied in time for project implementation?
2. Delivery of Compensation and Entitlements	<ul style="list-style-type: none"> ▪ Have all RP/ RP received entitlements according to numbers and categories of loss set out in the entitlement matrix? ▪ Have PAPs received compensation on time? ▪ Have PAPs losing from temporary and borrow been compensated? ▪ Have all received the agreed transport costs, relocation costs, income substitution support and any resettlement allowances, according to schedules? ▪ Have all replacement land plots or contracts been provided? Was the land developed as specified? Are measures in train to provide land titles to PAPs? ▪ How many PAPs have received housing as per relocation options in the RP? ▪ Does house quality meet the standards agreed? ▪ Have relocation sites been selected and developed as per agreed standards? ▪ Are assistance measures being implemented as planned for host communities? ▪ Is restoration proceeding for social infrastructure and services? ▪ Are the PAPs able to access schools, health services, cultural sites and activities? ▪ Are income and livelihood restoration activities being implemented as set out in income restoration plan? For e.g. utilizing replacement land, commencement of production, members of PAPs trained and provided with jobs, micro-credit disbursed, numbers of income generation activities assisted? ▪ Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production.?
3. Public Participation and Consultation	<ul style="list-style-type: none"> ▪ Have consultation taken place as scheduled including meetings, groups and community activities? Have appropriate resettlement leaflets been prepared and distributed? ▪ How many PAPs know their entitlements? How many know if they have been received? ▪ Have any PAPs used the grievance redress procedures? What were the outcomes? ▪ Have conflicts been resolved? ▪ Was the social preparation phase implemented?
4. Benefit Monitoring	<ul style="list-style-type: none"> ▪ What changes have occurred in patterns of occupation, production and resource use compared to the pre-project situation? ▪ What changes have occurred in income and expenditure patterns compared to the pre-project situation? What have been the changes in the cost of living compared to the pre-project situation? Have PAHs' incomes kept pace with these changes?

Monitoring Indicators	Activities/ Issues against Indicators
	<ul style="list-style-type: none"> ▪ What changes have taken place in key social and cultural parameters relating to Monitoring Indicators Basis for Indicators/Check List to living standards? ▪ What changes have occurred for vulnerable groups?
B. For the External Monitoring (EM)	
1. Basic Information on AP Households	<ul style="list-style-type: none"> ▪ Location ▪ Composition and structures, ages, education and skill levels ▪ Gender and household head ▪ Ethnic group ▪ Access to health, education, utilities and other social services ▪ Housing type ▪ Land and other resources owning and using patterns ▪ Occupation and employment patterns ▪ Income sources and levels ▪ Agricultural production data (for rural households) ▪ Participation in neighbourhood or community groups ▪ Access to cultural sites and events ▪ Value of all assets forming entitlements and resettlement entitlements ▪ Were house compensation payments made free of depreciation, fees or transfer costs to the PAP? ▪ Have AFs adopted the housing options developed? ▪ Have perceptions of “community” been restored? ▪ Value of all assets forming entitlements and resettlement entitlements
2. Delivery of Entitlements	<ul style="list-style-type: none"> ▪ Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix ▪ Disbursement 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. ▪ Provision of replacement land plots ▪ Quality of new plots and issue of land titles ▪ Restoration of social infrastructure and services ▪ Progress on income and livelihood restoration activities being implemented as set out in the income restoration plan, for example, utilizing replacement land, the commencement of production, the number of the displaced persons trained in employment with jobs, microcredit disbursed, number of income-generating activities assisted. ▪ Affected businesses receive entitlements, including transfer and payments for net losses resulting from lost business.
3. Consultation and Grievances	<ul style="list-style-type: none"> ▪ Consultations organised as scheduled including meetings, groups and community activities. ▪ Knowledge of entitlements by the displaced persons. ▪ Use of the grievance redress mechanism by the displaced persons. ▪ Information on the resolution of the grievances. ▪ Information on the implementation of the social preparation phase
4. Communication 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
5. Budget and Timeframe	<ul style="list-style-type: none"> ▪ Land acquisition and resettlement staff appointed and mobilized on schedule for the field and office work. ▪ Capacity building and training activities completed on schedule.

Monitoring Indicators	Activities/ Issues against Indicators
	<ul style="list-style-type: none"> ▪ Achieving resettlement implementation activities against the agreed implementation plan ▪ Funds allocation for resettlement to resettlement agencies on time ▪ Receipt of scheduled funds by resettlement offices ▪ Funds disbursement according to the resettlement action plan ▪ Social preparation phase as per schedule ▪ Land acquisition and occupation in time for implementation
6. Resettlement and Relocation	<ul style="list-style-type: none"> ▪ Provided adequate information, consulted on preferences, and guided on procedures to avail of social housing ▪ participation in selection and design of social housing locations and options ▪ Number and percentage of DPs provided availing of resettling programs ▪ Timeliness of provision of housing to relocating the DPs ▪ Quality of resettling housing provided to DPs (suitability of location, utilities, access to social services) ▪ Transitional assistance, such as transportation allowances, provided ▪ Rental assistance provided until housing is available for eligible PAPs/ DPs ▪ Percentage of relocating DPs able to service financial obligations ▪ Percentage of relocating DPs satisfied with relocated housing and remaining ▪ Adequate management of the Relocating places
7. Livelihood and Income Restoration	<ul style="list-style-type: none"> ▪ Number of displaced persons under the rehabilitation programs (women, men and vulnerable groups) ▪ Number of displaced persons who received vocational training (women, men and vulnerable groups) ▪ Types of training and number of participants in each ▪ Number and percentage of displaced persons covered under livelihood programs (women, men, and vulnerable groups) ▪ Number and percentage 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 ▪ Extent of participation in vocational training programs ▪ Degree of satisfaction with support received for livelihood programs ▪ Percentage of successful enterprises breaking even (women, men and vulnerable groups) ▪ 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) ▪ Quality of land owned/contracted by displaced persons (women, men and vulnerable groups) ▪ Number of households with agricultural equipment ▪ Number of households with livestock ▪ Were house compensation payments made free of depreciation, fees or transfer costs to the PAP? ▪ Have AFs adopted the housing options developed? ▪ Have perceptions of “community” been restored? ▪ Value of all assets forming entitlements and resettlement entitlements ▪ Were compensation payments free from deduction for depreciation, fees or transfer costs to the PAP? ▪ Were compensation payments sufficient to replace lost assets? ▪ Was sufficient replacement land available of suitable standard? ▪ Did transfer and relocation payments cover these costs? ▪ Did income substitution allow for re-establishment of enterprises and production?

Monitoring Indicators	Activities/ Issues against Indicators
	<ul style="list-style-type: none"> ▪ Have enterprises affected received sufficient assistance to re-establish themselves? ▪ Have vulnerable groups been provided income-earning opportunities? Are these effective and sustainable? ▪ Do jobs provided restore pre-project income levels and living standards?
8. Levels of PAP Satisfaction	<ul style="list-style-type: none"> ▪ How much do PAPs know about resettlement procedures and entitlements? Do PAPs know their entitlements? ▪ Do they know if these have been met? ▪ How do PAPs assess the extent to which their own living standards and livelihood have been restored? ▪ How much do PAPs know about grievance procedures and conflict resolution procedures?
9. Effectiveness of Resettlement	<ul style="list-style-type: none"> ▪ Were the PAPs and their assets correctly enumerated? ▪ Were any land speculators assisted? ▪ Was the timeframe and budget sufficient to meet objectives? ▪ Were entitlements too generous? ▪ Were vulnerable groups identified as assisted? ▪ How did resettlement implementers deal with unforeseen problems?
10. Other Impacts	<ul style="list-style-type: none"> ▪ Were there unintended environmental impacts? ▪ Were there unintended impacts on employment or incomes?

ANNEXURE 5: Potential Indicators for External Monitor

S.L	Resettlement	Progress	Remarks
Pre-Construction Activities			
1	Assessment of Resettlement impacts due to changes in project design (If required)		
2	Preparation/ updating of Resettlement Plans for the sub-projects based on changes in project design		
3	Approval of updated Resettlement Plans from AIIB		
4	Disclosure of updated Resettlement Plans		
5	Establishment of Grievance Redressal Committee		
6	Capacity building of EA		
	Verification of PAPs Census list; assessment on compensation and assistance, and readjustment		
7	Land Acquisition		
Resettlement Plan Implementation			
1	Payment of Compensation as per replacement value of land & assets to PAPs		
2	Disbursement of assistance to title holders		
3	Disbursement of assistance to non-title holders		
4	Disbursement of special assistance to Vulnerable groups		
5	Replacement/ shifting of community property resources		
6	Reinstallation of public utilities		
7	Records of Grievance Redressal		
8	Temporary Relocation of Vendors		
9	Income Restoration Measures through training		
Social Measures during Construction as per Contract Provisions			
1	Prohibition of employment or use of children as labour		
2	Prohibition of Forced or Compulsory Labour		
3	Ensure equal pay for equal work to both men and women		
4	Implementation of all statutory provisions on labour like health, safety, welfare, sanitation, and working conditions		
5	Maintenance of employment records of workers		

ANNEXURE 6: TOR for National Resettlement Specialist

The Resettlement Specialist shall have a minimum degree of Masters in Planning/ Social Sciences with at least 15 years of experience in the design of resettlement plans by following Land Acquisition & Resettlement Frameworks (LARF), together with experience in implementing resettlement plans as part of foreign donor-supported projects. Preference will be given to persons with direct experience in working with the development projects of AIB dealing with the Safeguard Policy Statements. The specialist should be conversant with GoB laws relating to land acquisition, procedures in the implementation of resettlement packages, and AIB procedures.

Detailed Tasks include:

- i. Liaise closely with Design Consultants team during selection and detailed design of sub-projects
- ii. Liaise with and assist the LGED during the preparation of subproject appraisal reports of all the proposed sub-projects under different City Corporation & Pourashava.
- iii. Screen all sub-projects in accordance with the Land Acquisition and Resettlement Framework (LARF) to identify where Resettlement Plans (RPs) and Indigenous Peoples Plans (IPPs) are required or where due diligence is to be undertaken
- iv. Take proactive action to anticipate the potential resettlement requirements of the project to avoid delays in implementation
- v. Prepare due diligence reports for sub-projects that do not require RPs
- vi. Prepare RPs in accordance with the LARF for selected sub-projects, including arrangement of detailed census surveys of affected persons. Use sample RPs as a guide for developing new RPs
- vii. In consultation with the TL, Project Management Consultants and PMU finalise ToR for implementing NGO subconsultants, evaluate sub-consultants proposals, and oversee work undertaken by the NGO
- viii. Establish dialogue with the affected communities and ensure that their concerns and suggestions are incorporated and implemented in the project
- ix. Submit all draft RPs to AIB for review and clearance before contract award.
- x. Work closely with the PMU, NGO and City Corporations / Pouroshava resettlement officer to implement the RPs. For RP implementation, the consultant will be specifically responsible for monitoring and reporting on implementation of proposed compensation, rehabilitation, and income restoration measures, consultations with PAPs during rehabilitation activities, and assisting in grievance redress.
- xi. Coordinate valuation by the valuation committees in close consultation with NGO and APs at Local Land Registry Office level to finalize the compensation packages.
- xii. Guide NGO, PMU, City Corporations / Pouroshava in providing ID cards to affected persons. Ensure smooth provision of entitlements under each RP to affected persons.
- xiii. Assist as necessary to provide required training (in house and on-the-job) to the enumerators and surveyors to carry out census surveys
- xiv. Ensure compliance with all Government rules and regulations and ensure each RP is in compliance with AIB Safeguard Policy
- xv. Lead community consultation during design phase of sub-projects and as part of the preparation of the RP
- xvi. Assist the Training Specialist in resettlement training programs and workshops for the staff of the PMU and other relevant stakeholders
- xvii. Prepare monthly resettlement monitoring reports in collaboration with the NGO and City Corporations / Pouroshava and submit to PMU.
- xviii. Assist in responding to any public grievances and ensure records are kept of all grievances
- xix. Other duties as may be identified by the Team Leader of Project Management Consultants in consultation with the PD

ANNEXURE 7: TOR for Resettlement NGO/Consulting Firm

The NGO/ consulting firm will assist PD in implementing the resettlement plans (RPs) in a timely manner and to ensure that displaced persons (DPs) will not be ignored due to the project and will be compensated for their losses.

Scope of Work

The NGO/ Consulting firm team will assist the project implementation (PIU) and Project Director (PD) in implementing the RPs, and will also work closely with the respective City Corporation/ Pouroshava and will be responsible for the following activities:

- i. The NGO/ Consulting firm, with the assistance of the Pouroshava / City Corporation, will conduct a socio-economic survey to verify the information already contained in the census and socio-economic survey of each RP to ensure that all project-affected persons (PAPs) are well recorded.
- ii. Assist the PMU/PIU in preparing the working plan for implementing each RP that includes entitlement of each PAP and ensure for releasing compensation on time by working with the District Land Acquisition Officer/ DC
- iii. The assigned NGO will assist the PMU/ PIU, Pouroshava/ City Corporation in organizing stakeholders meetings at different levels, including with the project-affected persons (PAPs)
- iv. The NGO will be responsible for disclosing and explaining the findings and main summary of the RAPs in translating it into local language in which it is understood to all concerned that PAPs, especially DPs, have been given complete information pertaining to RAPs.
- v. The NGO will be responsible for implementing the RPs, assisting in disclosing the list of eligible DPs in prominent public places, and keeping a record of the minutes of all meetings with PAPs and other stakeholders.
- vi. Assist the PMU/PIU in finding options and identifying resettlement sites as well as to determine whether the resettlement sites are ready for occupancy of PAPs/DPs, who are physically displaced, and ensure that the sites are completely ready before asking DPs to move from the demarcated subproject area to the resettled area.
- vii. The NGO will update and maintain a database of PAPs/DPs in keeping records of lost assets/ properties against each PAP/ DP in detail by including the compensations or allowance the property valuation advisory committee determines.
- viii. NGO will assist PMU/ PIU in preparing entitlement cards for the eligible PAPs/DPs to help them in monitoring the progress of paying compensation to PAPs.
- ix. The NGO will include a photograph of the entitled person of the card of the DPs should be included a photograph of the DP, types of loss and contact details of GRC).
- x. The NGO will assist the PIU/PD in maintaining the database of DPs and will also report to PMU/ PD in terms of compensating and allowance to the PAPs/DPs and physical resettlement to them in the dignitary resettlement sites.

The assigned NGO, in close coordination with PD/PIU, will assist PAPs on the following:

- i. Facilitate the DPs to understand of their rights to entitlements and obligations.
- ii. Ensure that the DPs are given the full entitlements due to them, according to the entitlements in the RP.
- iii. Assist the DPs in relocation and rehabilitation, including counselling and coordination with local authorities.
- iv. Provide support and information to DPs for income restoration. Explain to the DPs the implementation arrangement of RPs to their respective DPs. This will include (i) communication to the squatters and encroachers about when the DPs are expected to move out from the

project areas,(ii) what support will be needed and provided to the DPs for their relocation either by self or with project assistance, and (iii) the timeframe for their relocation and their entitlements.

- v. Assist in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift, and in close coordination with DPs, provide PIUs with planned dates when the DPs will be moved out from the project areas to resettlement sites.
- vi. Assist the DPs in opening bank accounts by explaining the implications, the rules, and the obligations of a bank account and how s/he can access the resources s/he is entitled to.
- vii. In addition to counselling and providing information to the DPs, the consultant will carry out periodic consultations with the DPs and other stakeholders to ensure that RPs have been properly implemented.

ANNEXURE 8: Recommended Outlines of Resettlement Plan

A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

A. Executive Summary

This section provides a concise statement of the project scope, key survey findings, entitlements and recommended actions.

B. Project Description

This section provides a general description of the project, discusses project components that result in resume of public land, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimise resettlement. Include a table with quantified data and provide a rationale for the final decision.

C. Scope of Involuntary Resettlement

This section:

- I. discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities
- II. describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project
- III. Describe alternative options, if any, considered to minimise acquisition and its effects, and why remaining effects are unavoidable
- IV. Summarise key effects in terms of land acquired, assets lost and people displaced from homes or livelihoods.
- V. Summarize primary responsibilities for land acquisition and resettlement
- VI. summarises the key effects in terms of assets acquired and displaced persons; and
- VII. Provides details of any common property resources that will be acquired.

D. Socio-economic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) define, identify, and enumerate the people and communities to be affected
- (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account
- (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- (iv) Identify gender and resettlement impacts, and the socio-economic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

This section:

- (i) Identifies project stakeholders, especially primary stakeholders

- (ii) Describes the consultation and participation mechanisms to be used during the different stages of the project cycle
- (iii) Describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders
- (iv) Summarises the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan
- (v) Confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- (vi) Describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework:

- (i) Describes national and local laws and regulations that apply to the project and identify gaps between local laws and AIBB's policy requirements; and discuss how any gaps will be addressed
- (ii) Describes the legal and policy commitments from the executing agency for all types of displaced persons
- (iii) Outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided
- (iv) Describes the land acquisition process and prepare a schedule for meeting key procedural requirements

H. Entitlements, Assistance and Benefits:

- (i) Defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix)
- (ii) Specifies all assistance to vulnerable groups, including women, and other special groups and.
- (iii) Outlines opportunities for affected persons to derive appropriate development benefits from the project

I. Relocation of Housing and Settlements:

- (i) Describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- (ii) Describes alternative relocation sites considered; community consultations conducted and justification for selected sites, including details about location, environmental assessment of sites, and development needs
- (iii) Provides timetables for site preparation and transfer
- (iv) Describes the legal arrangements to regularize tenure and transfer titles to resettled persons
- (v) Outlines measure to assist displaced persons with their transfer and establishment at new sites
- (vi) Describes plans to provide civic infrastructure; and
- (vii) Explains how integration with host populations will be carried out

J. Income Restoration and Rehabilitation:

- (i) Identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources
- (ii) Describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets)
- (iii) Outlines measure to provide social safety net through social insurance and/or project special funds
- (iv) Describes special measures to support vulnerable groups; (v) explains gender considerations; and (vi) describes training programs.

K. Resettlement Budget and Financing Plan:

- (i) Provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation.
- (ii) Describes the flow of funds (the annual resettlement budget should show the budget scheduled expenditure for key items).
- (iii) Includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs.
- (iv) Includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements:

- (i) Describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan
- (ii) Includes institutional capacity building program, including technical assistance, if required
- (iii) Describes role of non-government organizations, if involved, and organizations of affected persons in resettlement planning and management; and
- (iv) Describes how women's groups will be involved in resettlement planning and management

M. Implementation Schedule

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction and provide land acquisition process and timeline.

N. Monitoring and Reporting

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.