

Resettlement and Indigenous Peoples Planning Framework (Draft)

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The People's Republic of Bangladesh: COVID-19 Response Emergency Assistance

Prepared by the Ministry of Health and Family Welfare (MOHFW), People's Republic of Bangladesh for the Asian Development Bank.

ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	Affected Person
ARIPA	-	Acquisition and Requisition of Immovable Property Act
BCS	-	Broad Community Support
CBO	-	Community-Based Organization
CPR	-	Common Property Resources
COVID-19	-	Coronavirus Disease 2019
DGHS	-	Directorate General of Health Services
DMS	-	Detailed Measurement Survey
EA	-	Executing Agency
EOC	-	Emergency Operation Center
GOB	-	Government of Bangladesh
GRC	-	Grievance Redress Committee
GRM	-	Grievance Redress Mechanism
IEDCR	-	Institute of Epidemiology, Disease Control and Research
IOL	-	Inventory of Losses
IP	-	Indigenous People
IPP	-	Indigenous Peoples Plan
IPDF	-	Indigenous Peoples Development Framework
IPDP	-	Indigenous Peoples Development Plan
LCS	-	Labor Contracting Society
MOHFW	-	Ministry of Health and Family Welfare
NPRP	-	National Preparedness and Response Plan
PIU	-	Project Implementation Unit
RIPPF	-	Resettlement and Indigenous Peoples Planning Framework
SPS	-	Safeguards Policy Statement
WHO	-	World Health Organization

GLOSSARY

Compensation	-	payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.
Cut-off date	-	the date after which eligibility for compensation or resettlement assistance will not be considered is the cut-off date. Date of service of notice under Section 3 of Land Acquisition Ordinance 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 as the cut of date for eligibility of resettlement benefits.
Displaced Person	-	As per ADB Safeguard Policy Statement (SPS) 2009- 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.
Household	-	A household includes all persons living and eating together (sharing the same kitchen and cooking food together as a single-family unit).
Indigenouse People	-	<p>For operational purposes, the term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:</p> <ul style="list-style-type: none">(i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;(ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;(iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and(iv) a distinct language, often different from the official language of the country or region. <p>In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account.</p>
Relocation	-	displacement or physical moving of the DPs 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
Resettlement	-	mitigation of all the impacts associated with land acquisition including restriction of access to, or use of land, acquisition of assets, or impacts on income generation as a result of land acquisition.
Significant impact	-	where 200 or more DPs suffer a loss of 10% or more of productive assets (income generating) or physical displacement.
Small Ethnic Communities	-	Small Ethnic Communities is the terminology that refers to ethnic

- Squatters - minorities/tribes in the constitution of Bangladesh same as non-titled and includes households, business and common establishments on land owned by the State. Under the project this includes land on part of the crest and slopes of flood control embankments, and similar areas of the drainage channels.
- Vulnerable Households - means households that are (i) headed by single woman or woman with dependents and low incomes; (ii) headed by elderly/ disabled people without means of support; (iii) households that fall on or below the poverty line; (iv) households of indigenous population or ethnic minority; (v) households of low social group or caste; and (vi) person without title to land.

NOTES

- (i) The fiscal year (FY) of the Government of Bangladesh and its agencies ends on 30 June. FY before a calendar year denotes the year in which the fiscal year ends, e.g., FY2020 ends on 30 June 2020.
- (ii) In this report, "\$" refers to US dollars.
- (iii) Regarding editing, ADB Bangladesh Resident Mission recommends keeping reference to indigenous peoples which is broader than the definition of small ethnic community (which only includes 45 indigenous people communities of the country). They have used that term in previous projects and have not had an issue with IRIS.

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EXECUTIVE SUMMARY

A. Introduction

1. The Coronavirus Disease 2019 (COVID-19) Response Emergency Assistance Project will support the Government of Bangladesh in addressing the immediate and urgent needs for financial, logistical and systemic support to deal with the COVID-19 outbreak. The project will support the procurement of equipment and supplies, the upgrading of health and testing facilities, and build system and community capacities for surveillance, prevention and response to COVID-19.

2. The project will have three outputs: (i) Output 1: Immediate and urgent needs are met in prevention and control of COVID-19; (ii) Output 2: Infrastructure and related equipment are delivered to support and sustain prevention and management of COVID-19; and (iii) Output 3: Health system and community capacities in combatting COVID-19 are strengthened. In particular, project will involve civil works supporting the upgrade/extension of existing facilities for the establishment of (i) screening and quarantine areas at airports and other points of entry; (ii) water, sanitation, and hygiene corners in up to 603 existing healthcare facilities across the country; (iii) isolation units in these same existing healthcare facilities; (iv) microbiological diagnostics facilities in up to 37 existing medical colleges and hospitals across the country. The project civil works are not anticipated to cause any adverse impacts to the people living within the project area of influence since works would be limited to the premises of existing facilities situated on government land. No physical nor economic displacement is anticipated. Yet, since the specific locations selected for the project's support have not yet been identified, the project requires careful planning for mitigation measures to be deployed in case any impacts were identified at a later stage. The project shall also require to ensure fair access to information and services to all, with focus on the inclusion of Small Ethnic Communities and other IP groups as well as disadvantaged and vulnerable households.

B. Project Categorization and Potential Impacts

3. The activities selection criteria will exclude land acquisition, or significant resettlement impact (physical or economic displacement nor impact on livelihood). The upgrading of existing facilities is not expected to trigger IR/IP-SEC¹ impacts unless there are non-titled or informal residents, additional security boundaries required considering the pandemic or future scope changes. Considering the context, the project is rated by Category C for IR and Category B for IP. Since the project will be implemented nationwide, IPs or SECs are expected to be included as beneficiaries.² As the project will be implemented nationwide, it has yet to identify all beneficiaries/affected persons. This will be done during activities preparation based on identifying areas where IP communities live. However, considering the remoteness of some indigenous villages and nominal percentage of IPs/SECs living near urban growth centers, it can be expected that rather than negative impacts, the project will bring benefits to them in different ways to improve their health and wellbeing and economic condition.

¹ The IPs are the social or cultural groups who are distinct (possessing in varying degrees self-identification and recognition by others; collective attachment to habitats and natural resources; separate customary cultural, economic, social or political institutions; distinct language) and vulnerable (historically, economically, socially).

² According to the Population Census of Bangladesh about 1.14 million IPs, in 52 groups, live in Bangladesh of which about 51.4% are males and 48.6% are females. The total indigenous households are about 289,948. Among the total population the majority are concentrated in the districts of Rangamati (257,679), Khagrachori (192,647) and Bandarban (142,651). However, a number of IPs also live in the districts of northern Bangladesh including greater Rajshahi, Greater Bogra, Greater Rangpur, Greater Dinajpur, Greater Barisal, Greater Mymensingh, Greater Sylhet and Greater Khulna.

C. Rationale and Objective

4. According to the project's safeguards categorization, an IPPF is required for category B projects for IP; no RF is required for category C for IR impacts. However, as the project was prepared under the Emergency Assistance Loan modality, detailed safeguards due diligences will be carried out during implementation. A combined Resettlement and Indigenous Peoples Planning Framework (RIPPF) was therefore prepared so as to address (i) any potential impacts as may be anticipated at this stage, (ii) while also providing guidance on addressing unexpected issues that may be encountered during implementation.

5. In this light, the RIPPF is intended to guide selection and preparation of activities under this project in accordance with ADB's Safeguard Policy Statement (SPS) (2009). The main objective of RIPPF will be to ensure that the project activities do not adversely affect the lives of people, including IP, and that they receive culturally compatible social and economic benefits. This will require the executing agency to carefully select and screen all sites for impacts and address them with appropriate mitigation measures outlined in RPs/IPPs and thoroughly monitored during implementation.

D. Screening and Mitigation Measures

6. Each project activity will be screened for IR/IP impact by the social safeguards consultant. The latter, within the project implementation unit (I) will undertake screening of each site for involuntary resettlement and impact on the IP/small ethnic communities (SECs) with the help of the community leaders and local authorities. If the results of the screening indicate the presence of involuntary resettlement (IR) impact on community or IP households in the zone of influence of the proposed activity, an inventory of loss survey will be undertaken for the specific sub-projects with impact and resettlement plan (RP) and/or IP Plan (IPP) will be prepared as applicable for such activity in accordance with this RIPPF prior to the commencement of civil works. Two checklists for screening of IR and IP impacts in sub-projects have been attached in Annex I and II.

7. The activities selection criteria will exclude any activity with significant involuntary resettlement impacts. To ensure completion within the project period, sites which do not have land acquisition and involuntary resettlement impacts will be prioritized. Activities which significantly affect tribes, minor races, ethnic sects and communities will also be excluded from the project. Each activity will be screened through the formats provided in Annex I and II. In case of unanticipated minor impacts, ADB's SPS (2009) will be the guiding principal in addition to the applicable national policy. In case of conflict with national policies, SPS (2009) will prevail. An entitlement matrix has been included as guidance in line with the government policy Acquisition and Requisition of Immovable Property Act 2017³ and SPS (2009) in Annex III.

E. Consultation, Participation, and Disclosure

8. This framework seeks to ensure that all communities, including IPs, are informed and consulted about the relevant project activities that may affect them. . The Social Safeguards Specialists under the PIU will undertake consultation or remote communication with the AP/IPs

³ The Acquisition and Requisition of Immovable Property Act 2017.

through representatives from affected people, with support from division-level PIU focal from the very onset of the project implementation and will continue until end of the project. In light of the constraints imposed by the COVID-19 pandemic, including social distancing and mobility limitations, innovative approaches could be used if personal face-to-face contact is not possible, such as use of mobile phone texting, WhatsApp, etc. To facilitate effective participation, the executing agency will follow a timetable to consult communities and IPs at different stages of the project cycle, especially during preparation of the civil works program. A social impact assessment will be carried out to gather relevant information on demographic data including but not limited to (i) social, cultural, and economic situation; and (ii) social, cultural, and economic impacts – positive and negative – on the indigenous communities in the relevant area of influence.

9. For any activities with resettlement or IP impacts, respective RP or IPP will be elaborated and disclosed to the affected community in a timely manner with detailed information of the activity involved. This will be done through public consultation and dissemination through various formats, such as the radio, online, as well as leaflets or booklets, using local languages. For projects affecting IPs, hard copies of the IPP in local language will be made available in the following: (i) offices of the PIU; (ii) District Commissioner Office; (iii) Upazila Nirbahi Office; and (iv) any other local level public offices. Electronic versions of this framework as well as the IPPs will be placed on the official website of the PIU/government and the official website of ADB after approval and endorsement of the RIPPf and each IPP by the PIU and ADB.

F. Institutional Arrangements and Grievance Redress Mechanism

10. The Ministry of Health and Family Welfare will be the executing agency and Directorate General of Health Services (DGHS) will be the implementation agency of the project. A project implementation unit (PIU) will be established within the DGHS. The PIU, will have a combination of DGHS and consultant staff including a social safeguards expert with significant IP experience, who will be responsible for addressing IR/IP concerns and ensuring their participation through preparation and implementation of RPs/IPPf as applicable.

11. The executing agency will establish a mechanism to receive and facilitate resolution of affected IR/IPs' concerns, complaints, and grievances on the project's safeguards performance for each activity having IR/IP impacts, with the assistance from the social safeguards specialist. Under the Grievance Redress Mechanism (GRM), a Grievance Redress Committee (GRC) will be formed with involvement of affected community/IP representative and local stakeholders, as applicable. The GRCs are to be formed and activated during the RP/IPP implementation process to allow IPs enough time to lodge complaints and safeguard their recognized interests. Assistance to IP 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. The PIU will make the public, including affected IP communities (IPCs), aware of the GRM through culturally appropriate public awareness campaigns.

G. Budget

12. The project will ensure adequate budgetary provisions to implement any RP/IPP where necessary for the site development. The budget for the implementation of the RP/IPP will mainly include replacement costs for any impact on asset, access or livelihood consultation/meetings, information dissemination, IPP implementation and monitoring, GRM, etc. Once each activity has been appraised and finalized in the context of the RIPPf, the required budget is to be allocated by the executing agency for proper implementation of the RP/IPP.

H. Monitoring

13. The executing agency with assistance from the social safeguards specialist will be responsible for implementation, monitoring, and evaluation of the RPs/IPPs. The social safeguards specialist will collect baseline data including qualitative information and analyze the same to assess the impacts of the project on APs/IPs. The social safeguards specialist will develop a management information system and reporting system. The DGHS through the PIU will take the overall responsibility for implementation, monitoring, and evaluation of each RP/IPP. The executing agency will collect required data/information and regularly analyze project outputs and impacts considering impact on AP/IPs and submit a combined semiannual report of the results to ADB.

I. INTRODUCTION

1. The Coronavirus Disease 2019 (COVID-19) Response Emergency Assistance Project will support the Government of Bangladesh in addressing the immediate and urgent needs for financial, logistical and systemic support to deal with the COVID-19 outbreak. The proposed project follows a request to Asian Development (ADB) from the Ministry of Finance, and the project is an integral and vital part of the National Preparedness and Response Plan (NPRP) for containment, mitigation, and management of COVID-19. The project will support the procurement of equipment and supplies, the upgrading of health and testing facilities, and build system and community capacities for surveillance, prevention, and response to COVID-19.

2. The project is aligned with the following impact: impact of COVID-19 in Bangladesh on the health, well-being, and economy of the country reduced, which is the overall goal of the government's NPRP. The project will have the following outcome: health systems and capacities strengthened to prevent and manage outbreaks of COVID-19 and other infectious diseases. This outcome will be measured through two the indicators: 100% of suspected cases of COVID-19 reported and investigated as per approved Ministry of Health and Family Welfare (MOHFW) guidelines. The outcome will be achieved through three outputs.⁴

3. **Output 1. Immediate and medium-term equipment needs for testing and managing COVID-19 met.** Output 1 will fulfil Bangladesh's immediate and medium term need to prevent infection spread, by supporting emergency procurement and provision of the most crucial medical equipment and supplies. The supplies will enable (i) health care workers to protect themselves and others from infection, and (ii) selected health facilities to be equipped with essential infection prevention and control supplies. The equipment and supplies will include material such as PPE, biohazard bags, disinfecting materials, ventilators, and oxygen meters.

4. **Output 2. Infrastructure and related equipment for supporting and sustaining prevention and management of COVID-19 delivered.** Output 2 will provide support for modification and rehabilitation of infrastructure to support critical needs of care, such as: (i) health facilities at points of entry screening passengers coming into the country via air, land and water, (ii) critical care units and isolation units to reduce secondary infections among contacts and health care workers; and (iii) microbiological diagnostic facilities (with capability to apply real-time and advanced diagnostics); as well as other emergency response infrastructure as needed.

5. **Output 3. Health system and community capacities in combatting COVID-19 strengthened.** Output 3 will support measures to strengthen the health system's response capacities and its short to medium-term capacity development. Relevant health and other technical staff will be recruited, incentivized and trained to optimize the use of the new or upgraded facilities. Additionally, the Project will provide support to: (i) develop capacity for preparedness and response for incidence management; and (ii) operational research to inform policy briefs and decisions. Finally, Output 3 will support the development of a COVID-19 communication strategy and its implementation. Using a variety of channels, Output 3 will communicate critical risk information and engage communities in promoting hygiene and safe practices, and countering misinformation.

II. RATIONALE

6. Overall, the project activities are not anticipated to negatively affect the people living within

⁴ Design and Monitoring Framework (accessible from the list of linked documents in Appendix 2).

the project area of influence since the project intends to improve the quality of health service delivery, through (i) procurement of equipment and medical supplies, (ii) the upgrade of existing healthcare facilities and (iii) appropriate screening and risk communication, to limit the transmission of COVID-19 and improve the attendance to patients' health to support cases recovery.

7. The project was prepared in the context of the COVID-19 pandemic and as such the Emergency Assistance Loan modality has been selected. This implies that processing is fast tracked and a lot of information, in particular the detailed scope and safeguards due diligences, will only be available during implementation. The rapidly evolving situation may also cause scope changes further down the line over the two years of project implementation. In this context, the present document was prepared as a broad framework, not only to address any potential impacts as may be anticipated at this stage and translated into the categorization ranking, but also to provide guidance on how to address any issues that may be encountered during implementation and may require recategorization of any activity. In case any significant issue arose during implementation so as to require recategorization, this framework would be updated accordingly.

8. The project is rated Category B for indigenous peoples safeguards, as the project scope is nation-wide and IPs are expected to be among the Project beneficiaries. There will be two ways IPs could be affected within this project: (i) for any civil works under Output 2, if IPs are present within the vicinity of the facilities, they could be affected during the construction and operation phases through resettlement, economic displacement or risk of contamination if OCHS procedures are not followed,; (ii) for communications activities, in particular under Output 3, IPs are expected to be among the targeted audience; although this latter impact is expected to be beneficial, the project must ensure that any communication strategies devised under the project are mindful of IPs and ensures fair access to information and services to all, with focus on the inclusion of all ethnic groups as well as disadvantaged and vulnerable households – this implies that information is shared in a culturally-appropriate way, through means of communication that they can access, and translated into a language they understand. As a result, as per ADB's SPS (2009), preparation of an indigenous peoples planning framework is necessary for the COVID-19 Response Emergency Assistance Project. All activities will have to be screened for impacts on IPs according to a process described in the next sections; if any indigenous peoples/tribes are likely to be affected by a Project activity, an Indigenous Peoples Plan (IPP) will be prepared and submitted to ADB for approval.

9. The project is rated Category C for involuntary resettlement. No land acquisition and resettlement impacts are envisaged, as any civil works under the projects will consist in rehabilitation and extension of existing public facilities on government land. As such, no resettlement framework should be required for the COVID-19 Response Emergency Assistance Project. Yet, since the exact locations for project activities, in particular civil works on existing facilities, are yet to be identified, the present document presents detailed guidelines and eligibility criteria so that any impacts be carefully identified and avoided, minimized or mitigated during implementation. All sites will be screened for IR impacts; in case the need were to arise during implementation to undertake civil works classified as Category B for IR, the required recategorization will be undertaken.

10. The objective of this document is to provide a policy framework for preparation of any indigenous peoples plans (IPPs) and resettlement plans (RPs) for any relevant activities where negative impacts on the affected people (AP)/indigenous or ethnic minority people will be found. The framework has been prepared in accordance with the ADB's Safeguard Policy Statement (SPS) (2009).

III. OBJECTIVE

11. The objective of the RIPPF is to provide policy and procedural guidance to (i) avoid, minimize and mitigate involuntary resettlement impacts; and (ii) design and implement project activities in a way that provide full respect for indigenous peoples' identity, dignity and livelihood system.

12. The RIPPF seeks to ensure that people in project sites, including indigenous or tribal communities, are informed, consulted, and mobilized to participate in the design and preparation of activities that may affect them. The RIPPF is intended to guide selection and preparation of activities under this project, where potential social impacts are identified to avoid, minimize or mitigate any adverse impact the project may have, ensure equal access to information and project benefits and promote development of the IPs in the project areas. The RIPPF provides guidance in performing screenings for any IP / IR impacts formulating Indigenous Peoples Plans (IPPs), and if becomes necessary, Resettlement Plans (RPs), for activities under the project. The framework is prepared in accordance with the ADB's SPS (2009).

13. One of the objectives of the ADB's Safeguard Policy is to protect the affected people as well as IPs' rights in terms of identity, means of livelihoods, heritage, tradition, culture, dignity, conventional rights, and sustainability of indigenous community. This RIPPF serves to reinforce the project participatory process to ensure that IPs in the project area are effectively involved and able to get equal access to project benefits. The objectives of the RIPPF are to ensure that if tribal populations are affected by an activity they shall: (i) be adequately and meaningfully consulted; (ii) receive culturally appropriate benefits and compensation at least equal to that of the mainstream beneficiary population on site; (iii) be provided with special assistance as per laws and policies because of their vulnerabilities vis-à-vis the mainstream population; and (iv) receive adequate protection against project adverse impacts on their cultural identities.

14. The key objective of the RIPPF is to ensure that the project activities in general, and the physical works in particular, do not adversely affect any community, including IPs, and that they receive culturally compatible social and economic benefits. This will require the executing agency to carefully select and screen all activities and their locations, to determine whether any inhabitants, and more specifically indigenous people, are present in the activity's area of influence. In this regard, proper consultation with the affected or IPs is essential to assess their needs and concerns considering the following guidelines:

- (i) The planning and design of civil works for the proposed activities should be done in such a manner as to avoid or minimize adverse impacts on community, including indigenous people, to the extent feasible.
- (ii) Where adverse impacts on people are unavoidable, socially and culturally appropriate measures are to be adopted and implemented to mitigate them.
- (iii) Wherever applicable and feasible, adopt special measures in addition to those for impact mitigation to reinforce and promote any available opportunities for socioeconomic development of IP communities.

15. Since the majority of the IPs of the project area belong to the poorest groups of the community and are socially separate from the main population (with different religious practices, social networks and interactions), the project objective is to ensure the inclusion and active participation of IPs and their receiving of tangible and equitable benefit from the project, in particular avoiding any segregation in access to information or healthcare services.

IV. INDIGENOUS PEOPLES SCREENING AND PLANNING PROCESS

A. Background

16. No single definition can capture the diversity of the IPs, as they are found in varied and changing contexts. ADB's SPS (2009) defines IPs as the social or cultural groups who are distinct (possessing in varying degrees self-identification and recognition by others; collective attachment to habitats and natural resources; separate customary cultural, economic, social or political institutions; distinct language) and vulnerable (historically, economically, socially).

17. As such, the executing agency will use the development partners' guidelines to identify IPs in the geographic coverage of the project by examining the following characteristics:

- (i) Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- (ii) Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- (iii) Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- (iv) An indigenous language, often different from the official language of the country or region.

18. Essentially IPs have a social and cultural identity distinct from the mainstream society that makes them vulnerable to being overlooked in development processes.

19. According to the Population Census of Bangladesh about 1.14 million IPs, in 52 groups, live in Bangladesh of which about 51.4% are males and 48.6% are females. The total households are about 289,948. Among the total population the majority are concentrated in the districts of Rangamati (257,679), Khagrachori (192,647) and Bandarban (142,651). However, several IPs also live in the districts of northern Bangladesh including greater Rajshahi, Greater Bogra, Greater Rangpur, Greater Dinajpur, Greater Barisal, Greater Mymensingh, Greater Sylhet, and Greater Khulna.

20. There is significant diversity among the IPs of Bangladesh; each ethnic indigenous community in Bangladesh has its own distinct tradition, culture, heritage, and identity. Their patterns of livelihoods are based on traditional use of resources and their socioeconomic and cultural patterns are distinct from the mainstream Bengali peoples. Their means of livelihood are diverse, linked primarily to survival mechanisms and strategies adapted to the various agroecological zones that they inhabit. The IPs of northern and southern Bangladesh have been facing a number of challenges in maintaining their means of livelihoods.

21. As the project will be implemented nationwide, it has yet to identify all indigenous beneficiaries/affected persons. This will be done during project implementation, at the onset of each facility/site preparation on the basis of identifying particular areas where the IPs live.⁵ However, at the stage of project preparation, meaningful consultation/group discussions, or information from the local government agencies can be used at primary stage as due diligence to assess and quantify the number of APs/IPs in the project area, their existing socioeconomic

⁵ The existing population census can be used as a guideline to identify IP/SEC sensitive locations.

condition and livelihood aspects, social linkages, relationship of IPs with the mainstream populations, participation in social activities, likely impacts of development activities, views and opinions, etc.

B. Indigenous Peoples Screening

22. IP safeguard assessment will follow the steps outlined below:

- (i) First screening at national level to demarcate areas with IPCs for further due diligence for IP safeguards. This could be mainly done by desk-top review of existing secondary sources.
- (ii) Screening of IP areas based on screening checklist to assess the significance of impacts (Checklist Appendix I).
- (iii) Site-specific audits based on existing facilities that are in IP areas. In case of non-compliance with SR III, a satisfactory corrective action plan (CAP) prepared and implemented.
- (iv) As the main IP issues will be to ensure IPs get equal access to the project facilities and services and are also inclusively targeted in the communication campaigns (including communication in local languages, cultural sensitivity, etc.)". An Indigenous Peoples Plan (IPP) commensurate to impacts will be prepared that will include an action plan with budget support.

23. **Screening criteria.** The project management unit (PIU), through the social safeguards consultant and with support from division-level project coordinators and facility focal person responsible for facility/site preparation and implementation will visit, or, if visit is not possible in the context of the pandemic, contact, all IPs/tribal settlements near the selected facility/site, which may be affected and influenced by the facility/site activities. Public meetings, or for the sake of maintaining social distance, written notice, communication through loud speakers, communication through written notes/leaflet distribution will be arranged in selected communities by the PIU with the indigenous/tribal communities and their leaders to provide them information about the facility/site and collect their views on the facility/site. In addition, the project may arrange information dissemination through electronic media such as texting, WhatsApp, website in local/Bangla language, etc. Interactive media to have a virtual face-to-face or groups interaction would also be considered.

24. During the site visit, the social safeguards consultant of the PIU, with support from sub-district level medical officer in charge, will undertake screening of the indigenous/ tribal communities with the help of the community leaders and local authorities. An IP/SEC screening checklist format has been provided in Annex II of the document. If the results of the screening indicate the presence of indigenous/tribal community households in the zone of influence of the proposed facility/site, a social impact assessment will be undertaken for those areas.

25. If there are any IPs affected (adversely or positively), due to implementation of any activity, the executing agency will prepare and implement an IPP (see process outlined below in IV.C) for the concerned activity following the principles, guidelines and procedure outlined below. To avoid or minimize adverse impacts, and at the same time, ensure culturally appropriate benefits, the executing agency will select, design and implement the physical works in adherence to the following principles:

- (i) Activities will have no significant impact on IP customary land including culturally significant locations;

- (ii) Activities will not include commercial development of cultural resources or knowledge of indigenous peoples nor commercial development of natural resources;
- (iii) Leaders of each tribe of the IPCs will be communicated with for their consent, in the process leading to identification, planning and implementation of expansion/improvements works and other activities;
- (iv) Carefully consult representatives from IPCs regarding the physical works to be undertaken in the facility to gain a preliminary understanding of the nature and magnitude of potential impacts, and explore alternatives to avoid or minimize any adverse impacts;
- (v) Where alternatives are not feasible and adverse impacts are unavoidable, immediately make an assessment of the key impacts jointly with IPs and others knowledgeable of IP cultures and concerns;
- (vi) Undertake the necessary tasks to prepare the IPP with the most appropriate measures to mitigate the adverse impacts and, if opportunities are there, development measures for the general benefit of IPCs; and
- (vii) Assess the need for broad community support (BCS) on any particular facility/site, and if necessary, obtain BCS.

26. The project is unlikely to have any negative impacts on the IPCs. Where the facility/site screening indicates project impacts on IP, a rapid social impact assessment will be undertaken to assess the signification of impacts. If the assessment indicates only positive impacts, it will need to be ensured that the positive impacts or project benefits to IP are delivered in a culturally sensitive and appropriate manner and the process of benefit delivery will be participatory and inclusive of IPCs. For such facility/site, keeping in mind the emergency nature of project intervention and to ensure that the project benefits are delivered to the affected IPCs in a timely manner, rather than an IPP, a community consultation action plan will be developed and implemented.

C. Indigenous Peoples Planning Processes for Facilities/Sites

27. After undertaking the screening (Appendix I) and following the process outlined in VI.A & B, If there are any Indigenous Peoples or their communities affected (adversely or positively), due to implementation of any facility/site, the executing agency will prepare and implement an Indigenous Peoples Plan (IPP) for the concerned facility/site. See Annex IV for an IPP template.

28. Meaningful consultations with and participation of communities, including as applicable IP representatives, their leaders, and local government representatives will be an integral part of IPP. Based on the above, the MSC will undertake site-specific social impact assessment for preparation of an IPP. The survey will gather relevant information on demographic data, including but not limited to (i) social, cultural, and economic situation; and (ii) social, cultural and economic impacts – positive and negative – on the IPs in the facility/site area.

29. The social impact assessment is to be conducted after finalization of the design for any facility/site where there are direct adverse impacts on IPs. The survey will focus on any severely affected IP households and other affected households/entities if any. The survey will also collect gender-disaggregated data to address gender issues for analysis of social structures and income resources of the IP population.

30. The above-mentioned data shall be analyzed to review the social impact of each facility/site on the impacted IPs and communities in general. The analysis shall provide the

socioeconomic profile of the affected community, disaggregated by gender, income, education and other socio-economic parameters. The impacts including both positive and negative shall be assessed with the possible enhancement of positive impacts.

31. The above information is to be gathered from separate group meetings or through remote communication with IP representatives and local government authorities with support of sub-district level medical officers for information verification. Within the affected and indigenous community, including tribal leaders; group of tribal men and women, especially those who live in the zone of influence of the proposed facility/site. Discussions will focus on the positive and negative impacts of the facility/site as well as recommendations on the design of the facility/site. The MSC will be responsible for analyzing the social impact assessment and, based on it, developing an action plan with the indigenous/tribal community leaders. If the social impact assessment indicates that the potential impact of the proposed facility/site will be significantly adverse and will be threatening the cultural practices and IPs' sources of livelihood, or that the IPC rejects the facility/site or activities, then the PIU will consider other design options to minimize such adverse impacts. If IPCs support the activities an IPP will be formulated.

32. The objective of any IPP prepared will include any relevant development issues taking into consideration the marginal and vulnerability status of affected communities.

33. If required, IPPs will be developed in consultation with the community and the upazila/district officers of MOHFW. The PIU will submit all IPPs in a timely manner to ADB for review and approval prior to the implementation of specific activities. Any mitigation measures to be undertaken within the scope of the project and any activities must comply with ADB's SPS (2009).

V. INVOLUNTARY RESETTLEMENT SCREENING AND PLANNING PROCESSES

34. The project does not envisage involuntary resettlement (IR) impacts and is categorized as C for involuntary resettlement safeguards. Based on initial analysis, all the activities will take place within the existing medical and health facility sites and the project will not involve temporary or permanent physical or economic displacement or restriction on land use or restriction to access to legally designated areas. There will be no land acquisition and it also does not anticipate any temporary impacts.

35. However, given due diligence cannot be conducted at all sites to verify no IR impacts, permanent or temporary, a screening procedure is required prior to project implementation/commencement of civil works as outlined below.

36. Facility/ sites with involuntary resettlement impacts will be first and foremost avoided. Facility/sites with activities described in ADB's Prohibited Investment Activities List will also be excluded. The following will be applied:

- (i) Facility/sites will not involve any land acquisition; preferably no land acquisition was performed on the site in the last 3 years;
- (ii) Facility/sites will not result in involuntary resettlement, permanent physical displacement nor restrictions on land use; temporary physical displacements are to be avoided at all costs and would only be considered for eligibility if (i) no other alternative options are available to respond to the rapidly evolving emergency context, (ii) compliance with the RIPPF and SPS 2009 is strictly followed, (iii) temporary displacement would not exceed the duration of the project;

(iii) Facility/sites will not cause permanent economic displacement nor cause any significant temporary income loss or other adverse livelihood impacts.

A. Involuntary Resettlement Screening

37. Prior to project implementation – commencement of civil work:

- (i) All sites screened based on IR screening checklist (appendix II) to establish whether the sites were actually on government owned land or were acquired for the specific facilities. The executing agency will prepare the screening checklist for each site with supporting documentation such as government ownership of facility land. For the facilities where there was no land acquisition, no further action would be required.
- (ii) For the facilities where land acquisition had taken place the social safeguards specialist will undertake a compliance audit to establish that there are no IR issues that could be non-compliant with ADB's SPS (2009), SR II. Supporting documentation such as maps, photos, google earth images, etc. can be used.
- (iii) For the sites where the initial screening/rapid audit (templates in appendix II) indicates issues non-compliant to ADB's SPS (2009), SR II, such legacy issues as non-payment of compensation, forceful eviction, ongoing legal cases, etc. a comprehensive audit will be required that would assess the overall IR policy compliance (As per the Compliance Audit template Appendix III) . Such compliance audit will be undertaken by the social safeguards expert contracted for the project. In such cases, following the compliance audit outcomes, corrective action plans are prepared and implemented.
- (iv) IR screening and impact assessment will ensure that the non-titleholders are included in the process.
- (v) In case, there are unanticipated IR impacts requiring land acquisition and/or physical displacement, a resettlement plan (RP) compliant to ADB's SPS (2009) will be prepared and implemented.

B. Involuntary Resettlement Planning Processes for Facility/Sites

38. IR safeguards assessment and planning process will be based on the following steps:

- (i) For IR, there could be three possible scenarios: (a) all the investment will be within the existing facilities that would be mostly government hospitals and medical institutions which might be existing for a long time. For such facilities, if there was no involuntary land acquisition, the screening check list (Appendix II) with legal documentation on the government's prior ownership of the facility will suffice. In such cases there would not be any need for further assessment. (b) Another scenario can be these facilities are built on land that was acquired by use of eminent domain and in such cases a safeguard compliance audit will be undertaken. A rapid audit will be done along with environmental assessment to establish that there are no outstanding issues that could be non-compliant to SPS, SR II. However, in case where government hospitals and institutions were constructed on acquired land by use of eminent domain and where there are legacy issues, complaints, non-payment of compensation, forceful eviction, in such cases a detailed audit (Appendix III) will be required and a satisfactory AP will be prepared and implemented. (c) The third scenario is where the facilities require additional land to expend and or need land acquisition temporarily or permanently

in such cases, a resettlement plan commensurate to the impacts will be prepared to cover the unanticipated impact in accordance with ADB's SPS 2009 (RP outlines in Appendix V and entitlement matrix in Annex VI).

- (ii) If required, any RPs developed will be in consultation with the community and the upazila/district officers of MOHFW. The PIU will submit all RPs in a timely manner to ADB for review and approval prior to the implementation of specific facility/site activities commencing. Any mitigation measures to be undertaken within the scope of the project and any activities must comply with ADB's SPS (2009), including that compensation must be paid prior to the commencement of civil works.

VI. STRATEGY FOR PARTICIPATION AND CONSULTATION WITH PROJECT AFFECTED PEOPLE

39. In case of any adverse impact anticipated through the project activities, consultation and participation of affected communities especially, IPs in selection, design, and implementation of the facilities/sites/activities is in general crucial for the objectives of any RP or IPP's prepared to be achieved. However, considering the pandemic situation and risk of contamination, innovative remote communication can be introduced. In addition, the district and sub-district level health care workers, doctors, medical officers may be included in stakeholder list and communicated for advice and local information.

40. Where adverse impacts are likely, the executing agency will undertake prior and informed consultations with the likely affected or indigenous communities and those who work with and/or are knowledgeable of indigenous people's development issues and concerns. The representative from IP/SEC communities or affected people may be remotely communicated considering the risk factor in this project. To facilitate effective participation, the executing agency will follow a timetable to consult APs and, where relevant, IPCs, at different stages of the project cycle, especially during preparation of the civil works program. The primary objectives shall be to examine the following:

- (i) Seek the inputs/feedback of APs/IPs to avoid or minimize the potential adverse impacts associated with the required works;
- (ii) Identify culturally appropriate impact mitigation measures; and
- (iii) Assess and adopt measures which the executing agency could promote to complement the measures required to mitigate adverse impacts.

41. Consultations will be carried out broadly in two stages. First, prior to final selection of any facility/site located in an area inhabited by households or group of people, the executing agency will consult the communities about the need for, and the probable positive and negative impacts associated with the expansion/renovation works. Second, prior to detailed impact assessment, ascertain how the APs/IPCs in general perceive the need for undertaking physical works for the facility and gather any inputs/feedback they might offer for better outcomes, which would eventually be addressed in RP/IPP and design of the physical works.

42. The executing agency will:

- (i) Facilitate widespread participation or collect and share site specific information of APs/IPCs with adequate gender and generational representation; customary/traditional IP organizations; community elders/leaders; and civil society organizations like nongovernment

- organizations (NGOs) and community-based organizations; and groups knowledgeable of IP development issues and concerns.
- (ii) Provide social safeguards specialist and ADB with all relevant information about the facility/site/activity, including that on potential adverse impacts, organize and conduct the consultations in manners to ensure free expression of their views and preferences.
- (iii) Thoroughly and exhaustively document details of all consultation meetings, with all IP perceptions of the proposed works and the associated impacts, especially the adverse ones; all relevant inputs/feedbacks/comments offered by IPs as well as all questions raised; and a transparent account of the conditions agreed with indigenous people.

43. The executing agency will assess the detailed impacts at household and community levels, with a particular focus on the adverse impacts perceived by affected people and the probable (and feasible) mitigation and community development measures. To ensure continuing informed participation and more focused discussions, the executing agency will distribute written notice/leaflet or use loudspeakers to inform IPs with the impact details of the proposed civil works. Consultations will cover topics/areas concerning cultural and socioeconomic characteristics, as well as, were applicable, any topic that the IPCs consider important. Consultations will continue throughout the preparation and implementation period, with increasing focus on any households which might be directly affected. Consultation stages, probable participants, methods, and expected outcomes are suggested in the IP consultation matrix below.

44. Consultation process will broadly follow the following steps:

- (i) Identification of IPCs and their representatives within the project impact zone;
- (ii) Adequately inform community representatives about the project, its outcomes and its impacts (both positive and negative) on the community.
- (iii) Seek IPC representative's feedback on proposed project activities and impacts on the IPCs.
- (iv) Seek IPC representatives' advice on conducting broader consultation process in light of pandemic situation; seek information on the availability of and access to electronic devices such as mobile phones, computers, television, radio, mobile and internet networks etc.
- (v) Based on initial information, develop boarder consultation procedures that should be implementable in a pandemic situation and without jeopardizing health and wellbeing of the participants.
- (vi) Information material (written or automated response on mobile phones) will be easy to understand. Where required such information could either be in local language or bilingual.
- (vii) As far as possible, community consultation experts/facilitators are from the local communities who are knowledgeable about the linguistic and cultural contexts of the communities.
- (viii) Information and communication material (written or otherwise) will be respectful of the IPCs own health practices and beliefs.

Table 1: Indigenous Peoples Consultation Matrix

Consultation Stages	Consultation Participants	Consultation	Expected

	Project Authority	IP Community	Method	Outcome
Reconnaissance and ground verification of existing and location/sites for sub projects	DGHS, local government, NGOs, and others working with IP issues	IPCs, including organizations, community leaders/elders	Remote meetings and discussions, collect information of proposed sub project sites, IP settlements and surroundings	First-hand assessment of potential social benefits and risks, and prospect of achieving broad base support for the civil works
Screening of the proposed sub projects	DGHS, Local government, NGOs / CBOs and others working with IP issues	IPCs, including likely affected IPs, IP organizations, community leaders/elders, key informants	Remote meetings, focus group discussions, spot interviews, collect information from respective officers in charge etc.	Identification of major impact issues, feedback from IPCs and would-be affected persons for the civil works

Consultation Stages	Consultation Participants		Consultation	Expected
	Project Authority	IP Community	Method	Outcome
Implementation	DGHS, APs, consultants (social scientists) and other stakeholders	Individual IPs, IP organizations, community leaders/elders and other stakeholders	Implementation monitoring committees (formal or informal)	Quick resolution of issues, effective implementation of IPP
Rapid social audit	DGHS, APs, consultants	IP organizations/ groups and individuals	Rapid social audit of selected projects with any negative social safeguards impact	Identification and resolution of implementation issues, effectiveness of IPP
Monitoring and evaluation	DGHS, APs, consultants (social scientists), NGOs and CBOs	IP organizations/ groups and individuals	Formal participation in review and monitoring	Identification and resolution of implementation issues, effectiveness of IPP

AP = affected people, CBO = community-based organization, DGHS = Directorate General of Health Services, IP = indigenous people, IPC = indigenous peoples community, IPP = indigenous peoples plan, NGO = nongovernment organization.

Source:

45. The following strategies will be included in the project to support specifically the participation of the AP/IPs:

- (i) The project will accommodate the most vulnerable and destitute members of affected people including indigenous community, especially those who have been living in the project area.

- (ii) Encourage representatives of APs/IP to be get involved in various development planning, implementation, operation and maintenance activities in the project through arranging related training;
- (iii) The project should ensure adequate resources and technical support for the implementation of the action plan for RP/IPP;
- (iv) At all stages culturally appropriate communication methods (verbal and non-verbal, in local language) should be used to ensure meaningful consultation.

46. Once IPs are identified in a facility/site/activity area, the IPP will ensure mitigation of any adverse impact of the project. The project should ensure benefits to the IPs by providing, in consultation with the IPs themselves.

47. The following issues will be addressed during the implementation stage of the project;

- (i) Provision of an effective mechanism for monitoring implementation of the RIPPf
- (ii) Ensuring appropriate budgetary allocation of resources for any RP/IPP;
- (iii) Provision of technical assistance for sustaining the RIPPf;
- (iv) Ensure that IPs' traditional social organizations, cultural heritage, traditional political and community organizations are protected.

VII. DISCLOSURE PLANNING, IMPLEMENTATION, AND MONITORING DOCUMENTS

48. Information will be disseminated to APs including IPs at various stages through remote communication, written notice, leaflets, etc. The PIU along with site/facility level officials in charge will also support in communication with IPs in addition to the public notification to ensure that all project information which may affect them is given to all IPs in a culturally appropriate manner for their understanding, consideration, action and feedback, as applicable.

49. For the benefit of the community in general including IPs and vulnerable households in particular, each RP/IPP, if required based on facility/site screening/audit will be made available in local language during public meetings or communication at the site level and will be disclosed in public places prior to project appraisal. This will enable stakeholders to provide inputs to the process, prior to award of any civil work contract.

50. Each site RP/IPP, if required, will be disclosed to the affected community with detailed information as outlined in the Annex IV and V. This will be done through written notice through local government representatives, officer in charge at site level from PIU, public consultation or remote communication and made available as brochures, leaflets, or booklets, using local languages. Hard copies of the IPP in local tribal language will also be made available at: (i) offices of the PIU; (ii) District Commissioner Office; (iii) Upazila Nirbahi Office; and (iv) any other local level public offices.

51. The report of this disclosure, giving detail of date and location, will be shared with ADB. The basic information in any RP/IPP including entitlements for IPs and implementation arrangements will be presented in the form of a brochure that will be circulated among the APs/IPs. Posters designed to disseminate basic tenets of the IPP will be distributed in different localities to generate mass awareness.

52. Electronic versions of the framework as well as the RPs/IPPs will be placed on the official website of the PIU/government and the official website of ADB after approval and endorsement of the RIPPf and each RP/IPP (if prepared) by the PIU and ADB.

53. Documents such as compliance audit report, monitoring reports, corrective action plan implementation report (if required), project completion report will be disclosed appropriately to the affected communities and on the ADB website.

VIII. INSTITUTIONAL ARRANGEMENTS FOR PREPARATION AND IMPLEMENTATION OF INDIGENOUS PEOPLES PLAN

A. Executing and Implementing Agency

54. The MOHFW will be the executing agency and the DGHS will be the implementing agency. As proposed by the government, a PIU will be established within the DGHS. The PIU will provide the technical, administrative, and logistical support required for implementation. The National Coordination Committee for Prevention and Control of COVID-19, chaired by the Secretary, MOHFW or Director General, DGHS will oversee the overall project implementation. The PIU will work directly with the government entity involved in each component: the Emergency Operation Center in preparedness and response, the various coordination committees at divisional, district, city corporation, and upazila levels; and the Institute of Epidemiology, Disease Control and Research in contact tracing support and surveillance strengthening activities. The PIU will conduct regular monitoring and evaluation activities and hold quarterly reviews of progress against the indicators.

55. The executing and implementing agencies will:

- (i) Review and endorse resettlement plans, ensuring that the IPP is consistent with ADB's SPS (2009), and the loan agreement;
- (ii) Endorse IPP to ADB for review and concurrence;
- (iii) Orient, as needed, the PIUs on their tasks relative to developing, updating, and implementing IPP;
- (iv) Secure the budget for carrying out IPP, ensuring that funds are available in a timely manner and in sufficient amounts;
- (v) Approve all disbursements connected with the implementation of the IPP, such as payment of compensation and other entitlements, operational expenses of personnel, etc.;
- (vi) Ensure that funds for resettlement are spent judiciously; and
- (vii) Monitor the implementation of the IPP, ensuring that this is carried out in compliance with the project resettlement principles, the resettlement framework, and with grant agreement.

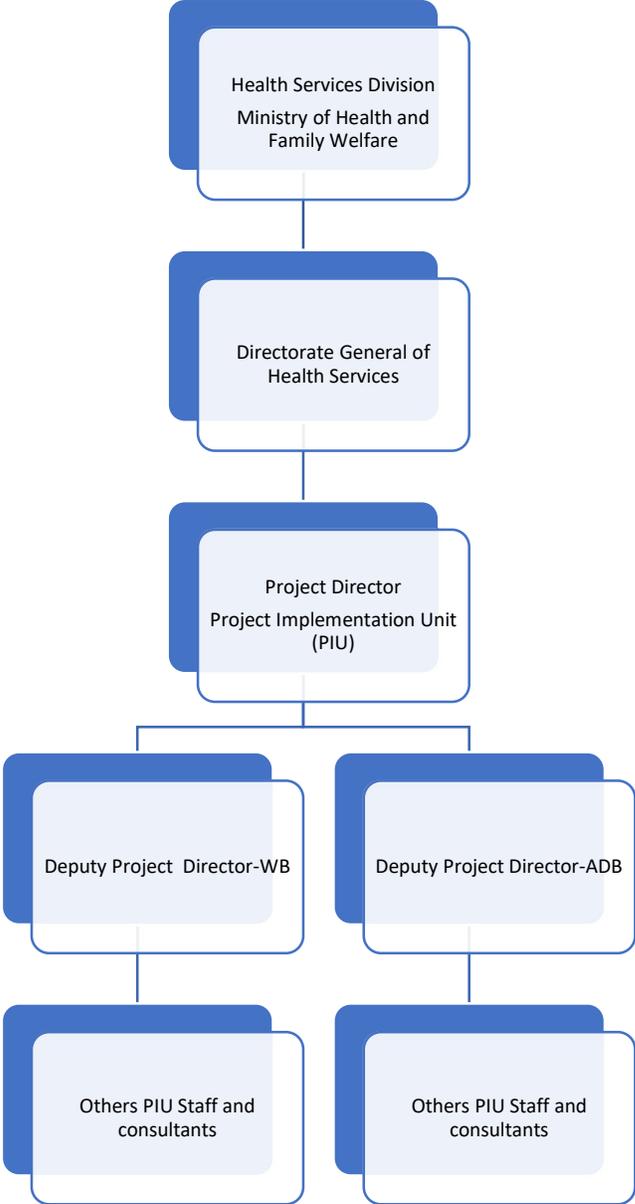
B. Project Implementing Unit

56. The PIU tasks include the following:

- (i) Review IR/IP screening checklists submitted by the implementation units. Check and verify that the screening checklists are supported by adequate documentation. Based on the review of screening documents and own due diligence confirm site impacts to ADB;
- (ii) Review the site/facility documentation requiring rapid social safeguards compliance audit. Provide guidance and support to the implementation unit to undertake audit. Where the audit does not identify any compliance issues with the SPS endorse such projects as not requiring any further social safeguards actions.

- (iii) Following initial screening and rapid compliance audit, for facilities/sites having social safeguards compliance issues provide support and guidance to the implementing unit to undertake a comprehensive social safeguards audit and help develop a CAP with set timelines and a budget, monitor implementation of CAP
- (iv) Prepare the IPP and submit to the executing and implementing agencies and ADB for review;
- (v) Secure the approval of the IPP from the executing and implementing agencies and concurrence from ADB;

Figure 1: Project Organization Structure



^a PIU will comprise of Deputy Project Director, and Financial Management, Procurement and other essential staff and consultants. ADB = Asian Development Bank; PIU = project implementation unit, WB = World Bank. Source: Asian Development Bank.

- (vi) Secure prior approval from executing and implementing agencies and concurrence from ADB for any variations in approved IPP;
- (vii) Secure the data base of affected households and assets gathered during the preparation and updating of the IPP;
- (viii) Ensure all government requirements are complied with;
- (ix) Facilitate a sustained public information campaign, ensuring that the public, especially the affected households, are updated on any developments regarding the project and resettlement activities;
- (x) Lead the DMS and updated census of affected persons, including the updating of the rates used in calculating compensation and other entitlements to reflect prevailing market rates at the time of compensation;
- (xi) Lead the selection, acquisition, and preparation of replacement plots if required, including the preparation of a coordinated schedule of delivery of compensation and other entitlements, the relocation of people, harvesting of standing crops, and the start of civil works in a section of the infrastructure;
- (xii) Lead the delivery of compensation and other entitlements to the affected households;
- (xiii) Receive and act on the complaints and grievances of affected households in accordance with the project resettlement principles and the RIPPF; and
- (xiv) Maintain a record of all public meetings, information exchange, grievances, and actions taken to address complaints and grievances.
- (xv) Monitor and prepare progress reports on resettlement plan implementation.

C. Social Safeguards Specialist Consultant

57. The PIU will be assisted with a dedicated social safeguards specialist engaged during project implementation.

58. The social safeguards consultant, within the PIU, will assist in ensuring due diligence during various stages of project and will include verifying and confirming the initial screening, rapid and comprehensive social safeguards compliance audit, developing and updating IPP through the conduct of the DMS in a participatory and transparent way and consistent with the project RIPPF. Once approved by the PIU and reviewed and concurred by ADB, the consultant will provide technical advice in the implementation of the approved IPP. The consultant will likewise provide capacity building orientation and skills training, as needed, to concerned personnel of the PIU.

59. Within the PIU, the social safeguards consultant will supervise civil works activities to ensure that the contractors adhere with the terms of their contract relative to avoiding and/or minimizing resettlement impacts, in addition to ensuring that government/contractors provide the necessary compensation and/or assistance to the affected households prior to construction activities. The consultant will assist the PIU in regular monitoring of IPP implementation.

IX. GRIEVANCE REDRESS MECHANISMS

60. The objective of the GRM is to resolve complaints as quickly as possible and at the local level through a process of conciliation; and, if that is not possible, to provide clear and transparent procedures for appeal. A well-defined grievance redress and resolution mechanism will be established to resolve grievances and complaints in a timely and satisfactory manner. All affected persons will be made fully aware of their rights, and the detailed grievance redress procedures will be publicized through an effective public information campaign. The grievance redress process

includes four levels.

61. **First level of grievance redress mechanism.** The first level and most accessible and immediate contact for the fastest resolve of grievances are the contractors, with assistance from a designated safeguards focal (Site Engineer or Contractor Representative) on site. Prior to construction of any works, the PIU will ensure local community meetings are held to notify residents and businesses of any temporary disturbances, and to inform them of the project and the GRM. If any complaints arise, the contractors, with assistance from the safeguards focal on site can immediately resolve the complaint on site. The contractor's and safeguards focal's office phone number will be posted in public areas at the construction sites. Any person with a grievance related to the project works can contact the project to file a complaint. The contractor may seek the assistance of the DSC safeguards specialists (social safeguards specialist) to resolve the issue. The safeguards focal person will immediately address and resolve the issue with the contractor within 1–2 days, if the complaint remains unresolved at the field level. The PIU safeguards focal person will fully document the following information: (i) name of the person, (ii) date complaint was received, (iii) nature of complaint, (iv) location, and (v) how the complaint was resolved.

62. **Second level of grievance redress mechanism.** Should the grievance remain unresolved, the contractor with assistance from the safeguards focal on site will forward the complaint to the PIU's social safeguards specialist. The person filing the grievance will be notified by safeguards focal person on site that the grievance was forwarded to the PIU. The PIU will address the grievance. Grievances will be resolved through continuous interactions with affected persons, and the PIU will answer queries and resolve grievances regarding various issues including environmental or social impacts. Corrective measures will be undertaken at the field level by the PIU safeguards focal person within 7 days. He/she will fully document the following information: (i) name of the person, (ii) date complaint was received, (iii) nature of complaint, (iv) location, and (v) how the complaint was resolved.

63. **Third level of grievance redress mechanism.** Should the grievance remain unresolved, the PIU's project director will activate the third level of the GRM by referring the issue (with written documentation) to a GRC, which will, based on review of the grievances, address them in consultation with the PIU, contractor, safeguards focal on site, and affected persons. The GRC will consist of the project director, as chairperson, and representatives from contractor, the safeguards focal on site, and affected persons and other relevant stakeholders. A meeting will be called with the GRC, if necessary, where the affected person can present his/her concern and issues. The process will promote conflict resolution through mediation. The GRC will meet as necessary when there are grievances to be addressed. The GRC will suggest corrective measures at the field level and assign clear responsibilities for implementing its decision within 15 days. The functions of the GRC are as follows: (i) to provide support to affected persons on problems arising from environmental or social disruption, asset acquisition (where required), and eligibility for entitlements, compensation, and assistance; (ii) to record grievances of affected persons, categorize and prioritize them, and provide solutions within 15 days; and (iii) to report to the aggrieved parties' developments regarding their grievances and decisions of the GRC. The executing and implementing agencies' safeguards focal person will be responsible for processing and placing all papers before the GRC, recording decisions, issuing minutes of the meetings, and taking follow-up action to see that formal orders are issued, and the decisions carried out.

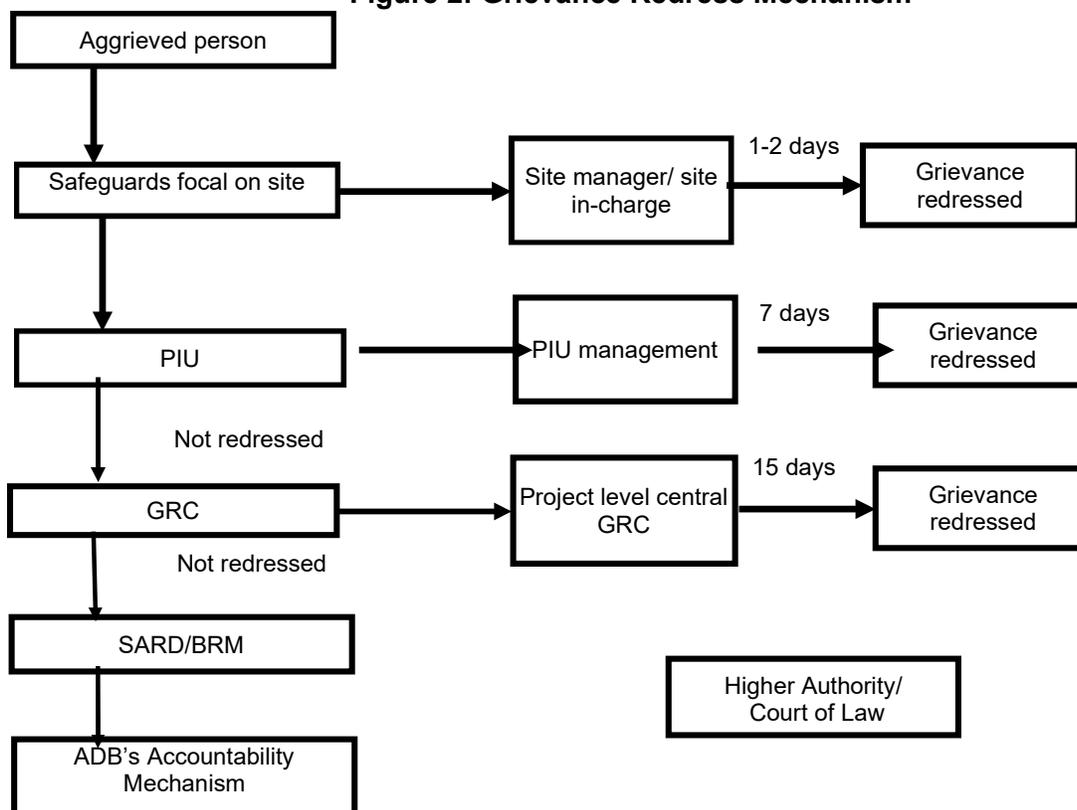
64. Safeguard monitoring reports will include the following aspects pertaining to progress on grievances: (i) number of cases registered with the GRC, level of jurisdiction (first, second, and third levels), number of hearings held, decisions made, and the status of pending cases; and (ii)

lists of cases in process and already decided upon may be prepared with details such as affected person, date of notice, date of application, date of hearing, decisions, remarks, actions taken to resolve issues, and status of grievance (i.e. open, closed, pending).

65. All costs involved in resolving the complaints (meetings, consultations, communication and reporting and information dissemination) will be borne by the executing and implementing agencies.

66. Where an affected person is not satisfied with the outcomes of the three levels of the project GRM, the affected person should make good faith efforts to resolve issues working with the South Asia Regional Department through ADB's Bangladesh Resident Mission. As a last resort, the affected person can access ADB's Accountability Mechanism (ADB's Office of Special Project Facility or Office of Compliance Review).⁶ ADB's Accountability Mechanism, including information on how to file a complaint, will also be explained to affected households.

Figure 2: Grievance Redress Mechanism



Note: ADB = Asian Development Bank; BRM = Bangladesh Resident Mission; DSC = Design and Supervision Consultant; PIU = Project Implementing Unit; SARD = South Asia Regional Department

67. The GRM however does not prevent affected persons from seeking legal redress at any time. Resorting to legal redress can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

68. The grievance redress mechanism and procedure are depicted in Figure 2.

⁶ Contact information on ADB's Bangladesh Mission is in <https://www.adb.org/countries/bangladesh/main>. Information on ADB's Accountability Mechanism is in www.adb.org/site/accountability-mechanism/main.

X. COST ESTIMATE AND FINANCING

69. The MOHFW as executing agency and DGHS as implementing agency will ensure adequate budgetary provisions in the COVID-19 Response Emergency Assistance Project to implement social safeguards processes as outlined in this RIPPFF including the communication plan for IP and any RP/IPP where required for the facility/site development. A cost estimated budget will be prepared once facility sites are identified and potential social safeguards impacts are assessed. At the time of project appraisal, no negative IR and IP safeguards impacts are envisaged. For IP the project will have beneficial impacts like other communities. However, keeping in mind the specific cultural and linguistic requirements of IPCs, a culturally sensitive communication strategy for activities under Output 3 will be implemented. Project executing and implementing agency will ensure that sufficient budget is provided to develop and implement the communication plan.

70. Firstly, any site found with IR/IP impacts will require to be appraised and will identify and assess those impacts to incorporate in the RP/IPP. During preparation of any RP/IPP a detailed cost estimate will be prepared for mitigation of different impacts on the APs/IPs. The budget for the implementation of an RP/IPP will mainly include cost for compensation at replacement cost as per ADB's SPS (2009) for any lost assets as per RPs/IPPs interventions, meaningful consultation/meetings, information dissemination, RP/IPP implementation and monitoring, GRM, etc. Once the site has been appraised and finalized in the context of the RIPPFF, the required budget is to be allocated by the executing agency for proper implementation of the RP/IPP.

71. There should be adequate budgetary provisions in the COVID-19 Response Emergency Assistance Project to implement any RP/IPP where necessary for 603 facility/site development. Although the projects are funded jointly by ADB and the Government of Bangladesh, the resettlement budget are allocated from the government. Following initial screening, any site found with IR/IP impacts will require to be appraised and will identify and assess those impacts to incorporate in the RP/IPP. PIU during preparation of any RP/IPP will prepare a detailed cost estimate for mitigation of different impacts on the APs/IPs. Once the site has been appraised and finalized in the context of the RIPPFF, the enough budget is to be allocated by the executing agency for proper implementation of the RP/IPP in a timely manner.

72. In case of any negative IR/IP impact is screened from the sites/facilities, the PIU with the help of the social safeguard expert will conduct an IOL survey to prepare the RP/ IPP action plan identifying the IR/IP impacts in each site/facility. The RP/ IPP will keep provision for adequate budget to mitigate loss of asset and access of livelihood for the project particularly on following items:

- (i) Cash compensation at replacement cost for all assets lost
- (ii) Resettlement assistance to all AP/IP as per ADB's SPS (2009)
- (iii) Special assistance to vulnerable groups including women, elderly and other special groups
- (iv) Costing for livelihood restoration including one-time cash grant
- (v) In addition to the RP/IPP implementation cost, the PIU will also keep enough budget provision for following items:
 - (a) Hiring Social Safeguard Expert/Consultant/focal point for PIU
 - (b) Hiring Agency/Consultants for RP/IPP implementation and monitoring
 - (c) Conducting necessary no. of information dissemination consultation/meetings (onsite and remote communication) for about 603 sites/facilities.

- (d) Conducting necessary no. of monthly meetings for GRM (on-site and remote communication)
- (e) Contingency

XI. MONITORING AND EVALUATION

73. The social safeguards consultant of the PIU will firstly be responsible for ensuring the completion and recording of screening checklists (Annex I & II) for sites/facilities including all land title/government ownership of land records and photographs of facility sites.

74. If RPs and IPPs are prepared for any sites/facilities, the executing agency with assistance from the consultant will be responsible for implementation, monitoring, and evaluation of the RPs and IPPs within the context of this RIPPF. The consultant will collect baseline data through secondary sources or remote communication with PIU delegated focal for each site including qualitative information and analyze the same to assess the impacts of the project on APs including indigenous people. The consultant will develop a management information system and reporting system. DGHS, through the PIU, will take the overall responsibility for implementation, monitoring and evaluation of each IPP.

75. If IPPs or RPs are prepared for sits/facilities, then the major objectives of monitoring will be to (i) ensure that the standards of living of APs/IPs are restored or improved; (ii) ascertain whether activities are progressing as per schedule and the specified timelines are being met; (iii) assess if compensation, rehabilitation measures are sufficient; (iv) identify problems or potential issues; and (v) identify methods to rapidly mitigate any problems. The above information will be collected by the executing agency through its PIU and respective local level officer in charge, which is responsible for monitoring any day-to-day activities of the site, as applicable, through the following instruments:

- (i) Review of socioeconomic information for all APs/IPs;
- (ii) Consultation and informal interviews with APs/IPs;
- (iii) In-depth case studies;
- (iv) Sample survey of APs/IPs;
- (v) Key informant interviews; and
- (vi) Community public meetings

76. The extent of monitoring activities will be commensurate with the project's risks and impacts. The executing agency will collect required data/information as required to fulfil the monitoring indicators and regularly analyze project outputs and impacts of APs/IPs. Monthly monitoring reports will be submitted by SMOs to PIU. The PIU will consolidate monthly reports into semi-annual combined IR/IP monitoring reports for submission to ADB. These reports will form a part of the project progress reports submitted by PIU to ADB which will be disclosed on the ADB website.

Table 2: Monitoring Indicators

Monitoring Aspects	Potential Indicators
Screening and Social audits performed	Number of screening and social audits performed in comparison to construction progress of the project

Delivery of Entitlements	<ul style="list-style-type: none"> • Impact identified for sites under implementation • • Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule. • Affected businesses receiving entitlements, including transfer and payments for net losses resulting from lost business.
Consultation and Grievances	<ul style="list-style-type: none"> • Consultations organized as scheduled including meetings, groups, and community activities. • Use of the grievance redress mechanism by the affected persons. • Information on the resolution of the grievances.
Communications and Participation	<ul style="list-style-type: none"> • Number of general meetings (for both men and women). • Percentage of women out of total participants. • Level of participation in meetings (of women, men, and vulnerable groups). • Level of information communicated—adequate or inadequate. • Information disclosure. • Translation of information disclosure in the local languages.
Budget and Time Frame	<ul style="list-style-type: none"> • Funds allocation for resettlement to resettlement agencies on time. • Funds disbursement according to the resettlement plan. • Social preparation phase as per schedule.

Monitoring Aspects	Potential Indicators
Benefit Monitoring	<ul style="list-style-type: none"> • Number of IP/ vulnerable community members included as project beneficiaries • Changes in health system occurred for vulnerable groups. • Benefiting from the project to the IP/Vulnerable persons.
Voluntary Donation	<ul style="list-style-type: none"> • Progress on the process of providing official documentation to those who donated land of their landholding post-donation. In cases where the site is classified as B and involves voluntary donation, the voluntary donation report will be attached to the resettlement plan.

**ANNEX I: SCREENING CHECKLIST: INDIGENOUS PEOPLES
INDIGENOUS PEOPLES IMPACT SCREENING CHECKLIST**

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?				
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?				
3. Do such groups self-identify as being part of a distinct social and cultural group?				
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				
6. Do such groups speak a distinct language or dialect?				
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?				
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?				
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)				
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?				
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?				
14. Physical displacement from traditional or customary lands?				

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?				
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?				
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?				

D. Anticipated project impacts on Indigenous Peoples

Project component/ activity/ output	Anticipated positive effect	Anticipated negative effect
1. LIST ALL PROJECT COMPONENT / ACTIVITY / OUTPUTS HERE	---- INDICATE EFFECTS TO IPS OR PUT N/A AS NECESSARY	
2.		
3.		
4.		
5.		

Note: The project team may attach additional information on the project, as necessary.

**ANNEX II: SCREENING CHECKLIST: INVOLUNTARY RESETTLEMENT INVOLUNTARY
RESETTLEMENT IMPACT CHECKLIST**

FACILITY/SITE DETAILS

Facility/Site Name: _____
 Block Name: _____
 District Name: _____
 Division/Subdivision: _____
 Type of facility/site: _____ km
 Total Area required: _____ ha
 Construction time: _____
 Name(s) of indigenous/ tribal community group(s) in the area: _____
 Total number of tribal community groups in the area; _____
 Percentage of indigenous/ community population to that of total area/locality population _____

Estimated Number of indigenous/ community households in the zone of influence of the proposed area. _____

Any land acquisition required from any IPC for the facility/site?(Y/N) _____

Will an IPP be required if a facility/site is in an Indigenous Peoples community / or will the facility/site positively or negatively impact Indigenous Peoples? If no, why?

Completed by:
Organisation
Date:

Records Attached (list and attach):

FACILITY/SITE DETAILS

Facility/Site Name: _____
 Block Name: _____
 District Name: _____
 Division/Subdivision: _____
 Type of facility/site: _____ km
 Total Area required: _____ ha
 Construction time: _____

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
a. If yes, is the land acquired through a willing-buyer and willing seller arrangement?				
b. Is the land acquired through the government?				
c. If the land is acquired through a willing-buyer and willing seller arrangement, is there any coercion or unfair practice?				
d. Is there an independent third party to document the negotiation and settlement processes?				
e. Is there a third-party to validate the process (d)?				
f. Are all the affected people consulted?				
g. Has the compensation been offered?				
h. If so, is the compensation a fair market value?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project?				
[] No [] Yes				
If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks?				
[] No [] Yes				
Are any displaced persons from indigenous or ethnic minority groups?				
[] No [] Yes				

Is a Resettlement Plan Required? Why?

Prepared by:

Organization:

Date:

Facility/Site Records Attached (please tick and attach)

- Land Ownership Title / Proof of Government Land
- Photos of existing facility/site land

ANNEX III: SOCIAL SAFEGUARDS AUDIT CHECKLIST

1. Key information of the Facility/Site (Rapid Audit)

1. Name of the Sub project (facility)	
2. Location	
3. Contact Address	
When was the facility set up?	
Was the land for the facility acquired by using eminent domain?	
How much land was acquired	
Was compensation paid for the land acquired at least at the existing market rates at the time of acquisition?	
How many households were affected by land acquisition?	
Was any house/structure required demolition?	
If yes, was the affected households compensated at least at the existing market rate?	
Are the households affected by demolition relocated?	
How many households were affected by demolition?	
Were the households affected by the facility given information about their losses and were consulted/?	
Was there a method of receiving and registering complaints relating to land acquisition and house demolition?	
Were there complaints?	
Are there any complaints still ongoing?	
Are there any ongoing legal disputes relating to land acquisition and house demolition?	
For Indigenous Peoples: all the above questions in areas with IP population and the following one:	
Were there any issues raised by the ethnic minority communities about the facility?	No – no action
In case the response is Yes – details of concerns raised.	
Were these concerns adequately addressed?	Yes – no action
If No – what is the status of the concerns raised by EM and what steps are being taken to address these concerns?	
In case of outstanding IP issues a full social safeguards compliance audit will be required.	

If the above rapid social safeguards audit indicates that there are IR and/or IP safeguards related issues are outstanding a comprehensive social safeguards compliance audit will be undertaken and a corrective action plan (CAP) addressing the compliance issues will be prepared and implemented.

Comprehensive social safeguards compliance audit format (IR & IP) in case of sites with safeguards compliance issues.

	IR	
1.	Land acquisition and resettlement (economic and physical displacement) impact assessment	<ul style="list-style-type: none"> - How much land was acquired - How many residential structures were demolished - Was an impact assessment undertaken - How significant were the impacts - Were there vulnerable households - Were there non-titleholders affected
2	Was a baseline study undertaken	<ul style="list-style-type: none"> - Socio-economic profile of the affected households prepared? - How significant the LAR impact would have been on the affected households?
3	Was relevant information disseminated and affected people consulted?	<ul style="list-style-type: none"> - Relevant LAR impact information provided to the AH at different stages of the project cycle - Were the AH consulted about LAR impacts, compensation, relocation and livelihood restoration measures?
4	Compensation paid for lost assets?	<ul style="list-style-type: none"> - Were the AH compensated for their lost assets? - Was the compensation based on existing market rates and were sufficient to replace the lost assets? - Were housing and relocation options provided? - Whether physically displaced households provided assistance required for house moving? - Were vulnerable AH provided any additional assistance? - Were the non-titleholders provided compensation for their lost assets? - Were AH consulted about the compensation and their genuine demands were taken in account? - Are there any ongoing issues or legal cases regarding compensation payment?
5	Did the project have a residential house relocation strategy?	<ul style="list-style-type: none"> - Was there a strategy to relocate physically affected households? - Were AH consulted about their choice of relocation? - Are there AH who have not been adequately resettled? - Did the project made an assessment if the physically displaced have been adequately relocated? - Was there any forced eviction of AH? - Are there any issues, complaints or legal cases regarding relocation?
6	Did the project have a livelihood restoration strategy for those who were economically impacted by the project?	<ul style="list-style-type: none"> - Was there a livelihood restoration policy and was it implemented? - Were AH consulted about livelihood restoration options? - Was there a budget allocation for livelihood restoration? - Did project made an assessment if the livelihood of AH have been restored?
7	Did the project allocate sufficient budget for LAR activities?	<ul style="list-style-type: none"> - Did the project has a dedicated budget for the LAR - Was it available in time - Were AH compensated prior to physical and economic displacement?
8	Was a complaint receiving and redress mechanism set up?	<ul style="list-style-type: none"> - Was there a system of receiving LAR related complaints? - How impartial was such mechanism and what was the composition? - Were the records of complaints received and redressed kept?

		- Are there outstanding complaints?
	IP	-
1	IP and LAR impacts?	- Did the project acquire land from IP communities? - In case YES (follow the IR question on impact assessment)
2	Did the project has activities that would adversely impact IP socio-culturally?	- Were such activities adversely impacted dignity, human rights, livelihood systems, or culture of Indigenous Peoples? -
3.	Was a baseline study undertaken to assess the significance of project impacts on the IP?	- Socio-economic profile of the affected households prepared? - How significant the LAR impact would have been on the affected
4	Were the affected IP communities adequately consulted?	- Relevant project impact information provided to the IP at different stages of the project cycle - Were the IP consulted about project impacts? - Were IP's relevant concerns addressed in project design?
5	Did the project undertake any activity that would have required seeking broad community support as per SPS	- Did the project activities include (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; - (ii) physical displacement from traditional or customary lands; and - (iii) commercial development of natural resources within customary lands under use - Did the project seek BCS? - What processes were followed to seek BCS?
6	Was a complaint receiving and redress mechanism set up?	- Was there a system of receiving complaints? - How impartial was such mechanism and what was the composition? - Were the records of complaints received and redressed kept? - Are there outstanding complaints?

2. Methodology for Compliance Auditing

Social compliance Audit will be carried out in accordance with the guidance provided in the RIPPF for the project. These include:

- Desk review of relevant project documents
- Meeting with the site level PIU and AP/IP representatives
- Site visit
- Review of updated regulatory documents
- KI interview (group and individual)
- Closing meeting with corrective actions

SPS Compliance Audit

Compliance audit will assess acquisition and resettlement processes undertaken in the past. Where there would be SPS IR and IP safeguards compliance issues against the policy principles and procedures, corrective action plans commensurate with the assessed impacts will be developed and implemented.

3. Compliance Audit Checklist upon achieving commercial operation of the sub project

Issues	Present Status	Suggested corrective actions
A. Land related issues		
Undisputed land for the site		
Construction of boundary walls for proper safety		
B. Regulatory compliance		
No Objection Certificate from local Government/Community consultation		
Provide training to the workers/PIU		
Maintain all records update		
D. Working condition		
Cleanliness, ventilation and temperature, disposal of waste and effluents		
Lighting, drinking water,		
I. Grievance Redress		
Record of GRC		
Number of meetings		
Number of reported grievances		
K. Institutional Arrangements		
Deployment of Safeguards focal		
Local Benefit Monitoring		

4. Conclusion and Recommendation

ANNEX IV: TEMPLATE: INDIGENOUS PEOPLES PLAN OUTLINE OF AN INDIGENOUS PEOPLES PLAN

1. This outline is part of the Safeguard Requirements 3. An Indigenous Peoples plan (IPP) is required for all projects with impacts on Indigenous Peoples. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on Indigenous Peoples. The substantive aspects of this outline will guide the preparation of IPPs, although not necessarily in the order shown.

A. Executive Summary of the Indigenous Peoples Plan

2. This section concisely describes the critical facts, significant findings, and recommended actions.

B. Description of the Project

3. This section provides a general description of the project; discusses project components and activities that may bring impacts on Indigenous Peoples; and identify project area.

C. Social Impact Assessment

4. This section:

- (i) reviews the legal and institutional framework applicable to Indigenous Peoples in project context.
- (ii) provides baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples at each stage of project preparation and implementation, taking the review and baseline information into account.
- (iv) assesses, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (v) includes a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) identifies and recommends, based on meaningful consultation with the affected Indigenous Peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project.

D. Information Disclosure, Consultation and Participation

5. This section:

- (vii) describes the information disclosure, consultation and participation process with the affected Indigenous Peoples communities that was carried out during project preparation;
- (viii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
- (ix) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected Indigenous Peoples communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
- (x) describes consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples participation during implementation; and
- (xi) confirms disclosure of the draft and final IPP to the affected Indigenous Peoples communities.

E. Beneficial Measures

6. This section specifies the measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, and gender responsive.

F. Mitigative Measures

7. This section specifies the measures to avoid adverse impacts on Indigenous Peoples; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected Indigenous Peoples groups.

G. Capacity Building

8. This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address Indigenous Peoples issues in the project area; and (b) Indigenous Peoples organizations in the project area to enable them to represent the affected Indigenous Peoples more effectively.

H. Grievance Redress Mechanism

9. This section describes the procedures to redress grievances by affected Indigenous Peoples communities. It also explains how the procedures are accessible to Indigenous Peoples and culturally appropriate and gender sensitive.

I. Monitoring, Reporting and Evaluation

10. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the IPP. It also specifies arrangements for participation of affected Indigenous Peoples in the preparation and validation of monitoring, and evaluation reports.

J. Institutional Arrangement

11. This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.

K. Budget and Financing

12. This section provides an itemized budget for all activities described in the IPP.

ANNEX V: TEMPLATE: INVOLUNTARY RESETTLEMENT PLAN OUTLINE OF A RESETTLEMENT PLAN

1. This outline is part of the Safeguard Requirements 2. 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

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

B. Project Description

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

C. Scope of Land Acquisition and Resettlement

4. 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) summarizes the key effects in terms of assets acquired and displaced persons; and
- (iv) provides details of any common property resources that will be acquired.

D. Socioeconomic Information and Profile

5. 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;
- (i) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
- (ii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- (iii) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

6. 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) summarizes 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

7. 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

8. This section:

- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB'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

9. This section:

- (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

10. This section:

- (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 measures 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

11. This section:
- (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 measures 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

12. This section:
- (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

13. This section:
- (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 NGOs, 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

14. 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

15. 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.

ANNEX VI: INVOLUNTARY RESETTLEMENT ENTITLEMENT MATRIX

A. Entitlements

1. In consistency with ADB's SPS (2009), site-specific resettlement entitlements, policies on compensation and other entitlements are summarized in the entitlement matrix. Furthermore, compensation to be paid for affected assets will be based on the principle of replacement cost, which is the amount needed to replace an affected asset without deduction for taxes and/or costs of transaction before displacement and which is operationally defined as follows:

- (i) Productive land (agricultural, ponds, and forest) based on replacement cost that reflect recent land sales, and in the absence of such recent sales, based on productive value;
- (ii) Residential land based on replacement cost that reflect recent land sales, and in the absence of such recent land sales, based on similar location attributes;
- (iii) Houses and other related structures based on replacement cost reflecting current market prices of materials and labor without depreciation nor deductions for salvaged building materials;
- (iv) Annual crops equivalent to current market value of crops at the time of compensation;
- (v) For perennial crops and trees, cash compensation at replacement cost is equivalent to current market value given the type, age, and productive value (future production) at the time of compensation. Timber trees based on diameter at four feet height at current market value.
- (vi) For temporary impacts, rental will be agreed with the affected household, and the land restored to pre-project condition within 3 months after use. If the land is not returned and restored to pre-project condition within 3 months, the affected person will receive compensation at replacement cost for the land. A penalty clause will be included in the contractor's contract to ensure that the cost of such compensation is recovered from the contractor.

Entitlement Matrix

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
1.	Productive land (agricultural, fishpond, forest, etc.)	<p><u>Marginal loss</u> (i.e., land is still economically viable for use or meets the expected yield)</p> <p>This will be confirmed by the implementing agency and concurred with by the affected</p>	Owners with legal or legalizable/ recognized right	<p><u>A. For the portion to be used temporarily during construction:</u></p> <p>Rental will be agreed with the affected household, and the land restored to pre-project condition within 3 months after use. If the land is not returned and restored to pre-project condition within 3 months, the affected person will receive compensation at</p>

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
		household during the detailed measurement survey (DMS).		<p>replacement cost for the land. A penalty clause will be included in the contractor's contract to ensure that the cost of such compensation is recovered from the contractor.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Compensation for loss of net income from subsequent crops that cannot be planted within the duration of the temporary use of the land.</p> <p>Affected household will be notified 1 month in advance of the actual date that the land will be temporarily used or affected by the facility.</p> <p><u>B. For the portion that will be acquired permanently:</u> Cash compensation at replacement cost for the acquired portion of the land.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Affected household will be notified 1 month in advance of the actual date that the land will be acquired by the project.</p>
			Users with lease or permissory right	<p><u>A. For the portion to be used temporarily during construction:</u> Rental will be agreed with the affected household, and the land restored to pre-project condition within 3 months after use. If the land is not returned and restored to pre-project condition within 3 months, the affected person will receive compensation at replacement cost for the subject land. A penalty clause will be included in the contractor's contract to ensure that the cost of such compensation is recovered from the contractor.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Compensation for loss of net income from subsequent crops that cannot be planted within the duration of the temporary use of the land and within the remaining lease/assigned period.</p>

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
				<p>Affected household will be notified 1 month in advance of the actual date that the land will be temporarily used or affected by the project.</p> <p><u>B. For the portion that will be acquired permanently:</u> Cash compensation for loss of net income for the remaining leased/assigned period.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Affected household will be notified 3 months in advance of the actual date that the land will be acquired by the project.</p>
			Non-legal users	<p><u>A. For the portion to be used temporarily during construction:</u> Rental will be agreed with the affected household, and the land restored to pre-project condition within 3 months after use. If the land is not returned and restored to pre-project condition within 3 months, the affected person will receive cash assistance for permanent loss of land use equivalent to the net income from the affected land during the immediate past year multiplied by 2 years. A penalty clause will be included in the contractor's contract to ensure that the cost of such compensation is recovered from the contractor.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Compensation for loss of net income from subsequent crops that cannot be planted within the duration of the temporary use of the land.</p> <p>Affected household will be notified 1 month in advance of the actual date that the land will be temporarily used or affected by the project.</p> <p><u>B. For the portion that will be acquired permanently by the project:</u> Cash assistance for permanent loss of land use equivalent to the net income from the affected land during the immediate past year multiplied by 2 years.</p>

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
				<p>Cash compensation for the loss of standing crops and trees at replacement cost.</p> <p>Affected household will be notified 3 months in advance of the actual date that the land will be temporarily used or affected by the project.</p>
		<p><u>Severe loss</u> (i.e., land no longer viable for continued use or does not meet the expected yield, therefore the entire property has to be acquired).</p> <p>This will be confirmed by the implementing agency and concurred with by the affected household during the detailed measurement survey.</p>	<p>Owners with legal or legalizable/ recognized right</p>	<p>Cash compensation at replacement cost for the entire land, or land-for-land of equivalent productive value with secure tenure, and acceptable to the affected household.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Entitled to take part in the income restoration program.</p> <p>If the loss is equivalent to 10% or more of the total productive assets of the affected household, see Item 7 below.</p> <p>Affected household will be notified 3 months in advance of the actual date that the land will be acquired by the project.</p>
			<p>Users with lease or permissory right</p>	<p>Cash compensation for loss of net income from subsequent crops that cannot be planted within the remaining lease/assigned period.</p> <p>Cash compensation at replacement cost for the loss of standing crops and trees.</p> <p>Entitled to take part in the income restoration program.</p> <p>If the loss is equivalent to 10% or more of the total productive assets of the affected household, see Item 7 below.</p> <p>Affected household will be notified 3 months in advance of the actual date that the land will be acquired by the project.</p>
			<p>Non-legal users</p>	<p>Cash assistance for permanent loss of land use equivalent to the net income from the affected land during the immediate past year multiplied by 4 years. Cash compensation at replacement cost for the loss of standing crops and trees.</p>

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
				<p>Entitled to take part in the income restoration program.</p> <p>If the loss is equivalent to 10% or more of the total productive assets of the affected household, see Item 7 below.</p> <p>Affected household will be notified 3 months in advance of the actual date that the land will be acquired by the project.</p>
2.	Residential/commercial land	<p><u>Marginal loss</u> (i.e., land is still economically viable for use or meets the expected personal yield)</p> <p>This will be confirmed by the implementing agency and concurred with by the affected household during the detailed measurement survey.</p>	Owners with legal or legalizable/recognized right	<p><u>A. For the portion to be used temporarily during construction:</u> Cash rental to be negotiated with the affected household.</p> <p>Restoration of the land within 3 months after use. If the land is not returned and restored to pre-project condition within 3 months, the affected household will receive compensation at replacement cost for the subject land. A penalty clause will be included in the contractor's contract to ensure that the cost of such compensation is recovered from the contractor.</p> <p>For affected non-land assets, see Items 3-5 below.</p> <p>Affected household will be notified 1 month in advance of the actual date that the land will be acquired by the project.</p> <p><u>B. For the portion that will be acquired permanently:</u> Cash compensation at replacement cost.</p> <p>For affected non-land assets, see Items 3-5 below.</p>
			Non-legal users	<p>No cash assistance or compensation for land, except affected properties on the land.</p> <p>For affected non-land assets, see Items 3-5 below.</p>
		<p><u>Severe loss</u> (i.e., land no longer viable for continued use; the entire property must be acquired).</p> <p>This will be confirmed by the implementing agency and concurred with by the affected household during DMS</p>	Owners with legal or legalizable/recognized right	<p>Cash compensation at replacement cost for the entire land, or land-for-land of similar attributes with secure tenure and acceptable to the affected household.</p> <p>For affected non-land assets, see Items 3-5 below</p> <p>For allowances due to relocation of house, see Item 9 below.</p>

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
				Affected household to be notified at least 3 months in advance of the date the land will be acquired by the project.
			Non-legal users	<p>No cash assistance or compensation for land, except affected properties on the land.</p> <p>Compensation at replacement cost for non-land assets.</p> <p>For allowances due to relocation of house, see Item 9 below.</p> <p>Affected household to be notified at least 3 months in advance of the date the land will be acquired by the project.</p>
3.	House and shops	<p><u>Marginal impact</u> (i.e., unaffected portion of the house is still viable for use and no relocation required)</p> <p>This will be confirmed by the implementing agency and concurred with by the affected household during the DMS</p>	Owners of the structures with or without acceptable proof of ownership over the land; with or without building permit	<p>Cash compensation at replacement cost for the affected portion.</p> <p>Repair allowance equivalent to not less than 20% of replacement cost of the affected portion, or equivalent to the actual cost of repair.</p>
		<p><u>Severe impact</u> (i.e., house is no longer viable for continued use and the entire structure is to be acquired)</p> <p>This will be confirmed by the implementing agency and concurred with by the affected household during the DMS</p>	Owners of the structures with or without acceptable proof of ownership over the land; with or without building permit	<p>Cash compensation at replacement cost for the entire structure.</p> <p>For allowances see Item 8 for shops and Item 9 for houses below.</p>
4.	Secondary structures (kitchen, latrine, etc.)	Loss of, or damage to, assets	Owners of the structures with or without acceptable proof of ownership over the land; with or without building permit	Cash compensation at replacement cost.
5.	Crops and trees	Loss of, or damage to, assets	Owners regardless of tenure status	Cash compensation at replacement cost.
6.	Public facilities, common property structures and facilities	Loss of, or damage to, assets	Owners	Cash compensation at replacement cost to restore the affected facilities.
7.	Loss of income / livelihood due to loss of productive land	Loss of 10% or more of total productive land	Affected household losing productive land regardless of tenure status	One-time assistance allowance of 3 months minimum wage per adult for the household.

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
				Entitled to take part in income restoration program.
8.	Loss of income/ livelihood due to disruption of business or employment	<u>Marginal impact</u> (i.e., disruption of business due to reorganization of the shop on the residual land; disruption of employment of less than 3 months)	Shop owners (regardless of tenure status) and employees/laborers of affected assets	One-time assistance allowance of 1-month minimum wage per adult for the household.
		<u>Severe impacts</u> (i.e., disruption of business due to relocation of shop; and disruption of employment for more than 3 months)	Shop owners (regardless of tenure status) and employees/laborers of affected assets	Materials transport allowance equivalent to 1-month minimum wage per adult for the household if relocating in the same village; 2-month minimum wage per adult for the household if relocating elsewhere in the district. One-time assistance allowance of 1-month minimum wage per adult for the household. Entitled to take part in income restoration program.
9.	Impacts on houses that require relocation	Severe impacts on houses	Relocating affected households regardless of tenure status	Materials transport allowance equivalent to 1-month minimum wage per adult for the household if relocating in the same village; 2-month minimum wage per adult for the household if relocating elsewhere in the district. One-time assistance allowance of 2-month minimum wage per adult for the household for those who will move to another plot of land and 1-month minimum wage per adult for the household for those who will move within their plot of land.
10.	Higher risks of impoverishment /hardship due to loss of resource base	Loss of land and non-land assets	Affected vulnerable groups regardless of severity of impacts	One-time assistance allowance of 3-month minimum wage per adult for the household to cover for additional human resources needed to help them, rebuild their houses, and re-establish their livelihood. Entitled to take part in income restoration program.

B. Income Restoration

2. There are no anticipated impacts on livelihood that will require income restoration. This is based on the avoidance and minimization strategies in the site selection criteria. However, an assessment of the livelihood restoration needs will be undertaken in the resettlement plan to ensure that if there are any livelihood impact, measures are developed commensurate to the needs.

C. Eligibility

3. Only those affected households confirmed to be residing in, doing business, or cultivating land, or having rights over resources within the site/facility ROW or land to be acquired or used for the site during the conduct of the IOL and census of affected households (the cut-off date), to be validated and confirmed later during the DMS, are eligible to compensation for lost assets and for other assistance as described in the preceding section.