



Technical Assistance Report

Project Number: 49460-001
Regional—Policy and Advisory Technical Assistance (R-PATA)
September 2016

Strengthening Urban Infrastructure Investment Planning in the Pacific

This document is being disclosed to the public in accordance with ADB's Public Communications Policy 2011.

Asian Development Bank

ABBREVIATIONS

ADB	–	Asian Development Bank
CDIA	–	Cities Development Initiative of Asia
DMC	–	developing member country
TA	–	technical assistance

NOTE

In this report, "\$" refers to US dollars.

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POLICY AND ADVISORY TECHNICAL ASSISTANCE AT A GLANCE

1. Basic Data		Project Number: 49460-001	
Project Name	Strengthening Urban Infrastructure Investment Planning in the Pacific (formerly Improving Urban Services Regulation and Governance in the Pacific)	Department /Division	PARD/PAUS
Country	REG	Executing Agency	Asian Development Bank
2. Sector	Subsector(s)	ADB Financing (\$ million)	
✓ Water and other urban infrastructure and services	Urban policy, institutional and capacity development		0.40
	Urban water supply		0.30
		Total	0.70
3. Strategic Agenda	Subcomponents	Climate Change Information	
Inclusive economic growth (IEG)	Pillar 2: Access to economic opportunities, including jobs, made more inclusive	Climate Change impact on the Project	Low
4. Drivers of Change	Components	Gender Equity and Mainstreaming	
Governance and capacity development (GCD)	Institutional development	Some gender elements (SGE)	✓
5. Poverty Targeting		Location Impact	
Project directly targets poverty	No	Regional	High
6. TA Category:	B		
7. Safeguard Categorization	Not Applicable		
8. Financing			
Modality and Sources		Amount (\$ million)	
ADB		0.70	
Policy and advisory technical assistance: Technical Assistance Special Fund		0.70	
Cofinancing		0.00	
None		0.00	
Counterpart		0.00	
None		0.00	
Total		0.70	
9. Effective Development Cooperation			
Use of country procurement systems		No	
Use of country public financial management systems		No	

I. INTRODUCTION

1. The Pacific region is rapidly urbanizing, with 44% of the Pacific's population, excluding Papua New Guinea, now living in urban areas. In the region's smallest countries, such as the Cook Islands, at least three out of every four residents are already urban dwellers. Larger Pacific developing member countries (DMCs) that are still predominantly rural, such as Solomon Islands, have the highest urbanization rates.

2. The regional policy and advisory technical assistance (TA) aims to support the implementation of the regional urban agenda in priority Pacific DMCs, which was agreed by Pacific DMCs during the 2015 Pacific Urban Forum. The TA impact, outcome, outputs, implementation arrangements, cost, financing arrangements, and terms of reference were subsequently confirmed during TA fact-finding missions fielded to the target Pacific DMCs. The TA is in line with the Urban Operational Plan, 2012–2020 of the Asian Development Bank (ADB), which promotes economically competitive, inclusive, and environmentally sustainable urban development in ADB DMCs.¹ The design and monitoring framework is in Appendix 1.²

II. ISSUES

3. Urban growth in Pacific DMCs has been largely unplanned, resulting in inadequate basic urban infrastructure services such as water supply, sanitation, flood control, and urban transport; a shortage of affordable serviced land and housing; growing informal settlements; degradation of the surrounding environment; and increased exposure and vulnerability to natural hazard and climate change risks.

4. In the most rapidly urbanizing Pacific DMCs, the bulk of urban growth is taking place in unserviced informal settlements, particularly in peri-urban areas, often located on customary land, outside of town boundaries. In tourism-dependent economies such as Palau, the lack of adequate urban environmental infrastructure to manage growing volumes of solid and liquid wastes is contributing to the degradation of the surrounding natural environment, which has the potential to undermine tourism growth. In small, low-lying atoll countries such as the Marshall Islands, urbanization is increasing the exposure of people and critical urban assets to climate change risks.

5. The limited capacity to plan, manage, and coordinate urban investments; inadequate revenue streams to finance and maintain such investments; and poor accountability for the quality of urban service delivery all contribute to the challenge of promoting more sustainable urban development in Pacific DMCs. Many Pacific DMCs lack the strategies needed to sustainably plan and manage urban development in their cities and towns. Where strategies and plans for the urban sector do exist, implementation is often constrained by the lack of sound feasibility assessments for priority investments, which can provide the basis for securing financing for urban investments.

6. Particularly at the municipal level, urban managers lack the key skills needed to expand and improve the delivery of basic urban services. For example, weak financial management capacity has limited the ability of municipal governments to tap new sources of revenue, such as user charges to finance urban services, or property taxes to fully maximize existing revenue

¹ ADB. 2013. *Urban Operational Plan 2012–2020*. Manila.

² The TA first appeared in the business opportunities section of ADB's website on 31 March 2016.

streams. Similarly, while outsourcing of certain urban services to the private sector can result in more efficient and effective urban service delivery, municipal government capacity for contract design and management remains weak.

III. THE POLICY AND ADVISORY TECHNICAL ASSISTANCE

A. Impact and Outcome

7. The TA impact will be inclusive and environmentally sustainable growth in Pacific cities and towns. The TA outcome will be that investments to support more sustainable urban development are better planned.

B. Methodology and Key Activities

8. The TA outcome will be achieved through the following outputs: (i) urban development strategies approved and adopted by the target DMC governments, and (ii) regional urban twinning program implemented.

9. Given available TA resources, participating Pacific DMCs were selected based on need. Solomon Islands is facing rapid urbanization but is without a strategy for managing urban growth, and the government faces critical capacity constraints. The Cook Islands has existing urban infrastructure investment plans, but the capacity to implement these remains limited. Similarly, Samoa is in the process of completing a large-scale foreshore development plan for Apia, but needs further support to assess identified urban infrastructure investments in more detail. Subject to successful achievement of initial TA outputs and to the availability of additional TA resources, scaling up of TA activities may be considered during implementation to also provide support to Nauru, Palau, and Vanuatu in preparing urban development strategies and urban land use plans.

10. The TA will support the formulation of an urban development strategy, an associated action plan, and a capital investment plan for the Greater Honiara Area in Solomon Islands. This strategy and its associated plans, which will be prepared in a highly participatory manner, are intended to support stronger urban management by providing an assessment of the current urban situation and identifying priority actions to assist more sustainable and inclusive urban development. An investment pipeline will be prepared to support the strategy, and will include costed, priority urban investments.

11. The capacity of urban managers in the Cook Islands, Samoa, and Solomon Islands will be strengthened through TA support for twinning arrangements with local councils from within the Pacific DMCs, Australia, and New Zealand. During TA implementation, suitable mentor councils will be identified based on the specific needs of the targeted local or national government agencies. Twinning agreements will then be signed between mentor and recipient councils once scoping visits to each target DMC are successfully completed. Capacity development activities will focus on strengthening financial management and budgeting, improving municipal service delivery (particularly solid waste management), and improving urban infrastructure planning, prioritization, and coordination. Each twinning partnership will be implemented over 6 months. The progress of each twinning arrangement will be regularly reviewed during TA implementation to ensure that any issues that may undermine progress are resolved in a timely manner. Once the twinning partnerships are concluded, the TA will take stock of lessons and good practices to guide the design and implementation of future twinning partnerships.

12. Parallel support will be provided to Samoa and Solomon Islands by the Cities Development Initiative of Asia (CDIA) to prepare prefeasibility studies for priority urban infrastructure investments.³ Priority investments will be selected on the basis that these have been included in national urban investment plans, and have significant potential to contribute to sustainable urban development in targeted urban centers. Such investments should also be of a size and nature that makes them suitable for consideration for future ADB financing. In Samoa, it is proposed that prefeasibility support is linked to priority urban transport investments included in the Apia Waterfront Development Plan, which is due to be completed by the end of 2016. CDIA support will be provided to Samoa in 2017, and the prefeasibility study will be undertaken over a period of 6 months. In Solomon Islands, the completion of the Greater Honiara Area Urban Development Strategy and its associated capital investment plan in 2018 will be followed by a prefeasibility study carried out over 6 months.

C. Cost and Financing

13. The TA is estimated to cost \$770,000 of which \$700,000 will be financed on a grant basis by ADB's Technical Assistance Special Fund (TASF-V). CDIA will provide \$600,000 in financing under the Supporting the Cities Development Initiative for Asia TA (footnote 3) to support urban infrastructure investment prefeasibility studies.

14. The governments of the target DMCs will provide counterpart support in the form of counterpart staff, meeting facilitation, access to country data, and other in-kind contributions.

15. Under the proposed twinning partnership, the TA will finance travel and support costs associated with in-country visits by the mentor and recipient agencies. Mentor councils will provide the staff time of experts free of charge.

D. Implementation Arrangements

16. ADB is the executing agency for the TA, which will be implemented from September 2016 to August 2019 by ADB's Pacific Department. Since the TA is intended to be demand-driven, government counterpart agencies in the target DMCs are expected to lead the implementation of TA activities. In Solomon Islands, the Ministry of Lands, Housing and Survey will establish a high-level project steering committee to guide TA activities, as well as technical stakeholder working groups to oversee the development of the Greater Honiara Area Urban Development Strategy.

17. CDIA will manage the recruitment of consultants in close coordination with ADB's Pacific Department to carry out the prefeasibility studies for priority infrastructure investments in Samoa and Solomon Islands. Progress and outputs of the prefeasibility study will then be jointly monitored and reviewed by CDIA and ADB's Pacific Department.

18. The TA will require 20 person-months of international and 6 person-months of national consulting services: team leader and urban development specialist (international, 4 person-months, intermittent); urban infrastructure and basic services specialist (international, 3 person-months, intermittent); urban planner (international, 3 person-months, intermittent); local

³ ADB. 2013. *Technical Assistance for Supporting the Cities Development Initiative for Asia*. Manila (TA-8556, \$14,084,000, approved on 6 December, cofinanced by the governments of Austria, Germany, Sweden, and Switzerland).

economic development and municipal financing specialist (international, 3 person-months, intermittent); environment, natural hazard risk, and climate change specialist (international, 1 person-month); local government capacity development specialist (international, 6 person-months, intermittent), urban institutional specialist (national, 3 person-months, intermittent); and urban poverty and informal settlement specialist (national, 3 person-months, intermittent). Their terms of reference are in Appendix 3. The local government capacity development specialist will be recruited by ADB using the individual consultant selection method. All other consultants will be recruited through a firm through quality- and cost-based selection using the 90:10 quality–cost ratio, and a simplified technical proposal will be required. All consultants will be engaged in accordance with the Guidelines on the Use of Consultants (2013, as amended from time to time).⁴ Disbursements under the TA will be made in accordance with ADB's *Technical Assistance Disbursement Handbook* (2010, as amended from time to time). Strategies and technical reports produced under the TA will be disseminated through stakeholder meetings and sector working groups.

IV. THE PRESIDENT'S DECISION

19. The President, acting under the authority delegated by the Board, has approved the provision of technical assistance not exceeding the equivalent of \$700,000 on a grant basis for Strengthening Urban Infrastructure Investment Planning in the Pacific, and hereby reports this action to the Board.

⁴ Output-based and lump-sum contracts will be considered in the engagement of consulting services to reduce administrative burden and improve economy, efficiency, and value for money.

DESIGN AND MONITORING FRAMEWORK

Impact the TA is Aligned with			
Inclusive and environmentally sustainable growth in Pacific cities and towns (ADB's Interim Pacific Approach, 2015; ^a ADB Urban Operational Plan, 2012–2020; ^b Strategy 2020; ^c and Midterm Review of Strategy 2020 ^d).			
Results Chain	Performance Indicators with Targets and Baselines	Data Sources and Reporting	Risks
Outcome	By 2020		
Investments to support more sustainable urban development are better planned	Project preparatory TA assistance for at least 1 priority urban development project among target DMCs is included in a COBP nonlending pipeline (2016 baseline: 0).	Approved COBP	Pacific DMCs do not request follow-on ADB support for project design and financing of priority urban investments.
Outputs	By 2019		
1. Urban development strategies approved and adopted by the target DMC governments	1. At least 1 additional urban development strategy is prepared among the target DMCs (2016 baseline: 1).	1. TA reports	Lack of ownership of urban development strategies Priority urban investments are poorly aligned with ADB's sector priorities in Pacific DMCs.
2. Regional urban twinning program implemented	2. At least 3 additional urban twinning partnerships are completed in target Pacific DMCs (2016 baseline: 2).	2. TA reports	Mentor and recipient local councils or agencies are poorly matched.
Key Activities with Milestones			
<p>1. Urban development strategies approved and adopted by the target DMC governments</p> <p>1.1. Consultants are recruited and mobilized to prepare an urban development strategy for the Greater Honiara Area by month 6.</p> <p>1.2. The Greater Honiara Area Urban development strategy is prepared and endorsed by the government by month 21.</p> <p>1.3. An activity completion report, including recommendations on next steps toward implementing the strategy, is prepared by month 22.</p> <p>2. Regional urban twinning program implemented</p> <p>2.1. The participants chosen by the target Pacific DMCs to take part in the twinning program are approved and a mentor local council is identified by month 18.</p> <p>2.2. Twinning agreements between recipient and mentor councils are signed, and work programs and budget are agreed by month 22.</p> <p>2.3. Twinning partnerships are implemented by month 28.</p> <p>2.4. An activity completion report is prepared at the conclusion of each twinning partnership, including achievements and lessons, by month 36.</p>			

Inputs

ADB: \$700,000

Note: The governments of the Cook Islands, Samoa, and Solomon Islands will provide counterpart support in the form of counterpart staff time, office accommodation, meeting space, and other in-kind contributions.

Assumptions for Partner Financing

It is assumed that CDIA provides \$600,000 in TA support for priority urban infrastructure investment prefeasibility studies.

ADB = Asian Development Bank, CDIA = Cities Development Initiative of Asia, COBP = country operations business plan, DMC = developing member country, TA = technical assistance.

^a ADB. 2015. *Interim Pacific Approach*. Manila.

^b ADB. 2013. *Urban Operational Plan, 2012–2020*. Manila.

^c ADB. 2008. *Strategy 2020: The Long-Term Strategic Framework of the Asian Development Bank, 2008–2020*. Manila.

^d ADB. 2014. *Midterm Review of Strategy 2020: Meeting the Challenges of a Transforming Asia and Pacific*. Manila.

Source: Asian Development Bank.

COST ESTIMATES AND FINANCING PLAN

(\$'000)

Item	Amount
Asian Development Bank^a	
1. Consultants	
a. Remuneration and per diem	
i. International consultants	393.0
ii. National consultants	42.0
b. International and local travel	72.0
c. Reports and communications	5.0
2. Training, seminars, and conferences	
a. Facilitators	10.0
b. Training program	120.0
c. Meetings	10.0
3. Surveys	10.0
4. Contingencies	38.0
Total	700.0

Note: The technical assistance (TA) is estimated to cost \$770,000, of which contributions from the Asian Development Bank are presented in the table above. The governments of the Cook Islands, Samoa, and Solomon Islands will provide counterpart support in the form of counterpart staff time, office accommodation, meeting space, and other in-kind contributions. The total value of government contributions is estimated to account for 9% of the total TA cost.

^a Financed by the Asian Development Bank's Technical Assistance Special Fund (TASF-V).

Source: Asian Development Bank estimates.

OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

1. **Team leader and urban development specialist** (international, 4 person-months, intermittent). The consultant will be responsible for leading the overall development of the Honiara Urban Development Strategy and Action Plan with the Solomon Islands Ministry of Lands, Housing and Survey, in close coordination with the agency's chief technical advisor. The consultant will be required to manage, compile, and provide a quality check on the inputs of the other experts on the consultant team; and produce the inception report, strategy report, action plan and capital investment plan, and final consolidation report. The consultant will:

- (i) Review and assess major existing urban policies, plans, programs, and urban development activities that impact the Greater Honiara Area.
- (ii) Undertake an analysis of urban and regional trends for the Greater Honiara Area, drawing on inputs from the other consultants on the team.
- (iii) Compile findings from the initial urban assessment covering land, infrastructure, housing, economic development, urban finance, and environmental and institutional and/or legal constraints, supported by inputs from other experts for review and endorsement in an inception stakeholders' forum.
- (iv) Work with the urban institutional specialist to identify key institutional constraints that impact sustainable urban development of the Greater Honiara Area.
- (v) Prepare alternative development scenarios for the Greater Honiara Area, to be presented and agreed among stakeholders. Proposed development scenarios will be included in the draft strategy report.
- (vi) Prepare a draft 5-year rolling multisector strategic action plan, building on inputs from thematic stakeholder working groups and other experts on the team. For each year, the plan will identify local and national programs and projects to be implemented to meet urgent urban development needs.
- (vii) Review the draft capital investment program to ensure that this aligns with the strategic action plan by connecting specific policy choices to specific investments.
- (viii) Prepare a draft consolidated urban development strategy (including action plan and capital investment plan).
- (ix) Support the Solomon Islands Ministry of Lands, Housing and Survey in submitting the consolidated Honiara Urban Development Strategy and Action Plan to national, provincial, and local government entities for endorsement, including submission and endorsement by cabinet.
- (x) Prepare the consultants' final report for endorsement by the steering committee.

2. **Urban infrastructure and basic services specialist** (international, 3 person-months, intermittent). The consultant will be responsible for preparing inputs into urban infrastructure investment planning. The consultant will be required to provide inputs into the preparation of the inception report, strategy report, action plan and capital investment plan, and final report. The consultant will:

- (i) Undertake a review of initial urban infrastructure needs in Honiara to identify key urban infrastructure issues and constraints. The assessment will also consider relevant reports and studies such as the national infrastructure investment plan, water supply and sanitation master plan, national transportation investment plan, and other data.
- (ii) Building on proposed development scenarios for the Greater Honiara Area, prepare a detailed gap analysis to guide the assessment of investment requirements for upgrading and expanding infrastructure services. The analysis

will also pay close attention to the specific infrastructure needs for providing basic services to informal settlements.

- (iii) Prepare a draft 5-year capital investment plan for the Greater Honiara Area. The plan will link urban policy choices to specific investments that can be implemented in each successive year. The plan will assess required urban infrastructure investments and their associated preliminary costs, including appropriate sequencing and prioritization of investments to support the proposed growth scenarios for the Greater Honiara Area.
- (iv) Work with the local economic development and municipal financing specialist, and determine how proposed investments can be financed, including both capital investment and recurrent costs.

3. **Urban planner** (international, 3 person-months, intermittent). The consultant will be responsible for supporting the integration of inputs on spatial planning and housing needs into the urban development strategy. The consultant will also be required to provide inputs into the preparation of the inception report, strategy report, action plan and capital investment plan, and final report. The consultant will:

- (i) Review relevant urban planning strategies, regulations, and controls for the Greater Honiara Area.
- (ii) Work with the team leader to define the study area in agreement with relevant stakeholders and identify mapping requirements.
- (iii) Conduct a rapid land assessment to enable the investigation of existing land uses and the establishment of appropriate geographic zones for the analysis.
- (iv) Conduct a housing typology analysis for the study area's wards with support from the poverty and informal settlements specialist. This will include an assessment of formal and informal residential developments, the mix of land uses and environmental quality, and the location, extent, and efficiency of infrastructure provision.
- (v) Assess patterns and trends in the Greater Honiara Area's growth to determine future needs for residential land.
- (vi) Prepare spatial elements to inform the formulation of alternative development scenarios for the Greater Honiara Area.
- (vii) Propose a tentative allocation of additional housing units to different levels of density based on the supply of vacant and renewable land suitable within each analysis zone, and on the approximate effective net holding capacity of the zones.
- (viii) Formulate guidelines for revised zoning, subdivision, and environmental regulations to support the proposed alternative growth scenarios.

4. **Local economic development and municipal financing specialist** (international, 3 person-months, intermittent). The consultant will be responsible for providing economic development and financial inputs for the urban development strategy. The consultant will also be required to provide inputs into the preparation of the inception report, strategy report, action plan and capital investment plan, and final report. The consultant will:

- (i) Review the local economic development and employment trends in the Greater Honiara Area.
- (ii) Review existing municipal financing arrangements, including financing for major infrastructure development, smaller municipal infrastructure investments, and associated recurrent costs.
- (iii) Building on the proposed development scenarios for the Greater Honiara Area, identify constraints to economic development and ways to support inclusive and broad-based economic growth in the Greater Honiara Area, such as tourism.

- (iv) Assess municipal financing constraints that limit available sources of financing for critical urban infrastructure and services.
- (v) Identify potential local economic development opportunities to support inclusive, broad-based growth in the Greater Honiara Area. Point out ways to support integration of informal sector opportunities into the formal sector, including rural–urban links.
- (vi) Identify opportunities for securing additional sources of financing for critical urban infrastructure investments, as well as increasing the available resource base in a sustainable manner for improving and expanding municipal services.

5. **Environment, natural hazard risk, and climate change specialist** (international, 1 person-month). The consultant will be responsible for providing inputs on environmental management, climate change adaptation, and hazard risk reduction and for integrating them into the urban development strategy. The consultant will also be required to provide inputs into the preparation of the inception report, strategy report, action plan and capital investment plan, and final report. The consultant will:

- (i) Review natural hazard and climate risk assessment studies prepared for the Greater Honiara Area, to identify areas that are exposed to natural hazard and climate change risks.
- (ii) Identify areas that can be considered as environmentally sensitive, e.g., areas of high biodiversity, which have the potential to be identified as conservation zones.
- (iii) Ensure that study outputs take into consideration relevant natural hazard and climate change risks. Also ensure that the proposed development scenarios for the Greater Honiara Area give sufficient consideration to the need for green spaces and conservation zones.
- (iv) Ensure that the infrastructure gap analysis and capital investment plan consider any investments required to build natural hazard and climate change resilience. Where appropriate, propose investments in ecosystem-based adaptation to meet particular infrastructure resilience needs.
- (v) Identify potential sources of financing to fund climate change adaptation measures as well as investments that promote stronger environmental management and conservation.

6. **Urban institutional specialist** (national, 3 person-months, intermittent). The specialist will be responsible for preparing the institutional and regulatory inputs into the urban development strategy. The consultant will also be required to provide inputs into the preparation of the inception report, strategy report, action plan and capital investment plan, and final report. The consultant will:

- (i) Work with the team leader to undertake a review of the existing institutional arrangements for the planning and management of urban development in the Greater Honiara Area.
- (ii) Carry out an initial assessment of institutional constraints that impact sustainable urban development of the Greater Honiara Area.
- (iii) Building on proposed development scenarios for the Greater Honiara Area, identify constraints and prepare a gap analysis to pinpoint key institutional challenges.
- (iv) Working with the team leader, identify priority actions for strengthening existing institutional arrangements to support the effective management of the Greater Honiara Area.

7. **Urban poverty and informal settlement specialist** (national, 3 person-months, intermittent). The consultant will be responsible for providing neighborhood-specific analytical inputs and integrating them into the urban development strategy. The consultant will also be required to provide inputs into the preparation of the inception report, strategy report, action plan and capital investment plan, and final report. The consultant will:

- (i) Review existing data and studies to assess urban poverty trends in the Greater Honiara Urban Area.
- (ii) Carry out an assessment of informal settlement areas in the Greater Honiara Area, including population size, location, and access to basic urban services.
- (iii) Support the urban planner in carrying out the housing typology analysis to ensure that the assessment adequately reflects the situation in informal settlements.
- (iv) Carry out an initial assessment of drivers of urban poverty and the growth of informal settlements in the Greater Honiara Area.
- (v) Building on the proposed development scenarios for the Greater Honiara Area, prepare a gap analysis that highlights the key challenges associated with urban poverty and informal settlements.
- (vi) Identify priority actions for informal settlement upgrades in the Greater Honiara Area.

8. **Local government capacity development specialist** (international, 6 person-months, intermittent). The consultant will be responsible for the implementation of the regional local-government twinning program. The consultant will:

- (i) Carry out a capacity needs assessment for each participating government agency in the Cook Islands, Samoa, and Solomon Islands, and provide support for the preparation of a twinning proposal that focuses on one or two priority areas for capacity strengthening support.
- (ii) Work with Local Government New Zealand and the Australian Local Government Association to identify a suitable mentor council to work with the recipient council based on recognized areas of expertise, and whether the mentor council would be an appropriate match for the recipient council.
- (iii) Carry out in-country visits to Cook Islands, Samoa, and Solomon Islands with the representatives of the proposed mentor council to sign twinning partnership agreements, including discussion and agreement on work program, schedule, and detailed logistics and support arrangements. The consultant will be responsible for preparing the draft twinning partnership agreements for review and agreement between recipient and mentor councils.
- (iv) Periodically review the progress of each twinning partnership, including in-country monitoring visits, to ensure that the arrangements achieve their agreed capacity development objectives. Take responsibility for resolving issues that may undermine the success of the twinning partnerships as they arise.