



Technical Assistance Report

Project Number: 52101-001
Knowledge and Support Technical Assistance (KSTA)
July 2018

Supporting Social Safeguards in the Central and West Asia Region

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

Asian Development Bank

ABBREVIATIONS

ADB	–	Asian Development Bank
CWRD	–	Central and West Asia Department
DMC	–	developing member country
LAR	–	Land acquisition and resettlement
TA	–	technical assistance

NOTE

In this report, “\$” refers to United States dollars.

Vice-President	Wencai Zhang, Operations 1
Director General	Werner Liepach, Central and West Asia Department (CWRD)
Advisor and Head	Nianshan Zhang, Portfolio, Results, Safeguards, and Gender Unit
Team leader	Michael Beauchamp, Senior Social Development Specialist, CWRD
Team member	Ma. Rosario Guzman, Operations Assistant, CWRD

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

CONTENTS

	Page
KNOWLEDGE AND SUPPORT TECHNICAL ASSISTANCE AT A GLANCE	
I. INTRODUCTION	1
II. ISSUES	1
III. THE TECHNICAL ASSISTANCE	2
A. Impact and Outcome	2
B. Outputs, Methods, and Activities	3
C. Cost and Financing	3
D. Implementation Arrangements	3
IV. THE PRESIDENT'S DECISION	4
APPENDIXES	
1. Design and Monitoring Framework	5
2. Cost Estimates and Financing Plan	7
3. List of Linked Documents	8

KNOWLEDGE AND SUPPORT TECHNICAL ASSISTANCE AT A GLANCE

1. Basic Data		Project Number: 52101-001
Project Name	Supporting Social Safeguards in the Central and West Asia Region	Department/Division CWRD/CWOD-PSG
Nature of Activity Modality	Capacity Development Regular	Executing Agency Asian Development Bank
Country	AFG, ARM, AZE, GEO, KAZ, KGZ, PAK, TAJ, TKM, UZB	
2. Sector	Subsector(s)	ADB Financing (\$ million)
✓ Agriculture, natural resources and rural development	Land-based natural resources management	0.15
Energy	Electricity transmission and distribution	0.15
Public sector management	Law and judiciary	0.15
Transport	Rail transport (non-urban)	0.15
Water and other urban infrastructure and services	Other urban services	0.15
Total		0.75
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
Regional integration (RCI)	Pillar 4: Other regional public goods	
4. Drivers of Change	Components	Gender Equity and Mainstreaming
Governance and capacity development (GCD)	Client relations, network, and partnership development to partnership driver of change Civil society participation Institutional development Institutional systems and political economy Organizational development	No gender elements (NGE) ✓
5. Poverty and SDG Targeting		Location Impact
Geographic Targeting	Yes	Regional High
Household Targeting	No	
SDG Targeting	Yes	
SDG Goals	SDG3, SDG11	
6. Risk Categorization	Low	
7. Safeguard Categorization	Safeguard Policy Statement does not apply	
8. Financing		
Modality and Sources		Amount (\$ million)
ADB		0.75
Knowledge and Support technical assistance: Technical Assistance Special Fund		0.75
Cofinancing		0.00
None		0.00
Counterpart		0.00
None		0.00
Total		0.75

I. INTRODUCTION

1. This technical assistance (TA) is to foster more effective infrastructure development in the Central and West Asia developing member countries (DMCs) by improving their social safeguards, and in particular their land acquisition and resettlement (LAR) performance. This will be accomplished by (i) engaging and deploying international and national consultants to strengthen the processing and implementation of projects with respect to safeguard compliance; (ii) utilizing and building on knowledge products and relationships developed under TA 7433-REG: Mainstreaming Land Acquisition and Resettlement in the Central and West Asia Region¹ to further promote country ownership of sound and efficient safeguard practices in projects financed by Asian Development Bank (ADB); (iii) identifying gaps between local practice and ADB policy in a timely manner, and developing a strategy to effectively bridge these gaps, project by project; and (iv) providing capacity building, primarily in the form of on-the-job training, to increase the understanding of governments of the application of environmental and social safeguards. The TA is consistent with the ADB Safeguard Policy Statement (2009), the 2014 and 2016 evaluation studies of the Independent Evaluation Department,² and supports Strategy 2020.³

2. The TA will build on the achievements of TA 7433. Discussions with ADB staff and executing agencies during project missions confirm the relevance of TA 7433 and the need for the extension of its most useful component—support for processing and implementation through on-the-job training. The design and monitoring framework for the new TA project is in Appendix 1.

3. The new TA project will aid DMCs in Central and West Asia in meeting their Sustainable Development Goals, and it is on the priority list for Central and West Asia Department (CWRD) for processing in 2018.⁴

II. ISSUES

4. LAR is often an important element in infrastructure development, and it is also a frequent cause of development partner–client disagreements, delays, and stakeholder complaints. This is especially the case in Central and West Asia, where the number of infrastructure projects with intensive LAR has constantly increased while LAR capacity remains weak. Most DMCs in the region are unfamiliar with ADB policy. They lack the institutional, administrative, or technical tools to execute LAR effectively based on sound international standards. Maximizing the benefits of new infrastructure financed by ADB in the region requires streamlining local LAR practices to better fit the requirements of ADB’s project cycle. This requires resources and dedicated efforts.

5. Many DMCs have laws that do not directly support the compensation or rehabilitation standards of ADB policy. This slows loan processing and impairs negotiations. Moreover, even if agreements are clear in loan covenants, they do not guarantee that LAR is implemented according to ADB standards. Local governments, which usually are responsible for LAR, do not sign loan agreements and lack understanding of ADB’s policy, so they are unable to implement it

¹ ADB. 2009. *Mainstreaming Land Acquisition and Resettlement in the Central and West Asia Region*. Manila.

² ADB. 2006. *Special Evaluation Study on Involuntary Resettlement Safeguards*. Manila; ADB. 2014. *Safeguards Operational Review: ADB Processes, Portfolio, Country Systems, and Financial Intermediaries*. Manila; ADB. 2016. *Real-Time Evaluation of ADB’s Safeguard Implementation Experience Based on Selected Case Studies*. Manila.

³ ADB. 2008. *Strategy 2020: The Long-Term Strategic Framework of the Asian Development Bank, 2008–2020*. Manila.

⁴ The TA first appeared in the business opportunities section of the ADB’s website on 15 May 2018.

or are afraid they will break the law if they do so. Establishing strong country systems and country ownership of improved LAR dynamics requires gradual change.

6. Another source of poor LAR practice is the inadequacy of technical tools or know-how. LAR preparation is slowed by inaccurate maps, corrections to badly executed surveys, or weak public participation skills. The lack of sound asset valuation methods may limit compensation options and cause lengthy discussions or complaints before a resettlement plan is acceptable. Poor conceptualization of a resettlement plan may require repeated resubmissions, delaying project or contract approval. These difficulties can be addressed by identifying and applying innovative approaches and by providing technical training, both formal and informal. These efforts need to be supported by sustained coaching in actual project work, in order to be most instructive and effective.

7. Safeguards are a common source of reputational risks. Complaints from affected people often claim weak consultation and information disclosure, inadequacy of compensation rates or delivery, and divergence between LAR implementation and resettlement plan stipulations. Some complaints may be unjustified, some are easily solved, while others can be highly problematic. If improperly managed, complaints of all types can potentially bring a project to a standstill. Regardless of their gravity, complaints always complicate and slow project implementation, cause costs, and erode citizen confidence in institutions. Grievances in projects of ADB's Central and West Asia Department (CWRD) have increased significantly since 2013, when CWRD's project complaints tracking system logged 7 grievances—that number rose to 17 in 2014, 28 in 2016, and 40 in 2016, before moderating to 23 in 2017. In 2016 and 2017, 11 complaints were elevated to the Accountability Mechanism⁵. To reverse this trend, project-based grievance redress mechanisms must be more effectively implemented and managed. Implementing agencies must fully consult with the affected people, properly disclose project documents, and be proactive in detecting and correcting mistakes. Implementing agencies need to be properly trained in grievance handling, public participation, and public relations.

III. THE TECHNICAL ASSISTANCE

A. Impact and Outcome

8. The existing TA 7433, which will close on 31 August 2018, is working well and provides a valuable service to DMCs during the processing and implementation phases of projects. Discussions with ADB staff, executing agencies, and implementing agencies revealed a need for the extension of its most useful components, which are considered to be

- (i) continued deployment of consultants based in DMC resident missions to aid executing and implementing agencies in project processing and implementation as well as continued capacity building, training, and workshops where necessary; and
- (ii) provision of technical assistance for problem solving during project processing or implementation.

⁵ ADB's Accountability Mechanism provides a forum where people adversely affected by ADB-assisted projects can voice and seek solutions to their problems and report alleged noncompliance with ADB's operational policies and procedures. It consists of two separate but complementary functions: problem-solving function and compliance review function.

9. The new TA will result in the following outcome: quality of social safeguards documents and social safeguards implementation improved in the CWRD portfolio. It will be aligned with the following impact: effective infrastructure development compliant with ADB's Safeguard Policy Statement promoted in Central and West Asia.

B. Outputs, Methods, and Activities

10. **Output 1: Quality and timeliness of LAR instruments improved.** TA consultants will support DMC executing and implementing agencies during project processing⁶ and implementation, providing on-the-job training and advice on how to improve LAR scoping; prepare and implement LAR plans; and carry out monitoring and compliance reporting. This will improve the quality of LAR instruments⁷ and reduce the number of reviews and the time required for approval. A technical capacity building program will provide executing and implementing agencies with greater skills for proper resettlement planning and faster implementation of surveys and asset valuation. Mechanisms for stakeholder consultation and complaints handling will be mainstreamed.

11. **Output 2: Country-specific social safeguard administration and procedures improved.** Country assessment reports and guidance notes for LAR, prepared under TA 7433, will be reviewed, expanded, and used as a basis to develop strategies for the streamlining of safeguards mechanisms (procedures, implementing plans, interagency coordination).

12. **Output 3: Project-specific grievance redress mechanisms improved.** DMC executing and implementing agencies will be supported by TA consultants, who will conduct a comprehensive review of grievance redress mechanisms, including structure and composition of the committee overseeing such mechanisms, and of executing and implementing agency staff assigned; procedures for capturing, handling, and resolving grievances; and timeframes for each stage of the grievance cycle. CWRD and selected DMC executing and implementing agencies will agree on measures to strengthen the efficient functioning of grievance redress mechanisms; and develop formal, detailed and time-bound procedures for the grievance redress cycle, which can be replicated and applied to other projects under the same DMC executing and implementing agencies.

C. Cost and Financing

13. The TA is estimated to cost \$750,000, which will be financed on a grant basis by ADB's Technical Assistance Special Fund (TASF-other sources). The key expenditure items are listed in Appendix 2.

D. Implementation Arrangements

14. ADB will administer the TA. The Portfolio, Results, Safeguards, and Gender Unit in ADB's CWRD will implement the TA, in coordination with CWRD's resident missions and sector divisions. It will select, supervise, and evaluate consultants. The resident missions will provide country support to TA activities, including provision of work space for consultants and assistance in planning meetings, workshops, and training.

⁶ Where transaction TA safeguard consultants are either not engaged or where additional support is required.

⁷ These instruments typically include LAR plans, LAR frameworks, compliance reports, socioeconomic and resettlement surveys, detailed measurement surveys, and valuations.

15. The TA will be implemented in three phases, considering the budget constraints and better matching between TA fund availability and implementation. The first phase will start in July 2018 and close in February 2020, with a budget of \$750,000. CWRD may increase the TA amount in 2020 subject to funds' availability.

16. The implementation arrangements are summarized in the following table.

Implementation Arrangements

Aspects	Arrangements		
Indicative implementation period	July 2018 to February 2020 (Phase 1)		
Executing and implementing agency	ADB		
Consultants	To be selected and engaged by ADB		
	Individual consultant selection	108 person-months, national resettlement specialist(s)	\$378,000
	Individual consultant selection	33 person-months, international specialist(s)	\$258,000
Disbursement	The technical assistance resources will be disbursed following ADB's <i>Technical Assistance Disbursement Handbook</i> (2010, as amended from time to time).		

ADB = Asian Development Bank.
Source: Asian Development Bank.

17. **Consulting services.** ADB will engage the consultants following its Procurement Policy (2017, as amended from time to time) and its associated project administration instructions and/or staff instructions. Field activities will be carried out using a mix of international and national consultants; their selection is subject to criteria such as (i) existing country portfolios, (ii) upcoming country project pipeline, and (iii) availability of qualified consultants with the requisite in-country experience. The consultants will be based at resident missions, and national consultants may be required to operate in more than one DMC as needed.⁸

18. An allowance was also made for the intermittent engagement of experienced and senior international experts as required, for a total of 5 months. This may include resettlement specialists, valuers, and other specialist disciplines. Terms of reference will be developed to address specific needs as they are identified. All TA-financed consulting services shall be procured in accordance with ADB Procurement Policy and the associated project administration instructions and technical assistance and/or staff Instructions.

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 \$750,000 on a grant basis for Supporting Social Safeguards in the Central and West Asia Region, and hereby reports this action to the Board.

⁸ Terms of Reference for Consultants (accessible from the list of linked documents in Appendix 3).

DESIGN AND MONITORING FRAMEWORK

Impact the TA is Aligned with			
Effective infrastructure development compliant with ADB's SPS promoted in Central and West Asia (TA-defined).			
Results Chain	Performance Indicators with Targets and Baselines	Data Sources and Reporting Mechanisms	Risks
<p>Outcome Quality of social safeguards documents and social safeguards implementation improved in the CWRD portfolio</p>	<p>By 2020:</p> <p>a. Continued 100% LARP endorsement and disclosure prior to ADB staff and Management review meetings</p> <p>b. At least 90% of projects rated as fully compliant with respect to LAR during country safeguard review (2017 baseline: 70%)</p> <p>c. Number of LAR-related complaints submitted to the Accountability Mechanism reduced by at least 50% (2017 baseline: 6)</p>	<p>a. ADB website (disclosure)</p> <p>b. Chief compliance officer's annual review report of SPS compliance, BTORs of CWOD-PSG staff, and CWRD quarterly monitoring sheets</p> <p>c. ADB Accountability Mechanism Annual Report and Complaints Registry</p>	<p>Risk Change in leadership at the participating DMC executing agencies, or high turnover in staff</p>
<p>Outputs 1. Quality and timeliness of LAR instruments improved</p> <p>2. Country-specific social safeguards administration and procedures improved</p>	<p>By 2020:</p> <p>1a. At least 30% of LARPs submitted to ADB needed only final review by ADB staff (2017 baseline: <5%)</p> <p>1b. Continued endorsement and disclosure of 100% of LARPs prior to ADB staff and Management review meetings (2017 baseline: 100%)</p> <p>2a. At least 5 LAR CA reports developed under TA 7433-REG reviewed and updated^a (2017 baseline: NA)</p>	<p>1a. BTORs of CWOD-PSG staff</p> <p>1b. ADB website (disclosure)</p> <p>2a–b. ADB website (disclosure)</p>	<p>Risk Prolonged decision-making process at DMC executing agencies; changes in project scope with limited time and/or budget for updating of LAR documents.</p>

3. Project-specific GRMs improved	<p>2b. At least 5 GNs on LAR developed under TA 7433 reviewed and updated (2017 baseline: NA)</p> <p>3a. Formal procedures for grievance management developed and agreed with at least 5 DMC executing and/or implementing agencies (2017 baseline: 1)</p> <p>3b. 80% of complaints fully addressed within 2 months of being logged in the GRM (2017 baseline: <50%)</p>	<p>3a. BTORs of CWOD-PSG staff</p> <p>3b. Complaints registry; project-external monitoring reports</p>	
<p>Activities with Milestones</p> <p>1. Quality and timeliness of LAR instruments improved</p> <p>1.1. Develop training program, including case studies, for national and local land administration agencies, executing agencies, and NGOs (Q4 2018).</p> <p>1.2. Implement a medium-term coaching and on-the-job training program involving protracted assistance to executing agencies of ADB projects during project preparation and implementation (Q4 2018).</p> <p>1.3. Train national consultants and establish a roster of capable national specialists (Q1 2019).</p> <p>2. Country-specific safeguards administration and procedures improved</p> <p>2.1. Review and update CAs developed under TA 7433 (Q2 2019).</p> <p>2.2. Review and update GNs developed under TA 7433 (Q4 2019).</p> <p>2.3. Develop strategies for streamlining of safeguard mechanisms Q4 2019).</p> <p>3. Project-specific GRMs improved</p> <p>3.1. Select one or more pilot projects in at least five participating DMCs (Q4 2018).</p> <p>3.2. Conduct a comprehensive review of GRM, including structure and composition of the committee overseeing the GRM, and executing and implementing agency staff assigned; procedures for capturing, handling, and resolving grievances; and timeframes for each stage of the grievance cycle (Q1 2019).</p> <p>3.3. Identify weaknesses and gaps in each active project's GRM (Q1 2019).</p> <p>3.4. Agree, in consultation with DMC executing and implementing agencies, on measures to strengthen the efficient functioning of GRMs (Q2 2019).</p> <p>3.5. Develop, together with DMC executing and implementing agencies, formal, detailed, and time-bound procedures for the grievance redress cycle, which can be replicated and applied to other projects under the same executing and implementing agencies (Q4 2019).</p>			
<p>Inputs ADB: \$750,000</p>			

ADB = Asian Development Bank; BTOR = back-to-office report; CA = country assessment; CWOD-PSG = Office of the Director General, CWRD, Portfolio, Results, Safeguards, and Gender Unit; CWRD = Central and West Asia Department; DMC = developing member country; GN = guidance note; GRM = grievance redress mechanism; LAR = land acquisition and resettlement; LARP = LAR plan; NGO = nongovernment organization; SPS = Safeguard Policy Statement; TA = technical assistance,

^a ADB. 2009. *Technical Assistance for Mainstreaming Land Acquisition and Resettlement Safeguards in the Central and West Asia Region*. 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	258.00
ii. National consultants	378.00
b. International and local travel ^b	65.80
2. Training and workshops ^c	28.00
3. Miscellaneous administration and support costs ^d	10.00
4. Contingencies	10.20
Total	750.00

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

^b Travel may include international and regional travel for consultants, as approved by the team leader in accordance with project administration instructions 2.04 and 2.06.

^c Budget includes allowance for additional staff travel as resource persons, in accordance with the memorandum on Use of Bank Resources: Regional Technical Assistance and Technical Assistance vs. Internal Administrative Expenses Budget issued by the Budget, Personnel, and Management Systems Department and the Strategy and Policy Department on 26 June 2013.

^d Includes translation or interpretation and office support costs that may be incurred.

Source: Asian Development Bank estimates.

LIST OF LINKED DOCUMENTS

<http://www.adb.org/Documents/LinkedDocs/?id=52101-001-TARreport>

1. Terms of Reference for Consultants