

Small Ethnic Communities Planning Framework

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Bangladesh: Coastal Towns Climate Resilience Sector Project

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CURRENCY EQUIVALENTS

(as of 22 March 2022)

Currency Unit	=	Bangladeshi taka (BDT)
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\$1.00	=	BDT86.012

ABBREVIATIONS

ADB	–	Asian Development Bank
AP	–	affected person
DPHE	–	Department of Public Health Engineering
GICDC		governance improvement and capacity development consultants
GRM		grievance redress mechanism
LGED	–	Local Government Engineering Department
LGD	–	Local Government Division
SEC	–	small ethnic communities
SECP	–	small ethnic communities development plan
SECPF	–	small ethnic communities planning framework
SIA	–	social impact assessment

NOTE

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

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I. INTRODUCTION

A. Background

1. The ADB supported Coastal Towns Infrastructure Environmental Infrastructure Project (CTEIP) in 10 coastal towns effectively commenced on September 2014 which will be completed on June 2022. As a continuity of the project ADB extended his support to Coastal Towns Climate Resilience Sector Project (CTCRSP) which will strengthen climate resilience and disaster preparedness in 22 (twenty-two) vulnerable coastal *pourashavas* (secondary towns) of Bangladesh. The towns were selected based on their vulnerability, population size, density, and level of past investments. The project takes a holistic and integrated approach to urban development and will (i) provide climate-resilient municipal infrastructure, and (ii) strengthen institutional capacity, local governance, and knowledge-based public awareness, for improved urban planning and service delivery considering climate change and disaster risks. Key infrastructure investments include (i) drainage, (ii) water supply, (iii) sanitation, (iv) cyclone shelters, and (v) other municipal infrastructure including emergency access roads and bridges, solid waste management, bus terminals, slum improvements, boat landings, and markets. Investments will benefit the poor and women. The Ministry of Local Government, Rural Development and Cooperatives (MLGRDC) acting through its Local Government Engineering Department (LGED) will be the Executing Agency. *Pourashavas* are the implementing agencies of the project.

2. Coastal towns are particularly at risk from the impacts of climate change due to high levels of poverty and limited capacity of *pourashavas* (urban local governments) to invest in resilience. The *pourashavas* lack resilient infrastructure, clubbed with haphazard urbanization, lack of stormwater drains, poor solid waste management system further worsens the condition of these towns. Most of the coastal towns are situated on the riverbanks of low-lying tidal zones at an average elevation of 1.0–1.5 meters (m) from the sea level ¹ and coastal flooding is a key hazard faced by these towns. Inadequate basic municipal infrastructure to respond to increasing climate risk threatens both quality of life and the economic growth of coastal towns. This calls for an integrated approach for coastal town development that promotes risk-informed planning and investment for building resilience.

B. Project Description

3. The project will be aligned with the following impacts: higher and sustainable growth trajectories achieved in the face of the various weather-related natural hazards and risk and improved livability of coastal towns.² The outcome of the project will be climate and disaster resilience of coastal towns strengthened including benefiting the poor and women. The project directly supports to achieve project outcomes through three outputs.

4. **Output 1: Municipal infrastructure for resilience improved.** Municipal infrastructure will include (i) 25 elderly, women, children, and persons with disability friendly cyclone shelters with early warning system; (ii) 247.7 kms roads with drainage, bridges, and culverts rehabilitated or constructed for improved connectivity and access to emergency services in the event of disasters caused by natural hazards including access to cyclone shelter; (iii) climate-resilient infrastructure including 201.0 stormwater drainages, at least 3 nature-based solutions, water

¹ Sowmen Rahman and Mohammed Ataur Rahman. Climate Extremes and Challenges to Infrastructure Development in Coastal Cities in Bangladesh. Volume 7, March 2015, Pages 96–108

² Government of Bangladesh, General Economics Division, Bangladesh Planning Commission Ministry of Planning. 2020. Making Vision 2041 a Reality – Perspective Plan of Bangladesh, 2021–2041. Dhaka.

bodies restoration, and 4 integrated waste management (IWM) developed rehabilitated or constructed for improved urban flood risk management including; (iv) gender-responsive and socially inclusive urban public spaces improved; (vi) slum improvement program implemented; and (vi) EWCD-friendly sanitation facilities constructed for poor households. Output 1 will also support development of EWCD-friendly socio-economic infrastructures including (i) local markets; (ii) bus terminals; and (iii) other priority roads, bridges, culverts, and boat landing stations.

5. **Output 2: Resilient livelihood enhanced.** Output 2 includes: (i) climate vulnerable households covered in the graduation program in six project towns; (ii) women, including person with disabilities, reported increased skills for resilient livelihood; and (iii) inventory of productive assets of vulnerable households documented and insured. The Graduation Approach and Program will be adopted to ensure livelihood resilience.³

6. **Output 3: Institutional capacity, governance, and climate-awareness strengthened.** Output 3 includes: (i) risk-informed urban development plans and poverty reduction action plans of project towns submitted to *pourashavas* council; (ii) staff of LGED and *pourashavas* including 90% eligible women staff reported increased knowledge on climate and disaster risk assessment to inform the urban development plans and to enforce development control regulations linked with natural hazards; (iii) knowledge and capacity of LGED and *pourashavas*' staff including 90% of women staff on nature-based solutions and green solution application developed;⁴ (iv) disaster management committee on disaster preparedness measures, cyclone shelter management committees, and standing committees on women and children affairs, poverty reduction and slum improvement in project *pourashavas* operationalized for improving municipal governance and sustainable service delivery;⁵ (v) revenues enhancement plan adopted by each project *pourashava* to improve municipal finance systems; (vi) computerized tax records and billing systems made functional; (vii) annual gender responsive operation and maintenance (O&M) plans approved and at least 75% of the required annual budget is allocated and spent; and (viii) gender responsive urban space guidelines developed. Output 3 supports to enhance public awareness, behavior change, and community mobilization in light of emergencies such as coronavirus disease (COVID-19) and cyclone Amphan in 2020. It will also support training and capacity building of LGED and *pourashavas* to institutionalize information technology-based remote monitoring through strengthening LGED's geographic information systems section, monitoring and evaluation unit, and project management unit.

7. The project is proposed to be implemented in 22 *pourashavas* or urban local bodies (ULBs). District wise location of the CTCRSP towns is summarised in Table 1.

³ The graduation program originated in Bangladesh and has since been adopted in several countries as a holistic, time-bound interventions to lift households from poverty through: (i) social assistance to support immediate needs; (ii) livelihood promotion; (iii) financial inclusion; and (iv) social empowerment.

⁴ Nature-based solutions promote actions to protect, sustainably manage and restore natural and modified ecosystems in ways that address societal challenges effectively and adaptively, to provide both human well-being and biodiversity benefits. (Source: IUCN (2020). Guidance for using the IUCN Global Standard for Nature-based Solutions. A user-friendly framework for the verification, design and scaling up of Nature-based Solutions. First edition. Gland, Switzerland: IUCN).

⁵ A risk-informed performance-based budget allocation strategy will be adopted to promote governance-led infrastructure improvement to ensure sustainable urban services. The *pourashava* will need to fulfil a set of performance criteria to receive fund for infrastructure improvement. Performance criteria is elaborated in project administration manual (footnote 27).

Table 1: District wise *Pourashavas* where Coastal Towns Climate Resilience Sector Project will be Implemented

District	Town (Pourashava)	District	Town (Pourashava)
1. Barisal	1. Bakerganj	5. Bhola	1. Charfassion
	2. Mehendiganj		2. Lalmohan
	3. Banaripara		3. Borhanuddin
	4. Muladi	6. Jhalokathi	4. Jhalokathi
	5. Gouranadi		5. Nalchity
2. Bagerhat	6. Bagerhat	7. Satkhira	6. Kalaroa
	7. Morelganj	8. Khulna	7. Paikgacha
3. Patuakhali	8. Patuakhali		
	9. Kuakata	9. Pirojpur	9. Swarupkathi
4. Shariatpur	10. Zanjira	10. Barguna	10. Patharghata
	11. Bhedarganj		11. Betagi

II. OBJECTIVES AND POLICY FRAMEWORK

C. Objectives

8. In accordance with the ADB Safeguard Policy Statement (SPS), 2009, the preparation of an indigenous peoples planning framework, referred in this document as small ethnic communities planning framework (SECPF) in line with Government of Bangladesh's definition, is a requirement for sector investments with potential impacts on indigenous peoples (IP) to guide subproject selection, screening and categorization, assessment, and preparation and implementation of safeguard plans of subprojects and to facilitate compliance with the requirements specified in ADB SPS Safeguard Requirements 3 on IP.⁶

9. This SECPF recognizes the vulnerability of indigenous people, referred hereto as small ethnic communities (SEC), and specifically ensures that any project intervention, whether positive or adverse, will be addressed by the EA and IAs. Moreover, EA and IAs will ensure that affected SEC will have opportunities to participate in and benefit equally from such project interventions.

D. Policy Framework

10. **ADB Safeguard Policy Statement.** ADB SPS, 2009, Safeguard Requirements 3: Indigenous Peoples outlines the requirements that the EA is required to meet in delivering indigenous people safeguards to projects supported by ADB.

11. According to ADB SPS, 2009, the indigenous people safeguard requirements are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous people or affects the territories, natural, or cultural resources that they own, use, occupy, or claim as their ancestral property. The requirements apply to CTCRSP and its subproject components. The requirements also cover actions conducted by EA and IAs in

⁶ ADB SPS, 2009 Safeguard Requirement 3: Indigenous People discusses the objectives and scope of application, and underscores the requirements pertaining to (i) undertaking the social impact assessment and planning process; (ii) preparing social impact assessment reports and planning documents; (iii) disclosing information and undertaking consultation, including ascertaining consent of affected indigenous peoples community to selected project activities; (iv) establishing a grievance mechanism; and (v) monitoring and reporting. This set of policy requirements will safeguard Indigenous Peoples' rights to maintain, sustain, and preserve their cultural identities, practices, and habitats and to ensure that projects affecting them will take the necessary measures to protect these rights.

anticipation of ADB projects.

12. ADB SPS, 2009 uses the term indigenous people in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- (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.

13. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account.

14. A group that has lost collective attachment to geographically distinct habitats or ancestral territories in the project area because of forced severance remains eligible for coverage under ADB SPS, 2009.

15. **Government of Bangladesh Policy.** The Constitution of Bangladesh ensures affirmative action for small ethnic community peoples and prohibits discrimination inter alia on grounds of race, religion or place of birth, Article 23A of which provides, “the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities”. It also spells out in Article 28 (4), “nothing in this Article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens”.

16. Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to SEC, ethnic minority (EM) and non-ethnic minority people. The laws include the (i) Code of Civil Procedure, 1908; (ii) the East Bengal State Acquisition and Tenancy Act, 1950; and (iii) ARIPA, 2017. However, these laws do not apply in Chittagong Hill Tracts (CHT), where a large proportion of indigenous people (IP) live. The CHT Regulation, 1900 is the single most important law for the CHT. The CHT Regulation, 1900 functions in the nature of a constitutional legal instrument and vets the application of other laws that apply to CHT, among others, by specifying the nature and extent of application of those laws. In addition to CHT Regulation, 1900 the other special laws that apply to the CHT include: (i) CHT Land Acquisition Regulation, 1958; (ii) Hill District Councils Acts, 1989; (iii) CHT Regional Council Act of 1998, (iv) CHT Land Disputes Resolution Commission Act of 2001 and (v) Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance, 2018.

17. SEC customary use of land in the CHT is not recognized by the government and is considered as unclassified forest, village common forest, and government (*khas*) lands, although different groups of SEC of the CHT have been using such lands from immemorial times as common land or ancestry land of common use.

18. According to the Gazette of Bangladesh Cultural Ministry, dated March 23, 2019, 50 types of small ethnic communities live in Bangladesh. The List of SEC recognized in the Bangladesh Gazette, Cultural Ministry, 23 March 2019 is provided in **Appendix 1**.

E. Comparison Between Government of Bangladesh Policy on Small Ethnic Communities and ADB SPS, 2009 (safeguards requirement 3)

19. Difference between the national policies on Small Ethnic Community and ADB SPS, 2009 safeguard requirements for indigenous people is compared in the Table 2 below and the measures to bridge the gaps are discussed.

Table 2: Gap Analysis on National Policies (Government of Bangladesh) for Small Ethnic Community and ADB SPS 2009

ADB Indigenous Peoples Policy Principles	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
<p>Policy Principle 1: Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely.</p>	<p>Constitution of Bangladesh ensures affirmative action for small ethnic community peoples and prohibits discrimination inter alia on grounds of race, religion or place of birth, Article 23A of which provides, "the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities".</p>	<p>The Constitution of Bangladesh does not specify on early screening of projects for indigenous people, termed as 'small ethnic community' (SECs) by the Constitution.</p> <p>The Project shall screen the subprojects early to determine the presence of SECs.</p>
<p>Policy Principle 2: Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and intergenerationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.</p>	<p>Article 28 (4) of the Constitution of Bangladesh mentions, "nothing in this Article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens"</p> <p>Bangladesh Environment Conservation Act (BECA), 1995, mandates obtaining environmental clearance from the Director General, Department of Environment for which detailed rules on, inter alia, Environmental Impact Assessment (EIA) is specified in the Environment Conservation Rule, 1997. The EIA requires to carry out baseline data generation and impact assessment including the social receptors; this helps in generating socio-economic profile of the area and it assists the project developers in identifying priority areas for their socioeconomic development programmes.</p>	<p>Although the Constitution of Bangladesh mentions about making special provisions for women, children and any backward section of citizens, it or any Act, under GOB does not speak about conducting social impact assessment.</p> <p>Partial equivalence is noted in conducting social impact assessment, which is included in the EIA and mitigation plans prepared accordingly.</p> <p>The project will conduct social impact assessment in a culturally appropriate and gender-sensitive manner. The SIA will capture both positive</p>

		and adverse impacts due to the project on SECs and will include measures to avoid, minimize and/or mitigate any adverse impacts to SECs.
<p>Policy Principle 3: Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns.</p>	<p>Acquisition and Requisition of Immovable Property Act 2017 states that affected persons may raise objections to land acquisition only after section 5 Notice is issued, while disputes over land acquisition have to be settled through an arbitrator or the courts of law.</p>	<p>No provisions for consultations with SECs or to establish a grievance redress mechanism to facilitate resolution of grievances received from SEC. There is no specific mention of SECs in ARIPA 2017.</p> <p>The project will undertake meaningful consultation with the small ethnic community people, in a culturally appropriate manner at a location suitable for the SEC community to attend the meetings. The meetings will be conducted in a language understandable to the SEC community. The grievance redress committee at the PMU level (3rd level grievance) will have a representative from small ethnic community.</p>
<p>Policy Principle 4: Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (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 that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected</p>	<p>Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to SEC, ethnic minority (EM) and non-ethnic minority people; these include the (i) Code of Civil Procedure, 1908; (ii) the East Bengal State Acquisition and Tenancy Act, 1950; and (iii) ARIPA, 2017. These laws do not apply in Chittagong Hill Tracts (CHT), where a large proportion of indigenous people (IP) live. The CHT Regulation, 1900 is the single most important law. CHT Regulation, 1900 the other special laws that apply to the CHT</p>	<p>There is no provision to take consent of affected SECs or broad community support for any project activities under the law. Clearance for a project is given by Department of Environment based on environment and social impact assessment.</p> <p>For subprojects that involve commercial development of cultural resources and</p>

<p>Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.</p>	<p>include: (i) CHT Land Acquisition Regulation, 1958; (ii) Hill District Councils Acts, 1989; (iii) CHT Regional Council Act of 1998, (iv) CHT Land Disputes Resolution Commission Act of 2001 and (v) Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance, 2018. SEC customary use of land in the CHT is not recognized by the government and is considered as unclassified forest, village common forest, and government (<i>khas</i>) lands, although different groups of SEC of the CHT have been using such lands from immemorial times as common land or ancestry land of common use.</p>	<p>knowledge of SEC/IPs, or physical displacement from traditional or customary lands, or commercial development of natural resources within customary lands, the project will seek broad community support of SEC communities and will be appropriately documented.</p>
<p>Policy Principle 5: Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous Peoples communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared.</p>		<p>Restricted access and physical displacement from customary land and natural resources will be avoided to the maximum extent possible. Where unavoidable, affected SECs/ communities will actively participate in the design, implementation and monitoring and evaluation of management arrangements. Benefits from the subproject will be equitably shared.</p>
<p>Policy Principle 6: Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.</p>	<p>-</p>	<p>Provision for preparation of IPP is not specified under the law. The project authority will prepare Small Ethnic Community Plan (SECP) or Resettlement and Small Ethnic Community Plan (RSECP) for subprojects where indigenous peoples' safeguards are triggered based on the guidelines outlined in the Small Ethnic Community Planning Framework (SECPF).</p>
<p>Policy Principle 7: Disclose a draft</p>	<p>Under ARIPA 2017, Section 4, the</p>	<p>There is no provision</p>

<p>IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders.</p>	<p>Deputy Commissioner, whenever it appears to him that any property in any locality is needed or is likely to be needed for any public purpose or in public interest, will cause a notice, to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.</p>	<p>for preparation or disclosure of IPP under the law.</p> <p>Both draft and final SECP/RSECPs will be disclosed in the communities and on the Project and ADB websites.</p>
<p>Policy Principle 8: Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.</p>		<p>Although SEC are recognized, there is no mention of ancestral domains or customary lands or territories of SECs in the national laws.</p> <p>SEC customary use of land in the CHT is not recognized by the government and is considered as unclassified forest, village common forest, and government (<i>khas</i>) lands, although different groups of SEC of the CHT have been using such lands from immemorial times as common land or ancestry land of common use.</p> <p>A SEC Specific Action Plan will be prepared for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples/SECs have traditionally owned or customarily used or occupied; or (ii) involuntary acquisition of such lands is involved.</p>

<p>Policy Principle 9: Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.</p>	-	<p>There is no such provision for monitoring under the law, as there is no requirement for SEC preparation and implementation.</p> <p>Implementation of SECPs/RSECPs will be covered by regular internal monitoring activities, as described further in 'Program for Monitoring and Evaluation' Chapter in SECPF. Monitoring indicators will be included in semi-annual social monitoring reports, which will be disclosed.</p>
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20. The Government of Bangladesh policies and legal instruments are supplemented by ADB SPS, 2009 for the implementation of CTCRSP. ADB SPS, 2009 ensures equality of opportunity to be derived from project interventions for SEC. ADB SPS, 2009 emphasizes that development interventions will be planned in a manner consistent with the needs and aspirations of affected indigenous peoples, and compatible in substance and structure with affected SEC's culture and social and economic institutions.

21. This SECPF will provide guidelines to mitigate the adverse impact, if any, through the preparation of a small ethnic communities' plan (SECP) or a resettlement and small ethnic community plan (RSECP). The need for an SECP or a RSECP will depend on the nature and scale of the project impacts and sensitivity of SEC issues. Based on the initial poverty and social assessment prepared in every project, a requirement for preparing an SECP/RSECP will be identified. An SECP would be required if the impact is "significant," which means (i) adverse impacts on customary rights of use and access to land and natural resources; (ii) negative effects on the socioeconomic and cultural integrity; (iii) effects on health, education, livelihood, access to project benefits, and social security status; and (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions. In case of limited impacts on indigenous people due to land acquisition and/or limited involuntary resettlement, these impacts will be addressed by specific action planned for mitigation and included within the resettlement plan. These specific action plans will be incorporated into the resettlement plan to safeguard their interest as small ethnic communities. The decision of preparing a specific action plan for the small ethnic communities or a small ethnic community plan will thus depend on the significance and severity of impacts identified through the screening process. An SEC impact checklist to be used in the SEC screening exercise during project preparation is provided as **Appendix 2**.

F. Distribution of Small Ethnic Communities in Bangladesh

22. The majority of Bangladesh's populations are Bengalis, and according to the Sixth "5-Year Plan" of Bangladesh approximately 2 million are SEC belonging to 45 different ethnic groups

majority of whom live in the CHT region;⁷ presently the government recognizes 50 SECs (refer para 18). These peoples are concentrated in the north, and in the CHT in the south-east of the country. Bangladesh is a rich mosaic of ethnic groups but outstandingly predominated by the plain land Bengalis. Here indigenous people are referred to as *Adibashi*, small ethnic groups, SEC, hill people or *Paharis*, and forest people.

23. In this document SEC means those people who are small in numbers but possess distinct cultural heritages and lifestyles than that of the Bengalis (main inhabitants of Bangladesh) and who have been living in this region from the time immemorial and some of them are often called as “the sons of the soil”. Ethnic communities migrated from neighboring regions hundreds of years ago, when no state border was designated, are also included in this category. The Government of Bangladesh prefers to identify this diverse range of small communities as SEC.

24. In Bangladesh there were more than 400,000 ethnic households in 2004 and spread over in about 11,000 villages (wards) and constituted about 1.5% of total population of the country. These ethnic groups can be identified in a particular geographical area by the presence of the following traits/characteristics in a varying degree: (i) a close attachment to ancestral territories and natural resources in the area, (ii) language often different from the national language, (iii) presence of customs and primarily subsistence-oriented production, and most importantly (iv) self-identification and identification of others as members of a distinct cultural group. In fact, social and cultural identity distinct from the dominant society makes them vulnerable to being disadvantaged in the development process.

25. On the other hand ethnic group has been identified as indigenous people group by Bangladesh Bureau of Statistics (BBS) and identified 30 indigenous people groups in Bangladesh in 1991 census (latest available relevant data). They are from different ethnic communities and commonly identified as representatives of different tribes and the Bangladesh Population Census identified them as Tribal people. Distribution of different indigenous people by division is shown in Table 2.

Table 2: Areas of Indigenous Peoples Concentration in Bangladesh

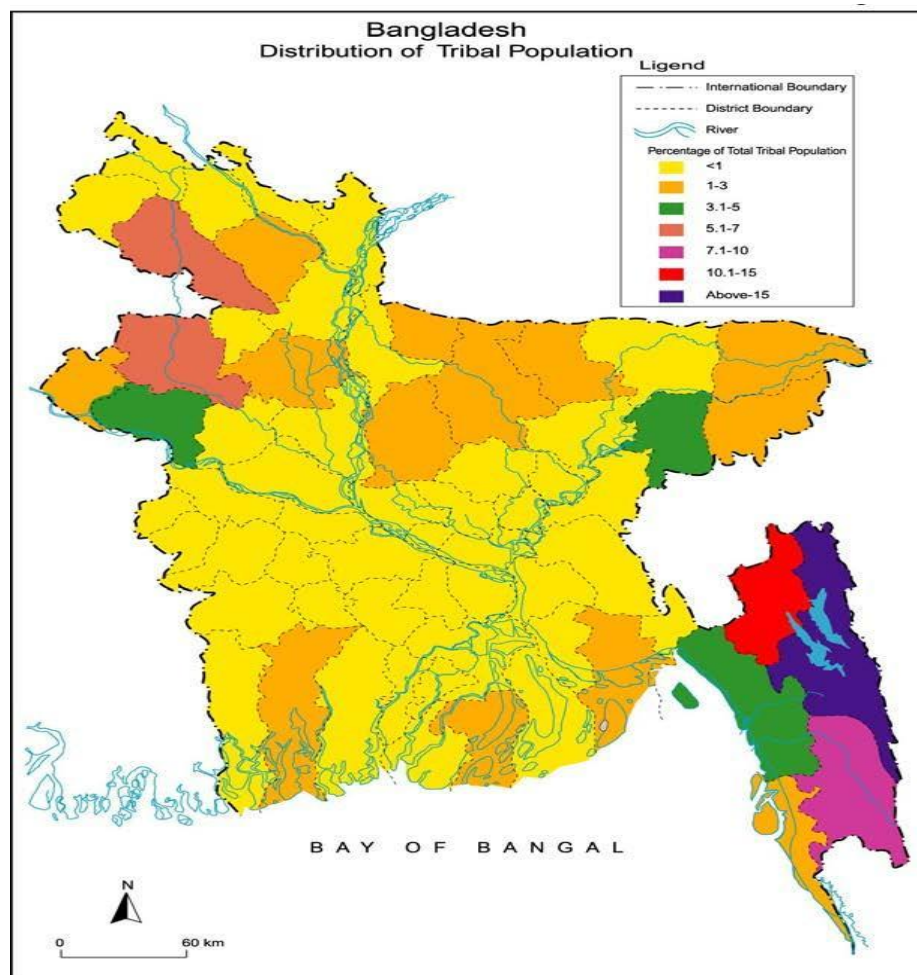
Areas of Indigenous People	Predominant Indigenous People	National Indigenous People	District population
Plains			
Rajshahi Division Naogaon, Dinajpur, Rangpur, and Jaiourhat district	Santal, Munda, and Oraon	36%	4%
Sylthet Division, Maulavibazar and Hobigonj district	Khasia, Manipuri, Patro, Garo, and Tripura	8%	3%
Madhupur Area of Dhaka Division	Garo/Mandi	7%	2%
Patuakhali (Barisal Division) and Cox' Bazar (Chittagong Division)	Rakahain	6%	
Khulna Division, in Sundarbans	Munda	2%	
Hills			
Chittagong Hill Tracts	Chakma, Marma, and Tripura	41%	44%
Total		100%	1.5% of National Population

⁷ Sixth Five Year Plan FY2011- FY2015, Dhaka: General Economic Division, Bangladesh Planning Commission [P-159] Government of Bangladesh (GoB). (2011-2015).

Source: Population and Housing Census- 1991, Bangladesh Bureau of Statistics (BBS), Statistic and Informatics Division, Ministry of Planning

26. In terms of the place of residence, the ethnic groups can be grouped into two broad categories: (i) those living in hills, predominantly reside in the CHT; and (ii) those living in plain lands. According to Statistical Yearbook of Bangladesh (2008) about 41% of the total ethnic people of the country live in CHT in three districts namely Rangamati, Bandarban and Khagrachari. There is a high concentration of ethnic groups in North Bengal (Naogaon, Dinajpur, Rajshahi, Rangpur and Joypurhat districts of Rajshahi division) which covers about 36% of the ethnic population. Distribution of ethnic population by percentage of the district population is shown in Figure 1.

Figure 1: Map Showing Major Small Ethnic Communities Areas in Bangladesh



27. *Pourashava* wise population of SECs in subproject locations is presented Table 3; in Kuakata *pourashava* area, under Patuakhali district, there is a population of 1.6% SEC belonging to Rakhain community predominantly. In rest of the subproject towns the presence of SECs is almost negligible. Table 3 identifies those SECs that have been identified in the subproject towns as per Bangladesh Population and Housing Census 2011 report.

Table 3: Small Ethnic Community Population in Subproject Towns

Sl. No.	District	Town (<i>Pourashava</i>)	Rakhain	Chakma	Tripura	Garos	Barmon	Khyang	Marma	Others	Total Population	Ethnic Population**	Percentage*
1	Barisal	Bakerganj	0	0	0	0	0	0	0	0	15,418	0	0
2		Mehendiganj	0	0	0	0	0	0	0	0	30,067	0	0
3		Banaripara	0	0	0	0	0	0	0	0	10,366	0	0
4		Muladi	0	0	0	0	0	0	0	0	20,490	0	0
5		Gaurnadi	0	0	0	0	0	0	0	3	42,438	3	0.0
6	Bagerhat	Bagerhat	0	0	0	0	0	0	0	30	49,073	30	0.06
7		Morrelganj	0	0	0	0	0	0	0	4	21,741	4	0.018
8	Patuakhali	Patuakhali	22	7	0	0	0	0	0	0	65,000	29	0.04
9		Kuakata	145	6	0	0	0	0	0	3	9,177	154	1.67
10	Shariatpur	Zanjira	0	0	0	0	0	0	0	0	21,251	0	0
11		Bhedarganj	0	0	0	0	0	0	0	0	8,169	0	0
12	Bhola	Charfasson	0	0	0	0	0	0	0	0	19,595	0	0
13		Lalmohan	0	0	0	0	0	0	0	0	20,522	0	0
14		Burhanuddin	0	0	0	0	0	0	0	0	13,110	0	0
15	Jhalokathi	Jhalokathi	0	8	0	0	0	0	3	0	54,029	11	0.020
16		Nalchity	0	0	0	0	0	0	0	0	30,805	0	0
17	Satkhira	Kalaroa	0	0	0	0	0	0	0	0	27,250	0	0
18	Khulna	Paikgachha	0	0	0	0	0	0	0	0	16,017	0	0
19		Chalna	0	0	0	0	0	0	0	0	14,188	0	0
20	Pirojpur	Swarupkathi	0	0	0	0	0	0	0	0	20,019	0	0
21	Barguna	Patharghata	0	0	0	0	0	0	0	0	17,177	0	0
22		Betagi	0	0	0	0	0	0	0	0	10,204	0	0

Source: Community Report, Bangladesh Population and Housing Census 2011, Bangladesh Bureau of Statistics (BBS) Statistics and Informatics Division (SID) Ministry of Planning Government of The People's Republic of Bangladesh

Note: * Percentage population calculated against the total population of the total population of the *Pourashava* town

** The table includes SECs that have been identified in the subproject towns.

28. Acquisition of traditional land or any common ancestry land of SECs is not envisaged for the sample subproject towns, however, this cannot be ruled out for rest of the subproject towns. Therefore, if such situation arises during detailed project design, this SECPF will serve the purpose of their safeguards.

III. IDENTIFICATION OF INDIGENOUS PEOPLE IN THE PROJECT AREAS

29. The EA and IAs will use ADB SPS, 2009 definitions and guidelines to identify indigenous people/SEC in particular geographic areas 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) Distinct language, often different from the official language of the country or region.

30. In the course of initial social assessment of subprojects in three sample towns (Jhalokhati, Bagerhat and Kuakata) during project preparation, SECs were found to be residing within or nearby the proposed component locations at Kuakata alone. The remaining sample towns Bagerhat and Jhalokhati have 0.06% and 0.020% SECs respectively (refer Table 3). A proposed road will be constructed at Kuakata town, where the Rakhain community people reside. The beneficiaries' population of the project towns is completely urban. It can be safely presumed that indigenous people/SEC residing in the project area probably scattered and have been assimilated over a period of centuries with the mainstream community in rest of the subproject towns.

IV. APPROACH TO PREPARATION OF SMALL ETHNIC COMMUNITIES PLAN

31. **Screening.** Preparing an SECP/RSECP is necessary when CTCRSP subprojects are screened as indigenous people category A or B projects.⁸ Indigenous people category is determined by the project's impact on these people. The significance of a project's impact on indigenous people/SEC is determined by the following assessment:

- (i) Magnitude of impact in terms of:
 - (a) customary rights of use and access to land and natural resources;
 - (b) socioeconomic status;
 - (c) cultural and communal integrity;
 - (d) health, education, livelihood, and social security status;
 - (e) recognition of social security status; and
 - (f) recognition of indigenous knowledge.
- (ii) Level of vulnerability of the affected SEC.

⁸ As per the ADB OM Section F1/OP March 2010 (Para 10), screening process categorizes projects by the significance of their impacts on indigenous peoples. A proposed project is classified as category A if it is likely to have significant impacts on indigenous peoples. An indigenous peoples plan (IPP), including assessment of social impacts, is required. A proposed project is classified as category B if it is likely to have limited impacts on indigenous peoples. An IPP, including assessment of social impacts, is required. A proposed project is classified as category C if it is not expected to have impacts on IP. No further action is required.

32. During the preliminary screening stage, *pourashava* officials will visit all SEC and *paras*/villages at subproject potential impact areas. The *pourashava* will arrange public meetings for selected communities at a pre-announced place and date to provide information on the project and subproject components. During the visits, community leaders and other participants, including SEC representatives, will present their views on the merits, benefits, and envisaged constraints of the project and subproject components.

33. During initial visit, a screening exercise will be undertaken by the *pourashava* using ADB's screening and categorization forms for SEC populations, with the help of SEC community leaders. Concerned staff will refer the list of small ethnic communities for the Government of Bangladesh and description of indigenous people/SEC based on ADB SPS, 2009. The screening will be done based on the following:

- (i) presence and names of SEC in the area;
- (ii) cultural and religious distinction of SEC vis-à-vis other communities, and mainstreaming of SEC with the dominant population;
- (iii) laws and legislations related to SEC;
- (iv) total number of indigenous people/SEC and percentage of SEC population to total population in the area;
- (v) number and percentage of SEC households likely to be affected by the subproject component; and
- (vi) initial assessment to also include level of vulnerability of the SEC, such as being a (primitive) SEC and existing socioeconomic conditions that may further deteriorate due to project impact. If such especially vulnerable groups among the SEC are identified within the project area, they warrant special measures for protecting their socio-cultural identity and baseline economic standard. While determining vulnerability of these SEC, assessment will be made if there is any possibility of future impact due to the project.

34. **Categorization.** Based on the indigenous people/SEC assessment checklist, the project would be categorized according to ADB SPS, 2009 (footnote 11). If the assessment confirms likely impacts on indigenous people/SEC, the EA will engage qualified and experienced experts to carry out a full social impact assessment (SIA) of the affected indigenous people/SEC.

35. **Social impact assessment.** ADB SPS, 2009 spells out that in initial project preparatory phase an initial social assessment will include specific potential impacts on indigenous people/SEC potentially affected due to project implementation. If SEC are identified as an adversely affected group of people or become vulnerable to being thus affected, an SECP must be prepared by the EA in a manner acceptable to ADB.

36. Based on screening, a primary SIA field level survey will be conducted, either as part of a detailed project study report or as a stand-alone activity. The SIA will be conducted in consultation with the SEC, with emphasis on a gender-sensitive approach, and will identify project-affected SEC, potential impact, and severity of impact with special reference to gender impact. The SIA will prepare a baseline socioeconomic profile of the SEC in the project area and project impact zone. It will assess their access to social infrastructures and economic opportunities. The study will also indicate and focus on short- and long-term benefits and potential positive and adverse impacts on the SEC' social, cultural and economic status due to the project, assess which SEC will require SEC principles, and recommend the subsequent approaches, resource requirements, and planning mechanism to address the issues and concerns of the affected SEC. The level of detailed and comprehensive information required for the SIA will be commensurate with the

complexity of the proposed project's impact on the SEC.

37. ADB SPS, 2009 have special requirements for assessment of project impact on an indigenous people/SEC, which needs to be assessed before project implementation. Particular attention has to be paid to the following aspects:

- (i) Ancestral domains and related natural resources
 - (a) As SEC are closely tied to ancestral domains and natural resources, including land, forest, water, and others, special attention will be given to protect such ties in terms of their customary rights to these ancestral domains which they traditionally own, use, or occupy, and where access to natural resources is vital for their survival and livelihood system. The need to protect such ties, respecting cultural and spiritual values that SEC attach to these resources, and natural resource management for long-term sustainability should be considered while undertaking SIA. Rehabilitation of livelihood systems of SEC who are displaced should take priority.
 - (b) If the project requires acquisition of lands that are customarily owned, used, or occupied by SEC, legal recognition of their customary rights to such lands and ancestral domains should be integrated into the project by the borrower/client. This will need full recognition of the existing customary land tenure system of the SEC and conversion of customary usage of rights to communal and/or individual ownership rights. If this option is not possible under national law, the SECP will include an action plan for legal recognition of perpetual or long-term renewable custodial or user rights.
- (ii) Consent of affected SEC
 - (a) SEC may become particularly vulnerable if the project includes commercial development of cultural resources and knowledge of SEC, physical displacement of SEC, and commercial development of natural resources within customary land use. The borrower/client in such projects will seek the consent of the affected SEC to proceed with the project. For the purpose of policy application, consent of affected SEC through a collective expression, by individuals, or by their recognized representatives can be considered broad community support for the project activities.
 - (b) After receiving community support/consent, the borrower/client will provide documentation detailing the process and outcomes of consultation with SEC and/or SEC organizations, including findings of SIA, consultation briefs, additional measures (including project design modification that may be required for mitigating adverse impacts), and content of formal agreement with SEC and/or SEC organizations. The borrower/client will submit all these documentation for review to ADB for investigation of broad community support. If investigation does not confirm community support, ADB will not finance the project.
- (iii) Commercial development of cultural resources
 - (a) If the project involves commercial development of SEC' cultural resources and knowledge, the borrower/client will ensure that the affected SEC are informed of (i) their rights to such resources under statutory or customary law, (ii) the scope and nature of proposed development and those involved in the project development, and (iii) potential effects of such development on SEC' livelihood, environment, and use of such resources. The SECP will reflect the nature and content of the agreement and will include

- arrangements to ensure SEC receives an equitable share from such commercial development.
- (iv) Physical displacement of SEC
 - (a) All possible alternate project designs will be explored to avoid physical displacement of SEC that will result in adverse impacts on their identity, culture, and customary livelihoods. In case avoidance is not possible, an SECP will be prepared that could be combined with a resettlement plan.
 - (v) Commercial development of natural resources
 - (a) If the project involves commercial development of natural resources, such as minerals, forest, water, hunting or fishing grounds within customary lands, the borrower/client will ensure that the affected communities are informed of (i) their rights to such resources under statutory and customary laws, (ii) the scope and nature of proposed commercial development and the parties involved in such development, and (iii) potential effects of such development on SEC. The borrower/client will include in the SECP arrangements to enable SEC to receive an equitable share of the benefits to be derived from the project.

38. The main source of information for SIA will be direct interviews with potentially affected SEC households, besides separate group meetings with the SEC, including their leaders, youth, and men and women, especially those living within the project impact zone of the proposed subproject components. Group discussion will center on positive and negative impacts of the subproject components and indigenous people/SEC's recommendations on design of the project components.

39. The Detailed Design Consultants (DDC) engaged by the EA will be responsible for analyzing the SIA data and information and developing an action plan in consultation with the SEC leaders. If the SIA indicates significantly adverse impacts, or that the SEC rejects the project proposal outright, other design options will be looked into to minimize adverse impacts.

40. An SECP/RSECP will be prepared only when the SEC accepts the design of the subproject component, and broad community support has been ascertained.

41. **Preparation of SECP.** An SECP addresses the aspirations, needs, and preferred options of the affected indigenous people, and places before them development options, keeping their distinctive socio-cultural status in view. The SECP aims to strengthen the capacity of the affected SEC to encourage them to participate in and derive benefits from the project intervention. The principal elements of an SECP are:

- (i) development plans for SEC should be prepared considering best options and approaches that are in accordance with affected individuals and communities;
- (ii) scope and impact of adverse effects of the project are assessed, and appropriate mitigation measures designed;
- (iii) social and cultural context of affected SEC and their traditional skill and knowledge in natural resource management should be considered;
- (iv) regular consultation will be held with the SEC, including the women, to seek their informed participation in designing mitigation measures and project intervention at all stages of project preparation and implementation. To achieve this information sharing, disclosure meetings, workshops, and distribution of pamphlets in local language will be carried out;

- (v) in areas where working experience with SEC is unknown, a pilot scale operation will be carried out and evaluated prior to full-scale implementation;
- (vi) community organizations, non-governmental organizations (NGO), and consultants experienced in executing SEC development plans will be engaged to prepare SECP;
- (vii) responsible agency will formulate SECP implementation schedule, which will be periodically monitored by *pourashava* officials as well as an independent/external monitoring agency; and
- (viii) responsible agency will also prepare a budget for SECP implementation and a financing plan to ensure smooth progress.

42. The substantive aspects of this outline will guide the preparation of SECPs. The SECP will contain the following chapters; the outline is consistent with the Annex to Appendix 3 of the ADB's SPS.

- (i) Executive Summary of the SECP: describes the critical facts, significant findings, and recommended actions.
- (ii) Description of the Project: provides a general description of the project; discusses project components and activities that may cause impacts on SEC; and identifies project area.
- (iii) Social Impact Assessment:
 - (a) reviews the legal and institutional framework applicable to SEC in project context;
 - (b) provides baseline information on the demographic, social, cultural, and political characteristics of the affected SEC; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend;
 - (c) identifies key project stakeholders and elaborates a culturally appropriate and gender-sensitive consultation process with SEC at each stage of project preparation and implementation;
 - (d) based on meaningful consultation with the affected SEC, assesses the potential adverse and positive effects of the project. Assessment will include a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected SEC with respect to their close ties to land and natural resources, as well as their lack of access to opportunities;
 - (e) includes a gender-sensitive assessment of the affected SEC' perceptions about the project and its impact on their social, economic, and cultural status; and
 - (f) based on meaningful consultation with the affected SEC, identifies and recommends 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 SEC receive culturally appropriate benefits under the project.
- (iv) Information Disclosure, Consultation, and Participation:
 - (a) describes the information disclosure, consultation, and participation process with the affected SEC that was carried out during project preparation;
 - (b) 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;

- (c) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected SEC and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
- (d) describes consultation and participation mechanisms to be used during implementation to ensure SEC participation during implementation; and
- (e) confirms disclosure of the draft and final SECP to the affected SEC.
- (v) **Beneficial Measures:** This section specifies the measures to ensure that the SEC receive social and economic benefits that are culturally appropriate and gender responsive.
- (vi) **Mitigation Measures:** This section specifies the measures to avoid adverse impacts on SEC, and where avoidance is impossible, specifies the measures to minimize, mitigate, and compensate for the unavoidable adverse impacts for each affected SEC.
- (vii) **Capacity Building:** This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions, to address SEC issues in the project area; and (b) SEC organizations in the project area, to enable them to represent the affected SEC more effectively.
- (viii) **Grievance Redress Mechanism:** This section describes the procedures to redress grievances of affected SEC. It also explains how the procedures are accessible to SEC, culturally appropriate, and gender sensitive.
- (ix) **Monitoring, Reporting, and Evaluation:** This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the SECP. It also specifies arrangements for participation of affected SEC in the preparation and validation of monitoring and evaluation reports.
- (x) **Institutional Arrangement:** This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the SECP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the SECP.
- (xi) **Budget and Financing:** This section provides an itemized budget for all activities described in the SECP.

43. **Mitigation Measures.** All affected SEC households will be provided with assistance, which would help them improve their living standards without exposing their communities to disintegration. As vulnerable groups, they are entitled to special assistance⁹ not only to restore their livelihood and improve their income level, but also to maintain their distinct cultural identity.

44. Where land acquisition is essential, SEC are entitled to receive land-for-land compensation for the acquired land if government land is available. As SEC, they have the traditional customary right over land use, which will be retained, and absence of land title will not restrict them from receiving compensation or alternative land. They will be entitled to all types of compensation and assistance as defined in the resettlement framework (RF) of the project. According to the RF, the SEC, defined as scheduled tribes, will be treated as vulnerable persons/households. The RF entitlement matrix for the project is in **Appendix 5**.

⁹ Special assistance is an additional allowance to which IP/SEC are entitled, other than the decided compensation package. This may include assistance/support to preserve IP's/SEC' cultural heritage, identity, and income-generating practices. The amount decided will depend on results of detailed surveys conducted as a part of the IPP/SECP.

45. **Specific Action Plan.** In case of insignificant impact on SEC due to resettlement, these impacts will be addressed by specific action planned for mitigation and included within the RP and the document will be an RSECP. These specific action plans will be incorporated into the RP to safeguard their interest as SEC. This decision of preparing a specific action plan for the SEC will depend on the significance and severity of impacts. A grievance redress mechanism (GRM) is prepared to address project-related issues affecting SEC, and to identify responsible persons for mitigating project-related grievances.

46. Further, to address any potential safeguards issues, a specific action plan for SEC is proposed. The action plan will carry out the following specific activities: (i) a baseline survey¹⁰ will be conducted for identification and inclusion of SEC households within the project coverage area; (ii) proposed benefits (e.g. roads, drains, solid waste management, etc.) to SEC households will be shared and monitored; (iii) information education and communication (IEC) materials, information sharing, consultations and other activities¹¹ will be culturally sensitive and appropriate when implemented in the scheduled area; (iv) in case of any SEC/indigenous peoples impacts in a subproject, the GRC will include the chief/leader of the tribe or a member of the tribal council as traditional arbitrator (to ensure that traditional grievance redress systems are integrated) and/or representative of an NGO/CSO working with indigenous peoples. GRC will also ensure that grievance redress established is gender inclusive in receiving and facilitating resolution of the indigenous peoples'/SECs' concerns; (v) consultations with indigenous people/SEC households will be conducted in all subproject stages which shall help in identifying any culture-specific requirements and traditions like avoidance of any specific festival days, and/or other activities with cultural significance to the indigenous people/SEC communities during civil work; and any other IP related issues and concerns that may be of importance to the community. An end-line sample survey¹² will be conducted to document the views of indigenous people/SEC households about subproject benefits. Such survey is in line with subproject internal monitoring. Outline of a specific action plan with activities, timelines and responsibilities is attached in **Appendix 6**. This action plan will be used for project monitoring to ensure that indigenous people/SEC activities are undertaken on a timely basis and reported semi-annually and to determine whether project objectives have been achieved.

47. **Project Monitoring.** Monitoring and evaluation facilitates resolving problems that crop up during implementation by providing solutions without delay. The SECP/RSECP includes a set of monitoring indicators for periodic monitoring of the progress of planned activities incorporated in the SECP/RSECP.

48. For subprojects with significant adverse impact on SEC, the *pourashava* will engage qualified and experienced external experts and a qualified NGO with experience in similar work to assist the monitoring expert and verify monitoring information. The external monitor will advise the EA on compliance issues. If any significant SEC issues are identified, the EA will prepare a corrective action plan to mitigate those and/or update approved SECP/RSECP. The *pourashava*

¹⁰ Contractors will conduct connection campaigns across the project coverage area and will be responsible to ensure that IP households and localities are identified and included in the campaign. Data on exact number of scheduled tribe households can be generated from the house service connection survey (pertaining to both road, drain, IWM supply and wastewater/sewerage) to be conducted by the project contractor prior to start of civil work. The localities where sewerage network will not laid shall be covered through FSM. Cost for such activity is already included in the contract document for the subproject.

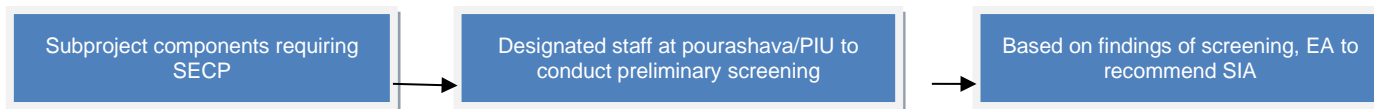
¹¹ CAPPC will be primarily responsible for planning implementing and monitoring the result of such activities.

¹² Cost towards conducting end-line sample survey is included in the subproject budget table. Sample size may be decided by the Project in consultation with ADB.

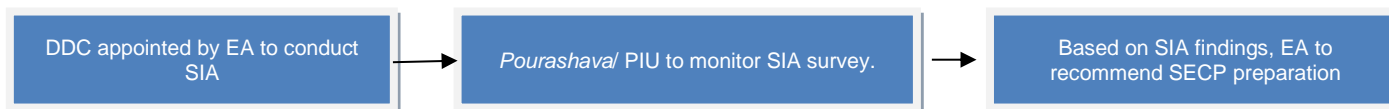
will implement the corrective action plan and take necessary steps to follow up the effectiveness of those corrective measures. The EA will prepare periodic monitoring reports on the progress of SECP or the RSECP implementation, highlighting compliance issues and corrective actions taken, if any. The *pourashava* will submit semi-annual monitoring reports. The costs of monitoring requirements will be included in project budgets.

Figure 2: SECP - Flow of Planned Activities

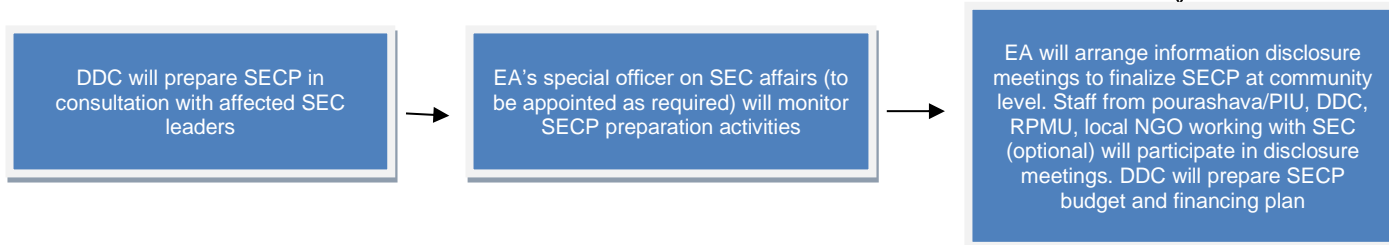
A. Preliminary Screening



B. Social Impact Assessment (SIA)



C. Preparation of SECP



D. SECP Approval



E. SECP Implementation



V. GRIEVANCE REDRESS MECHANISM FOR SMALL ETHNIC COMMUNITIES

49. Redressing grievances of the affected SEC is vital, particularly if project impacts displace any SEC or individuals, disrupts livelihood, affects their customary rights over land, forest, water, and other natural resources, or puts obstacles to cultural heritage sites. Grievances may be caused by any of these adverse impacts and need to be resolved as quickly as possible, with consent and consultation with the SEC or their representatives.

50. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate, and facilitate the resolution of AP's concerns, complaints, and grievances about the social and environmental performance at the level of the project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. Assessment of the GRM designed and implemented for Coastal Towns Infrastructure Environmental Infrastructure Project (CTEIP) shows that the system is effective in timely resolution of grievances in a transparent manner. The arrangements under CTEIP is appropriately adjusted to accommodate the change in institutional arrangements under CTCRSP.

51. Common GRM. A common GRM will be in place for social, environmental, or any other grievances related to the project; the resettlement plans (RPs), RSECPs and IEEs will follow the GRM described below, which is developed in consultation with key stakeholders. The GRM will provide an accessible and trusted platform for receiving and facilitating resolution of affected persons' grievances related to the project. The multi-tier GRM for the project is outlined below, each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required.

52. Across *Pourashava* public awareness campaigns will ensure that awareness on grievance redress procedures is generated through the campaign. The project implementation unit (PIU) under the guidance of Assistant Director RPMU will conduct *pourashava*-wide awareness campaigns to ensure that poor and vulnerable households are made aware of grievance redress procedures and entitlements and will work with the PIU safeguards assistant to help ensure that their grievances are addressed.

53. Affected persons (APs) will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes that will be installed by project *pourashavas* or through telephone hotlines at accessible locations, by e-mail, by post, WhatsApp or by writing in complaints register that will be kept in *pourashava* offices. **Appendix 3** has the sample grievance registration form. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the person, location of the problem area, and how the problem was resolved will be undertaken. The Assistant Directors from project management unit (PMU), RPMU and Project Implementation Unit (PIU) will have the overall responsibility for timely grievance redressal on environmental and social safeguards issues and for registration of grievances, related disclosure, and communication with the aggrieved party.

54. **Grievance redress process.** In case of grievances that are immediate and urgent in the perception of the complainant, the Social Coordinator, Contractor and Social Safeguard and Environment Specialist from the project management and supervision consultants (PMSC) on-site will provide the most easily accessible or first level of contact for quick resolution of grievances. Contact phone numbers and names of the concerned PIU safeguards assistant, contractors, PMU safeguards officer, PMSC environmental and social safeguards specialists will be posted at all construction sites at visible locations.

55. **1st Level Grievance, *Pourashava* Level PIU.** The contractors, PIU Safeguard and Gender Focal person can immediately resolve issues on-site or at *pourashava* level in consultation with each other with the support of Administrative Officer of *Pourashava*, designated municipal ward councillor and will be required to do so within 7 days of receipt of a complaint/grievance. Assistance of ward level coordination committees (WLCC) will be sought if required for resolution of the issue, by any one or all of them jointly. The first level grievance redress team will comprise of the following members:

- (i) Chief Executive Officer or in his absence *Pourashava* Secretary
- (ii) Executive Engineer, *Pourashava* (Safeguard and Gender Focal person)
- (iii) Administrative Officer, *Pourashava*
- (iv) Municipal Ward Councilor (designated)
- (v) EHS Supervisor/Social Coordinator, Contractor

56. The town-level grievance redress team shall have at least one women member. In addition, for project-related grievances, representatives of affected persons, community-based organizations (CBOs), and eminent citizens must be invited as observers in GRC meetings. In case of any impacts on small ethnic communities (SECs), in subproject towns (example: Kuakata), the grievance redress team must have representation of the affected SECs, the chief of the SEC group as traditional arbitrator (to ensure that traditional grievance redress systems are integrated) and/or an NGO working with SECs.

57. **2nd Level Grievance, RPMU, Division Level.** All grievances that cannot be redressed within 7 days at PIU level will be brought up to the RPMU level. Second level grievance redress team headed by the Deputy Project Director, RPMU supported by the Assistant Directors (environment, social safeguard and gender) and Construction Supervision and Safeguards Engineers /Asst. Supervision and Safeguards Engineers, PMSC will attempt to resolve the grievance /complaint within 7 days. At the RPMU level, the composition of 2nd level grievance redress team will be as follows:

- (i) Deputy Project Director
- (ii) Assistant Director (Environmental Safeguards)
- (iii) Assistant Director (Social Safeguards)
- (iv) Assistant Director (Gender) *supported by* Construction Supervision and Safeguards Engineers /Asst. Supervision and Safeguards Engineers, PMSC

58. **3rd Level Grievance, PMU Level.** All grievances that cannot be redressed within 7 days at RPMU level will be brought up to the PMU level. The RPMU safeguards team will refer any unresolved or major issues to the PMU level grievance redress team, that will be headed by the Project Director and will have Deputy Project Director, social safeguard, environment safeguards and gender Assistant Directors and PMSC, who will resolve the complaints/grievances within 15 days. The PMU level grievance team will comprise of:

- (i) Project Director, PMU
- (ii) Deputy Project Director (Safeguards)
- (iii) Assistant Director (Environment)
- (iv) Assistant Director (Social Safeguards)
- (v) Assistant Director (Gender) *supported by* Social, Environment and Gender Specialist, PMSC

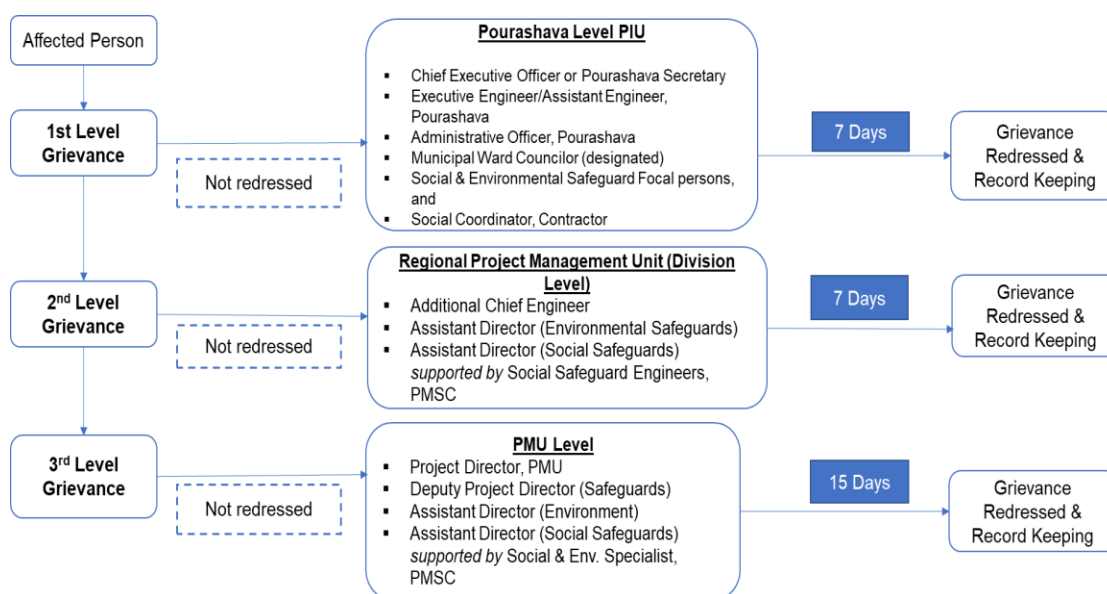
- (i) women representative from a Civil Society Organization (CSO), local elected representative (if required), and representative from small ethnic community¹³
- (ii)

59. The grievance redress process is represented in Figure 3.

60. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

61. In the event that the established GRM is not in a position to resolve the issue, the affected person also can use the ADB Accountability Mechanism (AM) through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or the ADB Bangladesh Resident Mission (BRM). Before submitting a complaint to the Accountability Mechanism, it is necessary that an affected person makes a good faith effort to solve the problem by working with the concerned ADB operations department and/or BRM. Only after doing that, and if they are still dissatisfied, will the Accountability Mechanism consider the complaint eligible for review. The complaint can be submitted in any of the official languages of ADB's developing member countries. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities, as part of the project GRM.

Figure 3: Grievance Redress Process



GRC = grievance redressal committee; PIU = project implementation unit; PMSC = project management and supervision consultants; PMU = project management unit

Note: In case of project towns where impacts to SEC are assessed, the PIU-level grievance redress committee/team will have representation of the affected SECs.

62. **Record keeping.** Records will be kept by PIU of all grievances received, including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective

¹³ Small ethnic community representation at GRC 3rd level (PMU level) will be ensured in case of any small ethnic communities/ indigenous peoples impacts (positive or negative) is assessed in the project area. The representative from small ethnic community can be a leader of SEC groups, or representative suggested by the SEC themselves, and/or a representative member of a CSO working with the SEC, to be decided by PMU.

actions and the date of the incident and final outcome. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the PMU office, municipal office, and on the web, as well as reported in the safeguards monitoring reports submitted to ADB on a semi-annual basis.

63. **Periodic review and documentation of lessons learned.** The PMU safeguard officer will periodically review the functioning of the GRM in each town and record information on the effectiveness of the mechanism, especially on the project's ability to prevent and address grievances.

64. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the concerned PIU at town-level; while costs related to escalated grievances will be met by the PMU. Any transportation costs incurred by affected persons or their representatives (e.g., CBOs, SEC representative/NGOs) to attend GRC meetings will be reimbursed by the concerned PIU. Cost estimates for grievance redress are included in resettlement cost estimates.

VI. STRATEGY FOR SMALL ETHNIC COMMUNITIES' PARTICIPATION

65. Consultations and information disclosure are an integral part of SECP/RSECP preparation in order to ensure that the priorities, preferences, and needs of the SEC have been taken into consideration adequately. With that objective in view, a strategy for consultation with SEC and their leaders will be developed so that these are conducted in a participatory manner. The *pourashava*/RPMU/PMU social safeguard personnel will be part of evolving that strategy and consultation process.

66. The affected SEC will be actively engaged in all stages of the project cycle, including project preparation, and feedback of consultations with the SEC will be reflected in the project design, followed by disclosure. Their participation in project planning will inform project design, and the SEC should be convinced of their benefits from the project.

67. The SECP/RSECP prepared will be translated into the local language (Bangla or any appropriate language) of the SEC and made available to them before implementation by the *pourashava*, with assistance from PMU and PMSC. The PIU will implement the SECP/ RSECP with the support of RPMU and PMSC.

68. Local community-based organizations or NGOs, working with SECs will be involved in SECP/RSECP implementation (if required) in facilitating consultation with the SECs. The PMU will ensure adequate flow of funds for consultation and facilitation of planned activities within SECP/RSECP.

69. One project information leaflet will be prepared, translated into a language understandable to the SEC, and distributed among them. **Appendix 4** provides the template for the project information leaflet.

VII. BENEFITS OF THE PROJECT AND MITIGATION OF ADVERSE IMPACTS

70. The main thrust of the SECP/RSECP is to address the potential adverse impacts of the development project, taking into consideration the marginality and vulnerability status of the SEC. The SECP/RSECP will be formulated in such a way that the SEC will have development options

built into the project design which are in accordance with their needs, and at the same time preserve their distinctive sociocultural identity. The SECP/RSECP will also focus on developmental strategy that encourages and strengthens their existing skill so that the SEC are able to derive benefits from project intervention.

71. Based on the significance and nature of the project impact on the SEC, the affected SEC will be entitled to various compensation packages. These are in line with the approved entitlements incorporated in the RF (**Appendix 5**). Where land acquisition is essential, SEC are entitled to receive land-for-land compensation for acquired land, if feasible. Their traditional customary right over land use will be protected. Absence of legal title over land will not be a bar to receiving compensation for land or alternate land. They will be entitled to all types of compensation and assistance as defined in the RF of the project. All compensation and assistances will be paid prior to start of project civil work.

72. In addition, the affected SEC are entitled to: (i) special assistance earmarked for the vulnerable group to restore their livelihood; (ii) improvements in their economic condition and better quality of life; and (iii) maintaining their cultural identity. The SEC living in the project impact zone will prepare the mitigation action plan to address the adverse issues, with support from *pourashava* officials, and consultant teams engaged in the project (DDC) to give shape to their plan of action.

73. If the impacts on SEC are not significant, the PMU could decide to prepare a “specific action” plan detailing required actions to address the issues without preparing a stand-alone SECP. This decision will depend on the severity of impacts. This “specific action” plan can be a community action plan where the SEC live with non-indigenous peoples in the same subproject location. Another way is to incorporate SEC issues and their benefits into the RP, if any, and then it will be an RSECP. If the above are not feasible, it is possible to specifically include them in the subproject beneficiary group.

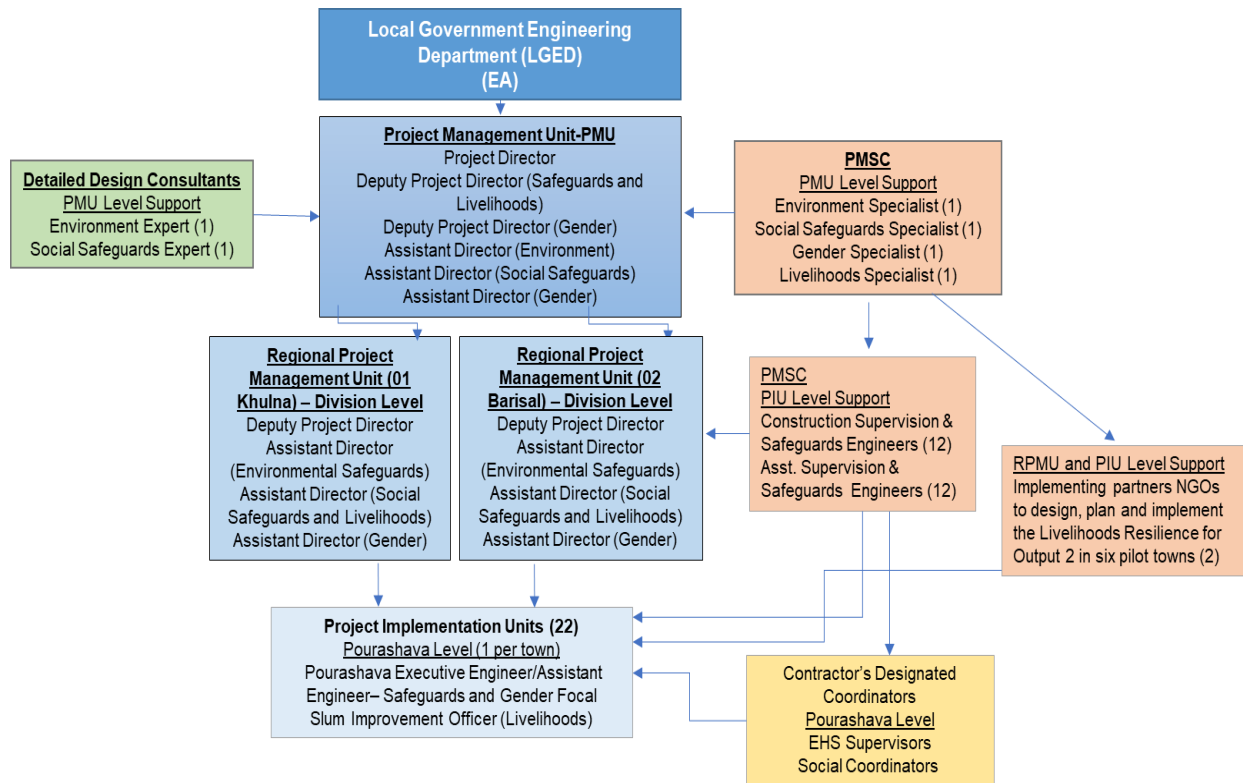
VIII. INSTITUTIONAL ARRANGEMENTS

G. Implementation Arrangement

74. **Executing agencies and project management unit.** The Ministry of Local Government, Rural Development and Cooperatives (MLGRDC) acting through its Local Government Engineering Department (LGED) will be the Executing Agency. *Pourashavas* are the implementing agencies of the project.

75. **Project Management Unit (PMU).** The PMU will be headed by a Project Director (PD) of Chief Engineer rank, who will be responsible for overall project management. The Project Director will be supported by two Deputy Project Directors (DPDs), DPD (Safeguards) and DPD (Gender); the two DPDs will be responsible for overall safeguards and gender for the project. The PMU level safeguard and gender team will have another three safeguard and gender personal, Assistant Director (Environment), Assistant Director (Social Safeguards) and Assistant Director (Gender). These safeguards and gender Assistant Directors will be responsible for social safeguard compliance and planning (as per the agreed resettlement framework), environmental safeguards compliance as per ADB’s SPS 2009 and GOB rules and ensuring gender equality (as per Gender Action Plan) in the CTCRSP. For project implementation, two division level Regional Project Management Units (RPMUs) will be established, one at Khulna and the other at Barisal. The safeguard implementation arrangement is represented in Figure 4.

Figure 4: Safeguard Implementation Arrangement



DDC = Detailed Design Consultant; EHS = Environment, Health and Safety; PIU = Project Implementation Unit; PMSC = Project Management Supervision Consultant; PMU = Project Management Unit

76. The PMU will be supported by two institutional consultants under the supervision and control of project director, PMU: (i) the detail design consultants (DDC); (ii) the project management supervision consultants (PMSC), that will support PMU; and (iii) PMSC at the division level that will support the two RPMUs and the town-level PIUs.

77. Key tasks and responsibilities of the Assistant Director (Social Safeguard), PMU are as follows:

- (i) Ensure subprojects conform to the agreed project selection criteria for the project;
- (ii) Review and finalize project involuntary resettlement and indigenous people category;
- (iii) Oversee preparation of resettlement plans/Due Diligence Report (DDRs)/RSECP/SECP; confirm existing resettlement plans/DDRs/RSECP are updated based on detailed designs, and that new project resettlement plans/DDRs/RSECP/SECP are prepared in compliance with ADB SPS 2009 and policies, regulations of GOB for the project;
- (iv) Responsible for issuing the public notice along with project information/details as well as the project cut-off-date;
- (v) Ensure that resettlement plans/DDRs/RSECP are included in bidding documents and civil works contracts;

- (vi) Provide oversight on social safeguard management aspects of projects and ensure resettlement plans and impact avoidance measures outlined in the resettlement plan/environmental management plan/DDR/RSECP are implemented by PIU and contractors;
- (vii) Supervise and guide the RPMUs and town/*pourashava* level PIUs to properly carry out the social safeguard monitoring;
- (viii) Ensure and monitor the provision in the contract to include the vulnerable people to be the beneficiaries of the facilities constructed under the Project;
- (ix) Facilitate and ensure compliance with all government rules and regulations regarding project implementation. Obtain No Objection Certificates, land ownership and transfer details etc. for each site, as relevant and include the same in the respective social safeguard documents for the package;
- (x) Supervise and guide the PIUs to properly carry out the social safeguard and gender monitoring (resettlement plan/Gender Action Plan);
- (xi) Review, monitor, and evaluate the effectiveness with which the resettlement plans/provisions of DDRs are implemented, and recommend corrective actions to be taken as necessary;
- (xii) Consolidate monthly social safeguard and gender monitoring reports from PIUs/PMSCs, prepare and submit semi-annual social safeguard monitoring reports (SSMR) to ADB;
- (xiii) Ensure timely disclosure of final resettlement plans/DDR/RSECP/SECP in locations and form accessible to the public and affected persons;
- (xiv) Address any grievances brought about through the grievance redress mechanism in a timely manner;
- (xv) Oversee training needs assessment of affected persons and vulnerable persons by PIUs and PMSC; coordinate training skill training activities and establish linkages with national level non-government organisations (NGOs) providing with livelihood programs, in case any permanent and significant impacts to livelihood of affected persons or impacts to vulnerable are identified;
- (xvi) Ensure effective implementation of GRM at all level;
- (xvii) Identify training needs and coordinate training activities for the PIUs/contractors/project consultants for capacity building to implement the Resettlement Plans/DDR/RSECP/SECP, and GRM;
- (xviii) Coordinate database management for social safeguards implementation and monitoring; and
- (xix) Coordinate public awareness campaigns by the PIUs including resettlement provisions with the help of print and electronic media.

78. **Project Implementation.** The RPMUs will be the extended arms of the PMU at regional level. Under the guidance and overall management of the PMU the project will be implemented by the two RPMUs and town/*pourashava*-level PIUs. The participating *pourashavas* will be the implementation agencies at the town-level and will establish a PIU within the *pourashava* structure.

79. **Regional Project Management Units (RPMUs), Division Level.** Two regional project management units will be established, one at Khulna and the other at Barisal (Division level), who will be responsible for overall implementation of CTCRSP in the 22 *pourashavas*. The respective RPMUs will be headed by Deputy Project Directors. Each RPMU will be staffed by an Assistant Director (Environment Safeguards), an Assistant Director (Social Safeguards) and an Assistant Director (Gender) who will assist the PMU safeguards and gender team in implementation of social and environment safeguard plans and gender action plan. The RPMU will undertake

internal monitoring and supervision and record observations throughout the project period to ensure that the safeguards and mitigation measures are provided as intended.

80. The regional level social safeguards Assistant Director will oversee safeguards implementation by the *pourashava*/town level PIUs, coordinate public consultations, information disclosure, regulatory clearances and approvals, implementation of resettlement plans, EMP implementation, and grievance redressal.

81. The key tasks of the social safeguard Assistant Director at the RPMU-level will be as follows:

- (i) Finalize involuntary resettlement and indigenous people impact checklist and classify the project;
- (ii) Supervise PMSC to coordinate with PIUs, conduct consultations with affected persons and key stakeholders, supervise and monitor census and socio-economic surveys, detailed measurement surveys, and verification surveys of affected persons and update PMU accordingly for all subproject locations;
- (iii) Ensure and support preparation and/or updating of the resettlement plans, DDRs, RSECP by DDC and submit to PMU for review and approval and submission to ADB;
- (iv) Supervise PIUs to inform affected persons about (a) the project cut-off date; (b) public notice for the schedule of land acquisition and/or occupation; (c) entitlement matrix; and (d) compensation packages against different categories of loss and a tentative schedule of land clearing and/or acquisition for the start of civil works activities;
- (v) Coordinate valuation of assets, such as land, structures, trees and other assets by the property valuation advisory committee (PVAC). Finalize compensation packages based on proper due diligence and assessment;
- (vi) Facilitate land acquisition and compensation processes in consultation with the district administration; coordinate, supervise, and monitor the disbursement of compensation by the Deputy Commissioner's Office (cash compensation under law) and resettlement and rehabilitation compensation by the project in addition to the affected persons;
- (vii) Support PIUs to obtain no objection certificates, land documents, and third-party certifications as required for the subproject, in coordination with PIUs;
- (viii) Support PMU to include resettlement plans, and DDRs in bidding documents and civil works contracts;
- (ix) Guide PIUs to oversee implementation of avoidance and mitigation measures in the resettlement plans, DDRs by contractors, including compliance with all government rules and regulations; take necessary action for obtaining ROW;
- (x) Guide and monitor PIUs to oversee resettlement plans, DDR, and gender action plan implementation and maintenance of data for monitoring by contractors;
- (xi) Ensure vulnerable households are appropriately identified and receive compensation as stated in the entitlement matrix;
- (xii) Assist in conducting needs assessment to list skills relevant to the sector;
- (xiii) Assist to identify participants for livelihood and skilling training for women and members of other vulnerable groups;
- (xiv) Ensure that the project maintains sex disaggregated data on staff, consultants, construction workforce participation, labour and project related trainings;
- (xv) Ensure that gender focal points are nominated in town level PIUs;
- (xvi) Ensure that corrective actions are taken when necessary to ensure compliance with SPS and loan covenants;

- (xvii) Consolidate and submit monthly social monitoring reports received from PIUs to PMU;
- (xviii) Guide PIUs to conduct continuous public consultation and awareness with affected persons and other key stakeholders;
- (xix) Address any grievances brought about through the grievance redress mechanism promptly;
- (xx) Organize an induction course for the training of contractors, preparing them on RPs, DDR, and gender action plan implementation, social safeguard, and gender monitoring requirements related to mitigation measures, grievance redress mechanism and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during implementation;
- (xxi) Liaise with the district administration, and NGOs for income generation and development programs for affected people, as and when required; and
- (xxii) Assist in the implementation, monitoring, and reporting progress of gender action plan.

82. **Project Implementation units (PIUs), *Pourashava*/Town Level.** The PIUs will be established in each participating *pourshava*/ subproject town and staffed with a safeguards and gender focal person (Executive Engineer/Assistant Engineer, *pourashava*). The PIUs will be assisted and will receive support from the RPMUs environment, social and gender Assistant Directors and region level Construction Supervision and Safeguards Engineers, PMSC. The PIUs will be responsible for implementation of the IEE/resettlement plan/gender action plan. The Executive Engineer (safeguards and gender focal person) with the support of Assistant Directors (social, environment and gender), RPMU and the Construction Supervision and Safeguards Engineers, PMSC will support PMU safeguards Assistant Directors in subproject implementation. The Executive Engineer/ Assistant Engineer (safeguards and gender focal person) at PIU level will be assisted by Sub-Assistant Engineers (if available at the *pourashava* level) with the safeguard and gender tasks. The Slum Improvement Officer at the *pourashava* will be responsible for livelihood intervention tasks and responsibilities.

83. Key tasks and responsibilities on social safeguards of the PIU safeguard and gender focal person on involuntary resettlement safeguards compliance are as follows:

- (i) Assist the detailed design services consultants to communicate, consult and disclose the updated/finalized safeguards documents to the affected people acknowledgement for their endorsement;
- (ii) Implement final resettlement plans and ensure timely payment of compensation and other assistance prior the dispossession of the affected assets or the starts of civil works;
- (iii) Facilitate/ assist the detailed design consultants for the draft resettlement plan/DDR/RSECP/SECP updating and preparation of safeguards documents for future subprojects;
- (iv) Support the DDC in assessing and reviewing the land availability and ownership status of the proposed subproject areas;
- (v) Inform affected persons about tentative schedule of land acquisition/occupation, entitlement matrix and compensation packages against different categories of loss, and cut-off date;
- (vi) Coordinate valuation of assets, such as land, trees of various species, etc. based on proper due diligence and assessment, prepare compensation packages;
- (vii) Coordinate, supervise and monitor disbursement of compensation;

- (viii) Liaise with Deputy Commissioner's Office to ensure timely payment of CCL and oversee any road blocks faced by the affected land owners;
- (ix) Obtain no objection certificates (NOCs), land documents, third party certifications as required for the project;
- (x) Oversee maintenance of data for monitoring, by consultants and contractors;
- (xi) Conduct social safeguards monitoring during civil works and submit monthly report to PMU;
- (xii) Take corrective actions when necessary to ensure avoidance/minimization of involuntary resettlement impacts;
- (xiii) Establish the GRC, disclose the project GRM to the affected communities and coordinate with other local government agencies for the preparation and implementation of the resettlement plan;
- (xiv) Address any grievances brought about through the project's grievance redress mechanism in a timely manner;
- (xv) Undertake day-to-day implementation of final resettlement plans and GAP action plan;
- (xvi) Ensure relevant data on implementation of gender action plan is collected and a gender-sensitive communication strategy and information, education and communication (IEC) materials are designed, illustrating key social and behavioural messages related to hygiene, sanitation, and health jointly with the communication specialist and in accordance with the gender action plan; and
- (xvii) Extend support in carrying out awareness campaigns in project towns.

84. **Project Management Supervision Consultant (PMSC).** The PMSC will provide project management and supervision services to support the Project Management Unit (PMU). PMSC will provide support to the LGED, PMU for project management and administration, construction supervision and quality control, safeguard compliance, municipal services operation and maintenance, monitoring and evaluations, and other activities as appropriate. PMSC will have an environment specialist, a social safeguard specialist (SSS) and a gender specialist.

85. The key tasks of social safeguard specialist (SSS), of PMSC (to be stationed at PMU level) are as follows:

- (i) Assist PMU to set up project management, implementation and monitoring systems and procedures;
- (ii) Assist PMU and PIUs in preparing annual work plans, detailed implementation schedule and budgets using computer-based project management tools;
- (iii) Establish a system to monitor social safeguards outcomes of the Project; including the functioning of the GRM, and prepare indicators for monitoring important parameters of safeguards;
- (iv) Take proactive action to anticipate the social safeguards aspects of the Project to avoid delays in implementation;
- (v) Ensure safeguards reports prepared by the detailed design consultants (DDC) are reviewed and approved by ADB and PMU and disclosed prior to contract award;
- (vi) Support PMU to prepare/update resettlement plan and quarterly and semi-annual social safeguard monitoring reports (SSMR) that will be appraised during project implementation;
- (vii) Support the PMU and PIUs in ensuring that the social safeguard activities are carried out in accordance with the agreed plans and frameworks;

- (viii) Ensure that the relevant measures specified in the resettlement plan will be incorporated in bidding documents and approved by ADB prior to issuance of invitation for bidding and monitor their compliance on behalf of PMU;
- (ix) Assist PMU in establishing the grievance redress mechanism, and handling any grievance and redress process and solution for safeguard complaints
- (x) Ensure monitoring of social safeguards plans and address unanticipated impacts, if any; and
- (xi) Provide training programs to PMU/PIUs/DDC/PMSC staff and contractors involved in the project implementation for strengthening their capacity in managing and monitoring social safeguards.

86. The key social safeguard tasks of Construction Supervision and Safeguard Engineer and Assistant Supervision and Safeguards Engineers to support RPMUs and PIUs, are as follows:

- (i) Assist regional PMUs and town level PIUs to implement resettlement plans/RSECP/SECP/IEEs/GAP;
- (ii) Guide PIU staff and contractor's social coordinators conduct surveys, collect information, conduct site specific consultations and implementation of GAP;
- (iii) Guide and support RPMU and PIUs to announce cut-off dates, and disclose RPs to affected persons and implement RPs;
- (iv) Support RPMU and town-level PIUs in resettlement plan and GAP implementation, monitoring and reporting, and grievance resolution and reporting;
- (v) Support RPMUs to ensure (through field staff) that PIUs and contractors implement impact avoidance and mitigation measures;
- (vi) Assist town-level PIUs (through field staff) to ensure resettlement plans are implemented and all compensation paid prior to start of civil works;
- (vii) Assist in monitoring and reporting, preparation of quarterly and semi-annual reports;
- (viii) Assist in grievance resolution and reporting;
- (ix) Supervise contractors to ensure any land required temporarily during construction, is restored to original condition, post construction; and
- (x) Assist RPMUs in monitoring of socioeconomic status of affected persons, post resettlement plan implementation.
- (xi) Assists PIUs in information dissemination campaign for affected persons at the outset of resettlement plan implementation and all the comments made by the affected persons will be documented in the subproject records and summarized in subproject monitoring reports;
- (xii) Prepare periodic safeguard monitoring reports as per the format acceptable to ADB and quarterly gender action plan updates in format provided in PAM;
- (xiii) Collect relevant data on implementation of gender action plan and design gender-sensitive communication strategy in accordance with the gender action plan;
- (xiv) Extend assistance to LGED PMU in carrying out awareness campaigns focused on involving social and behavioural messages related to hygiene, sanitation, and health activities in the focus areas.

87. **Detailed Design Consultants (DDC).** The project will be supported by detailed design consultants (DDC). The DDC will be staffed by an Environment Expert and a Social Safeguard Expert. DDC will support PMU in designing and planning of subproject components. The DDC will screen all subprojects for climate resilience, conduct technical surveys and detailed studies, and prepare all engineering designs, bidding and safeguard documents. The key social safeguard tasks of the Social Safeguard Expert include:

- (i) Screen and categorize subproject components;
- (ii) Carry out baseline census and socio-economic surveys and carry out meaningful consultations for resettlement plan/RSECP/SECP/DDR;
- (iii) Ensure the contractors comply with the agreed social safeguards frameworks, resettlement plans, and due diligence reports on social safeguards for the project;
- (iv) Prepare/update existing resettlement plans/DDR/RSECP/SECP and prepare any additional draft resettlement plans, due diligence reports and prepare any new safeguard documents as and when required;

88. **Civil works contractors.** The contractor will be required to designate a Social Coordinators to (i) ensure compliance with RP and RF during civil works, and to (ii) carry out all mitigation and monitoring measures such as rebuilding of damaged structures/private property outlined in their contract.

89. The PMU and PIUs will ensure that bidding and contract documents include specific provisions requiring contractors to comply with (i) all applicable labour laws and core labour standards on (a) prohibition of child labour as defined in national legislation for construction and maintenance activities;(b) equal pay for equal work of equal value regardless of gender, ethnicity, or caste; and (c) elimination of forced labour; and with (ii) the requirement to disseminate information on COVID-19 safety protocols, sexually transmitted diseases, including HIV/AIDS, to employees and local communities surrounding the project sites. The key responsibilities of social safeguard/resettlement supervisor on social compliance are as follows:

- (i) Compliance with all government rules and regulations particularly health and safety, take necessary action for obtaining ROW;
- (ii) Implement corrective actions wherever necessary, to ensure no adverse social impacts are caused due to project implementation;
- (iii) Submit monthly progress reports to PIU;
- (iv) Conduct meaningful public consultation and awareness;
- (v) Support PIU in setting up GRM at field/site level and ensure it is fully functional; Address any grievances brought about through the grievance redress mechanism in a timely manner;
- (vi) Make sure that that induction course for the training of contractors is conducted regularly. Prepare contractors (with consultants' support) on resettlement plans/RSECP/DDR/GAP implementation, social safeguard and gender monitoring requirements related to mitigation measures, health and safety and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
- (vii) Establish working rapport and liaison with the District Administration and line departments for execution of work;
- (viii) Assist in collection of field level information required to prepare periodic safeguard monitoring reports (as asked by PIU) in a format acceptable to ADB and quarterly gender action plan updates in the format provided in PAM;
- (ix) Make sure that relevant data on implementation of gender action plan (activities assigned to contractor if any) is collected in accordance with the GAP;
- (x) Provide support in carrying out awareness campaigns in project towns/city level; and,

- (xi) Ensure COVID-19 safety protocols are regularly monitored and followed at each of the construction site.¹⁴

Table 4: Institutional Roles and Responsibilities for Safeguards Implementation

Activities	Responsible Agency
Sub-project Initiation Stage	
Finalization of sites/alignments for sub-project (on ground)	PMU/RPMUs/PIUs
Finalization of detail Design/implementation of Detailed Measurement Survey (DMS)	DDC/PIUs/RPMU
Resettlement Plan/ SECP/RSECP Preparation/ Updating Stage	
Conducting DMS Survey/Census of all affected persons; identification of poor and vulnerable APs	DDC/PIUs/RPMU
Conducting FGDs/ meetings / workshops during census surveys	PIUs/DDC/ contractor/ RPMU
Verification of survey results, vulnerable households	PMU/PMSC
Computation of compensation	DDC, PIU, PMSC, PMU
Conducting discussions/ meetings/ workshops with all affected persons and other stakeholders	PIU/ PMSC/RPMU/ Contractor
Finalising entitlements	PMU/RPMU/PIUs
Disclosure of final entitlements and compensation packages	PIU/ DDC/RPMU
Disclosure of grievance redress mechanism/process	PMU/PIU/ RPMU/PMSC
Approval of Final Resettlement Plan/ SECP/RSECP	PMU/ADB
Resettlement Plan Implementation Stage	
Payment of compensation	PMU/RPMU/PIU/PMSC
Consultations with affected persons during rehabilitation activities	PIU/ RPMU/Contractor
Grievance redressal	PMU/PIU/RPMU/ PMSC/Contractor
Internal monitoring	PMU/RPMU/PMSC

DDC = Detailed Design Services Consultant; ICCDC= Institutional Capacity and Community Development Consultants; PIU = Project Implementation Unit; PMSC = Project Management Supervision Consultant; PMU = Project Management Unit; RSECP = Resettlement and Small Ethnic Community Plan; SECP = Small Ethnic Community Plan

IX. BUDGET FOR FORMULATING AND IMPLEMENTING SECP

90. The EA will provide each *pourashava* with sufficient resources to implement the SECP/RSECP if the subproject component will have any impact on SEC. The activities of the SECP will be implemented by the *pourashava*, with assistance from Safeguard personnel from RPMU and supported by PMSC. A detailed budget will be prepared by the EA through the DDC considering all the activities associated with formulation and implementation of SECPs. Such budgets will be an integral component of the project cost and will be made available during project implementation.

X. PROGRAM FOR MONITORING AND EVALUATION

91. Monitoring and evaluation are significant activities in developmental programs which deal with SEC, in particular. SECP/RSECP implementation will be closely monitored to provide the PMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. The subprojects are likely to come across many issues and problems related to implementation, which need to be solved immediately and in a sensitive manner. Monitoring will provide such solutions. Monitoring will be a periodic assessment of planned

¹⁴ <https://www.adb.org/documents/series/covid-19-asia-pacific-guidance-notes>.

activities, providing inputs at the project's mid-term level, facilitating changes, and giving necessary feedback on SECP/RSECP implementation activities and directing all involved on the right path, if necessary.

92. The Assistant Director (Social Safeguard) at PMU with the support of Assistant Director (Social safeguard) at RPMU and Safeguards and Gender Focal person at respective PIUs will be required to submit monthly progress reports, to be consolidated by PMSC social safeguards specialist to report the status of RPs implementation under the project. The EA will submit semi-annual monitoring reports to ADB for review and will be published on the website.

93. Evaluation will take place at the end of the project and assess whether the planned activities have actually achieved their objectives to improve the SEC' standard of living and retain their sociocultural identity at the same time. The monitoring and evaluation mechanism will measure project performance and fulfillment of the project objectives.

94. Socioeconomic monitoring includes case studies, using baseline information for comparing the socioeconomic conditions, morbidity and mortality, communal harmony, dates for consultations, employment opportunities, etc.; and impact evaluation monitoring: improved living standards; access to natural resources; better bargaining power in the society; etc.

95. **Internal Monitoring.** Internal monitoring for SECP/RSECP implementation will be carried out during the entire project period. Regular monitoring of SECP/RSECP progress will identify potential difficulties and problem areas. Internal monitoring will be undertaken by the PMU through RPMU and PMSC for overall safeguard implementation and compliances. The *pourashava*/town level PIU will monitor performance at ground level and implementation of resettlement plan. Monthly progress reports will be prepared by town level PIUs submit it to PMU. The PMSC on behalf of PMU will manage and supervise internal monitoring at multiple levels. Monitoring reports will document actual achievements against targets fixed and identifying reasons for shortfalls, if any. All monitoring reports will be produced within fifteen days of the end of each quarter or half-year.

96. **External Monitoring.** No subprojects with significant adverse impacts on SEC will be considered under CTCRSP. Therefore, engagement of qualified and experienced external experts to verify monitoring information is not applicable.

97. **Reporting.** The semi-annual safeguards monitoring report prepared by the PMU should include the implementation of the SECP/RSECP or specific action plan of the identified SEC. Reporting and monitoring formats will be prepared by the detailed design consultants as per approved SECPs/RSECPs for effective internal monitoring.

98. The reports will be submitted to ADB for review and comments. Each SECP monitoring report will be submitted by EA to ADB for review and disclosure on the ADB website. Particularly, if land acquisition issues and packages for payment of compensation are involved, the monitoring reports will consist of details of the payment, and whether these are in conjunction with the project's civil work implementation.

Appendix 1: Small Ethnic Communities in Bangladesh

Sl. No.	Name of SECs*
1	Oraon
2	Koch
3	Kol
4	Khas
5	Khyang
6	Khumi
7	Garo
8	Chak
9	Chakma
10	Dalu
11	Tanchangya
12	Tripura
13	Pankho
14	Bawm
15	Barman
16	Manipuri
17	Marma
18	Pahari/Mal Pahari
19	Munda
20	Mru
21	Rakhain
22	Lushai
23	Santal
24	Hajong
25	Mahato/Kurmi Mahato
26	Kond
27	Kora
28	Gonju
29	Gorait
30	Gorkha
31	Teli
32	Turi
33	Patra
34	Bagdi
35	Banai
36	Baraik
37	Bedia
38	Bhil
39	Bhumij
40	Vimala
41	Malo
42	Mahali
43	Mushor
44	Rajowar
45	Lohar
46	Sabar
47	Hudi
48	Ho
49	Kharia
50	Kharwar

* Source: The Bangladesh Gazette, Cultural Ministry, 23 March 2019

Appendix 2: Indigenous People/Small Ethnic Communities Impacts Screening Checklists

A. Introduction

1. Each project/subproject/component needs to be screened for any indigenous people impacts which will occur or have already occurred. This screening determines the necessary action to be taken by the project team.

2. Information on project/subproject/component:

a. *District/administrative name:* _____

b. *Location (km):* _____

c. *Civil work dates (proposed):* _____

d. *Technical description:* _____

B. Screening Questions for Indigenous People/SEC Impact

KEY CONCERNS (Please provide elaborations in the "Remarks" column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples/SEC Identification				
1. Are there sociocultural groups present in or using the project area who may be considered "tribes" (hill tribes, scheduled tribes, IP/SEC), "minorities" (ethnic or national minorities), or "indigenous communities"?				
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, IP/SEC, 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. Have such groups been historically, socially, and economically marginalized, disempowered, excluded, and/or discriminated against?				

KEY CONCERNS (Please provide elaborations in the "Remarks" column)	YES	NO	NOT KNOWN	Remarks
8. Are such groups represented as "indigenous peoples," "ethnic minorities," "scheduled tribes," or "IP 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 sociocultural 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?				
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, and 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?				

C. Indigenous People/SEC Impact

After reviewing the answers above, EA/safeguard team confirms that the proposed subsection/section/subproject/component (tick as appropriate):

has indigenous people (IP)/SEC impact, so an SECP or specific SEC action plan is

required.

has No IP/SEC impact, so no SECP/specific action plan is required.

Prepared by:	Verified by:
Signature:	Signature:
Name:	Name:
Position:	Position:

Appendix 3: Sample Grievance Redress Form
(To be translated in language understandable to SEC and Bengali)

The _____ Project welcomes complaints, suggestions, queries and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback. Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing *(CONFIDENTIAL)* above your name. Thank you.

Date		Place of registration			
Contact Information/Personal Details					
Name		Gender	Female Male	Age	
Address					
Place					
Contact No.					
E-mail					
Complaint/Suggestion/Comment/Question <i>Please provide the details (who, what, where and how) of your grievance below:</i>					
If included as attachment/note/letter, please tick here:					
How do you want us to reach you for feedback or update on your comment/grievance?					

FOR OFFICE USE ONLY

Registered by: (Name of Official registering grievance)					
Mode of communication:	Application/letter	E-mail	Verbal/Telephonic	WhatsApp	
Reviewed by: (Names/Positions of Official(s) reviewing grievance)					
Action Taken:					
Whether Action Taken is Disclosed:		Yes	No		
Means of Disclosure:					

Appendix 4: Draft Pamphlet on Project Information Disclosure

Subproject Information	Description
About the Project	ADB extended his support to Coastal Towns Climate Resilience Sector Project (CTCRSP) which will strengthen climate resilience and disaster preparedness in 22 (twenty-two) vulnerable coastal pourashavas (secondary towns) of Bangladesh. The towns were selected based on their vulnerability, population size, density, and level of past investments. The project takes a holistic and integrated approach to urban development and will (i) provide climate-resilient municipal infrastructure, and (ii) strengthen institutional capacity, local governance, and knowledge-based public awareness, for improved urban planning and service delivery considering climate change and disaster risks. Key infrastructure investments include (i) drainage, (ii) water supply, (iii) sanitation, (iv) cyclone shelters, and (v) other municipal infrastructure including emergency access roads and bridges, solid waste management, bus terminals, slum improvements, boat landings, and markets. Investments will benefit the poor and women.
Name of the EA/IA and town	EA: Ministry of Local Government, Rural Development and Cooperatives (MLGRDC) acting through its Local Government Engineering Department (LGED) IA: RPMU, Khulna/RPMU Barisal and PIU (xxx Pourashava) – subproject town
Proposed subproject technical details and project benefits	<i>Example (e.g.):</i> Kuakata: (i) Improvement of xxx number of roads: <ul style="list-style-type: none"> • Improvement of Road at Rakhain para, xxx km
Summary of subproject impacts	It is assessed that the construction and improvement of the road at Rakhain para will impact about xxx SEC households. They are assessed to lose, fruit bearing and timber trees. A roadside tea stall run by women AP will be impacted. Improvement of the xxx (mention the subproject component; e.g., xx number of roads under the subproject, Kuakata) will cause involuntary resettlement impact in terms of xxx (e.g., temporary income loss, loss of trees) to xxx affected persons, out of which xxx number of APs belongs to SEC (including xxx vulnerable affected households). It is expected the impact period for income loss will be maximum for a period of xxx days. Out of xxx roads identified under the project, roadside hawkers, street vendors have been identified in xxx roads (mention the number of roads where APs have been identified). The project is expected to impact xxx number of CPRs (mention the number of CPRs impacted, if any).
Compensation and entitlements	All displaced families and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. Unforeseen impacts will be mitigated in accordance with the principles outlined in Resettlement Framework (RF) and SECPF prepared for the project. <ul style="list-style-type: none"> • Compensation for the loss of land, crops/trees at their replacement cost; • Compensation for structures (residential/commercial) and other immovable assets at their replacement cost;

	<ul style="list-style-type: none"> • Assistance in lieu of the loss of business/wage income and income restoration assistance; • Assistance for shifting and provision for the relocation site (if required), and rebuilding and/ or restoration of community resources/facilities • Vulnerability assistance. <p>The Entitlement Matrix in the RF summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS.</p>
<p>Resettlement Plan budget</p>	<p>BDT xxxx (USD xxx)</p>
<p>RP implementation schedule</p>	<p>xxx (mention the timeline for RP implementation)</p>
<p>Implementation structure</p>	<p>The organizational chart shows the following structure:</p> <ul style="list-style-type: none"> Local Government Engineering Department (LGED) (EA) at the top. Project Management Unit-PMU (Project Director, Deputy Project Director (Safeguards and Livelihoods), Deputy Project Director (Gender), Assistant Director (Environment), Assistant Director (Social Safeguards), Assistant Director (Gender)). Detailed Design Consultants (PMU Level Support: Environment Expert (1), Social Safeguards Expert (1)) and PMSC (PMU Level Support: Environment Specialist (1), Social Safeguards Specialist (1), Gender Specialist (1), Livelihoods Specialist (1)) provide support to the PMU. Regional Project Management Unit (01 Khulna) – Division Level and Regional Project Management Unit (02 Barisal) – Division Level (Deputy Project Director, Assistant Director (Environmental Safeguards), Assistant Director (Social Safeguards and Livelihoods), Assistant Director (Gender)). PMSC (PIU Level Support: Construction Supervision & Safeguards Engineers (12), Asst. Supervision & Safeguards Engineers (12)) and RPMU and PIU Level Support (Implementing partners NGOs to design, plan and implement the Livelihoods Resilience for Output 2 in six pilot towns (2)) provide support to the Regional PMUs. Project Implementation Units (22) (Pourashava Level (1 per town), Pourashava Executive Engineer/Assistant Engineer– Safeguards and Gender Focal, Slum Improvement Officer (Livelihoods)). Contractor's Designated Coordinators (Pourashava Level, EHS Supervisors, Social Coordinators) provide support to the PIUs.
<p>GRM information</p>	<p>The GRM flowchart details the following levels:</p> <ul style="list-style-type: none"> Affected Person initiates a grievance. 1st Level Grievance: If not redressed, it moves to the 2nd level. The 1st level involves the Pourashava Level PIU (Chief Executive Officer or Pourashava Secretary, Executive Engineer/Assistant Engineer, Pourashava, Administrative Officer, Pourashava, Municipal Ward Councilor (designated), Social & Environmental Safeguard Focal persons, and Social Coordinator, Contractor). Resolution time is 7 Days. 2nd Level Grievance: If not redressed, it moves to the 3rd level. The 2nd level involves the Regional Project Management Unit (Division Level) (Additional Chief Engineer, Assistant Director (Environmental Safeguards), Assistant Director (Social Safeguards) supported by Social Safeguard Engineers, PMSC). Resolution time is 7 Days. 3rd Level Grievance: If not redressed, it moves to the final resolution stage. The 3rd level involves the PMU Level (Project Director, PMU, Deputy Project Director (Safeguards), Assistant Director (Environment), Assistant Director (Social Safeguards) supported by Social & Env. Specialist, PMSC). Resolution time is 15 Days. All successful resolutions result in Grievance Redressed & Record Keeping.
<p>Contact numbers of PIU, RPMU, PMU</p>	<p>xxx (Please add the contact details of point person)</p>

Note: List of affected persons and entitlement matrix to be attached with this leaflet.

Appendix 5: Entitlement Matrix for CTCRSP

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
A. Loss of Land					
A.1	Loss of private land	Agricultural, homestead, vacant land	Land owner (s) with legal title	(i) Cash compensation under law (CCL) as per ARIPA, 2017 or replacement cost for land whichever is higher. If the replacement cost is more than the CCL, the difference is to be paid by the project in the form of assistance; (ii) All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project; (iii) Option to be compensated for entire land parcel (if the remaining fragmented plot remains unviable for use), if remaining land is no longer viable; (iv) Subsistence allowance for income loss from the affected plot for a period of 6 months; and (v) Additional compensation for vulnerable household, as specified in row # F	<ul style="list-style-type: none"> • CCL for land and assets attached to the land will be paid through the office of the Deputy Commissioner. • The difference between the replacement cost and the cash compensation under the law will be paid by the Executing Agency as a top up to the cash compensation paid under law to the affected land owners. • The displaced households will be allowed to take all salvage materials of structures, trees and crops free of cost. • One-time Subsistence allowance will be paid to those affected landowners who have land-based income from the affected plot, to be assessed by project authority and considered under resettlement and rehabilitation cost;

¹⁵ All cash compensations other than statutory compensations in this entitlement matrix will be adjusted for inflation until the year of compensation payment.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
					<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update.
A.2	Loss of private land	Agricultural, homestead, vacant land	Tenants and lease holders	(i) Subsistence allowance equivalent up to 3 months of rental; (ii) Additional compensation for vulnerable households as specified in row # F.	<ul style="list-style-type: none"> Project authority will ensure that landowners will reimburse tenants and lease holders and rental deposit or unexpired lease amount. Subsistence allowance will be paid to those affected tenants, lease holders to be assessed by project authority and considered under resettlement and rehabilitation cost; Vulnerable households to be identified during DMS for the subproject area.
A.3	Loss of private land	Agricultural land	Sharecroppers	(i) 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for crops as specified in row # C; (ii) Subsistence allowance equivalent the value of all crops grown on the acquired portion of land parcel in a year; (iii) 60 days advance notice to harvest fish livestock and additional compensation for the investments made for fishing activity; (iv) Subsistence allowance equivalent the value of fish livestock sell in one year;	<ul style="list-style-type: none"> Work schedule to allow harvesting of crops prior to acquisition and avoid harvest season. Subsistence allowance based on income from the affected plot to be assessed by project authority and considered under resettlement and rehabilitation cost. Vulnerable households to be identified during DMS as

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
				(v) Additional compensation for vulnerable affected persons as specified in row # F.	part of resettlement plan update.
A.4	Loss of private land	Agricultural, homestead, vacant land	Non-titled user (informal land users)	(i) Provision to use the remaining unaffected land parcel; (ii) Subsistence allowance equivalent to 3 months income from the affected plot or three months income (whichever is applicable) (iii) Additional compensation for vulnerable households as specified in row # F.	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update.
A.5	Temporary land acquisition or requisition of land	Agricultural, homestead, vacant land	Land owner	(i) Rental compensation as per Section 22, subsection (5) of ARIPA, 2017 for the period of occupation of land; (ii) Restoration of land to original state; and (iii) Guarantee of access to land and structures located on remaining land.	<ul style="list-style-type: none"> PMU/PIU to ensure that the affected persons receive compensation before using their land.
A.6	Temporary land acquisition or requisition of land	Agricultural, homestead, vacant land	Non-titleholder user	(i) Restoration of land to original state; and (ii) Guarantee of access to land and structures located on remaining land.	<ul style="list-style-type: none">
A.7	Loss of Government land	Vested and non-resident land ¹⁶	Lease holder, land user (non-titleholder)	<p><u>Use of land for agriculture purpose:</u></p> <p>(i) 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for crops as specified in row # C; (ii) Subsistence allowance equivalent to the value of all crops grown on the acquired portion in a year;</p> <p><u>Use of land for business purpose:</u></p> <p>(iii) Compensation as specified in row # B.2; (iv) If a portion of the structure is affected, then the business owners may be allowed to continue</p>	<ul style="list-style-type: none"> PMU/PIU must check for any unexpired lease of the vested property. PMU/PIU to ensure that business owners may be allowed to continue to undertake his/her business activities in the rest area, if found to be viable and that the remaining vested land is not used for the project.

¹⁶ Land and properties that has been declared vested under the Vested Property Act, 2013 (previously under the Enemy Properties Act of 1965).

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
				to undertake his/her business activities in the rest area, if this is viable; (v) Subsistence allowance equivalent to 3 months income, in case of relocation of business from the vested plot (this will allow the business owner to find an alternate location to re-establish business); <u>Use of land for residential purpose:</u> (vi) Compensation as specified in row # E; and (vii) Additional compensation for vulnerable households as specified in row # F.	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update.
B. Loss of Structures					
B.1	Loss of residential and commercial structures	Residential, commercial structure affected and other assets ¹⁷	Owners of structures with legal title	(i) 60 days advance notice before relocation; (ii) Cash compensation under law (CCL) as per ARIPA, 2017 or cost of structures at replacement cost, whichever is higher; (iii) Additional compensation for damages of structures or other assets attached to the affected land at 100 per centum as per ARIPA, 2017 [this is included in CCL item # (ii)]; (iv) Option to be compensated for entire structure if remaining structure is no longer viable (In case the structure remains unviable or possess safety risk, and the owner to get this additional amount if he plans to shift.); (v) Rights to salvage materials from structure; No deductions for depreciation or salvage of material by affected households will be made; (vi) Provision of all taxes/fees, registration cost, and other fees incurred for replacement of structures;	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update. CCL for land and assets attached to the land will be paid through the office of the Deputy Commissioner. The difference between the replacement cost and the CCL will be paid by the Executing Agency as a top up amount to the affected households. The affected structural cost at replacement cost to be assessed by the Property valuation committee.

¹⁷ Other assets include, but is not limited to walls, fences, sheds, wells, etc. Detail entitlements will be finalized after detailed measurement survey when all impacts are known, and all impacts will be mitigated with appropriate compensation based on national land and ADB SPS, 2009.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
				<p>(vii) Shifting allowance based on actual cost of moving (e.g., truck hire, equipment, loading, unloading cost, etc.) calculated at BDT 15,000.00</p> <p>(viii) Additional compensation for vulnerable household as specified in row # F.</p>	<ul style="list-style-type: none"> Physical displacement will not be undertaken during monsoon. Damages or impacts to minor secondary structures during the construction will be covered under contractor's civil cost and will be budgeted under the Contractor's contract. The PMU will ensure that the cost is included in the bill of quantities (BOQ).
B.2	Loss of residential and commercial structures	Residential, commercial structure affected	Tenant(s), lease holders	<p>(i) 60 days advance notice before relocation;</p> <p>(ii) Cash refund of the lease amount for the tenant, lease holder for the duration of the remaining lease period (to be deducted from the owner's compensation);</p> <p>(iii) Shifting allowance based on actual cost of moving (e.g., truck hire, equipment, loading, unloading cost, etc.) calculated at BDT 15,000.00;</p> <p>(iv) If any structure is constructed by the tenant or lease holder, the person will receive cash compensation at replacement cost for the affected structure as per the basic schedule rates, without considering the depreciation cost.</p>	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update. Physical displacement will not be undertaken during monsoon. PMU/PIU to ensure that the tenants, lease holders have been paid residual rental/lease amount before shifting out of the place.
B.3	Loss of residential and commercial	Residential, commercial structure affected	Non-titleholders	<p>(i) 60 days advance notice before relocation;</p> <p>(ii) Shifting allowance based on actual cost of moving (e.g., truck hire, equipment, loading, unloading cost, etc.) calculated at BDT 15,000.00;</p>	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
	structures			(iii) If any structure is constructed by the non-title holder, the person will receive cash compensation at replacement cost for the affected structure as per the basic schedule rates, without considering the depreciation cost.	<ul style="list-style-type: none"> PMU/PIU to ensure that the non-titleholders have received compensation amount before shifting out of the place.
C. Loss of Trees and Crops					
C.1	Loss of crops	Standing Crops on Affected Lands	Legal titleholder/ tenant/ leaseholder/ sharecropper/ non-titled affected person	(i) Provision of 60 days' notice to harvest standing seasonal crops; (ii) If harvest is not possible, cash compensation equal to prevailing market price.	<ul style="list-style-type: none"> Valuation of the crops will be assessed by the property valuation committee.
C.2	Loss of timber and fruit bearing trees	Trees on affected land parcel	Legal titleholder/ tenant/ leaseholder/ sharecropper/ non-titled affected person	(i) 60 days advance notice to harvest existing fruits; (ii) For landowners: Cash compensation under Law (CCL) as per ARIPA, 2017, or, cost of trees based on annual net product value multiplied by number of productive years remaining, whichever is higher; (iii) For fruit bearing trees compensation to be calculated at market value of annual net product multiplied by the number of productive years, to be determined by the Horticulture Department. (iv) Compensation at market value of timber in case of timber-bearing trees, to be determined by the Forest Department. <i>(Item # (iii) and (iv) applies to non-titleholders)</i>	<ul style="list-style-type: none"> For tree owners other than land owners, compensation will be assessed for fruit or timber trees as per provisions in this entitlement matrix, and paid by the Executing Agency.
D. Loss of Income					

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
D.1	Loss of Income	Permanent business losses, rent collection along the RoW / proposed land for the subprojects	Landowners, Traders, shop owners and their employees (for both titleholders and non-titleholders)	<ul style="list-style-type: none"> (i) 60 days' advance notice regarding construction activities, including duration and type of disruption. (ii) Cash compensation equivalent to net income from the affected business/ rent from tenants/sharecroppers for the duration of twelve months on producing relevant income or income tax return documents; in absence of proper income documents, the income will be calculated by the Joint Verification Committee; (iii) Support to access microfinance institution for credit facilities for microenterprise or land development for any member of the land/business owner household; (iv) The employees will receive compensation equivalent to their net income for the duration of twelve months based on the payment/salary/wage receipts. If income documents are not available then the person will receive compensation calculated as per the minimum wage rate. 	<ul style="list-style-type: none"> • Determination of income loss during detail census and socio-economic survey conducted and part of final resettlement plan preparation.
D.2	Loss of Income	Temporary business losses along the ROW/ proposed land for the subprojects	Traders, shop owners and their employees (for both titleholders and non-titleholders)	<ul style="list-style-type: none"> (i) 30 days' advance notice regarding construction activities, including duration and type of disruption. (ii) Cash compensation equivalent to net income from the affected business for the period of disruption on producing relevant income or income tax return documents; in absence of proper income documents, the income will be calculated by the Joint Verification Committee. (iii) The employees will receive compensation equivalent to their net income or minimum 	<ul style="list-style-type: none"> • Determination of income loss during detail census and socio-economic survey conducted and part of final resettlement plan preparation. • PIU will do the Identification of alternative temporary sites to support the road-side shops to continue economic activity.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
				<p>wage rate (whichever is higher) for the duration of disruption based on the payment/salary/wage receipts. If income documents are not available then the person will receive compensation calculated as per the minimum wage rate.¹⁸</p> <p>(iv) Shifting allowance based on actual cost of moving calculated at BDT 15,000.00 will be paid to the affected road-shop owners (if they are required to shift out of the place) temporarily to an alternate location; the shifting cost will include dismantling, reconstruction, loading, unloading and any other related cost;</p> <p>(v) For construction activities involving disruption for a period of more than a month, provision of alternative sites for road-side shops for continued economic activities. If not possible, allowance based on the net income of the affected business or minimum wage rate for the affected households upto 3 months or the actual period of disruption whichever is more.</p> <p>(vi) Additional compensation for vulnerable affected persons as specified in row # F.</p>	<ul style="list-style-type: none"> Contractor's actions to ensure there is no income/access loss consistent with the initial environmental examination. This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road.
E. Relocation Assistance					
E.1	Physical displacement ¹⁹	Residences or business entities	All affected persons who will be	(i) Logistical and administrative assistance, with identification and purchasing or rental of	<ul style="list-style-type: none"> Determination of monthly income of the affected persons (HoH) for

¹⁸ Bangladesh government does not have any directive on minimum wage rate except for readymade garments employees. Minimum wage rate for them is BDT 8100 per month as updated in December 2020. This Resettlement Framework considers the minimum daily wage rate for the affected employees at current market rate for wage labour, BDT 400.

¹⁹ Transportation costs, transition allowance and other resettlement costs are not incremental. For example, if an affected household loses land, shelter and commercial business in one lot, the family will get each of these allowances only once.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
			physically displaced (titleholders and non-titleholders)	<p>replacement plots and/or structures, or the construction of new ones;</p> <p>(ii) Cash allowance covering the cost of transport of people and their moveable property at current market rate on actual cost basis;</p> <p>(iii) Transition allowance equivalent to 6 months income of the affected person (HoH) based on documental evidence;</p> <p>(iv) Preference to one member of physically displaced household (preferably a woman) to participate in paid project construction and operation and maintenance work, if willing and available for such work;</p> <p>(v) Support to access microfinance institution for credit facilities for microenterprise or land development.</p>	<p>ascertaining relocation assistance during detail socio-economic survey.</p> <ul style="list-style-type: none"> Minimum 12 months' notice period will be provided prior to physical displacement. Physical displacement will not be undertaken during monsoon season.
F. Vulnerability Assistance					
F.1	Impact on vulnerable households ²⁰	Affected due to land acquisition, involuntary resettlement	A. All significantly and permanently affected households identified under vulnerable category ²¹	<p>(i) Vulnerable households, who lost lands/residence/shops, will be provided one-time transition allowance as additional assistance, equivalent to twelve (12) months of minimum wage;</p> <p>(ii) Assistance in identification and purchase or rental of new plot/structure through microcredit scheme;</p>	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS as part of resettlement plan update for respective subprojects. The extent of impact will be assessed based on socio-economic survey and assistance for the

²⁰ Vulnerability benefits are incremental, i.e., in addition to other entitlements and benefits.

²¹ Vulnerable households comprise below poverty line households, female-headed households, households with out of school/working children, disabled person-headed household, elderly-headed household, landless household, household with no legal title / tenure security, and households belonging to small ethnic communities.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
			B. Temporarily and/or insignificantly affected vulnerable households	(iii) Provide preferential employment in the project construction; (iv) Provision of skill training for alternate livelihood for the affected person or any member of the household; (v) Support to receive financial grants or access to micro-finance institutions for livelihood investment as well as organizational/logistical support to establish an alternative income generation activity; On top of the entitlement specified in item D.2., vulnerable affected households facing temporary and/or insignificant adverse involuntary resettlement impact (temporary loss of income or any other adverse involuntary resettlement impact that is not significant) will receive additional cash compensation equivalent for five days of the prevalent minimum wage rate, and preferential employment in the project construction for one family member.	vulnerable households will be accordingly determined. <ul style="list-style-type: none"> • All vulnerable households will be entitled to receive provision of skill training, support to receive financial grant from micro-finance institutions and preferential employment during project construction. • Construction contracts will require contractors to employ specific numbers of vulnerable affected persons in their construction workforces. • Representation from vulnerable affected persons will be a requirement of all committees and consultation forums for CTCRSP.
G. Common Property Resources (CPRs)					
G.1	Loss of Common Property Resources	Partial or total damages caused to private or government property	Government, trustees, religious institutions, educational institutions, service providers and any other relevant department/ authority/	(i) Contractor should provide extreme care to avoid damaging any properties or assets during construction; (ii) Replacement or full restoration or re-establishment at relocation site of affected CPRs to its original or better condition.	<ul style="list-style-type: none"> • Compensation for the losses will be the responsibility of the contractor, as a part of the contract. • PMU to monitor the replacement made by the Contractors.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements ¹⁵	Remarks
			management committee		
H. Other Impacts					
H.1	Un-anticipated losses	Any other loss not identified in the matrix	Any affected person or affected entity	Unanticipated involuntary impacts will be documented and mitigated based on principles and policies of ARIPA, 2017 and ADB SPS, 2009.	The social safeguard personnel from PMU/PIU will ascertain the nature and extent of impact and loss and finalize the entitlements as per the resettlement policies of government and ADB and update the same into the respective resettlement plan.

BDT= Bangladesh Taka; CCL = cash compensation under law; CPR = common property resource; DMS = detail measurement survey; HoH = head of household; PIU = project implementation unit; PMU = project management unit; ROW = right-of-way.

Appendix 6: Indigenous Peoples/ SEC Specific Action Plan Reporting Template

This Indigenous People/SEC Specific Action Plan implementation report shall be prepared on a quarterly basis for subprojects for which RSECP is prepared. This report will be part of the quarterly progress reports/semi-annual monitoring report and will be submitted by PMSC to PMU for onward submission to ADB.

Name of the subproject: _____

S. No	Specific Activities	Means of Verification	Responsibility	Timeline	Status/Remarks
1.	Identify and include IP/SEC households and localities in coverage area	Baseline data generated from secondary data analysis*	Contractor/PMSC/Town level PIU	Year 1	
2.	Proposed benefits to IP/SEC households (from the subproject scope/DMF indicators and GAP indicators if applicable) <ol style="list-style-type: none"> 1. Number of IP/SEC Households using improved roads; 2. Number of IP/SEC Households connected to drains and benefited from improved drainage; 3. Coverage under SWM (for IP/SEC households living in areas with no SWM facility); 4. Participation of IP/SEC in awareness campaigns 5. Participation of eligible/targeted IP/SEC in training 	Project documents (subproject scope/DMF indicators and GAP indicators)	Contractor/PMSC/Town level PIU/RPMU	<ol style="list-style-type: none"> 1. Year 5 onwards 2. Year 5 3. Year 1 onwards; Throughout project duration 4. Year 1-6 	

S. No	Specific Activities	Means of Verification	Responsibility	Timeline	Status/Remarks
	programs and internships...				
3.	Type of consultations planned with IP/SEC households (stage of project cycle) 1. Pre-Construction 2. Construction 3. Post Construction 4. Other	Detailed report on consultation in MPR/QPR (as submitted by the project consultants)/ Semi-annual social monitoring reports with photographs	PMSC/Town level PIURPMU	Year 1 onwards	
4.	Grievance Redress Mechanism established at different levels	Government order/notice/little specifying inclusion IP/SEC representation in 1 st Level Grievance redress team as described in the project GRM Report related to project grievance reflected in the monitoring reports of the Project	PMU/RPMU	Year 1	
Monitoring – Project completion stage					
5.	End-line Survey including assessment of coverage and satisfaction levels of IP/SEC households with subproject work completed/ subproject intended benefits vs actual benefits to the IP/SEC community	End-line survey report and project completion report (PCR)	PMSC/Town level PIU	Year 6-7	

NOTE: *Household and Population Census 2011, BBS, may not be the sole source. Other reliable sources may be explored such as Town specific SEC data, *Pourashava*

Where applicable, the information provided in the table should be supported by detailed explanatory report, receipts, consultation, photographs and other details.

ADB = Asian Development Bank, DDC = Detailed Design Consultant, GAP = Gender Action Plan, GRC = Grievance Redress Committee, IP= Indigenous peoples, MPR = Monthly Progress Report, PIU = Project Implementation Unit, PMSC = Project Management and Supervision Consultant, PMU = Project Management Unit, QPR = Quarterly Progress Report, SEC = Small Ethnic Community