

RESETTLEMENT & SOCIAL MANAGEMENT FRAMEWORK
EXECUTIVE SUMMARY

BACKGROUND

1. This Resettlement and Social Management Framework (RSMF) is prepared by Bangladesh Economic Zones Authority (BEZA) under the Prime Minister's Office (PMO) to deal with social safeguard issues and impacts that may arise during implementation of Private Sector Development Support Project (PSDSP). The provisions adopted in this RSMF are in accord with the World Bank's project financing policy that requires the borrowers to assess potential social safeguard issues and impacts in project preparation, and adopt and implement appropriate measures to mitigate them, in compliance with its specified policies. *Although prepared by BEZA with reference to subprojects like EZs it would implement, this RSMF will apply to all potential subprojects under PSDSP, regardless of whichever agencies/authorities implementing them.*

2. It is determined that PSDSP would involve issues and impacts that are to be addressed during selection of sites for EZs, including those required to improve the existing offsite support infrastructures, or to build new ones, and preparation and implementation of the land-based works. Lands for the EZ sites would be made available from *khas* and others owned by various government agencies, as well as from private ownerships. This triggers the Bank's OP 4.12 on Involuntary Resettlement. As such, consistent with the OP 4.12, the RSMF has adopted principles, policies, guidelines and procedure to identify and address impact issues concerning involuntary resettlement.

RSMF OBJECTIVES

3. The RSMF is intended to help BEZA and other authorities/agencies, which might also decide to undertake subprojects under PSDSP, to select, design and implement them with the following objectives:

- Enhance social development outcomes of the project as a whole and the individual subprojects;
- Avoid/minimize and mitigate adverse social impacts, including loss of livelihood that may result from loss of private lands and the use of public lands and common property resources;
- Ensure participation of local communities and stakeholders in the selection of EZ sites, clarifying procedures that the project would establish to address grievances that may result from activities undertaken in the EZs; and
- Ensure compliance with the relevant GOB policies and those of the World Bank on social safeguards and other social issues, including gender integration.

PSDSP AND SOCIAL SAFEGUARD ISSUES

4. Among other components of PSDSP, *Public Investment Facility (PIF)*, which is aimed at improving/building physical infrastructures -- which are not funded by the private sector, but are a prerequisite to attract and support private investments -- is the likeliest component to involve issues that are to be addressed in compliance with the Bank's social safeguard policies. In addition to developing certain onsite physical facilities, PIF will improve the existing offsite infrastructures and/or build new ones to support economic activities in the EZs. These may include access roads; water supply and sanitation facilities; sewerage systems; power distribution; rail connections and landings; landings for river transport; etc. Although the majority of lands for the individual EZ sites are expected to be *khas* or owned by various government agencies, there will still be a need to acquire private lands. Use of *khas*/public lands, unless they are completely free of authorized/unauthorized private users, will also involve resettlement issues. Acquisition of private lands in large parcels, especially for the EZ sites, may cause significant impacts on landowners and may render some households completely landless, including loss of homesteads. Including social safeguard screening,

BEZA will undertake all necessary process tasks to assess and mitigate the impacts that may result from individual EZs.

BASIC PLANNING PRINCIPLES

5. Considering the magnitude of potentials impacts, BEZA will adhere to the following principles:

- Prior to selection of specific EZ sites, will undertake community/stakeholder consultations about the subproject objectives and social impacts, especially those that would result from private land acquisition and displacement from khas and other public lands.
- Unless absolutely required, will do its best to avoid land acquisition from private ownerships and will always try to find khas and other public lands whenever it considers alternative sites in a given district, upazila, union or municipality.
- Will always avoid creating an EZ relying only on private land acquisition, but try to find sites where khas/public lands would account for most of the site and private lands for the least.
- Will try its best not to displace private homesteads (*vitaa-baari*) where acquisition from private ownerships is absolutely unavoidable.
- Will avoid, to the extent feasible, locating an EZ in an area inhabited by tribal peoples that will threaten their traditional and cultural way of life; severely restrict their access to common property resources and livelihood activities; and affect places/objects of cultural and religious significance.
- Will undertake social screening of all EZs, including the lands that would be needed to build support infrastructures, to identify potential social safeguard issues and impacts, and adopt and implement impact mitigation measures consistent with the relevant GOB policies and the World Bank's OP 4.12 and OP 4.10 on Indigenous Peoples (a separate Framework for Tribal Peoples Plan has been adopted).

SAFEGUARDS SCREENING & MITIGATION GUIDELINES

6. Where social screening (a Social Screening Form is provided in *Annex AI* of RSMF) results indicate potentials of adverse impacts, BEZA's (and other agencies' action on an EZ will be consistent with the following sets of guidelines.

- Guidelines for Land Acquisition & Resettlement. Contains principles, policies and guidelines for private land acquisition and use of khas and other public lands and adverse impact mitigation; mitigation measures; and implementation and monitoring arrangements for mitigation plans;
 - Direct Purchase. Provides guidelines for purchase directly from the landowners, in situations where BEZA urgently needs to use small amounts of private lands that may not have been included in the land acquisition proposals (LAPs) submitted to the Acquiring Body.
- Guidance Note for Integration of Gender Issues. Intended to help BEZA and other authorities to take into account social (non-safeguard) and gender issues into subproject selection, preparation and implementation.

RSMF IMPLEMENTATION ARRANGEMENT

7. There are multiple authorities, such as HTPA, BEPZA, BEZA and others which are expected to undertake activities/subprojects under PSDSP – all aiming to develop the Bangladesh private sector. Although the principles and guidelines adopted in this RSMF will apply to the project as a whole, implementation arrangements may vary to some extents from one authority to another, depending on the nature of social issues and scale of impacts, as well as their existing in-house capacity. It is decided that the concerned authorities would consult the Bank about the implementation arrangements as and when they undertake any development activities under PSDSP.

8. In its case, BEZA will form an Environmental and Social Cell (ESC) within the Project Management Unit (PMU) to oversee implementation of the RSMF and Environmental Management Framework (EMF) for all EZs/subprojects that have been planned under PSDSP. Guided by highly experienced professionals – one each for environment and social -- the ESC, with the required support staff, will ensure that the RSMF and EMF are implemented in their entirety, and coordinate all process tasks that are undertaken to prepare and implement EZ-specific EMPs and RPs/ARPs.

GRIEVANCE REDRESS MECHANISM (GRM)

9. The Land Acquisition Ordinance allows landowners object to acquisitions in the beginning of the legal process. Once the objections are heard and disposed of, there is virtually no provision to address grievances and complaints that individual landowners may bring in the later stages of the acquisition process. As the ordinance does not recognize them, no mechanism is there to hear and redress grievances of people who do not have legal titles to the lands (khas/public), which they may have been using to live in or making a livelihood. As seen in various projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by the censuses; valuation of the affected assets; compensation payment; and the like.

10. Considering the needs, BEZA will establish a Grievance Redress Mechanism (GRM) to answer to queries and address complaints and grievances about any irregularities in using the guidelines adopted in this RSMF for assessment and mitigation of adverse impacts. Based on consensus, the procedure will help to resolve issues / conflicts amicably and quickly -- saving the aggrieved persons resorting to expensive, time-consuming legal actions. The GRCs will consist of memberships to ensure proper presentation of complaints and grievances, as well as impartial hearings and transparent decisions. Membership composition of the GRCs, where IPs are among the affected persons, will take into account any traditional conflict resolution arrangements that IP communities may have in practice. *A decision agreed at any level of hearing would be binding on BEZA. But a GRC decision will not preempt a complainant's right to seek redress in the courts of law.* (Membership composition of the GRC, monitoring of its activities, and other details, are described in the RSMF.)

11. PUBLIC DISCLOSURE OF FTTP

The RSMF and all mitigation plans will be subjected to World Bank review and clearance *prior* to public disclosure. After receipt of the Bank clearance, BEZA will disclose the RSMF in local language, to the public in Bangladesh, and authorize the World Bank to disclose it at its Country Office Information Center and Infoshop. BEZA will also post the entire RSMF and its translation in its website, and inform the public through notification in two national newspapers (Bangla and English) about where they could be accessed for review and comments.