

# Higher Education Acceleration and Transformation Project (P168961)

## Resettlement Policy Framework (RPF) Bangladesh

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## ABBREVIATIONS

AP	Affected Person
ARAP	Abbreviated Resettlement Action Plan
ARIPA 2017	Acquisition and Requisition of Immovable Property Act, 2017
AUW	Asian University for Women
BAC	Bangladesh Accreditation Council
BdREN	Bangladesh Research and Education Network
BUET	Bangladesh University of Engineering and Technology
CBO	Community Based Organization
CCC	Chattogram City Corporation
CCL	Cash Compensation under Law
CDA	Chattogram Development Authority
CIO	Chief Implementation Officer
CPD	Continuous Professional Development
CPR	Common Property Resources
CWASA	Chattogram Water and Sewerage Authority
DCC	Dhaka City Corporation
DDR	Due Diligence Report
DESA	Dhaka Electrical Supply Authority
DoE	Department of Environment
ECA	Environmental Conservation Act
ED	Executive Director
EHS	Environmental Health and Safety
ESS	Environmental and Social Standards
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
EP	Entitled Person
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress System
GBV	Gender Based Violence
HEAT Project	Higher Education Acceleration and Transformation Project
IoL	Inventory of Losses
IP	Indigenous Peoples
IPP	Indigenous People Plan
IPDP	Indigenous Peoples Development Plan
IPPF	Indigenous Peoples Planning Framework
IPF	Investment Project Financing
IVC	Inventory Verification Committee
IQAC	Institutional Quality Assurance Cell
IWFMM	Institute of Water and Flood Management
LMI	Learning Management Infrastructure
LMP	Labor Management Plan
MoE	Ministry of Education
M&E	Monitoring and Evaluation
NGO	Non-Governmental Organizations
NHA	National Housing Authority

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PAH	Project Affected Households
PAP	Project Affected Persons
PAI	Project Area of Influence
PAVC	Property Assessment and Valuation Committee
PD	Project Director
PIC	Project Implementation Committee
PMO	Project Management Office
PMU	Project Management Unit
PPR	Public Procurement Rule
PSC	Project Steering committee
PVAC	Property Valuation Advisory Committee
RAP	Resettlement Action Plan
RCS	Replacement Cost Study
RPF	Resettlement Policy Framework
ROW	Right of Way
RV	Replacement Value
SES	Socio-economic survey
SEP	Stakeholder Engagement Plan
SHED	Secondary and Higher Education Division
TOR	Terms of Reference
TTO	Technology Transfer Offices
UDL	UGC Digital Library
UGC	University Grants Commission
UTTA	University Teacher Training Academy
VLD	Voluntary Land Donation
WB	World Bank
WBG	World Bank Group

## Glossary

**“Associated Facilities”** means facilities or activities that are not funded as part of the project but are: (a) directly and significantly related to the project; and (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist.

**“Census”** is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

**“Cut-off date”** is the date by which PAPs and their affected assets, as relevant, have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

**“Involuntary resettlement”** means the involuntary taking of land resulting in direct economic and social impacts caused by The involuntary taking of land resulting in relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the PAP has moved to another location and causes adverse impacts on the livelihoods of the displaced persons due to Involuntary restriction of access to legally designated parks and protected areas.

**“Land acquisition”** refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.

**“Livelihood”** refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

**“Negotiated settlements”** refers to situations where the Borrower needs to acquire specific land or restrict its use for project purposes, but rather than doing so through an expropriation proceeding, the Borrower first tries to arrive at a mutually agreeable negotiated settlement with the landowner/user.

**“Project affected persons” (PAPs)** means persons who are impacted by involuntary resettlement as defined below.

**“Resettlement Action Plan (RAP)”** is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

**“Resettlement Assistance”** means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

**“Restrictions on land use”** refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These

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may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.

**“Security of tenure”** means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

**“Voluntary Land Donation”** means communities or individuals may agree to voluntarily provide land for sub-projects for desired community benefits with “informed consent and power of choice”.

**Informed consent** means the people involved are fully knowledgeable about the project and its implications and consequences and freely agree to participate in the project Power of choice refers to the people involved have option to agree or disagree, without adverse consequences imposed formally or informally by others.

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## Executive Summary

### **Introduction**

This Resettlement Policy Framework (RPF) is prepared for the Higher Education Acceleration and Transformation (HEAT) project in Bangladesh by Secondary and Higher Education Division (SHED) under Ministry of Education (MoE) with the support of University Grant Commission (UGC) in accordance with Government of Bangladesh's (GoB) legal policy and World Bank's Environmental and Social Framework, specifically ESS-5 on Land Acquisition, Restrictions on Land and Involuntary Resettlement. As the project activities in Afghanistan consist of technical assistance for capacity building and no civil works are planned, This RPF is applicable only for activities in Bangladesh only.

Currently, COVID-19 disease is a burning issue all over the world. The pandemic has severely hit Bangladesh as well. Given the ongoing crisis, the project among others, considers improving COVID-19 responses and recovery support in higher education to identify short-term, medium term and long-term activities. This project is planned to be implemented over five-year period from 2021 to 2025/26.

The purpose of this RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects and/or project components to be prepared during project implementation in Bangladesh. All the major and minor construction related activities is expected to be conducted within the boundary of public and private universities of Bangladesh. Due diligence of the anticipated footprints is not completed at this stage except AUW academic complex construction. Thus, likely nature or magnitude of the land acquisition or restrictions on land use related to sub-projects with potential to cause physical and/or economic displacement is unknown. Once the individual civil works locations are defined and the necessary information becomes available, this framework will be expanded into one or more specific Resettlement Action Plan/s (RAP/s) proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by ESS5 have been finalized and approved by the Bank.

### **Project components**

The Project has four components that embody 05 sub-components and will be implemented over a five-year period from 2021 to 2025/26. Component 1 is the regional component supporting collaboration in higher education across the South Asia region<sup>1</sup>, Component 2 supports the Bangladesh higher education sector through a nationally focused component, Component 3 support the day to day management of the proposed operation and component four is the 'zero budget' contingent emergency response component. Given the ongoing COVID 19 crises, the project components have been prioritized to identify short-term, medium term and long-term activities under the proposed project. The project components and sub-components are summarized in **Table 1** of main text.

### **Project potential impacts and risks**

This project consists of large, medium and small-scale constructions activities including construction of AUW academic complex at Chattogram, a center level University Teacher's Training Academy

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<sup>1</sup> Including the possibility of countries beyond the strict boundaries of South Asia.

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(UTTA) with provision of residential amenities at Dhaka. The project will also support upgrading and rehabilitation of other infrastructures and facilities in different universities and colleges including (i) upgrading teaching- learning facilities with modern technologies (ii) upgradation of science and technology labs for STEM disciplines (iii) establishing 7 new fab-labs, setting up 5 “i-labs” in 5 universities, (iv) establishment of technology transfer offices (TTO) at least in 20 universities (v) up gradation/renovation of childcare facilities ,female dormitories , and (vi) upgrading washroom facilities of Women’s Colleges and Universities in Bangladesh etc.

AUW academic complex will be constructed on land owned by AUW. So, this sub-project will not require any land acquisition. This site is under the possession of AUW authority and there is no presence of any residential or commercial households within the AUW premises. However, due to movement of heavy vehicles during construction, sub-project may cause construction induced impacts. Thus, some squatters and encroachers may be affected.

Two alternative land / sites for in Dhaka, owned by Government of Bangladesh have already been identified as potential sites for construction of UTTA and thus land acquisition may not require. As both possible sites are in the heart of Dhaka city, there are possibilities that squatters, encroachers and vendors may be affected.

Aside from the construction of the AUW academic complex and UTTA, other construction activities will be minor and will be conducted within the premises of existing eligible public and private universities and women colleges. As the eligible educational institutes are not selected yet, exact location is unknown.

There are no long term or significant impacts are expected as the probability of land acquisition, requisition, resettlement, relocation, and related impacts on vulnerable households or livelihoods is low. Once the site for UTTA is identified, relevant safeguard due diligence will be conducted like screening, and consultation etc. Based on screening outcomes, RAP or ARAP will be prepared, if necessary. Subsequent Resettlement Action Plans (RAPs) will be developed for other infrastructures for AUW and other universities if require, based on the outcomes of screening. The RAPs and/or ARAPs will be reviewed, consulted upon, approved and disclosed both within the country and on the World Bank's web site prior the commencement of the civil works.

Due to the overall potential impacts on health and safety issues associated with construction activities, relocation of squatters, livelihood impacts on the neighborhood, impacts on gender and labor influx as the result of the establishment of the AUW academic complex, UTTA and the relevant activities, the associated risk is classified as ‘Substantial’ from the initial risk assessment of the proposed interventions.

*Table ES-01: Potential impacts and risks*

Interventions	Potential Impacts and Risks
Construction of AUW academic complex	<p>The construction of academic complex for the Asian University for Women (AUW) in Chattogram will involve large-scale civil works, including:</p> <ul style="list-style-type: none"> <li>✓ hill cutting, leveling and land development;</li> <li>✓ construction of infrastructure such as academic building, hostels and dormitories, auditorium, etc.,</li> <li>✓ construction of internal roads and retaining walls because of the hilly locations</li> </ul> <p>The land plot for construction of the campus is currently in the possession of the AUW authority. No land acquisition or</p>

Interventions	Potential Impacts and Risks
	<p>voluntary land donation is required. There is presence of few squatter’s business just outside the campus are which might be affected during construction period. Due to movements of heavy vehicles, there are possibilities of construction induced impacts. The plot is currently vacant although some livelihood and grazing activities are carried out which are ascertained in the project’s Environment and Social Impact Assessment (ESIA).</p> <p>There are villages adjoining the site and there is a possibility of the building works hindering access to the villages from the main entry/exit points.</p>
Construction of UTTA	University Teacher Training Academy with provision of residential amenities proposed to be built in Dhaka, for which two sites were considered by the project initially as the government owns both. The proposed site is yet to be finalized. Land owners, squatters, residential HHs may be affected.
Improvements to teaching and learning facilities of women's institutions, childcare facilities, dormitories, WASH facilities, etc.	Locations are unknown and minor civil construction may require. Constructions will be within the university campus area.
Establishing 7 new fab-labs; transforming all existing fab labs into Centers of Excellence in digital manufacturing and facilitating link-up with private sector; set-up 5 “i-labs” in 5 universities; and set-up business incubators tagged with successful fab-labs/i-labs to convert innovative	Locations are unknown and minor civil construction required. Constructions will be within the university campus area.
Impact on indigenous people	Although the project civil works will not take place in areas where there are concentrations of Indigenous Peoples, the project will encourage enrolment of indigenous students through various incentive mechanisms, including stipends. An Indigenous Peoples Planning framework is being prepared.
Construction induced impact	Due to movements of heavy vehicles, construction induced impacts may be anticipated.

### **Legal and policy principles governing resettlement**

The Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain for land acquisition and requisition in Bangladesh. ARIPA 2017, detailed the land acquisition process from section 4 to section 19 and land requisition process from section 20 to section 28. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1). The DCs there after, enhance the assessed value of land by 200% and 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is known as Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (*Bargadar*) under a legally constituted

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written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided the project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.

Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers relating to the identification and assessment of environmental and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through ongoing stakeholder engagement. Among the 10 standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. UGC has prepared this RPF following the guidelines suggested under ESS5 and the ARIPA 2017.

### **Resettlement planning procedures**

This RPF is the guiding tool for involuntary resettlement management including identification, planning and implementation in the project process. The following Resettlement planning procedures will be followed during preparation of RAP and implementation.

*Table ES-02: Resettlement Planning Procedures*

Screening and Preparation Step	Responsibility	Timing
<b>Identification of Sub-Project</b>	UGC with the support of university representatives, Social and Resettlement Specialist, Land Acquisition Specialist, Gender Specialist; and Consultation Specialist.	After identification of potential location(s) in consultations with the local people.
<b>Census, SES, IOL and Property Valuation Survey</b>	Once the project location is identified, UGC with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social Specialists and Gender Specialist will conduct consultation meetings with the local people and affected HHs.	As required
<b>Preparation of specific plans and instruments (RAP, LAP)</b>	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. UGC will also prepare land acquisition plan with the support of implementing NGO/ firms and submit to DC office.	RAP/LAP will be prepared and approved before land acquisition started to ensure all land acquisition and involuntary resettlement practices are in line with RAP and ESS5
<b>Implementation of RAP</b>	Once the RAP is approved by MoE and World Bank, UGC will implement the same with the support of NGO/Consulting firm and DC office. World Bank E&S team will review the status of implementation through supervision.	As recommended in RAP.

## **Entitlement and eligibility criteria**

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

Other than PAPs any entities affected by the project within the Right of Way (RoW) are entitled for the compensation. If any Common Property Resources (CPR) are affected or unavoidable, according to section 4(13) and 20(1) of ARIPA 2017, CPRs can be acquired or requisitioned. However, before affecting any CPRs all compensation has to be paid and ensure that affected CPRs are reconstructed before dismantling or damaged. For example if any schools are affected by the project, a new school has to be constructed before demolishing the affected school. For sensitive structures and CPRs like the mosques, temples, churches and graveyards, UGC and its consultants will work with the communities and the management committees of these CPRs to decide appropriate measures and relocation. According to the GoB ARIPA 2017, some of these socially sensitive CPRs (churches, temples and graveyards) cannot be acquired by the Project. Only with community consultations and consent, these can be purchased and relocated. If these are not possible, the Project will have to by-pass these structures and choose an alternative RoW.

## **Consultation and participation**

Consultations with affected people and communities are the starting point for all resettlement related activities. Experience indicates that involuntary resettlement generally leads the affected population to facing severe problems in the socio-economic life making them apprehensive towards the Project. Project aims to provide a two-way communication channel between the stakeholders and the scheme proponents. In keeping with the same, the process of public consultation and participation in the project was initiated in the year 2008 and 2019 has been an integral part since all studies and assessments are undertaken. Stakeholder consultations have been extensively reported in SEP containing Project socioeconomic context, Consultation and Communication Strategy etc. applying ESS 10. People's opinion about relocation, resettlement, project messages, planning etc are important from consultation perspective.

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During preparation of RPF, UGC under SHED with the support of AUW carried out 03 consultation meetings with the different project stakeholders. Other than consultation meetings UGC also conducted 04 FGDs with female students, researcher and scientist, Dhaka University students and teachers and UGC officials. Besides consultation meetings and FGDs, 13 key informant interviews (KIIs) with teacher, student, researcher, scientist, contractor, supplier, NGO representative, businessman etc. were conducted as part of the process of developing the RPF for this project.

Since, the UGC is still to determine the land plot for the construction of the 'UTTA', similar Public Consultation Meeting will take place at a later date when the plot is decided. The consultation was held to ensure People's participation right from the planning stage of the project, in particular from the people of the impacted area. Given the COVID-19 pandemic situation, managing public consultation and stakeholder engagement in the Project needs to adhere to national requirements and any updated guidance issued by WHO. The alternative ways of managing consultations and stakeholder engagement will be in accordance with the local applicable laws and policies, especially those related to media and communication.

### **Grievance Redress Mechanism**

The ARIPA 2017 allows objections by the landowners to acquisitions at 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 up in the later stages of the process. Since the act does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As experienced in past projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by censuses, the valuation of affected assets, compensation entitlements, complains against noise, pollution, accident, GBV and other social and environmental issues. In view of this, UGC will establish a procedure to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM). The GRM will deal with complaints and grievances related to both social/resettlement and environmental issues in this Project. Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal actions. The procedure will, however, not pre-empt a person's right to go to the courts of law. There will be three-tier grievance redress mechanism; 1<sup>st</sup> at local level, 2<sup>nd</sup> Project level and 3<sup>rd</sup> Ministry level.

### **Institutional and implementation arrangements**

The overall responsibility for the Project implementation in Bangladesh would lie with the Secondary and Higher Education Division (SHED) of MoE while day-to-day implementation support will be provided by the University Grants Commission (UGC). UGC will be the project holder and responsible for managing the E&S risks of the project, including implementation of the RPF and GRM. For the AUW activities, funds for the WB supported construction work will be managed by UGC and the academic building after completion will be transferred to AUW. UGC will be responsible and accountable for the procurement, contract management and supervision of two contracts: 1) consulting services contract for design, procurement support and construction supervision, and 2) the civil works contract for the Academic building. AUW is responsible for providing quality assurance to campus design and

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construction, hence quality assurance of RAP/RPF and mitigation measures implementation. UGC will hire a full time dedicated social Development and Resettlement specialist to monitor the construction of AUW infrastructure. UGC will also ensure similar expertise are included in the Design & Supervision firm. UGC, the key implementing agency and AUW, the quality assurance entity of design and construction, both will be responsible for the social compliance relevant to AUW campus related construction works.

For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP. Project Institutional arrangement consist of PSC and PIC. Institutional arrangements required for implementation of Resettlement Plan includes capacity augmentation of UGC head office, AUW office, Deputy Commissioners offices, appointment of INGO/consulting firm, formation of various committees like: GRC, PAVC, RAC, etc. The Deputy Project Director at Head Office will function as the Chief Resettlement Officer (CRO). The CRO will have overall responsibility relating to resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting. Secretarial Staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by PIC. Besides, an NGO will be appointed for the implementation of resettlement plan. The resettlement expert of the project Implementation Committee (PIC) would be engaged to carry out internal monitoring and evaluation of the project. For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP and other relevant social compliance document. Project Institutional arrangement consist of Program Steering Committee (PSC) at Ministry level; Project Implementation Unit (PIC) at project level; and project Implementation Committee (PIC) at Local level. An external monitor will be also hired for the project to ensure proper monitoring of environmental and social management plan implementation.

**Tentative Budget**

A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget does not include the cost of land acquisition and resettlement.

Items	Man-month	Total (in USD)
Senior Social Development and Resettlement Specialist	24	60,000
Consulting firm for RAP preparation	Lump-sum	60,000
RAP Implementing Agency (NGO/consulting firm)	Lump-sum	2,00,000
External Monitor	24 months over the period of 5 years	1,00,000
Capacity Building for PSC, PIC, NGO/consulting firm, universities and relevant government agencies	Lump-sum	1,00,000
Grievance handling cost	Lump-sum	40000
Cost of land acquisition and resettlement	Unknown at this stage as land acquisition and resettlement impact to be identified	

**Monitoring**

The UGC will be responsible for the overall coordination and supervision of the involuntary resettlement tasks and for reporting the results and the process followed for implementation of project activities to the Bank. UGC will use its existing Monitoring Evaluation and Reporting Unit

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(MERU) with support from Higher Education Management Information System (HEMIS) and will be responsible for supporting the project in undertaking the monitoring and evaluation (M&E) work including involuntary resettlement management. The MERU will be responsible for: (i) collecting updated data from the relevant agencies, institutions and units of the project to produce project progress reports biannually; (ii) updating of the results indicators; (iii) conducting physical inspections; (iv) support M&E at the subproject level and (v) conducting planned studies and assessments in a timely manner in partnership with public research institutions (such as BIDS, BBS, IMED etc.). The MERU will work closely with the relevant section of the UGC.

UGC will establish procedures to monitor and evaluate the implementation of the plans under the RPF and will take corrective actions as necessary during implementation to achieve the objectives of this RPF. The extent of monitoring activities will be proportionate to the project's risks and impacts. For all subprojects with significant involuntary resettlement impacts, the Borrower will retain competent resettlement professionals to monitor the implementation of resettlement plans, design corrective actions as necessary, provide advice on compliance with this RPF and produce periodic monitoring reports. Affected persons will be consulted during the monitoring process. Periodic monitoring reports will be prepared, and affected persons will be informed about monitoring results in a timely manner.



## Chapter 1: Introduction and Project Description

### 1.1 Introduction

This Resettlement Policy Framework (RPF) is prepared for the Higher Education Acceleration and Transformation (HEAT) project by Secondary and Higher Education Division (SHED) under Ministry of Education (MoE) with the support of University Grant Commission (UGC) in accordance with Government of Bangladesh's (GoB) legal and regulatory framework and World Bank's (WB) Environmental and Social Framework (ESF), specifically ESS-5 guiding Land Acquisition, Restrictions on Land and Involuntary Resettlement associated with the project in Bangladesh. There are four components in this project and among them Component 1 is the regional component supporting collaboration in higher education across the South Asia region<sup>2</sup>, Component 2 supports the Bangladesh higher education sector through a nationally focused component, Component 3 support the day to day management of the proposed operation and component 4 is a 'zero budget' contingent emergency response component (CERC). Currently, COVID-19 disease is a burning issue in all over the world. Given the ongoing COVID-19 crisis, the project is to improve COVID-19 responses and recovery support in higher education to identify short-term, medium term and long-term activities under the proposed project. This project is planned to be implemented over five-year period from 2021 to 2025/26.

The purpose of this RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects and/or project components to be prepared during project implementation. All the major and minor construction related activities is expected to be conducted within the boundary of public and private universities of Bangladesh. Due diligence of the anticipated footprints is not completed at this stage except AUW academic complex construction. Thus, likely nature or magnitude of the land acquisition or restrictions on land use related to sub-projects with potential to cause physical and/or economic displacement is unknown. Once the individual civil works locations are defined and the necessary information becomes available, this framework will be expanded into one or more specific Resettlement Action Plan/s (RAP/s) proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by ESS5 have been finalized and approved by the Bank.

The RPF provides policies and procedures to determine requirements of the World Bank's ESS 5 on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement, to assess potential risks and impacts, to identify detailed steps to develop appropriate mitigation measures, including mitigation and compensation for the impact caused under the project. Specifically, the RPF covers the following:

- Reviews the existing national legal and regulatory framework of Bangladesh and compares it with World Bank's ESS 5 on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement for identifying gaps and providing gap filling measures.
- Describes and defines the process for preparing RAP/s, cut-off dates for title and non-title holders, valuation process of impacted assets/ properties etc.
- Provides the principles and methods to be used in valuation of loses, and a description of eligibility and entitlements.
- Identifies the consultation mechanism and approaches to be adopted while preparing and implementing RAPs including public disclosure.
- Describes and defines monitoring and evaluation arrangement and roles and responsibilities of different stakeholders.

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<sup>2</sup> Including the possibility of countries beyond the strict boundaries of South Asia.

- Outlines the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, and entitlement matrix and implementation process.
- Outlines implementation arrangement including schedule and grievance redress mechanism
- Outlines principles and objectives governing resettlement preparation and implementation
- Capacity development of the related stakeholders including SHED of MoE, UGC, AUW and universities etc, other related government agencies and local industries to identify the impacts and manage the related risks in accordance with ESS 5.

## 1.2 Project description and components

The intent of the project is to enhance graduate employability for a more competitive and rapidly changing job market within and outside the country and improve governance of higher education nationally. The project also aims at improving quality and relevance of higher education for women regionally through exchange program. The Project has four components that embody 09 sub-components. The project components and sub-components as summarized at **Table 01** to understand the potential impacts recognized under ESS5 of the World Bank.

*Table 01: Key Activities of Component/Subcomponent*

Component/Sub-component	Key Activities	Implication for ESS5, World Bank
<b>COMPONENT 1: SOUTH-ASIAN HARMONIOUS AREA FOR RESEARCH AND EDUCATION</b>		
<b>Sub-component 1.1: Building Systemic Resilience and Digital Connectivity</b>	This sub-component supports the development of emergency responsive measures thereby creating resilience in response to the COVID-19 pandemic in the higher education sector, as well as to prepare for future crises including climate-related events and violent conflict. While national strategies to combat the multi-faceted nature of the COVID-19 pandemic are critical, regional solutions will help countries share the burden of response, maximizing the use of scarce resources to achieve impacts.	Currently this sub-component does not foresee any implication for ESS5
<b>Sub-component 1.2: Regional Network of Women’s Higher Education Institutions</b>	This sub-component will the establishment of a network of women’s universities, colleges and institutions with three main objectives: (i) enhancing access to quality women’s higher education, (ii) support the development of women leaders, and (iii) enhance female labor force participation. This sub-component will support the following ESS5 related activities:  <b>AUW Academic Complex:</b> This section will support the infrastructure development of a climate resilient academic complex/campus at Asian University for Women (AUW) which will become a hub for the regional network. The academic complex development would include the building of the main seminar rooms, lecture halls, theaters, and faculty offices.	AUW academic complex will be constructed on own land. Major civil works may cause construction induced impacts and affect squatters. ESS5 will apply.
<b>COMPONENT 2: TRANSFORMING HIGHER EDUCATION IN BANGLADESH</b>		

Component/Sub-component	Key Activities	Implication for ESS5, World Bank
<p><b>Sub-Component 2.1: Business Continuity Under COVID-19</b></p>	<p>This sub-component supports the higher education sector in Bangladesh to maintain business continuity in the wake of the coronavirus pandemic. Policy formulation, development of strategies, mitigation measures and other such response and recovery efforts will be developed under the regional window to allow SAR countries to benefit from such regional interactions given the aggregate nature of this shock.</p>	<p>Currently this sub-component does not foresee any implication for ESS5</p>
<p><b>Sub-Component 2.2: Strengthening the Market Relevance of Higher Education Programs in Bangladesh</b></p>	<p>This sub-component is to enhance the quality of higher education programs through the following: (i) enhancing employability skills of university students, with a particular focus on girls (ii) strengthening continuous professional development of university faculty, and (iii) promoting advanced research, innovation and entrepreneurship skills and efforts. Major ESS5 related activities under this sub-component are:</p> <p><b>Construction of a University Teachers’ Training Academy:</b> The sub-project will establish a central level University Teachers’ Training Academy (UTTA) with provision of residential amenities. UGC has already been identified as potential sites for construction of UTTA, which may be finalized during the feasibility study.</p> <p><b>Competitive Funds to Improve Infrastructure for Teaching-Learning:</b> A select number of academic units/university departments will receive funds to improve the quality of teaching-learning activities based on a competitive process. Grants related to ESS5 are:</p> <p><b>Innovation Support Facilities:</b> Grants will be available for: (a) establishing 7 new fab-labs<sup>3</sup>; (b) transforming all existing fab labs into Centers of Excellence in digital manufacturing and facilitating link-up with private sector; (c) set-up 5 “i-labs”<sup>4</sup> in 5 universities; and (d) set-up business incubators tagged with successful fab-labs/i-labs to convert innovative ideas into commercially useful products. All functioning fab-labs in Bangladesh will be brought under “Fab-Lab Bangladesh Network” and which will become active member of “Fab-Lab Asia Network” and “Fab Foundation”.</p>	<p>May require medium and minor scale civil constructions within the university campus. Locations are unknown and may foresee implication of ESS5.</p>

<sup>3</sup> The innovation support facilities (fables, i-labs) established under this sub-component will have climate resilient features and energy efficient appliances and equipment. These facilities will support entrepreneurship/ business start-ups and vulnerability context will be considered if the potential beneficiaries are assessed to be vulnerable to climate and disaster risk which are previously described in the country context.

<sup>4</sup> “i-labs” are smaller and low-budget versions of fab-labs

Component/Sub-component	Key Activities	Implication for ESS5, World Bank
	<b>Technology Transfer Offices (TTO):</b> At least 20 universities will receive grants to establish and operationalize Technology Transfer Offices (TTOs), which will commercialize research outputs by maintaining, valuing, and transacting the transfer of all marketable intellectual assets.	
<b>Sub-Component 2.3: Improving the Governance and Quality of the Higher Education Sector</b>	This sub-component is to support activities to enhance the overall management capacity of the higher education sector in Bangladesh. Technical assistance will be provided to support improving higher education management, quality assurance and accreditation	Currently this sub-component does not foresee any implication for ESS5
<p><b>COMPONENT 3: ENHANCING PROJECT MANAGEMENT INCLUDING CERC, RESULTS MONITORING AND COMMUNICATION</b></p> <p>The component supports project management capacities of the Bangladesh: Ministry of Education and UGC; and in Afghanistan: The Ministry of Higher Education (MoHE). The activities under this component include: (i) project management; (ii) monitoring and evaluation; (iii) communication; and (iv) Technical Assistance (TA) and help create a grievance redress mechanism (GRM).</p>		
<p><b>Component 4: Contingent Emergency Response Component (CERC)</b></p> <p>This contingent emergency response component is included under the project for situations requiring urgent need for assistance. A zero-value component has been included to ensure that these funds can be deployed through the project.</p>		

### 1.3 Project Location

There is a local and regional dimension to the project. The project will build an academic complex for the Asian University for Women (AUW) in Chattogram. Three sides of the project (west, north and south) are surrounded by hilly terrain and there are some residential and commercial structures at the east side of the project boundary. Most of those structures are one storied and semi-pucca in nature. There are few multistoried buildings near the project sites, commercial facilities are mainly along the road. There is no agricultural land closer to the project site. The project site is mostly covered only with grasses and bushes. There is no naturally critical or protected site in the project influence area. The hills of the site are part of a chain that extends north-south parallel to the coast and ends at the present urban Chattogram with Batalli hills (280 feet) and the Railway Cantonment. The hills are formed of consolidated silt to hard shale, raised by geological fault action. AUW permanent campus will be constructed at Dakshin Pahartali, only 6 km from Chattogram city center on 140 acres of unutilized hilly khas land donated by Government in 2004<sup>5</sup>.

Aside from the construction of the AUW academic complex construction, two alternative land / sites in Dhaka, owned by Government of Bangladesh have already been identified as potential sites for construction of UTTA. However, exact site will be finalized based during implementation.

<sup>5</sup> ("International Coalition Plans New University for Asian Women". *The Chronicle of Higher Education*. 2002-03-22. Retrieved 2017-01-17).

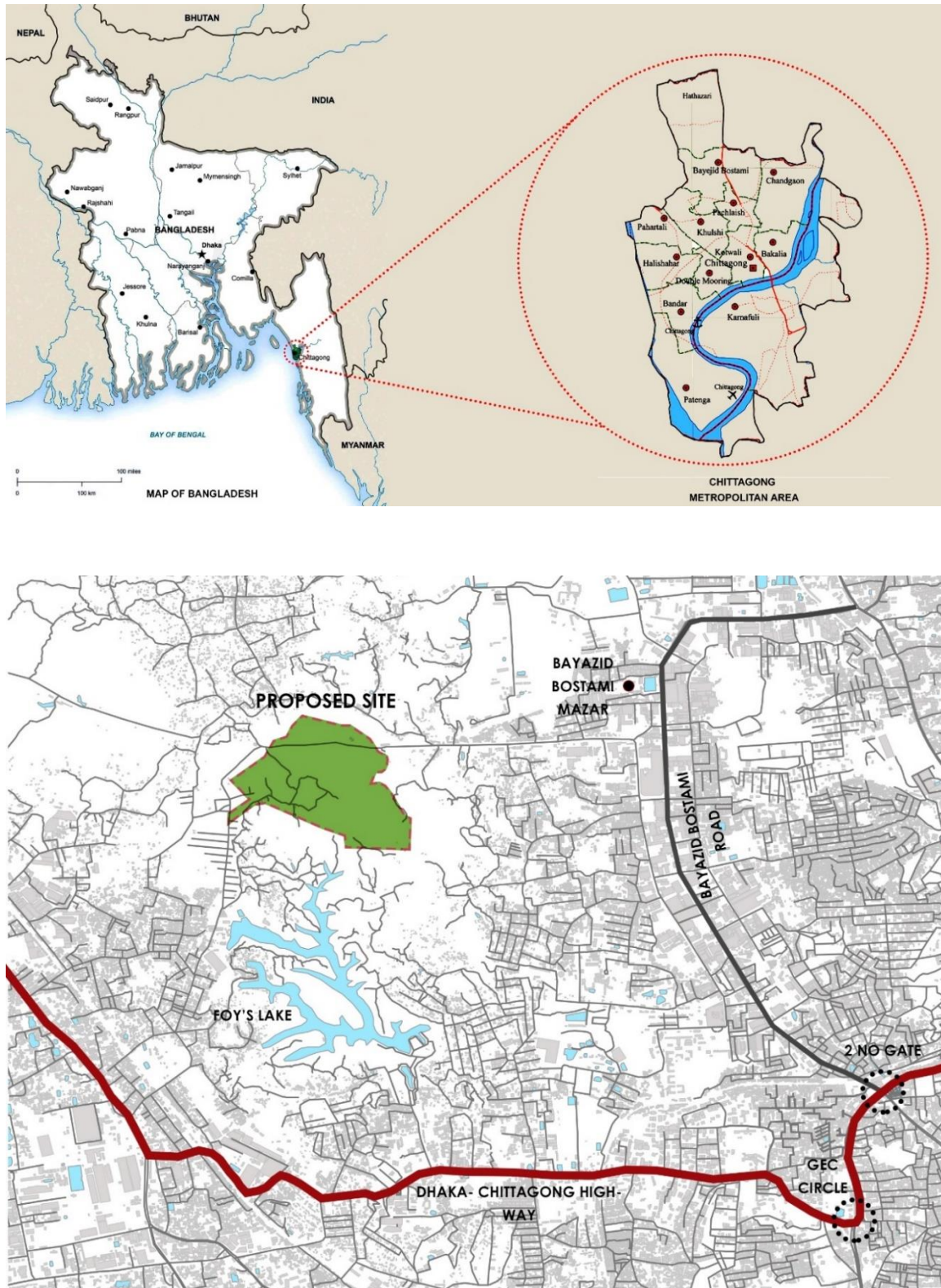
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Other construction activities will be minor and will be within the premises of existing eligible public and private universities and women colleges in Bangladesh. As the eligible educational institutes are not selected yet, exact location is unknown. No project civil works will take place in areas where there are concentrations of Indigenous Peoples. The construction activities will be:

- ✓ Construction of University Teacher Training Academy (UTTA)
- ✓ Establishing 7 new fab-labs
- ✓ Transforming all existing fab labs into Centers of Excellence in digital manufacturing and facilitating link-up with private sector
- ✓ Setting-up 5 “i-labs” in 5 universities;
- ✓ Development of a data center and a high-performance computing cluster
- ✓ Upgradation of teaching-learning facilities with modern technology and upgradation of science and technology labs
- ✓ Teaching and learning of upgradation of Women’s Colleges and Universities in Bangladesh
- ✓ Development of digital facilities of Women’s Colleges and Universities in Bangladesh
- ✓ Upgradation/renovation of childcare facilities, dormitories, WASH facilities of Women’s Colleges and Universities in Bangladesh

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Figure 1: Location of AUW Campus



## 1.4 Principles and Objectives

The following principles and objectives will be followed governing RAP preparation and implementation.

- ✓ Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area.
- ✓ Force eviction will be avoided.
- ✓ Affected households will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that discriminate against achievement of the resettlement objectives. Lack of legal rights to lost assets or tenure status and social or economic status will not bar the affected households from entitlements to compensation and assistance.
- ✓ No site clearing will be done in anticipation or before being considered for inclusion in the project site.
- ✓ Affected households residing, working, doing business and/or cultivating land within the impact area during the conduct of the census and in the detailed measurement survey (DMS), are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and will be provided with assistance to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
- ✓ Affected households will be fully consulted and given the opportunity to participate in matters that will affect their lives during the design, implementation and operation. Moreover, plans for the acquisition and use of assets will be carried out in consultation with the affected households who will receive prior information of the compensation and other assistance available to them.
- ✓ Any acquisition of, or restriction on access to, resources owned or managed by the affected households as a common property such as pasture area will be mitigated by arrangements that will ensure they have access to equivalent resources.
- ✓ There will be no deductions in compensation payments for structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other payments.
- ✓ There will be effective mechanisms for hearing and resolving grievances during the planning and implementation of the component subprojects.
- ✓ If ownership over any affected asset is under dispute, the case will be handled in accordance with the grievance redress mechanism agreed with the EA.
- ✓ Temporarily affected land and structures will be restored to pre-project conditions following the requisition procedures.
- ✓ Existing social, cultural and religious practices will be respected.
- ✓ Special measures will be incorporated in the RAP to complement mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment. Appropriate assistance will be provided to help them improve their socioeconomic status.
- ✓ Particular attention will be paid to the needs of vulnerable and disadvantaged groups [as those individuals or groups who, by virtue of, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits and ensure their participation in consultations.
- ✓ Adequate resources will be identified and committed during the preparation of the RAP. This includes adequate budgetary support fully committed and made available to cover the costs of compensation, resettlement and rehabilitation within the agreed implementation period

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for the project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.

- ✓ Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system.
- ✓ The RAP or its summary will be translated into local language (Bangla) and placed in district and sub-district offices for the reference of affected households and other interested groups.
- ✓ Civil works contractors will not be issued a notice of possession for any given geographic location in accordance with the approved RAP until (a) compensation payment at replacement cost have been satisfactorily completed for that area; (b) agreed rehabilitation program by UGC and affected persons is in place; and (c) the area is free from all encumbrances. The RAP implementation consultant will submit the report with written consent of the affected individual/HH. This will be verified by the PMC and certified by the PIC.
- ✓ Cash compensation for affected households losing commercial structures will be made available well ahead of civil works to allow the affected households sufficient lead time for reconstruction and to re-establish the business. No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated.



## Chapter 2: RAP Preparation, Approval and Disclosure Process

### 2.1 Resettlement Planning Process

The components and subcomponents with physical works/interventions require screening. The social screening will occur during the project preparation stage as soon as fairly accurate site location(s) is (are) known for the sub-project.

The social screening will provide a preliminary assessment of the potential impacts of the sub-project. UGC and respective university representatives will conduct the social screening. The screening will help to identify issues which can be verified during field investigations and also provide a preliminary idea regarding the nature, extent, and timing of social issues that would need to be handled during the subsequent stages. It will also help to identify opportunities for avoidance or minimization early in the project cycle so that the design process can be informed appropriately. The screening will also help to identify the scope of further assessments and timeframe required for obtaining the regulatory clearances (if any). If further assessments and plans (such as RAP, ARAP, etc.) are deemed necessary, these plans will be prepared according to the guidelines provided in this RPF. Following resettlement planning procedures will be followed **Table 02**.

*Table 02: Resettlement Planning, responsibility and timing*

Screening and Preparation Step	Responsibility	Timing
<b>Identification of Sub-Project</b>	UGC with the support of university representatives, Social and Resettlement Specialist, Land Acquisition Specialist, Gender Specialist; and Consultation Specialist.	After identification of potential location(s) in consultations with the local people.
<b>Census, SES, IOL and Property Valuation Survey</b>	Once the project location is identified, UGC with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social Specialists and Gender Specialist will conduct consultation meetings with the local people and affected HHs.	As required
<b>Preparation of specific plans and instruments (RAP, LAP)</b>	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. UGC will also prepare land acquisition plan with the support of implementing NGO/ firms and submit to DC office.	RAP/LAP will be prepared and approved before land acquisition started to ensure all land acquisition and involuntary resettlement practices are in line with RAP and ESS5
<b>Implementation of RAP</b>	Once the RAP is approved by MoE and World Bank, UGC will implement the same with the support of NGO/Consulting firm and DC office. World Bank E&S team will review the status of implementation through supervision.	As recommended in RAP.

## 2.2 Detailed Assessment and Survey

Project will conduct census and socioeconomic survey(s), with appropriate socioeconomic baseline data to identify all persons who will be affected by the project and to assess the project's socioeconomic impacts on them. Once the detailed design is finalized, the required social surveys will be conducted by UGC, if necessary, with the support of a consultancy firm or NGO. Based on this survey outcomes, a social impact assessment will be done which will include potential social impacts, income and livelihood of displaced persons and gender-disaggregated information pertaining to the economic and socio-cultural conditions of displaced persons. The project's potential social impacts and risks will be assessed against the requirements presented in this RPF and applicable laws and regulations of the jurisdictions in which the project operates that pertain to involuntary resettlement matters.

The census will cover 100% of affected persons. The purpose of the census is to: (i) register who the potentially affected persons are; (ii) assess their income and livelihoods; and (iii) inventory of their assets affected due to the project; (iv) gender-disaggregated and where relevant ethnicity-disaggregated in case of presence of small ethnic communities, information pertaining to the economic and socio-cultural conditions of displaced persons. Before census survey, consultation must be conducted with all affected households. The purpose of the baseline socioeconomic sample survey of affected persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socioeconomic status of affected persons. The survey will cover at least 30% of affected persons and 20% of significantly affected persons and rest 50% may cover samples from the project impact zone. The survey will also collect gender-disaggregated data to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the subproject area; and (ii) analysis of social structures and income resources of the population.

As part of the social impact assessment, the project will identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. Where such individuals and groups are identified, project will propose and implement targeted measures, so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in relation to sharing the benefits and opportunities resulting from development.

### **The census and socio-economic survey will identify**

- The scope and scale of land acquisition and impacts on structures and other fixed assets;
- Any project imposed restrictions on use of, or access to, land or natural resources ;
- Identifying public or community infrastructure, property or services that may be affected;
- Characteristics of displaced HHs, baseline information's on livelihood and standards of living;
- land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non- title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
- the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- Social and cultural characteristics of displaced communities, including a description of formal and informal institutions that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

### 2.3 Preparation of RAP

The RAP will be based on the social impact assessment and meaningful consultation with the affected persons. It will include the results and findings of the census of affected persons, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and results monitoring mechanisms. RAPs will comply with the principles outlined in this agreed RPF. Disbursement of compensation payments and entitlements will be made prior to displacement.

RAP will include measures to ensure that the displaced persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives. During the identification of the impacts of resettlement and resettlement planning, and implementation, the EA will pay adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards. The resettlement plan will specify the income and livelihoods restoration strategy, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule. Guideline to prepare a RAP is in **Appendix 2**

It is expected that the number of affected people under any single subproject will be less than 200 people. In such cases, an abbreviated RAP can be prepared. If the number of affected people exceeds 200, a full RAP will be developed. However, given the community driven village level subprojects under the project, no interventions will lead to physical or economic displacement of 200 or more persons.

The abbreviated RAP will include several standard sections, such as: description of project impact and valuation of affected assets, description of affected people and of their basic socioeconomic and demographic characteristics, institutional arrangement and implementation procedures, compensation and assistance to be provided to affected people; results of consultations, monitoring and evaluation procedures, timeline and budget, at minimum. The data on the project-affected households are considered as an important component of the RAP; however, due to respect for privacy, the information relating to particular individuals and households shall not be subject to public disclosure. Data collected at the beginning of the RAP process can then be used as a baseline to ensure affected persons and households are able to maintain, or preferably improve, their standard of living to pre-project levels.

Where a full RAP needs to be developed, it should include the following at minimum: (i) baseline census and socioeconomic survey information; (ii) specific compensation rates and standards; (iii) policy entitlements related to any additional impacts which are not identified in this RPF but which are identified through the census or survey during implementation; (iv) programs for improvement or restoration of livelihoods and standards of living; (v) implementation schedule for resettlement activities; (vi) and detailed cost estimate.

## 2.4 Disclosure and Approval

The following steps should be followed after full/ abbreviated RAP preparation:

- The draft RAP shall be subject to discussion with PAPs who will receive a copy of the RAP a week before the discussion. Public consultations shall be attended by PAPs, UGC and respective university's representatives, PIC, and RAP preparation firm's/NGO's representatives.
- After the discussion, comments and proposals shall be reflected in the RAP.
- The RAP shall include a section of the consultation process with the matrix of comments and proposals for the inclusion and implementation thereof.
- The Social Specialists shall submit the RAP to the SHED-MoE/UGC for approval.
- After inclusion of the comments received as a result of disclosure of the RAP and after approval thereof by the IA, the RAP shall be officially sent to the WB for review and confirmation on the compliance with ESS5 and other applicable policies/procedures.
- Once the World Bank confirms the acceptability of the quality of each RAP, it shall be disclosed on the WB website, published as a final RAP on the UGC and MoE website and re-shared with all stakeholders. Private information about PAPs shall not be made publicly available.

No changes shall be made to the compensation entitlement matrix, eligibility criteria, compensation rates, or provisions for assistance without the prior World Bank's consent.

## Chapter 3: Potential Impacts, Eligibility Criteria, and Procedures for Defining Various Categories of Affected People

### 3.1 Potential Impacts and Risks

#### 3.1.1 Potential Impacts and risks

There are local and regional dimensions to the project. The project will support the promotion of tertiary education, research facilities, AUW academic complex construction and infrastructural development at local level and promote collaboration on higher education and research at regional level. The project may also support refurbishment and upgradation of infrastructure of a few tertiary higher education institutions in Dhaka and other unidentified locations. Due to the potential impacts on health and safety issues associated with construction activities, relocation of squatters, livelihood impacts on the neighborhood, impacts on gender and labor influx as the result of the establishment of the AUW academic complex and UTTA and the relevant activities such as student exchange etc., the associated risk is classified as ‘Substantial’ from the initial risk assessment of the proposed interventions.

*Table 03: Potential impacts and risks*

Interventions	Potential Impacts and Risks
Construction of AUW academic complex	<p>The construction of academic complex for the Asian University for Women (AUW) in Chattogram will involve large-scale civil works, including:</p> <ul style="list-style-type: none"> <li>✓ hill cutting, leveling and land development;</li> <li>✓ construction of infrastructure such as academic building, hostels and dormitories, auditorium, etc.,</li> <li>✓ construction of internal roads and retaining walls because of the hilly locations</li> </ul> <p>The land plot for construction of the campus is currently in the possession of the AUW authority. No land acquisition or voluntary land donation is required. There is presence of few squatter’s business just outside the campus are which might be affected during construction period. Due to movements of heavy vehicles, there are possibilities of construction induced impacts. The plot is currently vacant although some livelihood and grazing activities are carried out which are ascertained in the project’s Environment and Social Impact Assessment (ESIA).</p> <p>There are villages adjoining the site and there is a possibility of the building works hindering access to the villages from the main entry/exit points.</p>
Construction of UTTA	<p>A UTTA proposed to be built in Dhaka, for which two sites were considered by the project initially as the University Grants Commission (UGC) owns both and these were free from squatters. On February 2019, however, Chairman UGC discarded these sites and decided to approach GoB for a new piece of land at Dhaka for the project. The proposed site is yet to be finalized. Land owners, squatters, residential HHs may be affected.</p>
Upgradation of teaching-learning facilities with modern communication technology; Upgradation of science and technology labs for STEM disciplines; and	<p>Locations are unknown and minor civil construction required. Constructions will be within the university campus area.</p>

Interventions	Potential Impacts and Risks
upgradation/renovation of childcare facilities	
Establishing 7 new fab-labs; transforming all existing fab labs into Centers of Excellence in digital manufacturing and facilitating link-up with private sector; set-up 5 “i-labs” in 5 universities; and set-up business incubators tagged with successful fab-labs/i-labs to convert innovative	Locations are unknown and minor civil construction required. Constructions will be within the university campus area. No resettlement related impacts and risks are expected as all the minor construction/rehabilitation will be conducted within university premises.
Impact on tribal people	Although the project civil works will not take place in areas where there are concentrations of Indigenous Peoples, the project will encourage enrolment of indigenous students through various incentive mechanisms, including stipends. An Indigenous Peoples Planning framework is being prepared. or Tribal/Small Ethnic Minorities and Vulnerable Peoples Development Plan will be prepared as well.
Construction induced impact	Due to movements of heavy vehicles, construction induced impacts may be anticipated.

### 3.1.2 Potential Impacts and risks

This project will, in general, discourage land acquisition and will do so only when no alternative are available and adequate mitigation and compensation measures have been put into place for the PAPs. Project will also try to avoid voluntary land donation, but in cases when this happens, it will be subject to strict scrutiny and prior approval by the World Bank will be required. In all cases, land acquisition, requisition and donation cannot result in a person or household being worse off than pre-project levels and adequate measures will be put into place to compensate the PAPs. During the construction if heavy machineries are required to use private lands on a temporary basis for moving to the sites and affect structures, trees or any other assets, the contractors will require to secure written consent and permission from the landowners. Any construction induced permanent and/or temporary impacts i. e: damages of crops, trees, structures, and livelihood must be addressed according to the entitlement matrix suggested **with table 04**.

As most of the project sites are unknown, the project implementation may involve physical displacement of landowners, squatters, business enterprises etc. Some roadside mobile vendors may be affected, who sits in the roadside market’s once week or daily basis regularly. These vendors do not own any structures; they can move their baskets, but they may temporarily lose income due to the project.

### 3.2 Project Principles

The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistances. Affected persons will be classified as:

- (i) persons who have formal legal rights to land or assets
- (ii) persons who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- (iii) Persons who have no recognizable legal right or claim to the land or assets they occupy or use.

Those covered under (i) and (ii) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF. Persons covered under (iii) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

### 3.3 Methods to Determine Cut-Off Date

Cut-off date is the date after which eligibility for compensation or resettlement assistance will not be considered. It will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. Date of service of notice under Section 4 of Land Acquisition and Requisition of Property Act (ARIPA 2017) is considered as legal cut-off dates for the land owners. The 1<sup>st</sup> day of the census survey to be the cut-off date for the squatters and encroachers and recognized as social cut off dates.

### 3.4 Eligibility Criteria

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

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Other than PAPs, any entities affected by the project within the RoW are entitled for the compensation. If any Common Property Resources (CPR) are affected or unavoidable, according to section 4(13) and 20(1) of ARIPA 2017, CPRs can be acquired or requisitioned. However, before affecting any CPRs all compensation has to be paid and ensure that affected CPRs are reconstructed before dismantling or damaged. For example if any schools are affected by the project, a new school has to be constructed before demolishing the affected school.

Where land is to be acquired, titled or legal owner will receive compensation for land acquired by the Project at replacement cost. This will be in cash at replacement value or land-for-land with a combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken to the satisfaction of the PAP (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. **Table 04** below presents the Project's entitlement matrix, based on potential losses.

Compensation eligibility will be limited by a cut-off date to be set for the project and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted.



### 3.5 Entitlements matrix: Eligible PAPs, Assets and Compensation Guidelines

Table 04: Eligibility and Entitlement Matrix

Unit of Entitlement	Entitlements
<b>Impact category 1: Acquisition of agricultural, homestead, commercial, water bodies (ponds) land</b>	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 200% premium</li> <li>• Replacement Value (RV) and dislocation Allowance as recommended by PAVC.</li> <li>• If RV is higher than CCL, the difference will be paid by UGC.</li> <li>• If the remaining land is unusable, the compensation provided will be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).</li> </ul>
<b>Impact category 2: Requisition of agricultural, homestead, commercial, water bodies (ponds) land</b>	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> <li>• Rental price of land as determined by DC with consultation with the land owners and UGC following the guideline of ARIPA 2017</li> <li>• Replacement Value (RV) and dislocation Allowance as recommended by PVAC, if any assets other than the land is affected and required relocation.</li> <li>• If the land or assets are leased to third party, compensation to the third party and income loss to the owners will be paid as recommended by DC</li> <li>• if the remaining land is unusable, the compensation provided will be calculated based on the total land requisitioned (i.e., the actual land required plus the remaining unusable land).</li> <li>• Requisition can be maximum of 2 years Land has to be returned to the owner as original condition, otherwise compensation has to be paid as decided by DC and land owner.</li> </ul>
<b>Impact category 3: Loss of residential, commercial structures with title to land</b>	
Legal owner(s) as identified by DC in the process of CCL payment.	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 100% premium or RV whichever is higher</li> <li>• If RV is higher than CCL, the difference will be paid by UGC as top-up.</li> <li>• Transfer Grant at actual cost which will include labor cost and transportation cost</li> <li>• Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost</li> <li>• UGC in collaboration with PIC local government and RAC will make best efforts to identify alternative residential or commercial sites for the affected HHs.</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> <li>• Dismantling cost for non-shiftable structure will be determined by the PVAC and PIC based on the actual price and consultation with affected HHs.</li> </ul>
<b>Impact category 4: Loss of residential, commercial structures without title to land (squatters/vendors/encroachers)</b>	
Non-titled persons owners, vendors and encroachers those own residential and commercial structures (shiftable and non-shiftable built on GoB land as found during census	<ul style="list-style-type: none"> <li>• Replacement value of the structure as determined by PVAC and PIC in consultation with affected HHs.</li> <li>• Transfer Grant at actual cost which will include labor cost and transportation cost</li> <li>• Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost</li> </ul>

Unit of Entitlement	Entitlements
	<ul style="list-style-type: none"> <li>• UGC in collaboration with PIC, local government and RAC will make best efforts to identify alternative residential or commercial sites for the affected HHs.</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> <li>• Dismantling cost for non-shift able structure will be determined by the PVAC and PIC based on the actual price and consultation with affected HHs.</li> </ul>
<b>Impact category 5: Loss of common property resources (CPR) with or without title to land</b>	
<ul style="list-style-type: none"> <li>• Legal owners (land, structures, trees <b>or any other assets</b>) identified by DC in the process of CCL payment.</li> <li>• Socially recognized owners/ non-titled (structures, trees <b>or any other assets</b>) affected on the ROW as identified by Census and verified by IVC.</li> </ul>	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 200% premium for land (title holder)</li> <li>• If RV of land is higher than CCL, the difference will be paid by UGC as top-up.</li> <li>• Cash compensation under law (CCL) which includes 100% premium for assets other than land (tittle holder)</li> <li>• If RV of assets other than land is higher than CCL, the difference will be paid by UGC as top-up (title holder)</li> <li>• Replacement Value (RV) of structure, trees or any other assets other than land for non-titled holder</li> <li>• Transfer Grant at actual cost which will include labor cost and transportation cost</li> <li>• Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> <li>• Dismantling cost for non-shift able structure will be determined by the PVAC and PIC based on the actual price and consultation with affected HHs.</li> </ul> <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> <li>• Project will construct a new community property in consultation with community and / or managing committee</li> <li>• No community property cannot be demolished until new one is constructed.</li> </ul>
<b>Impact category 5: Loss of timber and fruit bearing trees, bamboo and banana groves</b>	
<ul style="list-style-type: none"> <li>• Legal owner(s) as identified by the DC in the process of CCL payment.</li> <li>• Socially recognized owners of trees grown on public or other land, as identified by Census and verified by PVAC.</li> </ul>	<ul style="list-style-type: none"> <li>• Timber trees and bamboo: RV of trees and bamboo.</li> <li>• Fruit-bearing trees without timber: if the tree is at or near fruit-bearing stage, the estimated current market value of the fruit.</li> <li>• Fruit-bearing trees with timber: RV for the timber, and estimated current market value of fruit.</li> <li>• Banana groves: RV of all trees and estimated current value of one-time crop of each full-grown tree.</li> <li>• Owners will be allowed to fell trees and take the timber, free of cost after payment of CCL or RV as applicable.</li> </ul>
<b>Impact category 6: Loss of standing crops/fish stock</b>	
<ul style="list-style-type: none"> <li>• Owner cultivators as identified in joint verification by DC and UGC.</li> <li>• Socially recognized owners of crops/fish stock as identified by Census and verified by PVAC.</li> </ul>	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 100% premium for title holder and sharecroppers</li> <li>• 100% top-up payment on DC's CCL for legal owners and sharecroppers</li> <li>• Replacement value of crops if planted on GoB land by squatters and /or sharecroppers</li> <li>• 1-month advance notice to be issued in time to harvest standing crops. If not possible, the value of standing crops at full harvest value will be paid.</li> </ul>

Unit of Entitlement	Entitlements
<ul style="list-style-type: none"> <li>Sharecroppers</li> </ul>	<ul style="list-style-type: none"> <li>RV of existing standing crops/fish stock</li> <li>Owners will be allowed to harvest crops and fish stock.</li> </ul>
<b>Impact category 7: Loss of leased /mortgaged in land/ponds</b>	
Leaseholder with legal papers. Socially recognized lessee or sharecropper, in case of customary informal tenancy arrangements, including socially recognized agreements.	<ul style="list-style-type: none"> <li>RV of crops/fish stock.</li> <li>Outstanding lease money back to the lessee by the owner as per agreement.</li> <li>Dislocation Allowance will be calculated according to the recommendation of PVC and based on the current market rate.</li> </ul>
<b>Impact category 8: Loss of income from displaced commercial/ industrial premises (owner operated)</b>	
Any proprietor or businessman or artisan operating in premises, at the time of issuance of Notice u/s 4 and/or during Census.	One-time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PAVC and transitional allowance @ three months rental cost.
<b>Impact category 9: Temporary loss of income (wage earners in agriculture, commerce &amp; small business and industry) for title and non-title</b>	
<ul style="list-style-type: none"> <li>Regular wage earners affected by the acquisition.</li> <li>Also applicable for non-titled</li> </ul>	<ul style="list-style-type: none"> <li>Grant to cover temporary loss of regular wage income @ average wage/day in the locality for 30 days for wage labour or as determined by PVAC</li> <li>Income and livelihood restoration assistance, to be created by the Project.</li> </ul>
<b>Impact category 10: Loss of income from rented -out and access to rented-in residential/ commercial premises</b>	
Owner of the rented-out premises as identified by Census and verified by PVAC. Household/person rented-in any such structure as identified by Census and verified by PVAC.	One-time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PVAC and transitional allowance @ three months rental cost. Actual shifting assistance
<b>Impact category 11: Adverse Impact on Host Population Due to Relocation of PAPs</b>	
Households relocated to the host villages	Enhancement of carrying capacity of common civic amenities/utilities of the host communities as per assessment by UGC.
<b>Impact Category 12: Severally affected and Vulnerable HHs and livelihood assistance</b>	
<ul style="list-style-type: none"> <li>Persons losing more than 10% of their income from all sources as identified by Census and verified by PVAC.</li> <li>Squatters</li> </ul>	<ul style="list-style-type: none"> <li>Income restoration grants for three months based on the average monthly income loss Skill training and credit support under income generation program.</li> <li>Special Assistance of a one-time payment for vulnerable household as each female-headed, disabled-headed, elderly-headed and poor household as decided by RAC and/or PIC</li> <li>All the vendors and squatters will be eligible for Skill training and credit support under income generation program.</li> </ul>
<b>Loss Item 13: UNFORESEEN ADVERSE IMPACTS</b>	
Households/persons affected by any unforeseen impact identified during RAP implementation	Entitlements will be determined as per the resettlement policy framework

Unit of Entitlement	Entitlements
<b>Impact category 14: Construction induced impact</b>	
Title and non-title land structure, tree and /or any type of assets owners	<ul style="list-style-type: none"> <li>• RV of damaged land structure, tree, crops/fish stock and /or any type of assets owners as determined by PVAC and affected land / asset owners</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> </ul>

### 3.6 Voluntary Land Donation (VLD)

Voluntary donation of land by individuals or community groups is traditionally practiced in this part of the subcontinent, also in Bangladesh for establishing educational institutions. In case of small sections of land required for micro level subproject activities, the project may seek support from the community to donate lands. However, the community members have the right to make a contribution of their land or other assets without seeking or being given compensation at full replacement value. Voluntary contribution is an act of informed consent. Local Authorities must assure that voluntary contributions are made with the affected person’s full and prior knowledge of the availability of other options (including compensation at replacement cost) and are obtained without coercion or duress. Also, voluntary donations are allowed only if the affected people are direct beneficiaries of the investments that cause such impact. Proposals including voluntary contributions will not be submitted for approval where they would significantly harm incomes or living standards of individual owners or users (the size of land contributed on a voluntary basis should not exceed 10% of that individual’s total land holding).

If the local people are interested to donate land voluntarily, voluntary land donation procedures and steps described in ESS5 has to be followed. A detailed voluntary land donation procedures and steps are attached with **Appendix 4**. If donated land is used in this project, UGC must demonstrate that:

- the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them;
- potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation;
- the amount of land being donated is less than 10% of the potential donor’s land holding and that it would not have significant impact on their livelihood
- no household relocation is involved;
- the donor is expected to benefit directly from the project;
- For community or collective land, donation can only occur with the consent of individuals using or occupying the land. UGC will maintain a transparent record of all consultations and agreements reached; and
- All consultations and documentation procedures regarding the donation has to be well documented and preserved.

## Chapter 4: Legal Framework and policies related to Land Acquisition and Resettlement

### 4.1 Land Acquisition policy of Bangladesh Government

The Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain for land acquisition and requisition in Bangladesh. ARIPA 2017, detailed the land acquisition process from section 4 to section 19 and land requisition process from section 20 to section 28. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1). The DCs there after enhance the assessed value by 200% and another 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is called the Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (Bargadar/sharecropper) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided that project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.

Households and assets moved from land already acquired in the past for project purposes and/or government khas land are not included in the acquisition proposal and therefore excluded for considerations for compensation under the law. Lands acquired for a particular public purpose cannot be used for any other purpose. Furthermore, the Act under its section 15 provides for the acquisition of entire houses/buildings if their owners request to acquire the entire house or building against partial acquisition. The government is obliged to pay compensation for the assets acquired.

*Table 05: Land Acquisition Process under ARIPA, 2017*

Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
<b>Section 4(1)</b>	Publication of preliminary notice of acquisition of property for a public purpose	Deputy Commissioner
<b>Section 4 (3) (1) (i)</b>	Prior to the publication of section 4(1) notice; Identify the present status of the land, structures and trees through videography, still pictures or appropriate technology.	Deputy Commissioner
<b>Section 4 (3) (1) (ii)</b>	After the publication of the section 4(1) notice a joint verification should be conducted with potentially affected households and relevant organizations.	Deputy Commissioner
<b>Section 4 (7)</b>	After publication of preliminary notice under the section 4(1), if any household has changed the status of the land for beneficial purposes, changed status will not be added to the joint verification notice.	Deputy Commissioner
<b>Section 4 (8)</b>	If the affected person is not happy with the joint verification assessment, he/she can complain to Deputy Commissioner within 7 days of issuing sec 4(1) notice.	Affected Person
<b>Section 4 (9)</b>	Hearing by Deputy Commissioner within 15 working days after receiving the complaints. In case of government priority projects, hearing will be within 10 working days.	Deputy Commissioner
<b>Section 5 (1)</b>	Objections to acquisition by interested parties, within 15 days of the issue of section 4 (1) Notice	Affected Person

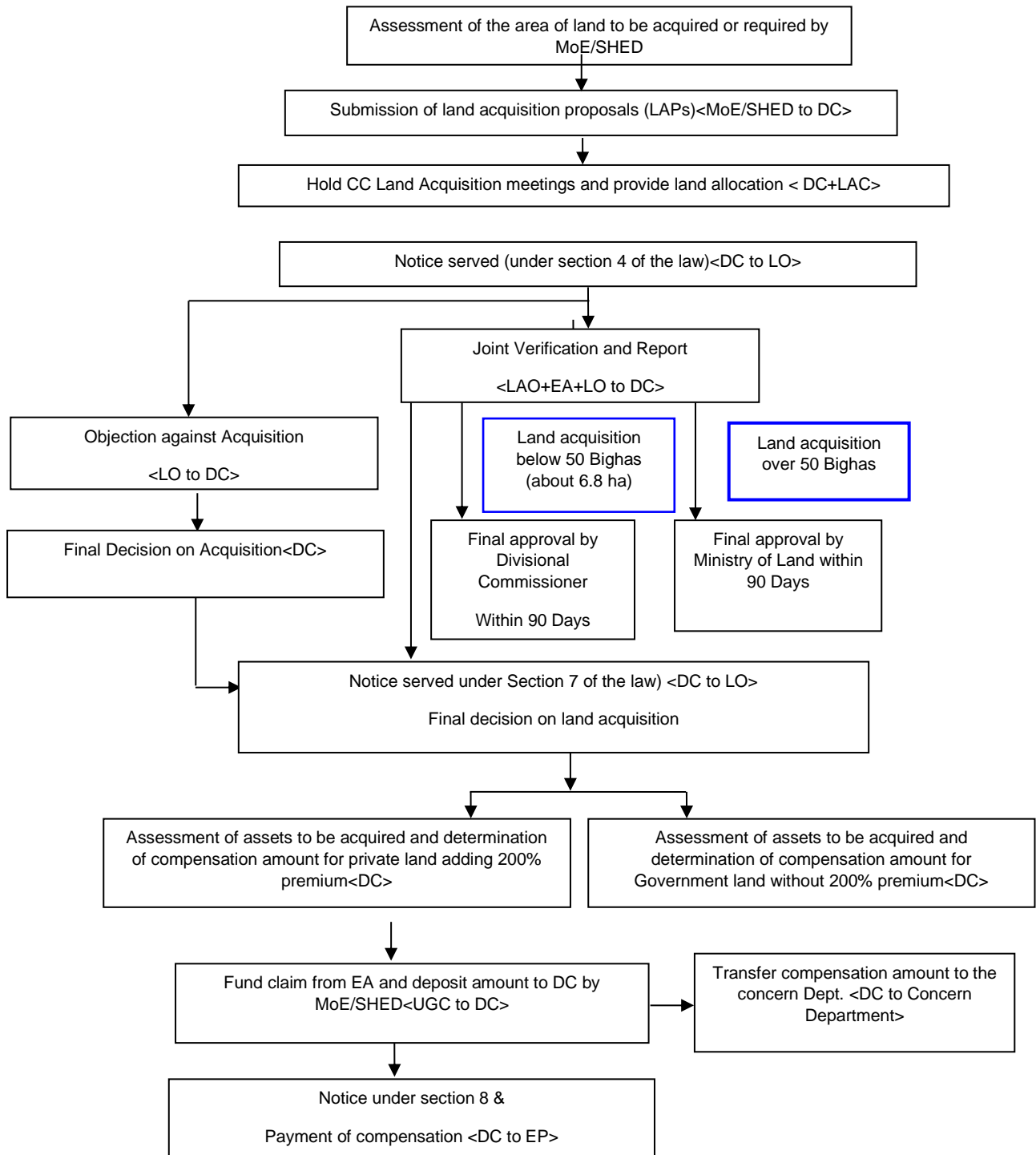
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Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
<b>Section 5 (2)</b>	Deputy Commissioner submits hearing report within 30 working days after the date of the sec 5(1) notice. In the case of government priority projects, it will be within 15 working days.	Deputy Commissioner
<b>Section 5 (3)</b>	DC submits his report to the (i) Government (for properties that exceed 16.50 acres; (ii) Divisional Commissioner for properties that do not exceed 50 standard bighas. Deputy Commissioner makes the final decision If no objections were raised within 30 days of inquiry. In case of government priority project, it will be 15 days	Deputy Commissioner
<b>Section 6 (1) (1)</b>	Government makes the final decision on acquisition within 60 working days after receiving report from the Deputy Commissioner under sec 5(3) notice.	Government
<b>Section 6 (1) (2)</b>	Divisional Commissioner makes the decision within 15 days or with reasons within 30 days since the submission of the report by Deputy Commissioner under sec 5(3) notice.	Divisional Commissioner
<b>Section 7 (1)</b>	Publication of the Notice of final decision to acquire the property and notifying the interested parties to submit their claims for compensation	Deputy Commissioner
<b>Section 7 (2)</b>	Interested parties submit their interests in the property and claims for compensation within 15 working days (in case of priority project 7 days).	Affected Person
<b>Section 7 (3)</b>	Individual notices have to be served to all interested persons including the shareholders within 15 days of issuing Section 7(1) notice	Deputy Commissioner
<b>Section 8 (1)</b>	Deputy Commissioner makes a valuation of the property to be acquired as at the date of issuing Section 4 Notice; determine the compensation; and apportionment of compensation among parties interested.	Deputy Commissioner
<b>Section 8 (3)</b>	DC informs the award of compensation to the interested parties and sends the estimate of compensation to the requiring agency/person within 7 days of making the compensation decision	Deputy Commissioner
<b>Section 8 (4)</b>	The requiring agency/person deposits the estimated award of compensation with the Deputy Commissioner within 120 days of receiving the estimate.	Deputy Commissioner
<b>Section 9 (1)</b>	During valuation of assets, Deputy Commissioner will consider the following: (i) Average market price of land of the same category in the last 12 months; (ii) Impact on existing crops and trees; (iii) Impact on other remaining adjacent properties; (iv) Impact on properties and income; and (v) Relocation cost for businesses, residential dwellings etc.	Deputy Commissioner
<b>Section 9 (2)</b>	Additional 200% compensation on current mouza rate is added to the estimated value. If private organizations acquire, added compensation will be 300%.	Deputy Commissioner
<b>Section 9 (3)</b>	Additional 100% compensation on top of the current market price for impacts mentioned under sec 9(1)	Deputy Commissioner
<b>Section 9 (4)</b>	Appropriate action should be taken for relocation on top of the above-mentioned sub-sections.	
<b>Section 10 (2)</b>	If an entitled person does not consent to receive compensation, or if there is no competent person to receive compensation, or in the case of any dispute with the title to receive compensation, Deputy Commissioner deposits the compensation amount in a deposit account in the Public Account of the Republic and Deputy Commissioner acquires the land. But if any person complains	Deputy Commissioner

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Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
	about the ownership of the land, with appeal, he/she will be able to collect the amount from Deputy Commissioner. There is no fixed time for this.	
<b>Section 11 (1)</b>	Deputy Commissioner awards the compensation to entitled parties within 60 days of receiving the deposit from the requiring agency/person.	Deputy Commissioner
<b>Section 12</b>	When the property acquired contains standing crops cultivated by shareholders, such portion of the compensation will be determined by the Deputy Commissioner and will be paid to the sharecropper in cash.	Deputy Commissioner

According to the initial field screening, no tribal people are expected to be affected by the project. However, if tribal people are identified during census and socio-economic survey, a separate IPP plan will be prepared following the guidelines of ESS7 and thus detailed legal framework will be described.



(EA=Executing Agency DC=Deputy Commission)

Figure 01: Land Acquisition and Compensation Payment Process under ARIPA, 2017



## 4.2 Land Requisition Policy of Bangladesh:

For requisition of land for temporary purposes, the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain land acquisition and requisition in Bangladesh. The Act requires compensation to be paid for: (i) vacating the requisitioned property (ii) reoccupying the property upon released from the requisition (iii) damaged the cost to the property during period of requisition including the expenses that may have to be incurred for restoring to the original condition

Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the requisitioned assets under section 22(1) and 22(2) with due consultation with the landowners. According to section 22(6), requisition is allowed only for 2 years. If land is required more than 2 years, a new contract is required with the landowners with an agreed compensation rate. Under section 23, DC will pay the compensation to the landowners. If the land requisitioned has standing crops cultivated by a tenant (Bargadar) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. Under no circumstances, land requisition is not allowed due affecting residential and community properties. However, under section 20, requisition is only allowed for emergency road repairing. Any losses for structures, trees, and business will follow the provisions of ARIPA 2017.

## 4.3 The World Bank environment and social standards

Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers relating to the identification and assessment of environmental and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through ongoing stakeholder engagement. Among the 10 standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. UGC has prepared this RPF following the guidelines suggested under ESS5.

### 4.3.1 Objectives of ESS 5

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.

- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

#### 4.3.2 Applicability of ESS 5

ESS5 will apply as the direct social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The ESS5 also applies in case any subproject activities found as 'linked' or 'associated facility'. This ESS requirements and provisions apply to all components of UGC that result in involuntary resettlement, regardless of the source of financing. Non-applicability of ESS5 is attached with Annex 4. This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- (a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- (b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- (c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- (d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- (e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- (f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- (g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- (h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

**Forced eviction:** The project will not resort to forced evictions of affected persons. The exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forced eviction providing it complies with the requirements of ARIPA 2017 and the provisions of this ESS, and is conducted in a manner consistent with basic principles of due process. Due process is including the following types of procedural protections:

- consultation with all affected household;
- adequate and reasonable notice for all affected persons prior to the scheduled date of eviction;
- information on the proposed evictions;

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- where groups of people are involved impartial observers will be presented during eviction;
- all persons carrying out the eviction will be properly identified;
- evictions are not to take place in inclement weather or at night, or during festivals or holidays unless the affected persons consent otherwise;
- provision of legal remedies; and
- provision, where possible, of legal aid to persons who are in need of it to seek redress from the courts.

#### 4.4 Gaps between ESS5 and ARIPA 2017 and Gap filling measures

The following are the key gaps of the ARIPA, 2017 vis-a-vis the World Bank ESS5 are presented in **Table 06**

*Table 06: Gaps between GOB policies/act and ESS5*

Sl. No	Gaps between WB ESS 5 and GOB ARIPA 2017	Gap-filling measures/actions taken in this Project
1	Gaps with regard to avoidance and minimized project impacts	The project designs adopted aimed to minimize impacts and adjusted tracks and station design further to reduce impacts and risk.
2	ARIPA 2017 does not require the preparation of resettlement plan or resettlement action plan (RAP);	RAP/s will be prepared for all sub-project's interventions and without the approval of RAP/s by the bank, construction works will not be started.
3	ARIPA 2017 recognize title owners only; informal settlers are not covered. DC declare cut-off date only for title-holders	All affected persons including titled, non-titled, encroachers will be identified for the compensation and assistance at full replacement cost Cut-off date for non-title holder will be consider the date of census survey.
4	Existing acts and methods of assessments do not ensure full replacement costs and transitional support	If the compensation according to the ARIPA 2017 do not meet the replacement cost, additional top-up payments will ensure replacement cost at current market price together with transitional support
5	Consultation with affected communities not legally required under ARIPA 2017	Extensive consultations will be carried out during all phases of the project. A separate SEP will be prepared.
6	The affected landowners can object to the acquisition in the beginning, but once hearing is done and settled, there is no scope of further complaint during the acquisition process.	There is a provision of two-tier grievance redress mechanism in the project. 1 <sup>st</sup> level GRC is project GRC (PGRC) and 2 <sup>nd</sup> is ministry level. People will first approach to PGRC and will request to forward case to ministry level. Aggrieved person may go to court at any level of grievance mechanism for verdict.
7	Relocation assistance or support allowed for tittle holders only under ARIPA 2017.No support is allowed for the squatters/illegal occupants	Affected households and businesses will receive relocation assistance and support from the project irrespective of titled, non-titled, encroachers etc.
8	Income and livelihood restoration assistance is restricted only to additional 100% compensation	The project benefits include income and livelihood restoration, including training for alternative incomes, and seed grants for small businesses. Vulnerable people will be also included livelihood restoration program
9	There is no policy against land restriction and force eviction	Force eviction and land restriction is not allowed in this project. However, the exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forced eviction providing it complies with the requirements of ARIPA 2017 and the provisions of this ESS, and is conducted in a manner consistent with basic principles of due process (process are described)

Sl. No	Gaps between WB ESS 5 and GOB ARIPA 2017	Gap-filling measures/actions taken in this Project
10	ARIPA 2017 do not consider / recognize impacts imposed by the associate facilities. The act even does not explicitly cover restriction of access as an impact that would require compensation or resettlement	A common approach will be taken and impact and risk assessment will be conducted for the associated facilities as well. Impact and risk assessment will be also conducted for any kind of “restriction of access” by the project.
11	ARIPA 2017 does not have any provision to give special attention to the vulnerable groups like women, disables, ultra-poor or disadvantaged group	Special attention will be taken by the project for the vulnerable groups for i.e. additional grant, livelihood training, job opportunities during construction etc.
12	There is no provision for voluntary land donation	ESS5 clearly describes voluntary land donation procedures.

#### 4.5 ESS 5 Requirements:

**Project design:** Project will try to avoid involuntary land acquisition, voluntary land donation or restrictions on land use. For this purpose, project will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement. The overall principle will be to balance the environmental, social, and financial costs and benefits, while paying particular attention to impacts on the women, poor and vulnerable.

**Compensation and benefits for affected persons:** All lands proposed to be acquired, requisitioned, affected structures, trees, business, community property and crops under the project will be compensated as per replacement cost consistent with both government and ESS 5. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, project will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods to the pre-project level. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

**Impacts on Temples, Mosques, Madrasahs and Grave:** It is expected that no community properties will be affected due to project interventions. However, if affected, project will provide compensation and relocation assistance to all community groups for respective community facilities. Project with the support of PIC/UGC and implementing NGO/firm will provide all necessary assistance including finding out alternative sites for relocation of the establishments.

Some of the CPRs are very sensitive on religious and social ground and will require consultation with the management committees and local people during relocation. Adequate funds for compensation will be kept in the budget for land acquisition and reconstruction, so that the committee may build new community structures.

#### **Measures for Relocation of the CPRs**

As per land acquisition law of Bangladesh Common Property Resources such as mosque, school, graveyard, *madrasha*, temple cannot be acquired without obtaining a no-objection certificate from the Management Committee of the concerned CPR. Nevertheless, CPRs would be relocated for

execution of such development project. For relocation of these CPRs the following points should be taken into consideration:

#### **i. Relocation of Mosques**

Each of the mosques has a management committee. The mosques are being maintained with financial assistance of the local people. This is a very sensitive religious institution in this almost exclusively Muslim community. Muslims go to the mosque to pray five times in a day. Therefore, it is critical that the management committee and the mosque users will be consulted before the acquisition of the mosque and during the relocation process. Before shifting of the existing mosque, a new one will have to be established so that people can continue praying without interruption. It should be ensured that the new mosque would be of better quality than the previous one.

#### **ii. Relocation of Temple/Church**

As per land acquisition law, these cannot be acquired. But due to greater interest of the Project, the temples and church may be purchased in consultation with the concerned community. In that case, the temple and church management committee will be consulted before relocation and will need to provide the Project owners with a no-objection statement for acquisition of the Temple/Church. A new temple and church will be established in the respective communities with easy accessibility. The compensation will be paid to the management committee in case of the community-operated temples and churches. In the case of a family-operated temple the project will pay compensation and reestablishment of such is the responsibility of the HH operating the temple after compensation is paid to them.

#### **iii. Relocation of Graveyard/mazar**

According to the GoB ARIPA 2017, graveyards cannot be acquired by the Project. But in many projects with an extensive RAP, graveyards have been relocated with the cooperation of the local people. The community and the management committee of the graveyard will be consulted in detail regarding the relocation. The religious leaders will be included in the decision-making process and all costs for relocation will be borne by the Project.

The following steps will be followed during relocation of the graveyard:

- ✓ The affected community will identify an alternate location
- ✓ The Project will buy or acquire or take possession of the alternative land for relocation of the graveyard
- ✓ The Project will develop the graveyard with all infrastructures available in the present one; at least up to the existing standard, if possible, with improved conditions such as boundary wall, levelling of land, inside paths, mosque or other infrastructures related to a graveyard
- ✓ The Project will transfer all the top soils from the existing graveyard (one-meter depth) to the new one by following religious customs and norms

All these steps will either be undertaken by the PIC with full compensation depending the agreement reached by both parties. The project will have a big role in keeping the liaison with the community and ensure all necessary support as required and desired by the affected community. The PIC and the Grievance Redress Committee (GRC) will have an important role in this respect.

Compensation will be made to the management committee covering the land, boundary wall, inside paths and other infrastructures, trees (if any in the affected graveyard), registration cost and stamp duty to buy new land and If any other losses are identified

**Public services and facilities:** Public services and facilities interrupted and/ or relocated due to relocation will be fully restored and re-established at their original location or a relocation site. All compensation, relocation, restoration and rehabilitation provisions of this RPF are applicable to public services and facilities. These include but are not limited to schools, health centers, parks, community centers, local government administration, water supply, shrine and graveyards. However, for graveyard, the consent of the religious persons, local persons as well and local administration will be sought to mitigate the impact. Impacts on religious sites will be avoided as much as possible.

**Vulnerable PAPs:** All vulnerable PAPs including disabled-headed, elderly-headed and poor household etc are entitled to livelihood restoration/ improvement support in the form of cash, job-placement, and additional financial support in the form of grants for investments in business or re-employment related equipment and buildings, as well as organizational and logistical support to establish the PAP in an alternative income generation activity.

**Indigenous people communities:** Although the project will not work specifically in areas where concentrations of IPs are located, the AUW education program will induct and encourage enrollment of IP students and those from marginalized areas and backgrounds. Students with disabilities will be included and encouraged to enroll. There are no interventions that may have any adverse impact on small ethnic communities and minorities. If there are any such students or teachers in the selected public universities and/or government/non-government persons/s who opt to undertake the training and utilize the facilities provided by the project, they will be free to do so with equal access and opportunity as all other users. An Indigenous Peoples Planning Framework has been developed based on stakeholder consultations and assessment of baseline scenarios and considering the proportionality of risks in this regard. In the operational phase, the UTTA can provide support and programs for IP teachers/researchers. However, project will conduct social surveys including census and if any household belonging to small ethnic communities are found affected, ESS7 will apply. ESS7 will be implemented through development of a detailed IPP with the provision of free, prior and informed consent as appropriate following the guidelines of Indigenous People's planning framework.

**Affected Women and Female headed households :** To ensure a clear understanding and due consideration of specific relocation and/ or resettlement impacts on displaced women and to safeguard their livelihoods, specific provisions for women will be adopted for the resettlement process, including (i) enumeration of all women and, if applicable, of their status as heads of household or otherwise vulnerable persons; (ii) collection of gender disaggregated socio-economic data; (iii) consultation of women in joint or separate meetings; (iv) due consideration of grievances lodged by women; and (iv) provision of compensation and/ or new titles to women if they are titled or recognized owners of lost assets, and provisions of restoration and rehabilitation measures to women, if households are female headed or women's livelihood is directly concerned. The RAP for relevant activities will detail the scope of impacts on women and where required gender action plans will be prepared, implemented and monitored within or outside RAPs.

**Community engagement:** Project will engage with affected communities through the process of stakeholder engagement described in ESS10 on Stakeholder Engagement and Information Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration

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of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

**Grievance mechanism:** The Project will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. A separate GRM for the management of Gender Based Violence (GBV) and labor will be formed with the guidelines of ESS 2 and ESS 10. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

**Planning and implementation :** Where land acquisition or restrictions on land use are unavoidable, project will, as part of the environmental and social assessment, conduct census, inventory of losses(IOL) and socio-economic survey (SES) to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, the project will establish a cutoff date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

## Chapter 5: Methods of Valuing Affected Assets

### 5.1 Type of Compensation Payment

Compensation for all land use and assets in kind or cash as guided by the entitlement matrix will be required for the following:

- ✓ Land;
- ✓ Affected trees
- ✓ Residential buildings, structures and fixtures;
- ✓ Cultivated crops (both cash and food crops) and trees;
- ✓ Affected Business
- ✓ Squatters
- ✓ Community Resource Properties
- ✓ Construction Induced Impacts

In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix. However, this is for guidance only and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation. All cash amounts will be adjusted to reflect any economic changes and buying power of currency since the preparation of this RPF. The PAVC will evaluate the compensation amounts recommended in the RAP and ensure that they reflect market reality and that it is consistent with Republic of Tajikistan laws as long as it meets the requirements of WB ESS5.

### 5.2 Compensation payment method

#### 5.2.1 Valuation method for land

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.

Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land). If land is required temporarily, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the sharecroppers rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). There will hence be no adjustment in the terms of the rent of share cropping agreement. Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.



### 5.2.2 Valuation method for structure

Structures replacement values will be based on:

- ✓ Depreciation of the structures are not allowed.
- ✓ Transition allowance will be provided, if a place needs to be rented before new house construction
- ✓ Measurements of structures and detail of materials used.
- ✓ Average replacement costs of different types of household buildings.
- ✓ Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.). Prices of these items collected in different local markets.
- ✓ Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- ✓ Estimates of construction of new buildings including labor required.
- ✓ Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

### 5.2.3 Valuation method for trees and crops

The current prices for the crops will be determined taking into account the forest and agricultural department recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate, depending on the crop will be compensated. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimates depending on the crop. The crops used will be the ones that are currently or have most recently been cultivated on that land. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be consultation beforehand so that harvesting can be properly planned. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.

All the affected trees within the RoW will be identified through census and IOL. For perennial trees, cash compensation at replacement cost is equivalent to current market value given the type, age, and productive value (future production) at the time of compensation. Timber trees will be based on diameter at four feet height at current market value.

Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

### 5.3 Determination and Payment of Top-up

Where an owner loses lands and other assets in more than one mouza or land administration unit, the person will be counted once, and his/her top-up will be paid as a single amount. The amount of top-up payment to be received by the affected person will be determined by comparing the total amount of CCL paid by the DCs for lands and other assets acquired in all mouzas with the total replacement costs and/or market prices thereof. Top-up payment will be counted in a manner that positive differences will be counted as positive but negative differences will be calculated as zero. But if any PAP produces more than

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one CCL together (for one category of loss such as land or structure) before the INGO for top-up payment where one CCL carries positive difference between CCL and RV and another carries negative difference, the top-up amount will be calculated considering both CCL and if there is additional payment found from the calculation the INGO will arrange for payment.

**Partial CCL and Top-up Payment:** Where DC's CCL payment is not made together for all lands and other assets acquired from an owner due to legal disputes or other reasons, INGO will determine the top-up payment amount for the acquisitions as a whole, but pay on the lands and other assets for which CCL has been paid. Top-up for the rest will be paid whenever the CCL payment is made after resolution of the disputes.

Compensations/entitlements due to the PAPs, including those who are not covered by the ARIPA 2017, but eligible according to this RAP and ESS 5, will be paid in full before they are evicted from the acquired private and public lands. Based on the principles proposed for impact mitigation, the following matrix defines the specific entitlements for different types of losses, entitled persons, and the institutional responsibility to implement them.

## Chapter 6: Consultation and Participation

### 6.1 Purpose of stakeholder's engagement:

Consultations with affected people and communities are the starting point for all resettlement related activities. Experience indicates that involuntary resettlement generally leads the affected population to facing severe problems in the socio-economic life making them apprehensive towards the Project. Project aims to provide a two-way communication channel between the stakeholders and the scheme proponents. In keeping with the same, the process of public consultation and participation in the project was initiated in the year 2008, after that 2019 and has been an integral part since all studies and assessments are undertaken. Already, a standalone Stakeholder Engagement Plan (SEP) has been prepared for this project. Stakeholder consultations have been extensively reported in SEP containing Project background, Socio economic context, Consultation and Communication Strategy etc. applying ESS 10, which will be followed through the project cycles. This chapter mainly focuses on the people's opinion about relocation, resettlement, project messages, planning about resettlement relocation of the displaced households.

As defined by the ESF and ESS10, stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project's environmental and social risks. According to ESS10, Stakeholder engagement is most effective when initiated at an early stage of the project development process, and is an integral part of early project decisions and the assessment, management and monitoring of the project. UGC and other stakeholders will ensure the following engagement procedures:

- ✓ Project will engage meaningful consultations with all stakeholders throughout the project life cycle, commencing such engagement as early as possible in the project development process and in a timeframe that enables meaningful consultations with stakeholders on project design. The nature, scope and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.
- ✓ The process of stakeholder engagement will involve the following, as set out in further detail in this ESS: (i) stakeholder identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with stakeholders; (v) addressing and responding to grievances; and (vi) reporting to stakeholders.
- ✓ Project will maintain and disclose as part of the environmental and social assessment, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was taken into account, or the reasons why it was not.

### 6.2 Project Stakeholders

Stakeholders are people, groups, or institutions, which are likely to be impacted (either negatively or positively) by the proposed Project interventions or those who can influence the outcome of the Project. The primary stakeholders include all directly affected persons such as title owners losing land, physically

displaced people living on their own land, squatters and businessmen residing in project area and indirectly affected persons and communities/ host communities. The secondary stakeholders are NGOs, community-based organizations, community development projects, governance agencies, development partners, media, community leaders, civil society, traders, construction laborers and consultants in the project area. During preparation of the RPF, UGC has identified different primary and secondary stakeholders. A summary of potential project stakeholders for RPF are given below Table 08. Detailed project stakeholder analysis is described with SEP.

*Table 07: Project stakeholder analysis*

<b>Stakeholder group</b>	<b>Interest/cause in engagement</b>
<b>Local land owners, squatters and vulnerable groups</b>	Project sites are yet to be confirmed except AUW campus. As such should there be land acquisition title, non-titled people may be affected. Potential vulnerable groups, affected communities and other interested parties living in close vicinity to the project areas
<b>Local businessmen and entrepreneurs including different chamber of commerce and industries, Corporate bodies and MNCs</b>	Business specific research, internship of the students, job opportunity for the students, job fair etc. and inputs for curricula development
<b>Contractors, sub-contractors, wage labor, vendors and suppliers</b>	Different labors, contractors, sub-contractors, suppliers and vendors will be engaged with Up gradation of laboratories, equipment's, construction works etc of this project.
<b>Local community leaders</b>	Represents interests of affected communities (land users, local businessmen etc.) and vulnerable groups
<b>Administrative body of Ministry of Planning, Ministry of Finance and Ministry of Education</b>	Legislative and executive authorities. Functions of supervision and monitoring
<b>Local government and administrative bodies</b>	Due to the development and construction works, local administrative permissions are required
<b>Students, teachers and researchers</b>	Local students and researchers are interested as the project will strengthen employability of the graduates, will be able to participate in students exchange program for higher studies, opportunity to work with national and international researchers. A good number of students are interested in career service center. Teachers and researcher from different universities are also interested with the new curricula and technologies.
<b>SHED of MoE and University Grants Commission</b>	Main implementation body of the HEAT project
<b>NGOs and Women organizations in the area</b>	Represents the interests of different interested parties and vulnerable groups, different women organizations in the project will be highly interested with the project as during the implementation and operational stage, there may be issues of GBV and employment of local women in the project. At AUW Public consultation meeting on 14 March 2019, some 76 entities were present that included over 10 organizations (GHASHFUL, PACE etc.) and media entities that work on Gender and GBV related issues.
<b>Mass media (Print and Electronic)</b>	They are intermediaries for informing the general public about the planned activities of the project developer and for information disclosure in connection with the proposed HEAT project.

### 6.3 Stakeholder Engagement at COVID-19 outbreak

Ongoing COVID-19 pandemic situation, managing public consultation and stakeholder engagement in the Project needs to adhere to national requirements and any updated guidance issued by WHO. The alternative ways of managing consultations and stakeholder engagement will be in accordance with the local applicable laws and policies, especially those related to media and communication. The suggestions set out below are subject to confirmation that they are in accordance with existing laws and regulations applying to the project. With growing concern about the risk of virus spread, there was an urgent need to adjust the approach and methodology for continuing stakeholder consultation and engagement. Taking into account the importance of complying with national law requirements, below are some suggestions for stakeholder consultation amidst COVID-19 outbreak:

- Identify and review planned activities under the project requiring stakeholder engagement and public consultations.
- Assess the level of proposed direct engagement with stakeholders, including location and size of proposed gatherings, frequency of engagement, and categories of stakeholders.
- Assess the level of risks of the virus transmission for these engagements, and how restrictions that are in effect in the country / project area would affect these engagements.
- Identify project activities for which consultation/engagement is critical and cannot be postponed without having significant impact on project timelines.
- Assess the level of ICT penetration among key stakeholder groups, to identify the type of communication channels that can be effectively used in the project context.

Based on the above, specific channels of communication that will be used while conducting further stakeholder consultation and engagement activities need additional considerations. The following are some considerations while selecting channels of communication, in light of the current COVID-19 situation:

- Avoid public gatherings (taking into account national restrictions), including public hearings, workshops and community meetings;
- If smaller meetings are permitted, conduct consultations in small-group sessions, such as focus group meetings; If not permitted, make all reasonable efforts to conduct meetings through online channels, including WebEx, Zoom and Skype;
- Be sure that everyone involved in stakeholder planning articulate and express their understandings on social behavior and good hygiene practices, and that any stakeholder engagement events be preceded with the procedure of articulating such hygienic practices.
- Diversify means of communication and rely more on social media and online channels. Where possible and appropriate, create dedicated online platforms and chat groups appropriate for the purpose, based on the type and category of stakeholders;
- Employ traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, and mail) when stakeholders do not have access to online channels or do not use them frequently. Traditional channels can also be highly effective in conveying relevant information to stakeholders, and allow them to provide their feedback and suggestions;

- Where direct engagement with project affected people or beneficiaries is necessary, identify channels for direct communication with each affected household via a context specific combination of email messages, mail, online platforms, dedicated phone lines with knowledgeable operators;
- Each of the proposed channels of engagement should clearly specify how feedback and suggestions can be provided by stakeholders;
- However, in situations where none of the above means of communication are considered adequate for required consultations with stakeholders, IA should discuss whether the project activity can be rescheduled to a later time. Where it is not possible to postpone the activity or where the postponement is likely to be for more than a few weeks, IA should consult WB Teams to obtain advice and guidance.

#### 6.4 Public consultation and participation

UGC with the support of AUW carried out 03 consultation meetings with the different project stakeholders. Other than consultation meetings, UGC also conducted 04 FGDs with female students, researcher and scientist, Dhaka University students and teachers and UGC officials. Besides consultation meetings and FGDs, 13 key informant interviews (KIIs) with teacher, student, researcher, scientist, contractor, supplier, NGO representative, businessman etc. were conducted as part of the process of developing the RPF for the project.

Since, the UGC is still to determine the land plot for the construction of the 'Centre of Excellence', similar Public Consultation Meeting will take place at a later date when the plot is decided. The consultation was held to ensure People's participation right from the planning stage of the project, in particular from the people of the impacted area. Given the COVID-19 pandemic situation, managing public consultation and stakeholder engagement in the Project needs to adhere to national requirements and any updated guidance issued by WHO. The alternative ways of managing consultations and stakeholder engagement will be in accordance with the local applicable laws and policies, especially those related to media and communication.

The detailed discussion and the concerns and responses are extensively documented in SEP. A summary of these consultations and FGDs are given below:

Table 08: Summary of Consultation Meetings and FGDs

No.	Date	Venue	Main Participant Groups	Number of Participants
<b>Consultation Meetings</b>				
1	17 November 2008	Meeting Room, Chattogram Development Authority (CDA)	CDA officials, DoE representatives, AUW teachers, students and other relevant stakeholders and local press etc.	15
2	6-7 February 2019	AUW Temporary Campus Conference Room	AUW students (1 <sup>st</sup> year, 3 <sup>rd</sup> year, final year and recent Graduates were interviewed by the Bank consultants. The students were from Afghanistan, Bhutan, Nepal, Sri Lanka and Bangladesh), teachers, admin team and other officials	16
3	14 March 2019	Hotel Lord's Inn, Chattogram	Local community people, male and female member, students, teachers, researcher, scientist, Local community leader, Representatives from different GoB organizations (DoE, RAJUK, NHA, DESCO, DESA, WASA, CDA, CCC, CWASA, PGCB etc.), contractors, sub-contractors, suppliers, representatives from women organizations (GHASHFUL, PACE etc.), NGOs representative and media representatives	76
<b>FGDs</b>				
1	13 February 2019	House of Mr. Faruk, Abedin gate, Bangla Bazar, Bayezid, Chattogram	Female students	8
2	13 February 2019	Abu Taher Master Bari, M. Hasem Plot, 312 Line, ward 2, Anser Camp	researcher and scientist	9
3	From October 2018 to 30 June 2019	UGC office	UGC officials	11
4	March 2020- May 2020	Discussion by phone or VC due to COVID-19 pandemic situations	Students and teachers of Dhaka University	9

## 6.5 Outcomes of consultation meetings

During preparation of RPF, UGC has taken different stakeholders' opinion and those are incorporated with the entitlement matrix preparation. A summary of consultation outcomes is given below:

*Table 09: summary of consultation outcomes*

Issues	Opinion and questions from stakeholders	Reply from UGC
<b>Land acquisition</b>	Project should avoid land acquisition rather use GoB land as much as possible. If land acquisition is unavoidable, land should be acquired both sides equally.	Project will try to acquire GoB land as much as possible. If unavoidable, private land will be acquired ensuring compensation at market rate.
<b>Compensation</b>	<p>-Land owners, farmers, sharecroppers, business tenants and squatters should receive compensation from the project without any delays</p> <p>-what will be the compensation mechanism for land, tree, structures etc</p> <p>-If one third of the structure is affected, what will be the project policy</p> <p>-If replacement cost is more than the CCL what will be the project procedure</p>	<p>-All the project affected people will receive compensation irrespective of titled and non-titles. No construction work will be started before the compensation is paid off.</p> <p>-Any types of compensation will be paid at current market price.</p> <p>-If one third of the structure affects due to project intervention and remaining structure is not safe for living, compensation will be paid for the whole structure.</p> <p>If replacement cost is more than the CCL, a top – up payment will be paid to the APs based on the suggestions of PAVC and Bank standards.</p>
<b>Project location</b>	stakeholders asked for the specific project locations	AUW academic complex constructed at Chattogram which construction site already has been selected, but a center of excellence which proposed to build at Dhaka construction site is not finalized yet.
<b>Vulnerable HHHs/severely affected HHs</b>	Severely affected HHs requested special assistance from the project	Project will consider special assistance mechanism for the severely affected HHs. Unskilled labors and project affected people will be engaged during construction, if they prefer.
<b>CPR</b>	<p>What is the resettlement assistance for the CPR?</p> <p>If CPRs are affected what will be the project policy</p> <p>Is it avoid or not?</p>	Project will construct CPR with the cost of the project. However, same mechanism for the affected land and structures can be followed.
<b>Trees</b>	-Historical trees are requested not to cut	Historical trees will be avoided. Trees compensation will be at replacement rate.



Issues	Opinion and questions from stakeholders	Reply from UGC
<b>Business loss</b>	What will be the compensation mechanism for large, medium and small business loss and wage earners	Compensation for commercial land, structures and business loss will be provided.
<b>Wage loss</b>	What will be the compensation mechanism for wage earners?	Wage earners will be eligible for the wage lost and will be compensated as per the resettlement policy

During consultation with different stakeholders including land and different structure owners, squatters, CPR management and wage earners etc., UGC has registered all the concerns raised by the potential affected people. Majority of the concerns are on compensation related and timely disbursement. Squatters, landless and vulnerable people are worried whether compensation will be paid to them or not. However, all the concerns are in line with ESS5 mitigation measures policy and UGC has incorporated those concerns with the entitlement matrix of this RPF.

## 6.6 Stakeholders engagement plan for project implementation

Stakeholder engagement activities will need to provide stakeholder groups with relevant information and opportunities to voice their views on issues that matter to them. The activity types and their frequency are adapted to the three main project stages: project preparation (including design, procurement of contractors and supplies), construction, and operation and maintenance.

*Table 10: Future stakeholder engagement activities*

Target stakeholders	Topic(s) of engagement	Method(s) used	Responsibilities
<b>PREPATORY</b>			
<ul style="list-style-type: none"> <li>Project Affected community</li> <li>People potentially affected by land acquisition</li> <li>People residing in project area</li> <li>Roadside residential and business squatters</li> <li>Vulnerable households</li> </ul>	<ul style="list-style-type: none"> <li>All the social management planning documents will be disclosed</li> <li>Land acquisition process</li> <li>Assistance in gathering official documents for authorized land uses</li> <li>Compensation rates, methodology</li> </ul>	<ul style="list-style-type: none"> <li>Public meetings, separate FGD for women and vulnerable</li> <li>Face-to-face meetings</li> <li>Disclosure of written information: brochures, posters, flyers, website</li> <li>Information boards or desks in local language</li> <li>Grievance procedures through consultation, information brochures</li> </ul> <p>The following modes to be adopted specifically for the vulnerable groups:</p> <ul style="list-style-type: none"> <li>Robust engagement with local community-based organizations.</li> <li>The project would arrange separate consultation sessions for different target groups</li> <li>Resources allocation towards local</li> </ul>	<ul style="list-style-type: none"> <li>UGC, PIC, and PSC</li> <li>Specialists responsible for land acquisition</li> <li>Environmental and Social consultants</li> </ul>

<ul style="list-style-type: none"> <li>Local government</li> <li>Media</li> <li>Transport workers</li> <li>Local businessmen</li> </ul>	<ul style="list-style-type: none"> <li>Project scope and rationale</li> <li>Resettlement principles</li> <li>Resettlement and livelihood restoration options</li> <li>Grievance mechanism process</li> <li>Future consultation</li> </ul>	<p>administration representatives and councilors.</p> <ul style="list-style-type: none"> <li>Engagement of local CBO's who work with vulnerable people at the community level to help disseminate information and organize consultations</li> <li>Manageable and gendered FGD to be arranged so that women can speak freely</li> <li>The project must have adequate means to reach the disabled ones in the community. If need be, teams must visit the disabled ones in their habitat</li> <li>Notice board for employment recruitment</li> <li>Training/workshop</li> </ul>	
<b>Construction Phase</b>			
<ul style="list-style-type: none"> <li>Project Affected People</li> <li>People potentially affected by land acquisition</li> <li>People residing in project area</li> <li>Vulnerable households</li> <li>Contractors</li> <li>Local Government</li> <li>Local NGOs and CBOs</li> <li>DC office</li> <li>Local Press</li> <li>Local businessmen</li> <li>Transport workers</li> </ul>	<ul style="list-style-type: none"> <li>Grievance mechanism</li> <li>Health and safety impacts (RAP, community H&amp;S, community concerns)</li> <li>Employment opportunities</li> <li>Project status</li> </ul>	<ul style="list-style-type: none"> <li>Public meetings, open houses, trainings/workshops</li> <li>Separate meetings as needed for women and vulnerable</li> <li>Individual outreach to PAPs as needed</li> <li>Disclosure of written information: brochures, posters, flyers, website</li> <li>Information boards in UGC local offices</li> <li>Notice board(s) at construction sites</li> <li>Grievance mechanism</li> </ul> <p>The following modes to be adopted specifically for the vulnerable groups:</p> <ul style="list-style-type: none"> <li>Robust engagement with local community-based organizations.</li> <li>The project would arrange separate consultation sessions for different target groups</li> <li>Resources allocation towards local administration representatives and councilors.</li> </ul>	<ul style="list-style-type: none"> <li>UGC, PIC, PSC</li> <li>Specialists responsible for land acquisition</li> <li>Environmental and social consultants</li> <li>Contractor</li> <li>NGO</li> <li>External Monitor</li> </ul>

### 6.7 Description of Information Disclosure Methods

As a standard practice, the Project environmental and social management planning documents including RPF and RAP released for disclosure are accompanied by making available the registers of comments and suggestions from the public that are subsequently documented by the UGC-PIC in a formal manner. UGC-PIC will continue applying the similar approach to disclosure for any additional social appraisal materials that will be prepared as part of the project development. The PD will continue applying the similar approach to disclosure for any additional E&S appraisal materials that will be prepared as part of the

project development. The RPF and RAP in Bangla, and English will be made available for public review in accordance with the World Bank. The RPF will be released in the public domain simultaneously with the E&S documents and will be available for stakeholder review during the same period of time

Distribution of the disclosure materials will be through making them available at venues and locations frequented by the community and places to which public have unhindered access. Free printed copies of the social management planning documents in Bangla and English will be made accessible for the general public at the following locations:

- The Project office in Dhaka;
- All interested public and private universities;
- AUW Temporary Campus at MM Ali Road, and Project office at Dakshin Pahartali in Chattogram
- Regional and Local administrations affecting the Project site
- Other designated public locations to ensure wide dissemination of the materials
- Newspapers, posters, radio, television;
- Information centers and exhibitions or other visual displays;
- Brochures, leaflets, posters, nontechnical summary documents and reports;  
Official correspondence, meetings

Electronic copies of the social management planning documents will be placed on the project website (<http://www.UGC.gov.bd>). This will allow stakeholders with access to Internet to view information about the planned development and to initiate their involvement in the public consultation process. The website will be equipped with an on-line feedback feature that will enable readers to leave their comments in relation to the disclosed materials. The mechanisms which will be used for facilitating input from stakeholders will include press releases and announcements in the media, notifications of the aforementioned disclosed materials to local, regional and national NGOs as well as other interested parties.

## Chapter 7: Grievance Redress Mechanism

### 7.1 Introduction

The ARIPA 2017 allows objections by the landowners to acquisitions at 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 up in the later stages of the process. Since the act does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As experienced in past projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by censuses, the valuation of affected assets, compensation entitlements, complains against noise, pollution, accident, GBV and other social and environmental issues. In view of this, UGC/MoE establish a procedure to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM). The GRM will deal with complaints and grievances related to both social/resettlement and environmental issues in this Project. The GRM will also be accessible to all Internal, external, regional and international stakeholders, including affected people, community members, civil society, media, vulnerable people and other interested parties. External stakeholders including international and regional can use the GRM to submit complaints, feedback, queries, suggestions, or even compliments related to the overall management and implementation of the HEAT project. The GRM is intended to address issues and complaints in an efficient, timely, and cost-effective manner.

### 7.2 Objectives of GRM

The fundamental objectives of the GRM, implemented through the GRC serving as a para-legal body, are to resolve any resettlement-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans. Another important objective is to democratize the development process at the local level and to establish accountability to the affected people. The procedures will however not a person's right to go to the courts of law pre-empt.

### 7.3 Grievance Redress Committees (GRC)

Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal actions. The procedure will, however, not pre-empt a person's right to go to the courts of law.

### 7.4 Composition of GRC

The Grievance Redress Committees (GRCs) will be established at three levels: (i) Local Level (ii) Project level and (iii) Ministry Level.

#### 7.4.1 Composition of Local Level GRC

All the sub-project/local level complaints will be received at the relevant institution or University level where head of relevant institute or his/her designated official will be the convener of the project level committee. This local GRC will ensure easy accessibility by the PAPs, local communities and interested

stakeholders, so that any grievances can be solved directly or within a very short period of time. All cases at the sub-project level complains will be heard within two weeks of their receipt.

*Table 11: GRC membership at local level*

Representatives from respective universities at the rank of Associate Professor or above	Convener
Representative of the Implementing consulting firm	Member Secretary
Representative from concerned local government	Member
Representative of the affected people – Member Woman representative of affected people in case of women aggrieved persons	Member
Field level Social Specialist	Member

#### 7.4.2 Composition of project level GRC

If the resolution attempt at the project/local level fails, the GRC will refer the complaint with the minutes of the hearings of the local GRC to project level for further review. With active assistance from the social specialist of implementation support unit, the committee will make a decision and communicate it to the concerned GRC. The PIC will make periodic visit to the subproject sites, interact with the communities and affected persons, and pick up issues of concerns, complaints and suggestions to register with the GRM books. The decisions on unresolved cases will be communicated to the GRC within one week of the complaint receipt. PD will be the convener, and social specialist will be the member secretary of the Project level GRC.

*Table 12: GRC membership at project level*

Project Director (PD)	Convener
Social Specialist at PIC	Member-Secretary
Representative from respective areas local government	Member
Representative from respective areas Local Women’s Group	Member
Representative from respective areas PAP Group	Member

The membership of the GRCs will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions. Where grievances are among the affected persons, the membership composition of the GRCs will take into account any traditional conflict resolution arrangements that communities may practice. If the aggrieved person is a female, UGC will ask the concerned female UP Member or Municipal Ward Councilor to participate in the hearings. All cases at the project level will be heard within four weeks of their receipt. Grievances received through any channel will be registered and a notification of receipt with assurance of necessary review and resolution given in writing to the aggrieved persons.

#### 7.4.3 Composition at ministry level GRC

If a decision at project level is again found unacceptable by the aggrieved person(s), UGC can refer the case to the ministry level GRC or PSC level with the minutes of the hearings at local and project levels. All

the unsolved cases At the PSC level, decisions on unresolved cases, if any, will be made in no more than four weeks by an official designated by the Secretary, MoE.

*Table 13: GRC membership at ministry level*

Secretary of the SHED/MoE	Convener
Project Director (PD)	Member-Secretary
Social /communication Specialist	Member
Social Specialist	Member
External Monitor	Member

A decision agreed with the aggrieved person(s) at any level of hearing will be binding upon UGC. There will be budgetary allocation for local, project and ministry committee members for participating meetings and refreshments during meeting. To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the Convener will apply the following guidelines:

- Reject a grievance redress application with any recommendations written on it by a GRC member or others such as politicians and other influential persons.
- Remove a recommendation by any person that may separately accompany the grievance redress application.
- Disqualify a GRC member who has made a recommendation on the application or separately before the formal hearing: Where a GRC member is removed, appoint another person in consultation with the Project Director.
- The Convener will also ensure strict adherence to the impact mitigation policies and guidelines adopted in this RPF and the mitigation standards, such as compensation rates established through market price surveys.

The affected persons and their communities will be informed of the project’s grievance redress mechanism in open meetings at important locations and in PAP group meetings. Bangla translations of the RPF in the form of information brochures will be distributed among the affected persons. The PAPs will also be briefed on the scope of the GRC, the procedure for lodging grievances cases and the procedure of grievance resolution at the project level.

To ensure impartiality and transparency, hearings on complaints will remain open to the public. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures. UGC will maintain the following three Grievance Registers:

**Intake Register:** (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband, (6) Complete address, (7) Main objection (loss of land/property or entitlements), (8) Complainants’ story and expectation with evidence, and (8) Previous records of similar grievances.

**Resolution Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Complainant’s story and expectation, (5) Date of hearing, (6) Date of field investigation (if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.

**Closing Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants’ satisfaction, and (8) Management actions to avoid recurrence.

If AP's are not satisfied with the resolution, can appeal to UGC for further investigation. Even if the case is not resolved with UGC, can appeal to court according to the law of the land.

Grievance resolution will be a continuous process in project level activities and implementation of those. The PIC will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by Bank and any other interested persons/entities. The PIC also prepares periodic reports on the grievance resolution process and publish these on the UGC website. The format in **Annex 03** will be used for periodic grievance reporting.

The UGC intends to strengthen the GRM through information and communication technology to ensure that all complaints including those of sexual exploitation and abuse are immediately reported to the Government. UGC will integrate the GRM on a web-based dashboard, to adequately and promptly address any potential grievance related to Gender Based Violence and SEA. The complaints registered in this system will be managed by a dedicated administrator that will liaise immediately any GBV and SEA complaints with the contractors, consultant and UGC/PIC for immediate measures. If the GRM receives a case on sexual exploitation and abuse related to the project, it will be recorded, and the complainant will be referred to the relevant assistance, if needed, for referral to any other service providers. The supervision consultant will keep the information confidential to protect privacy of GBV and SEA complainants. In cases, where the perpetrator(s) is linked to project activities then the contractor will take appropriate actions as per the Code of Conduct signed by the particular person and under the effective law in Bangladesh. UGC will report activities and outcomes of GBV and SEA surveillance and management to the World Bank on a regular basis. **For further details, please see the GBV and Gender Action Plan (GAP) and SEP.**

To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the Convener will apply the following guidelines:

- i. A standard application format will be used for receiving grievances which will be available at the office of NGO /Consulting firm. This application format would be concurred by the PD.
- ii. Reject a grievance redress application with any recommendations written on it by a GRC member or others such as politicians and other influential persons.
- iii. Remove a recommendation by any person that may separately accompany the grievance redress application.
- iv. Disqualify a GRC member who has made a recommendation on the application separately before the formal hearing.
- v. Where a GRC member is removed, appoint another person in consultation with the Project Director.
- vi. The Convener will also ensure strict adherence to the impact mitigation policies and guidelines adopted in this RAP and the mitigation standards, such as compensation rates established through market price surveys.

## 7.5 World Bank Grievance Redress Service (GRS)

Communities and individuals who believe that they are adversely affected by Sub-project interventions may submit complaints to existing project-level GRM or the WB Grievance Redress Service (GRS). Project affected communities and individuals may also submit their complaint to the World Bank's independent Inspection Panel, which determines whether harm occurred, or could occur, because of non-compliance with WB ESF requirements and procedures. Details of the procedures to submit complaints to the WB's corporate GRS, is available in the GRS website: <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the WB Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org). Any disclosure instrument on GRM will provide addresses of the GRS and the Inspection Panel.



## Chapter 8: Institutional and Implementation Arrangements

### 8.1 Institutional arrangement

The regional network will be comprised by the participating government and nongovernment higher education institutions. In Bangladesh, the overall responsibility for the Project implementation would lie with the Secondary and Higher Education Division (SHED) of MoE while day-to-day implementation support will be provided by the University Grants Commission (UGC).

UGC will be the project holder and responsible for managing the E&S risks of the project, including implementation of the RPF and GRM. For the AUW component, funds for the WB supported construction work will be managed by UGC and the academic building after completion will be transferred to AUW. UGC will be responsible and accountable for the procurement, contract management and supervision of two contracts: 1) consulting services contract for design, procurement support and construction supervision, and 2) the civil works contract for the Academic building. AUW is responsible for providing quality assurance to campus design and construction, hence quality assurance of RAP/RPF and mitigation measures implementation. UGC will hire a full time dedicated social Development and Resettlement specialist to monitor the construction of AUW infrastructure. UGC will also ensure similar expertise are included in the Design & Supervision firm. UGC, the key implementing agency and AUW, the quality assurance entity of design and construction, both will be responsible for the social compliance relevant to AUW campus related construction works.

For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP. Project Institutional arrangement consist of PSC and PIC. Institutional arrangements required for implementation of Resettlement Plan includes capacity augmentation of UGC head office, AUW office, Deputy Commissioners offices, appointment of INGO/consulting firm, formation of various committees like: GRC, PAVC, RAC, etc. The Deputy Project Director at Head Office will function as the Chief Resettlement Officer (CRO). The CRO will have overall responsibility relating to resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting. Secretarial Staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by PIC. Besides, an NGO will be appointed for the implementation of resettlement plan. The resettlement expert of the project Implementation Committee (PIC) would be engaged to carry out internal monitoring and evaluation of the project. External Monitoring Agency will be engaged for the project.

### 8.2 Roles and Responsibilities

For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP and other relevant social management planning document. Project Institutional arrangement consist of two committees as Project Steering Committee (PSC) at Ministry level and project Implementation Committee (PIC) at Project level.

**Formation and Responsibility of PSC:** At the national level of Bangladesh, a Project Steering Committee (PSC) chaired by the Secretary of the SHED/MoE will provide policy oversight and resolved critical issues. The UGC will provide coordinating support between the SHED/MoE. The UGC would implement the project using existing structure of it's with additional technical support to be provided to respective

divisions. There will be a Project Director (PD) at least at the level of Additional Secretary and he will be assisted by a Chief Implementation Officer (CIO) hired from the market. The CIO will lead the Technical Assistance (TA) team. Adequate technical staff and consultants will be hired to ensure oversight responsibility for all project components, including financial management, procurement, M&E, and administrative and communication. The CIO will be responsible for coordination of project activities under the guidance of PD.

**Formation and responsibility of PIC at Project level:** A Project Implementation Committee (PIC) will be established by UGC following the Planning Commission guideline to support the project implementation. The PIC will be chaired by the UGC chairman. The PD will be the member secretary of the PIC. PIC will be consisting of UGC Chairman, PD, Consultation and communication specialist, Senior Social Development and Resettlement Specialist, Environment Specialist, Gender Specialist, Labor Expert and Communication and Consultation Specialist. UGC chairman will be the main responsible person to implement the project. PIC will implement the project under the overall guidance and supervision of the SHED/MoE and UGC to follow both Government and World Bank rules and regulations. The PIC will be also responsible for: (i) preparation and implementation of RAP and providing necessary advice for timely delivery; (ii) monitoring and evaluating implementation progress and suggesting necessary course corrections; (iii) resolving issues and conflicts that may emerge during implementation; (iv) facilitation coordination and convergence with other line ministries, division, and departments/agencies; and (v) keeping the good connection with PSC on overall performance and key issues relating to the project. The OMST/MoHE will mostly participate in the meetings using digital technology.

#### **Responsibility of University Grant Commission (UGC)**

The UGC will be responsible for the overall coordination and supervision of the M&E tasks and for reporting the results in the Results Framework to the Bank. UGC will use its existing Monitoring Evaluation and Reporting Unit (MERU) with support from Higher Education Management Information System (HEMIS) and will be responsible for supporting the project in undertaking the M&E work.

#### **Responsibility of Monitoring Evaluation and Reporting Unit (MERU)**

The MERU will be responsible to collect updated data from relevant agencies and relevant units of the UGC and gather data for different activities of the project from the beneficiary institutions to update indicators in the Results Framework on a regular basis (mostly semiannually). The MERU will work closely with the relevant section of the UGC. The international cooperation and collaboration unit will obtain relevant data from the OMST/MOHE.

**Roles and responsibility of RAP preparation NGO/firm:** UGC will hire NGO/consulting firm to support PIC for preparing RAP. During RAP preparation regularly keep good coordination with PIC for alignment demarcation, census, socio-economic and IOL survey and RAP preparation.

**Roles and responsibility of RAP Implementing NGO/Consulting Firm:** NGO/Consulting Firm will support the PIC when and where required. INGO/Consulting Firm will work closely with PIC. The role of INGO/Consulting Firm will be to facilitate sound implementation of the project. The INGO/Consulting Firm will work as a bridge between the Project Authority and the affected persons.

SHED/MoE approves the LAP and RAP of the project prepared by the UGC with the support of the consulting firm / INGO. MoE is also responsible for approving different committees like Grievance Redress Committee (GRC), Property Valuation Advisory Committee (PVAC) and Resettlement Advisory Committee (RAC) and Inventory Verification Committee (IVC) proposed in the RAP through gazette notification.

**Implementation of RAP for affected persons will be carried out in eight (8) steps. PIC will ensure implementation of the RAP with the support of the NGO/consulting firm.**

**Step-1: Formation and Preparation**

- Organize inception meeting with relevant stakeholders
- Provide social management orientation to the team according to ESS 2, ESS 5 and ESS 7
- Capacity building through organizing training and workshop
- Institutional Arrangements & Logistics
- Submit inception report and require approval from RAP verification survey

**Step-2: Develop Implementation Tools/Mechanism**

- Develop tools and materials for information campaign (i.e. Booklet, Leaflet, etc.)
- Develop monitoring tools for implementation progress
- Develop reporting format such as monthly/quarterly/semi-annual/annual
- Develop/update GRC application form
- Develop/update focus group meeting checklist
- Develop format of Entitled Persons file and Entitlement Card
- Develop format of payment debit voucher
- Develop ID card format for the EPs
- Develop computerized Management Information System (MIS)
- Develop internal server for data management, sharing and monitoring

**Step-3: Land Acquisition**

- Liaise with DC office in case of land acquisition and compensation payment
- Assist DC offices in land acquisition process
- Assist in serving notice under section 4 and Joint Verification
- Assist in serving notice under section 7
- Assist in preparation of LA estimate and award book
- Assist in serving notice under section 8 by DCs
- Assist PAPs in updating record of rights and receiving compensation
- Assist DC office during transfer of land

**Step-4: Social Preparation and Information Dissemination**

- Formation of focused groups with various occupation groups at the field
- Information campaign
- Disclosure of RAP policy
- Regular meetings with affected people for updating record of rights and other documents for receiving compensation from DC office

*Resettlement Policy Framework (RPF)*  
*HEAT Project*

- Consult the displaced people to get ready for relocation after getting compensation
- Develop ideas, script, and mechanism for organizing and executing awareness campaign outside the RAP implementation
- Organize, follow-up and recap various awareness campaign

**Step-5: Payment of Compensation**

- Collection of award book from the DC office
- Collection of CCL from PAPs after getting compensation
- Prepare CCL statement as per DC payment
- Devise ID number for each of the entitled persons
- Preparation of EP file and EC
- Preparation indent (EP payment list)
- Opening Bank Account by the APs
- Prepare ID cards for the EPs using photograph
- Calculate Individual entitlement based on category of losses and policy of the RAP
- Prepare Debit voucher and other necessary documents for making payment of additional compensation and other benefits
- Payment of additional grants and resettlement benefits
- Assist EPs in producing Grievances, if any

**Step-6: Relocation/Resettlement**

- Payment of resettlement benefits to EPs
- Assess relocation options of the PAPs and provide facilities in relocation choices
- Assist APs in moving private graves (if requested by the affected households)
- Assist displaced households/EPs in relocation and resettlement
- Support APs in retitling and updating of their record of rights
- Implement Income and Livelihood Restoration Program (ILRP)
- Develop training need assessment report & training materials for ILRP
- Assist to relocate common public property
- Give moral support to affected person in terms of resettlement

**Step-7: Establishment of Grievance Mechanism**

- Development/finalization of format for grievance cases including
- Assist PAPs in producing grievances
- Conduct meetings on GRM
- Disclose GRM process among the people
- Resolve grievances and report on monthly basis

**Step-8: Submission of Progress Report**

- Generate progress reports for real-time monitoring of RAP implementation progress using user-friendly menu driven software
- Share the draft report with project authority and relevant stakeholders
- Incorporate feedback and response
- Submission of final reports.

### 8.3 Specialist Responsibility at Construction phase

**Social and Resettlement Specialist at PIC:** PIC will have a dedicated Social and Resettlement Specialists to ensure implementation of RPF, RAP and other social management responsibilities. He will maintain liaison with SHED/MoE through UGC, AUW (AUW campus development) and other universities during the Project implementation. He will also monitor construction activities to ensure that social mitigation measures are properly implemented.

**Land Acquisition Specialist at PIC:** PIC will have a Land Acquisition Specialist to ensure implementation of LAP and other land acquisition related procedures. He will maintain liaison with SHED/MoE through UGC and other stakeholders during the Project implementation. He will also monitor overall land acquisition procedure activities to ensure smooth implementation of the project.

#### **RPF related activities, responsibility and approval authority**

*Table 14: RPF related activities, responsibility and approval authority*

Actions	Responsibility	Approval authority
<b>RAP preparation stage</b>		
Census, SES, IoL and Property Valuation Survey (PVS) for RAP preparation	PIC with the support of NGO/firm	PSC
Consultation with affected HHs and relevant Stakeholders	PIC with the support of NGO/firm	PSC
Preparation of RAP/s	PIC with the support of UGC or AUW or CWU and NGO/firm	PSC, SHED/MoE and World Bank
<b>RAP Implementation stage</b>		
Land acquisition and compensation for title holder	PIC with the support of UGC or AUW or CWU implementing NGO/firm	DC
Compensation for non-titleholder	PIC with the support of UGC or AUW or CWU and implementing NGO/firm	SHED/MoE and World Bank
Top-up payment for tittle and non-title	PIC with the support of UGC or AUW or CWU and implementing NGO/firm	SHED/MoE and World Bank
PVAC formation	PIC	MoE
GRC formation	PIC	MoE
RAC formation	PIC	MoE
Implementation of RAP and quarterly implementation report	PIC with the support of implementing NGO/firm	PSC and World Bank
<b>Monitoring</b>		
Internal monitoring report	PIC with the support of UGC	PSC and World Bank
External monitoring report	External monitor	PSC and World Bank

## 8.4 Capacity Building

An Independent social consulting firm/team, hired by UGC will be deployed to develop a comprehensive course plan and materials to train the teachers and students which will contribute in the long-term capacity building in environmental and social management. The training will be provided through the Center of Excellence to the students and teaching staffs. Environmental and social management training will help ensure that the requirements of the ESS and subsequent social management are clearly understood and followed by all project personnel throughout the project period. The PIC will ensure, in collaboration with the PSC that these training are provided to all Project personnel. The social training program will be finalized before the commencement of the project. The training will be provided to the UGC or AUW or CWU representatives, construction contractors, and other staff engaged in the Project. Training will cover all staff levels, ranging from the management and supervisory to the skilled and unskilled categories. The scope of the training will cover general environmental and social awareness and the requirements of the ESS5 and other ESSs, with special emphasis on sensitizing the project staff to the social and genders aspects of the area. Different raining programs will be initiated which can be realigned based on the needs.

*Table 15: Training*

Contents	Participants	Responsibility	Schedule
Introduction to World Bank ESF	PSC, PIC, implementing agency and contractors	World Bank and SHED/MoE	Prior to the start of the Project activities.
ESF guidelines and RPF	PSC, PIC, implementing agency and contractors	SHED/MoE with the support of WB E&S team	Prior to the start of the Project activities.
Screening method, social survey procedures, RAP and LAP preparation	Selected UGC or AUW or CWU representatives; PIC, Consulting firm/NGO	PIC/Social specialist	Prior to the start of the Project activities.
Training on ESS 2, ESS10 and ESS5	PSC, PIC; Selected contractors' crew	PIC	Prior to the start of the field activities.
Preparation and review of RPF, RAP, and IPP	PSC, PIC; Design, Monitoring and supervision consultant	PIC	Prior to the start of the field activities.
Grievance Mechanism and handling procedures	Contractors, PIC, consulting firms/NGO, Construction crew	PIC	Prior to the start of the construction activities. (To be repeated as needed)

Contents	Participants	Responsibility	Schedule
Internal and External Monitoring procedures and reporting	PSC, PIC and INGO/consulting firms, contractors	PIC	Before and during the construction activities. (To be repeated as needed)

## 8.5 Guidelines for Bid Documents

Bid documents for preparation of RAP will be prepared by interested firms need to incorporate relevant items from the RPF. All the RPF related documents will be inserted with the bid documents for RAP implementation firm, construction and supervision firm and external monitor. Therefore, during preparation of tender documents, the PIC needs to ensure that:

- All relevant RPF items relevant for contractors and firms are included in tender documents (specifications and BOQs)
- Provide clear information to potential bidders regarding social considerations for the work package/s
- Submission of supporting documentation/materials of previous experience and track record on RAP preparation and implementation should be mentioned in the instructions to bidders
- Evaluation of submitted bids should include criteria for adequacy of RAP preparation and implementation responses and costing's

## 8.6 Budget

A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget does not include the cost of land acquisition and resettlement.

*Table 16: A tentative budget*

Items	Man-month	Total (in USD)
Social Development and Resettlement Specialist	24	60,000
Consulting firm for RAP preparation	Lump-sum	60,000
RAP Implementing Agency (NGO/consulting firm)	Lump-sum	2,00,000
External Monitor	24 months over the period of 5 years	1,00,000
Capacity Building for PSC, PIC, NGO/consulting firm, universities and relevant government agencies	Lump-sum	1,00,000
Grievance handling cost	Lump-sum	40000
Cost of land acquisition and resettlement	Unknown at this stage as land acquisition and resettlement impact is identified yet	





## Chapter 9: MONITORING

The UGC will be responsible for the overall coordination and supervision of activities for involuntary resettlement at the subproject level and for reporting the results to the Bank. UGC will use its existing Monitoring Evaluation and Reporting Unit (MERU) with support from Higher Education Management Information System (HEMIS) and will be responsible for supporting the project in undertaking the M&E work. The MERU will be responsible for: (i) collecting updated data from the relevant agencies, institutions and units of the project to produce project progress reports biannually; (ii) updating of the results indicators; (iii) conducting physical inspections; (iv) support M&E at the subproject level and (v) conducting planned studies and assessments in a timely manner in partnership with public research institutions (such as BIDS, BBS, IMED etc.). The MERU will work closely with the relevant section of the UGC. The international cooperation and collaboration unit will obtain relevant data from the OMST/MOHE to support the reporting and assessments.

### **Internal and External monitoring**

UGC will conduct regular monitoring and evaluation of the updating and implementation of the RAP. Monitoring and evaluation are intended to help ensure that the resettlement action plan is prepared and implemented according to the resettlement policy framework. Moreover, external monitor of the project will review all the RAP/s prepared for this project. External monitor will establish dialogue with the affected communities and ensure that their concerns and suggestions are incorporated and implemented in the project. External monitor will work closely with the PIC and internal monitoring team to implement the RAP and specifically responsible for implementation of proposed compensation, rehabilitation, and income restoration measures, consultations with affected persons (APs) during rehabilitation activities and assisting in grievance redress. He or she will prepare resettlement training programs and workshops for the staff of the PIC and contractors.

During project preparation, and as part of the RAP, the UGC will develop a monitoring and reporting framework for resettlement activities. Central to this framework are the census of PAPs and the inventory of assets that constituted the basis for the agreed RAP. The UGC responsible for oversee the progress in resettlement preparation and implementation through regular progress reports, submitted through normal channels, monitoring key indicators of finance, inputs and activities. PIC will submit RAP implementation progress report to PSC and UGC on a regular basis

In addition to internal monitoring, external (or independent) monitor will be engaged to provide an independent periodic assessment of resettlement implementation and impacts, to verify internal reporting and monitoring, and to suggest adjustment of delivery mechanisms and procedures as required. A social and economic assessment of the results of delivered entitlements and a measurement of the income and standards of living of the PAPs before and after resettlement are integral components of this monitoring activity. To function effectively, the organization responsible for external monitoring should be independent of the governmental agencies involved in resettlement implementation. Regular external monitoring should begin along with implementation activities and continue until the end of the project.

The following activities are the standard functions of the external monitors:

- Verification of internal reports, by field check

- Interview a random sample of PAPs in open-ended discussions to assess their knowledge and concerns regarding the resettlement process, their entitlements and rehabilitation measures.
- Participate as an observer in public consultations for PAPs at the project level. (Organizing these meetings is the responsibility of the implementing agency)
- Observe the functioning of the resettlement operation at all levels to assess its effectiveness and compliance with the RAP.
- Check the type of grievance issues and the functioning of grievance redress mechanisms by reviewing processing of appeals at all levels and interviewing aggrieved PAPs.
- Survey the standards of living of the PAPs (and that of an unaffected control group where feasible) before and after implementation of resettlement to assess the whether the standards of living of the PAPs have improved or been maintained.
- Advise project management unit regarding possible improvements in the implementation of the RAP.

UGC will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of the ESS. The extent of monitoring activities will be proportionate to the project’s risks and impacts. For this project UGC will ensure competent professionals to monitor the implementation of RAP/s, design corrective actions as necessary, provide advice to PIC, and NGO/consulting firms on compliance with ESS and periodic monitoring reports will be prepared and affected persons will be informed about monitoring results in a timely manner.

*Table 17: Monitoring process of key indicators*

Monitoring Aspects	Potential Indicators
<b>Delivery of Entitlements</b>	<ul style="list-style-type: none"> <li>● Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.</li> <li>● Disbursements against timelines.</li> <li>● Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors’ camps, been included.</li> <li>● Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule.</li> <li>● Documented evidence of land donation</li> <li>● Documented evidence of land acquisition completed with transfer of title</li> <li>● Documented evidence of land requisition/rented</li> <li>● Percentage of compensation paid for land acquisition/requisition or rented</li> <li>● Percentages of compensation paid for the affected structures/assets/crops/trees</li> <li>● Restoration of social infrastructure and services.</li> <li>● Affected businesses receiving entitlements, including transfer and payments for net losses resulting from lost business.</li> </ul>
<b>“Private-Private” disputes</b>	<ul style="list-style-type: none"> <li>● clear and adequate rules for the recognition of relevant land tenure rights is provided</li> <li>● fair criteria and functioning, transparent and participatory processes for resolving competing tenure claims are established</li> <li>● efforts are taken to inform affected people about their rights and access to impartial advice are provided</li> <li>●</li> </ul>
<b>Consultation</b>	<ul style="list-style-type: none"> <li>● Strategy for consultation and information disclosure is prepared</li> <li>● Consultations organized as scheduled</li> </ul>

Monitoring Aspects	Potential Indicators
	<ul style="list-style-type: none"> <li>• Project information's are disclosed</li> <li>• Affected, interested, disadvantage and vulnerable groups are identified</li> <li>• views of disadvantage and vulnerable groups are considered during designing the entitlement and special measures are taken</li> <li>• Schedules are planned for the various stakeholder engagement activities</li> <li>• Knowledge of entitlements by the relevant stakeholders including project affected people</li> <li>• If tribal people are affected, separate consultation has to be conducted with them</li> </ul>
<b>Grievances</b>	<ul style="list-style-type: none"> <li>• Operationalization of the grievance redress mechanism proposed with RPF.</li> <li>• Operationalization of the GRM for labor and GBV</li> <li>• Information on the resolution of the grievances</li> <li>• Process by which people affected by the project can voice their grievances and concerns</li> <li>• Process to document complaints and concerns</li> <li>• Grievance recording (e.g. MIS, grievance log book</li> <li>• Stipulated timeframes for acknowledgement and resolution of complaints</li> <li>• Awareness raising, or communications efforts to inform stakeholders about the GRM and appeals process to analyze complaints and share feedback with management</li> <li>• Grievance reports published and frequency</li> </ul>
<b>Communications and Participation</b>	<ul style="list-style-type: none"> <li>• Number of general meetings (for both men and women).</li> <li>• Percentage of women out of total participants.</li> <li>• Number of meetings exclusively with women.</li> <li>• Number of meetings exclusively with vulnerable groups.</li> <li>• Number of meetings at new sites.</li> <li>• Number of meetings between hosts and the displaced persons.</li> <li>• Level of participation in meetings (of women, men, and vulnerable groups).</li> <li>• Level of information communicated—adequate or inadequate.</li> <li>• Information disclosure.</li> <li>• Translation of information disclosure in the local languages.</li> </ul>
<b>Budget and Time Frame</b>	<ul style="list-style-type: none"> <li>• Social Specialist/expert appointed and mobilized on schedule for the field and office work.</li> <li>• Capacity building and training activities completed on schedule.</li> <li>• Achieving resettlement implementation activities against the agreed implementation plan.</li> <li>• Funds allocation for resettlement to implementing agencies on time.</li> <li>• Receipt of scheduled funds by resettlement offices.</li> <li>• Funds disbursement according to the resettlement action plan.</li> <li>• Social preparation phase as per schedule.</li> </ul>
<b>Livelihood and Income Restoration</b>	<ul style="list-style-type: none"> <li>• Types of training and number of participants in each.</li> <li>• Number of displaced persons who have restored their income and livelihood patterns (women, men, and vulnerable groups).</li> <li>• Number of new employment activities.</li> <li>• Extent of participation in rehabilitation programs.</li> <li>• Degree of satisfaction with support received for livelihood programs/activities.</li> <li>• Percentage of displaced persons who improved their income (women, men, and vulnerable groups)</li> <li>• Percentage of displaced persons who improved their standard of living (women, men, and vulnerable groups)</li> </ul>

Monitoring Aspects	Potential Indicators
	<ul style="list-style-type: none"> <li>Number of displaced persons with replacement agriculture land (women, men, and vulnerable groups)</li> <li>Quantity of land owned/contracted by displaced persons (women, men and vulnerable groups)</li> </ul>
<b>Voluntary land Donation</b>	<ul style="list-style-type: none"> <li>Progress on the process of providing official documentation to those who donated land of their landholding.</li> </ul>

The PIC with the support of UGC will prepare a monthly report to be submitted to the PSC. These reports will summarize the following:

- Progress in implementing this RAP and subsequent other social planning documents, etc.;
- Findings of the monitoring programs, with emphasis on any breaches of the control standards, action levels or standards of general site management;
- Summary of any complaints by external bodies and actions taken / to be taken; and
- Relevant changes or possible changes in legislation, regulations and international practices.

Monitoring of and reporting on the project must be complemented by an effective GRM proposed in RPF in order to address issues arising from project implementation. GRM will help to detect unanticipated or recurring problems, and to manage them. The project implementing agency sets up and supports the GRM, in a manner satisfactory to the World Bank, to receive, manage and facilitate resolution of stakeholders' concerns and grievances in a timely manner. It is important that the GRM is designed to accommodate all issues raised, including issues related to labor influx. The way to make complaints needs to be simple and well publicized. The GRM is usually scaled to the risks and potential adverse impacts of the project. The following factors will be considered in the project for the effective GRM:

(i) their publicity and accessibility, (ii) the transparency of their operation, (iii) the credibility of their decision-making process and structure, (iv) their confidentiality and hence protection from any potential retaliation, and (v) the effectiveness of the associated business processes to resolve grievances where appropriate.

*Table 18: Reporting Requirements*

Report/Document	Description	Prepared By	Submitted To	When
<b>Training Records</b>	Register of all Trainings and Capacity Building activities conducted under the project	UGC with the support of consultants.	PD	Within 3 weeks of any training/capacity building activity
<b>Completed Social Screening Forms</b>	Identifies Potential Environmental and Social Issues	UGC with the support of PIC	PD	After completing forms

*Resettlement Policy Framework (RPF)*  
*HEAT Project*

Report/Document	Description	Prepared By	Submitted To	When
<b>GRM Records</b>	Register of grievances received and actions taken	GRC or Consultants during construction phase and then relevant Implementing Agency officer thereafter	PD	Monthly
<b>Preparation of RAP</b>	Site specific RAP will be prepared	INGO and PIC with the support of NGO/consulting firm	PD	Within 3 months of deployment
<b>Internal Monitoring</b>	Monitoring data as defined in the RPF	UGC, PIC and/or Consultants	PD	Monthly
<b>External Monitor</b>	Monitoring data as defined in the RPF	External monitor	World Bank	Every quarter

Appendix 1: Social Screening Form

This form will be filled up by the PIC along with the community members at Union and Upazila Level and must be submitted to PD and PSC. Before final selection World Bank approval is required]

**General Information**

Title of the project: .....

Complete address of screening locations including coordinates.....

Screening Date: .....

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land/ Land Donation/ Land Taking</b>				
Will the project require land for the proposed intervention				
1. If yes, will there be any land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land known? If yes, please provide detail information at remarks column.				
4. Is there any possibility of voluntary land donation for the rural roads and market construction? If yes, please provide detail information at remarks column.				
5. Will there be loss of residential and commercial structures due to land acquisition? If yes, please provide detail information at remarks column.				
Is there any presence of squatters within the project ROW? If yes, please provide detail information at remarks column.				
6. Will there be loss of agricultural and other productive assets due to land acquisition? If yes, please provide detail information at remarks column.				
7. Will there be losses of trees, and fixed assets due to land acquisition? If yes, please provide detail information at remarks column.				
8. Will there be loss of businesses or enterprises due to land acquisition? If yes, please provide detail information at remarks column.				

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*HEAT Project*

<b>Probable Involuntary Resettlement Effects</b>	<b>Yes</b>	<b>No</b>	<b>Not Known</b>	<b>Remarks</b>
9. Will there be loss of income sources and means of livelihoods due to land acquisition? If yes, please provide detail information at remarks column.				
<b>Involuntary restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services due to project interventions? If yes, please provide detail information at remarks column.				
11. If land use is changed, will it have an adverse impact on social and economic activities? If yes, please provide detail information at remarks column.				
12. Will access to land and resources owned communally or by the state be restricted? If yes, please provide detail information at remarks column.				
<b>Information on Displaced Persons:</b>				
Any estimate of the likely number of persons that will be displaced by the Project? <input type="checkbox"/> No <input type="checkbox"/> Yes				
If yes, approximately how many?				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input type="checkbox"/> No <input type="checkbox"/> Yes				
Are any displaced persons from indigenous or ethnic minority groups? <input type="checkbox"/> No <input type="checkbox"/> Yes				
During Screening, project authority will conduct consultation with the primary and secondary stakeholders and provide their observations in the following sections (13 to 18 )				
13: Who are the stakeholders of the project?				
Answer:				
14: What social and cultural factors affect the ability of stakeholders to participate or benefit from the proposed policy or project?				
Answer:				
15: Are project objectives consistent with their needs, interests and capacity?				
Answer:				
16: What will be the impact of the project or sub-project on the various stakeholders, especially women and vulnerable groups?				
Answer:				
17: What social risks might affect project or sub-project success?				



*Resettlement Policy Framework (RPF)*  
*HEAT Project*

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Answer:				
18: Has the project authority or any other organizations conducted any consultations with the affected community or people? If yes. Please provide a summary.				
Answer:				

<b>1. Prepared by (Name):</b> ..... <b>Signature:</b> ..... <b>Date:</b> .....
<b>2. Project Implementation Unit</b> District: ..... Upazila: ..... Name of the PIC head: ..... 01. Names of Members participated in Screening 02.
<b>3. name of the Participants from local Government</b> 01..... 02.....

## Appendix 2: Guideline to prepare a Resettlement Action Plan

1. **Description of the project.** General description of the project and identification of the project area.
2. **Potential impacts:** Identification of (a)the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;(b)the zone of impact of such components or activities;(c)the scope and scale of land acquisition and impacts on structures and other fixed assets;(d)any project-imposed restrictions on use of, or access to, land or natural resources;(e)alternatives considered to avoid or minimize displacement and why those were rejected; and(f )the mechanisms established to minimize displacement, to the extent possible, during project implementation
3. **Objectives:** The main objectives of the resettlement program.
4. **Census survey and baseline socioeconomic studies:** The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project .The census survey also serves other essential functions: (a)identifying characteristics of displaced house-holds, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;(b)information on vulnerable groups or persons for whom special provisions may have to be made; (c)identifying public or community infrastructure, property or services that may be affected; (d)providing a basis for the design of, and budgeting for, the resettlement program;(e)in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and (f )establishing baseline conditions for monitoring and evaluation purposes .As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:(g)land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;(h)the patterns of social interaction in the affected communities, including social net-works and social support systems, and how they will be affected by the project; and(i)social and cultural characteristics of displaced communities, including a description of for-mal and informal institutions (e .g ., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities
5. **Legal framework:** The findings of an analysis of the legal framework, covering:(a)the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;(b)the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such

procedures, and any available grievance redress mechanisms that may be relevant to the project;(c)laws and regulations relating to the agencies responsible for implementing resettlement activities; and(d)gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps .

6. **Institutional framework.** The findings of an analysis of the institutional framework covering:(a)the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;(b)an assessment of the institutional capacity of such agencies and NGOs/CSOs; and(c)any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation
7. **Eligibility.** Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.
8. **Valuation of and compensation for losses.** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. **Community participation.** Involvement of displaced persons (including host communities, where relevant):(a)a description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;(b)a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;(c)a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and(d)institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented .
10. **Implementation schedule.** An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. **Costs and budget.** Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
12. **Grievance redress mechanism.** The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

13. **Monitoring and evaluation.** Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation .
14. **Arrangements for adaptive management.** The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes

Appendix 3: Quarterly grievance report

Period from.....to.....20.....

Project Phase:.....

Case No.	Complainant's name, gender and location	Nature of complaints and expectation of complainant	Date of Petition submitted	Method of resolution with dates	Decisions and date of communication to the complainant	Agreement with and commitment to complainant	Progress (solved / pending)	Reason, if pending

#### Appendix 4: Procedures of Voluntary land donation

**Preparation of Land Survey Map and Documentation:** After collecting the information related to land and assets which will be affected by project/sub-project implementation, the responsible official, with assistance from the related persons, will prepare a land survey map. The following conditions will be confirmed by the UGC

- Confirmation that affected people agree to donate land or asset, based on a face to face meeting and stakeholder's consultation
- No one would lose more than 10% of the total productive assets;
- No physical relocation necessary.
- There is an alternative, in case the donor refuses to donate the piece of land in question.

**Verification process (surveys) to identify land ownership and use:** UGC and local government will ensure that the land study will include specific surveys to understand the type of land rights that exist in the sub-component area, and to identify any particular issue relating to land ownership and use. The specific surveys must be conducted on each parcel of land proposed for donation to identify:

- The owner or owners of the land;
- The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land);
- Any competing claims of ownership or use;
- Structures and assets on the land; and
- Any encumbrances on the land.
- Owners can donate the land for temporary use during construction and operation.

It is important to: (i) identify the right that is being transferred (an ownership right, a use right, a right of way, etc.); and (ii) check whether the transferee actually has the right s/he claims to have. In many circumstances where careful due diligence has not been carried out, significant conflict has arisen at a later stage when another party claims that they have the same or a competing right. In some circumstances – but not all – the transferee will have documentary evidence of such right. Where no such evidence exists, the due diligence can establish rights by speaking with local community officials and neighbors.

**Transferring and formalizing the land:** Process for land donation includes very clear procedures that explain the process that should be followed to transfer the land, and appropriate ways to formalize the respective transfer. The process includes consideration of the legal and administrative requirements based on government regulations and World Bank Policy. The process will describe a clear and transparent decision-making process.

**Public consultations and disclosure:** The decision to donate land must be taken based on a full understanding of the sub-projects and the consequences of agreeing to donate the land. Accordingly, the parties that will be affected by the donation (the owners and users of the land) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation will have on them and their families. It is important that prior written notification indicating

the location and amount of land that is sought be provided and that its intended use for the sub-project is disclosed.

The right to refuse must be a legitimate right, unconditional, and the potential transferee must be able to exercise it in the local community and political context. For this reason, it is important to be sure that the decision to donate is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. For collective or communal land, donation must be based upon the informed consent of all individuals using or occupying the land.

**Documentation:** UGC will ensure that

- Refers to the consultation that has taken place;
- Sets out the terms of the transfer;
- Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure;
- Attaches an accurate map of the land being transferred (boundaries, coordinates);
- Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights;
- Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;
- Ensure that the transfer and title is registered or recorded; and
- Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.
- confirming that there is no disputed ownership and that there are no claims by renters, users, squatters, or encroachers

## [Appendix 5: Terms of Reference for External Monitor](#)

### **PROJECT BACKGROUND**

In recent years, the World Bank has supported capacity building in higher education in South Asian countries, which creates a good platform to launch regional collaboration in this aspect. The Higher Education Acceleration and Transformation (HEAT) Project focuses on improving employability of university graduates and improving governance of higher education. The Project also aims to establish a regional network of higher education institutions in South Asia. The Project takes an approach which builds on and utilizes the synergies of national and regional support to higher education. First, the project will leverage digital connectivity, established through different World Bank national projects, among the participating countries (Bangladesh and Afghanistan). Second, the project would focus on employability and leadership, particularly for women, which is one of the major development concerns in the region. Third, the project would look into promoting collaborative research among academics across different institutions in the region. Fourth, the region faces some common issues of governance and management of the higher education sector and would benefit exchange of knowledge on quality assurance,

performance-based financing and teacher management systems. Finally, South Asia lags in internationalization of higher education, providing potential scope for the project to initiate efforts in this aspect.

Bangladesh has a growing higher education system with two main providers of higher education in the country: (i) 153 public and private universities<sup>6</sup>, directly under the supervision of the University Grants Commission (UGC) and (ii) around 2,000 government and non-government tertiary colleges affiliated with the National University (NU). In addition, there are two regional universities (Asian University for Women and Islamic University of Technology), which operate as fully independent institutions. Together, the sector caters to around 2.7 million students<sup>7</sup> in 2017 which is a significant increase compared to the 1.5 million students in 2010. UGC, an attached body of Ministry of Education (MoE), is the oversight apex body for all public and private universities and the intermediary between the Government and the universities for regulating the affairs of the universities. Female students account for around 44 percent of higher education enrollment. The Government of Bangladesh (GoB) has prepared a Higher Education Strategic Plan 2018-30 that signals a strong commitment by the Government to enhance investments in higher education, comprehensively identifies issues and challenges and recommends solutions. The Bank has supported the higher education sector in Bangladesh through the HEQEP Project since 2008, providing a strong basis for future reforms.

The Asian University for Women (AUW) provides an exceptional example of effectively promoting female higher education and employability, especially for those from underserved community, serving as a model of Center of Excellence for the region. AUW was established in 2008 to educate the next generation of female leaders in the region. This university mostly enrolls underprivileged women (e.g. from the garment sector, and minorities) and prepares them through high quality and rigorous undergraduate programs as high skilled professionals for the job market. In addition to subject specific specialization, AUW emphasizes on confidence-building and higher order cognitive and soft skills development, including problem-solving, teamwork, communication and negotiation skills. It manages to provide internships to all its students, leading to high graduate employment in top employers, while many graduates continue to pursue postgraduate degrees in top ranked global universities. AUW has also managed to maintain academic continuity during the COVID quarantine period through online programming. The institute has identified a need to strengthen their crisis response mechanisms to ensure their ability to support academic continuity during future emergencies. Through this Project, the World Bank (WB) would support improved research, teaching and learning environment in the universities for better student learning outcomes and skills development with the intent of graduating employable students for a more competitive and rapidly changing local and regional job market. The proposed project also aligns with the government policies which guide development priorities and strategies at the higher education sector in Bangladesh, as specified in the Strategic Plan for Higher Education (SPHE) 2018-2030; and in Afghanistan as specified in National Higher Education Strategic Plan II (NHESP II, 2016-2020). In Bangladesh, the Strategic Plan for Higher Education (SPHE) 2018-2030 keeps the objectives and targets of National Education Policy 2010, Vision 2021 and 2041, the draft 7th Five Year Plan and other future looking plans such as Draft 8th Five-year plan, SDG action plan and Delta plan 2100.

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<sup>6</sup> 49 public and 103 private – however, only 140 universities are academically functional (45 public and 95 private).

<sup>7</sup> There were 0.9 million students in universities and 1.7 million students in tertiary colleges in 2016.

The project development objective (PDO) is to enhance graduate employability, improve governance of higher education and improve access and quality of higher education for women regionally.

#### **KEY OBJECTIVE OF EXTERNAL MONITORING**

Monitoring is an integral part of the resettlement process. As part of this Project, a three-tier monitoring system has been designed to monitor and evaluate the progress of the Social Action Plan. These 3-levels comprise of: a) Internal monitoring at EA level involving the INGO and UGC and AUW offices; b) monitoring by project construction supervision consultant (CSC) and c) independent external monitoring. The primary objective for engaging an independent external monitor is to review the efficacy of internal monitoring, design and conduct periodic third-party monitoring and feedback UGC and GoB on policy improvement and enhancement of implementation process. The External Monitoring Agency (EMA) will review implementation process as per set policies in the RAP and assess the achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

#### **SCOPE OF WORK**

The scope of work of the External Monitoring Agency (EMA) will include the following tasks:

- vii. To develop specific monitoring indicators for undertaking monitoring of all aspects of Resettlement Action Plan
- viii. To review and verify the progress in land acquisition/resettlement implementation of the Project.
- ix. Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.
- x. Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of PAPs of project-induced changes.
- xi. Identification of the categories of impacts and evaluation of the quality and timeliness of delivering entitlements (compensation and rehabilitation measures) for each category and how the entitlements were used and their impact and adequacy to meet the specified objectives of the Plans. The quality and timeliness of delivering entitlements, and the sufficiency of entitlements as per approved policy.
- xii. To analyze the pre-and post-project socio-economic conditions of the affected people. In the absence of baseline socio-economic data on income and living standards, and given the difficulty of APs having accurate recollection of their pre-project income and living standards, develop some quality checks on the information to be obtained from the APs. Such quality checks could include verification by neighbors and local village leaders. The methodology for assessment should be very explicit, noting any qualifications.
- xiii. Review results of internal monitoring and verify claims through sampling check at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.



- xiv. To monitor and assess the adequacy and effectiveness of the consultative process with affected APs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.
- xv. Identify, quantify, and qualify the types of conflicts and grievances reported and resolved and the consultation and participation procedures.
- xvi. Provide a summary of whether involuntary resettlement was implemented (a) in accordance with the RAP, and (b) in accordance with the stated policy.
- xvii. To review the quality and suitability of the relocation sites from the perspective of the both affected and host communities.
- xviii. Verify expenditure & adequacy of budget for resettlement activities.
- xix. Describe any outstanding actions that are required to bring the resettlement activities in line with the policy and the RAP. Describe further mitigation measures needed to meet the needs of any affected person or families judged and/or perceiving themselves to be worse off as a result of the Project. Provide a timetable and define budget requirements for these supplementary mitigation measures.
- xx. Describe any lessons learned that might be useful in developing the new national resettlement policy and legal/institutional framework for involuntary resettlement.

#### **METHODOLOGY AND APPROACH**

The general approach to be used is to monitor activities and evaluate impacts ensuring participation of all stakeholders especially women and vulnerable groups. Monitoring tools should include both quantitative and qualitative methods. The external monitor should reach out to cover:

- 100% APs who had property, assets, incomes and activities severely affected by Project works and had to relocate either to resettlement sites or who chose to self-relocate, or whose source of income was severely affected.
- 10% of persons who had property, assets, incomes and activities marginally affected by Project works and did not have to relocate;
- 10% of those affected by off-site project activities by contractors and sub-contractors, including employment, use of land for contractor's camps, pollution, public health etc.;

The monitoring should be supplemented by focus group discussions (FGD) which would allow the monitors to consult a range of stakeholders (local government, resettlement field staff, NGOs, community leaders, and, most importantly, APs) and community public meetings which are open public meetings at the resettlement sites to elicit information about performance of various resettlement activities.

#### **OTHER STAKEHOLDERS AND THEIR RESPONSIBILITY**

##### **1. Responsibility of UGC**

UGC through its Project Management Office (PMO) at headquarters and in the RU-field offices will ensure timely supply of background references, data and project options to the independent monitor. It will

ensure uninterrupted access to work sites, relevant offices of the GOB and UGC in particular. The independent external monitor will sit in quarterly coordination meetings with the UGC in presence of the supervision consultant and the UGC should organize that at PMO or Field level as appropriate.

Recommendation based on the result of the monitoring should be offered to UGC to cover up the deficiencies identified by the external monitor. UGC will accept the recommendations of the external monitor if it is within the scope of work and there is nothing incorrect in the report.

## 2. Responsibility of Supervision Consultant

The supervision consultant will provide appropriate protocol at site or at its Project Office for the mission of the EMA. It will on behalf of UGC ensure free access to work sites, impact areas and the database on resettlement and civil works. The supervision consultant will ensure timely intimation of its civil works planning as and when made or updated during the construction period and keep the external monitoring and evaluation consultant informed.

## 3. Responsibility of the Implementing NGO

The RAP implementing NGO will assist and cooperate the external monitor through providing free access to its database and the automated management information system (MIS). It will provide copies of the progress reports and other reports as requested by the external monitor. The INGO may have to carry out surveys as well for fulfilment of the requirements of the external monitoring.

## 4. Panel of Experts (POE)

The POE will keep closer look into the activities of the external monitor in light of the social management strategy and the involuntary resettlement guideline. It will ensure timely response from the EA on queries and recommendations from the independent monitor.

### **TEAM COMPOSITION OF THE EXTERNAL MONITORING AGENCY**

The EMA should focus on field-based research on institutional arrangement, implementation strategy, policy objectives and the targets. In addition, data collection, processing and analysis should be performed to pin point problem areas and weaknesses and to highlight corrective measures, if needed, to achieve the objectives on schedule. Thus, there is a need for a dedicated monitoring team with adequate gender representation. Further, it is essential that the central team or field level coordinators responsible for monitoring, are skilled and trained in data base management, interview technique as well as social and economic/finance. Keeping in mind these criteria, the team should ideally include:

Position/expertise	Qualification and experience
1. Team Leader/ Implementation Specialist	Masters in social science/science with 15 years working background in planning, implementation and monitoring of involuntary resettlement for infrastructure projects. Experience in institutional capacity analysis and implementation arrangement for preparation and implementation of resettlement plans, and knowledge in WB ESF and latest social policies of the international development financing institutions in Bangladesh are preferred.

Position/expertise	Qualification and experience
2.Social Impact Specialist	Master’s in social science/science with 15 years working experience in social impact assessment including census and socioeconomic surveys, stakeholders’ consultation, and analyzing social impacts to identify mitigation measures in compliance with social compliance policies of the international development financing institutions and national legislations. Experience of preparing resettlement framework and action plans and implementation of plans for externally financed projects is essential.
3.Gender Specialist	Master’s in social science with 15 years working experience in relevant field; Thorough knowledge of gender issues and their implications in development projects; research and work experience relating to gender issues; and knowledge of techniques and their applications in mobilizing community participation in development programs.
4.Data Analyst	Graduate with working experience and knowledge of software, those are most commonly used in Bangladesh; demonstrated ability to design and implement automated MIS(s) for monitoring progress, comparing targets with achieved progress and the procedural steps.

#### **TIME FRAME AND REPORTING**

The EMA will be employed over a period of 5 years with intermittent inputs from the professional team to continue one year after completion of the RAP implementation.

Quarterly and annual monitoring reports should be submitted to the UGC with copies to the World Bank. An evaluation report at the end of the Project should be submitted to the UGC with critical analysis of the achievement of the projects and the performance of UGC, INGO

The external monitors will provide monitoring and evaluation report covering the following aspects:

- Whether the resettlement activities have been completed as planned and budgeted
- The extent to which the specific objectives and the expected outcomes/results have been achieved and the factors affecting their achievement or non achievement
- The extent to which the overall objective of the Resettlement Plan, pre project or improved social and economic status, livelihood status, have been achieved and the reasons for achievement / non achievement
- Major areas of improvement and key risk factors
- Major lessons learnt and
- Recommendations.

Formats for collection and presentation of monitoring data will be designed in consultation with UGC, consultants and panel of experts.

#### **QUALIFICATION OF THE EXTERNAL MONITORING AGENCY**

The EMA will have at least 10 years of experience in resettlement policy analysis and implementation of resettlement plans. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. NGOs, Consulting Firms or University Departments (consultant organization) having requisite capacity and experience as follows can qualify for services of and external monitor for the Project.

- NGOs registered with the Social Welfare Department of the GOB, Consulting Firms registered with the Joint Stock Company or Departments of any recognized university.
- The applicant should have prior experience in social surveys in land-based infrastructure projects and preparation of resettlement plans (RAP) as per guidelines on involuntary resettlement of World Bank.
- The applicant should have extensive experience in implementation and monitoring of resettlement plans, preparation of implementation tools, and development and operation of automated MIS for monitoring.
- The applicant should be able to produce evidences of monitoring using structured instruments and computerized MIS with set criteria for measuring achievement.
- The applicant should have adequate manpower with capacity and expertise in the field of planning, implementation and monitoring of involuntary resettlement projects as per donor's guidelines.

Interested agencies should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports.

The profile of consultant agency, along with full CVs of the team to be engaged, must be submitted along with the proposal.

#### **BUDGET AND LOGISTICS**

The budget should include all expenses such as staff salary, office accommodation, training, computer / software, transport, field expenses and other logistics necessary for field activities, data collection, processing and analysis for monitoring and evaluation work. Additional expense claims whatsoever outside the proposed and negotiated budget will not be entertained. VAT, Income Tax and other charges admissible will be deducted at source as per GOB laws.