

DRAFT
Resettlement Action Plan and Framework
for
Char Development and Settlement Project IV
Additional Financing ('Bridging') Project

CDSP IV

[Home](#) [About Us](#) [Partners](#) [E-Library](#) [Media](#) [Blog](#) [Contact](#)



Char Development and Settlement Project Phase IV

Table of Contents

Acronyms	i
Executive summary	ii
1. Introduction	5
2. Background	7
3. Description of the project components and activities	9
4. Legal and institutional frameworks - including mechanisms for dispute resolution and appeals	13
5. Impacts of the acquisition related to re-alignment of infrastructure on people’s land access and livelihoods	15
6. Resettlement Action Plan for Group A and Resettlement Action Framework for Group B	17
i. Objectives	17
ii. Guiding principles and overall approach	17
iii. Special provisions for vulnerable groups and gender related impacts	19
iv. FPIC process: sensitization and consultation process for reaching agreement on the land acquisition and compensation	20
v. Grievance redress mechanisms	22
vi. Valuation of and compensation for losses for livelihoods restoration and improvements	23
vii. Income and livelihoods restoration	24
viii. Organisational responsibilities	25
ix. Implementation schedule	26
x. Supplementary considerations for Resettlement Action Framework (RAF) for Group B	30
7. Costs and budget for RAP (Group A) and RAF (Group B)	30
8. Monitoring and evaluation (M&E) for RAP and RAF	31

Acronyms

AF	Additional Financing
BWDB	Bangladesh Water Development Board
FPIC	Free and Prior Informed Consent
CDSP	Char Development and Settlement Project
DC	District Commissioner
DPP	Development Project Proforma (GoB project document)
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Impact Plan
IFAD	International Fund for Agricultural Development
GoB	Government of Bangladesh
IPM	Integrated pest management
MoL	Ministry of Land
NGO	Non-governmental Organization
RAF	Resettlement Action Framework
RAP	Resettlement Action Plan
SECAP	Social, Environmental and Climate Assessment Procedures (IFAD)

Executive summary

This document presents a Resettlement Action Plan (RAP) for people who have already had their land acquired (Group A) for emergency infrastructure works under the Char Development and Settlement Project-Phase 4 (CDSP IV), and a Resettlement Action Framework (RAF) for those households whose land will be acquired in the CDSP IV Additional Financing phase to start in 2019 (Group B) for the additional works that are required to properly secure the land already development in a wider area over the last 15 years or so.

The reason that this differentiation has to be made is because works that affected Group A were urgently needed in order to prevent a much larger loss of land and livelihoods in the project area. Due to the emergency nature of the works, the Water Board had not foreseen the compensation and early measures in the CDSP IV workplan and budget. Given the opportunity of extension of the project, Group A will now be compensated and provided early measures in a systematic manner under the guidelines of this RAP, with a dedicated budget provided by GoB as Government contribution for the project's financing package.

This document provides: (i) a brief background and purpose of CDSP IV; (ii) the number of people that are affected; (iii) an explanation of how people are affected; and (iv) mitigating actions to ensure that the negative effects on affected persons are addressed and, where possible, left better off than before. The plan and framework presented in the document have been reviewed internally by IFAD and is found to be in line with the Social, Environmental and Climate Assessment Procedures (SECAP), including specifically Guidance Statement 13 on physical and economic resettlement.

The reason that the document refers to both a RAP and RAF is that in the case of Group A, the people whose land is to be acquired are already known and therefore, in line with IFAD's SECAP guidelines, a RAP is required. However, for the latter group, the design for the alignment is not yet finalized hence, while there is a fairly accurate assessment of the people that will be affected, the actual number and the extent to which they will be affected has not yet been confirmed. This will only occur once the design has been completed during 2019. Hence, again in line with IFAD's SECAP guidelines, only a RAF is possible at this stage. However, both the RAP and RAF will be covered by the same legal framework and procedures, and therefore a combined document has been produced that indicates the legal framework and procedures that will cover both Group A and Group B but which also distinguishes, where necessary, the different provisions for the two groups. In particular special provision is made for fast-tracking the compensation payments to Group A.

CDSP is focused on developing the accreted land - *chars* - in Bangladesh so that they become suitable for human habitation by protecting the land from salinity and stabilizing it through afforestation programmes, in line with the practice of the Government of Bangladesh (GoB). The GoB also prioritizes these lands for ultra-poor and destitute rural people, and the CDSP has been helping people to settle in these areas and overcome difficulties ranging from the lack of basic infrastructure to exploitation by powerful interests attracted by the fertility of the soils. The *char* areas are, by their very nature, dynamic. The Dhaka-based Centre for Environment and Geographic Information Services has found that each year approximately 52 square kilometres of newly accreted land is formed but about 32 square kilometres is eroded. Hence Bangladesh's landmass is increasing by about 20 square kilometers annually, presenting small windows of opportunity in a country where agricultural land is decreasing.

A significant project innovation has been the granting of land titles to people informally settled in these areas, who have often been driven here because they have lost their home to erosion or disasters elsewhere. The innovation is that the land titles are in the joint names of husband and wife, and that in the event of a divorce the land goes to the wife. This is highly unusual in Bangladesh, and part of the reason why the project won an international award for best practice in gender equality and women's empowerment. It is also part of the project's wider pro-poor and gender-equitable approach. To date, over 12,858 land titles have been issued under CDSP IV alone, providing a foundation for considerable improvements in livelihoods, gender equality and nutritional status.

However, unlike earlier phases and after many years without being affected by erosion, the project area has unexpectedly experienced for the first time the erosion of certain works, in particular affecting a number of embankments and sluices. During CDSP IV, certain embankments and a small percentage of sluices became very vulnerable to erosion at specific points, potentially threatening to lead to the large-scale erosion of areas developed not only under CDSP IV, but also some areas developed in CDSP's three previous phases. In response

to this, the project implementers, specifically the Bangladesh Water Development Board (BWDB), had to undertake the immediate retirement (repositioning at a distance) of certain embankments in June 2017, as well as other emergency measures, in order to protect the land of 18,000 poor households. These works have been largely completed, but there are a few remaining sections that are still susceptible to erosion and need to be retired. A technical review undertaken in July 2018 by the IFAD/GoB joint design mission for the Additional Financing (AF) confirmed that the works already done and still required were well justified in order to secure the investments and gains made under CDSP over the past two decades.

These works, and additional anticipated works to be completed in the AF phase mean that a number of households who were granted land under the project either fully or partially lose their land. Specifically, 682 households have had their land acquired fully or partially, resulting in the protection of 17,600 households; further protection works to be carried out in the AF phase are expected to affect 375 households in terms land acquisition in order to protect 4,750 households. The alternative – doing nothing – would mean that the land would be lost to salinity, and then erosion, which would have left the affected persons as well as thousands of other CDSP beneficiary households far worse off. This is because there is no remedy or compensation under GoB law for households losing land to erosion, other than prioritization for settlement elsewhere in undeveloped chars – this would have been a severe setback for affected households, undermining project investments in their wellbeing.

The Government's *'Acquisition and Requisition of Immovable Property Act'* (2017) sets out procedures for cash compensation for those with land titles or using the land, which are significant at 300 per cent of the land plus twice the value of assets and improvements made, and are therefore expected to leave affected persons better off than before. Since cash compensation is to be paid in line with the Government's legal obligations, the affected people are expected to invest the monies received in either purchasing alternative land or in other livelihoods opportunities. While international good practice suggests a preference for in-kind compensation, it is also acknowledged that cash compensation can be preferable in certain circumstance, especially where there is a land scarcity in a project and surrounding area, provided appropriate mitigation and safeguard measures are still put in place. In the case of the CDSP project area, char land remains under state ownership and the sale of land that has been allocated to landless people is prohibited, although the lease rights granted by the state can be inherited from one person to another. Many of the affected people came from or have ties with areas beyond the project area. Since the compensation paid is well above market value for land in northern Noakhali and other similar parts of rural Bangladesh, it provides an opportunity for the affected people to buy land with freehold title in more secure and also more widely dispersed places.

The CDSP IV AF Phase, supported by the Government of Bangladesh, IFAD and the Government of the Netherlands (GoN), will offer a package of additional services and mitigation measures to ensure the affected households are able to make investments that leave them better off, in line with the principles of 'free, prior and informed consent' (FPIC).

This documents identifies several potential risks that have been dealt with through proposed mitigation measures. These potential risks include: (i) delays in compensation to affected persons due to lengthy procedures - ironically, the fact that resettlement is involved has made this a 'Category A' project, therefore following the established procedures of SECAP has added to the delay for those who have already had to have their land acquired to protect the entire area; (ii) the highly gender-equitable land titling provisions may not translate into productive and equitable investments subsequently made by families once they receive their compensation; and (iii) there could be a risk of leakage and exploitation, if the CDSP beneficiaries are not able to fully understand their rights and benefit from grievance procedures.

The GoB, GoN and IFAD have zero-tolerance policies for corruption and harassment of any kind. The RAP and RAF therefore focus on these issues and propose a series of measures to mitigate these risks and leave affected persons, wherever possible, better off than before. These measures include support to affected persons to fully understand all implications and access legal provisions to benefit from cash compensation and grievance procedures, as well as additional early measures focusing on stepped up gender-sensitive livelihoods support that will also be useful after they have received their compensation.

As mentioned above, the compensation at well above market value already enables affected people to acquire freehold titles to land in more secure and also more dispersed locations – the latter implying a more dispersed impact, including on local land demand. In the case where people who lost some of their land: i) either want to

use the proceeds of their compensation to buy land elsewhere; or (ii) who would like to remain in the char area, will be supported by the project to make livelihood strategies to optimise available resources. Moreover by making women the primary beneficiaries of land and ensuring that their names are registered on the title, CDSP has already provided a firm basis for women's role in making decisions over the investment of compensation monies. Public consultations and advice to affected people continue to be provided by the BWDB and the Ministry of Lands.

With the AF, further legal and other advice will be provide by the project technical team and others to ensure the affected people fully understand the implications of the proposed compensation agreements and are readily able to have their grievances addressed, prior to their approval of the compensation agreement. Furthermore, compensation will be paid in equal share to title holders through separate cheques and preferably into separate bank accounts. Investment advice, including property market information, financial literacy training will also be provided, as well as additional support in early measures focusing on stepped up gender-sensitive livelihoods opportunities after they have received their compensation.

To summarize, in a context of dynamic and often extreme environmental and social issues, this RAP and RAF aim to ensure that the affected persons are not 'losers' in the constant fight to eke out a livelihood in some of the most climate-vulnerable areas of the world, but that they emerge equipped to build on the economic and social empowerment stimulated by the CDSP, and can continue to move forward in their 'graduation' out of poverty. This graduation pathway includes off-farm options given the severe shortage of land in one of the world's most densely populated areas.

1. Introduction

1. In Bangladesh, the term *char* is used to indicate areas of new land that are formed through the continual process of erosion and deposition in the major rivers and coastal areas. Char is a tract of land surrounded by waters; it usually means any accretion in a river course or estuary. Over the past two decades, the 'Char Development and Settlement Project (CDSP)' has been implemented in four Southern coastal areas, in four phases (CDSP-I, II, III and IV), cumulatively benefitting over 90,000 poor and destitute households, or 500,000 people, across the Noakhali, Laxmipur, Feni and Chittagong Districts of the south-eastern coastal areas of Bangladesh. The Phase-IV (CDSP-IV) was approved by the IFAD Executive Board in 2010. CDSP-IV had four components:

- **Protection from Climate Change**, which was achieved through water management so that saline inundation during high tides is ceased and also through tree plantation that engaged local communities to establish and nurture the plantations to benefit from social forestry;
- **Climate Resilient Infrastructure**, which built and managed internal infrastructure (such as roads, markets, cyclone shelters) as well as water and sanitation (WATSAN) facilities to ensure non-saline drinking water supply for poor inhabitants of the chars;
- **Land Settlement and Titling**, which allowed poor people to enjoy legal entitlement of a piece of land to live and to cultivate with partial legal rights (not allowed to sell and/or transfer the right to a potential buyer); and,
- **Commercial Agriculture, Institutional and Livelihood Support**, which provided to the settlers agriculture-based livelihoods support including agronomic practices and inputs, as well as other related social and livelihood support (including training on rights-related issues, orientation on GoB services, and micro-finance management).

2. Under the proposed CDSP-IV Additional Financing (AF), development activities will be carried out in all four CDSP areas, with a combination of new infrastructure development and enhancement of existing infrastructure. The AF has the potential of extending project benefits to more than 57,000 households, or a population of more than 367,000 people living in the char area.

Requirement of land acquisition

3. One of the AF investments will be the construction of a new retired (positioned at a distance) embankment to replace an existing one that is threatened by rapid erosion. These works will supplement the emergency infrastructure works undertaken in CDSP-IV. Altogether, it is anticipated that about 291 hectares (about 3 square kilometres) will have to be brought under land acquisition, affecting about 1,000 households, of which 300 would lose their land entirely and 700 partially. These works are necessary to protect the land of tens of thousands of households and major infrastructure works already completed.

4. As per the Government's legal framework and established procedure, the affected households will be compensated in cash with the expectation they will invest the monies received in either purchasing alternative land or in other livelihoods opportunities. While international good practice suggests a preference for in-kind compensation, it is also acknowledged that cash compensation can be preferable in certain circumstance, especially where there is a land scarcity in a project and surrounding area. In the case of the CDSP project area, char land remains under state ownership and the sale of land that has been allocated to landless people is prohibited, although the lease rights granted by the state can be inherited within the family. Many of the affected people came from or have ties with areas beyond the project area and it anticipated that many will acquire land outside of the project area although some are still expected to want to acquire land in their vicinity.

5. The CDSP IV AF Phase, supported by the Government of Bangladesh, IFAD and the Government of the Netherlands (GoN), will offer a package of additional services and mitigation measures to ensure the affected households are able to make investments that leave them better off, in line with the principles of 'free, prior and informed consent' (FPIC). In the first instance, the compensation value is estimated at three times the

market value of the neighbouring northern part of Noakhali District where there is a formal private land market operating plus twice the replacement value for improvements made. The compensation payment will also take into account any inflation or increase in the market value from the time of valuation to the time of actual payment. Since the compensation paid is well above market value it provides an opportunity for the affected people to buy land with freehold title in more secure and also more widely dispersed places – the latter implying a more dispersed impact.

6. Households have partially lost their land may want to: i) either “renounce” the rest because it’s too small, and use the proceeds of the sale and their compensation to buy land elsewhere; or (ii) who would like to remain in the char area; the project will support these households to optimise their available resources to improve livelihoods. Moreover by making women the primary beneficiaries of land and ensuring that their names are registered on the title, CDSP has already provided a firm basis for women’s role in making decisions over the investment of compensation monies. Public consultations and advice to affected people continue to be provided by the BWDB and the Ministry of Lands.

7. With the AF, further legal and other advice will be provide by the project technical team and others to ensure the affected people fully understand the implications of the proposed compensation agreements and are readily able to have their grievances addressed, prior to their approval of the compensation agreement. Furthermore, compensation will be paid in equal share to title holders through separate cheques and preferably into separate bank accounts. Investment advice, including property market information, financial literacy training will also be provided, as well as additional support in early measures focusing on stepped up gender-sensitive livelihoods opportunities after they have received their compensation. Affected households will therefore receive cash compensation and livelihoods support but the project will not be identifying where they go, as households are free to decide. Considering the immense pressure on land in Bangladesh, and because affected persons are heterogeneous and coming from different areas originally, it is highly unlikely that the affected households will all resettle in the same area. The likely dispersion of affected persons therefore means that the concept of host communities is less relevant and impractical to work with. In any case, the communities to which affected persons choose to move will be receiving them not as resettled peoples en-masse, but as any other households choosing to move to the area.

8. Hence, this report presents i) a Resettlement Action Plan (RAP) for people who have already had their land acquired (Group A) for emergency infrastructure works under the Char Development and Settlement Project (CDSP), and ii) a Resettlement Action Framework (RAF) for those whose land will be acquired in the CDSP IV Additional Financing phase to start in 2019 (Group B) for the additional works that are required to properly secure the land already development in a wider area over the last 15 years or so. The document should be read together with the ESIA and Environment and Social Impact Plan (ESMP) and provides: (i) a brief background and purpose of CDSP; (ii) the number of people that are affected; (iii) an explanation of how people are affected; and (iv) mitigating actions to ensure that the negative effects on affected persons are addressed and, where possible, left better off than before. The plan and framework presented in the document have been reviewed internally by IFAD and is found to be in line with the Social, Environmental and Climate Assessment Procedures (SECAP), including specifically Guidance Statement 13 on physical and economic resettlement.

9. The reason that the document refers to both a RAP and RAF is that in the case of Group A, the people whose land is to be acquired are already known and therefore, in line with IFAD’s SECAP guidelines, a RAP is required. However, for the latter group, the design for the alignment is not yet finalized hence, while there is a fairly accurate assessment of the people that will be affected, the actual number and the extent to which they will be affected has not yet been confirmed. This will only occur once the design has been completed during 2019. Hence, again in line with IFAD’s SECAP guidelines only a RAF is possible at this stage. However, both the RAP and RAF will be covered by the same legal framework and procedures, therefore a combined document has been produced that indicates the legal framework and procedures that will cover both Group A and Group B but which also distinguishes, where necessary, the different provisions for the two groups. In particular special provision is made for fast-tracking the compensation payments to Group A.

2. Background

10. The various phases of CDSP are being implemented in the south-eastern delta coastal zone of Bangladesh, where the Ganges, Brahmaputra and Meghna rivers flow into the Bay of Bengal. Accretion and erosion of land are common phenomena, and this dynamic nature is a unique feature of these areas. Newly accreted lands are called char lands or simply chars in Bangla. The Dhaka-based Centre for Environment and Geographic Information Services has studied 32 years of satellite images and found that each year approximately 52 square kilometres of newly accreted land is formed while about 32 square kilometers is eroded. Hence Bangladesh's landmass is increasing by about 20 square kilometres annually, presenting small windows of opportunity in a country where agricultural land is decreasing¹.

11. Chars are characterized by highly fertile lands and therefore present high-potential windows of opportunity - after they have been developed. However, the char areas also experience significant erosion, primary because they are located in a morphologically active coastal region and in the backdrop, there has been a gradual change in sea level. With an assumed density of 800 people per km², each year approximately 26,000 people (about 4,500 households) lose their land in the chars. Most of them move to newly accreted chars. This land is typically settled by the landless and poorest people, many of whom have to move periodically throughout their lives. Not only are they subject to harsh and unpredictable conditions of the natural environment – in particular cyclones, flooding and high soil and water salinity – but they also have inadequate access to public infrastructure, facilities and services, including roads, social welfare and legal services. Many of those settling in these areas are at the mercy of powerful interests and exploitation². It is within this context that CDSP has been striving to support the development of charlands for the benefit of some of the most vulnerable people in Bangladesh.

12. The Government wishes to mobilize the potential of these windows to improve the lives of its people, especially the very poorest and most marginalized, and the CDSP is a concrete example of its commitment. Today, although not officially agricultural land, through the combined efforts of GoB, the Government of the Netherlands (GoN), IFAD and the char dwellers themselves, agriculture and off-farm activities are thriving and transforming lives. The area is safe and has grown into well-established settlements. The Bangladesh Delta Plan 2100 (GoB, 2018) provides a framework for the long term development of the country's delta systems, including for the project area. These include significant investments in infrastructure to maximize the potential of these areas, including cross dams to stabilize the area and protect it from saline intrusion and erosion. This is a positive development for the CDSP, making its investments more sustainable as part of an integrated and longer term solution to climate and environmental challenges.

13. The CDSP started in 1994 with support provided by GoB and GoN for the first three phases, prior to IFAD coming on board in the fourth phase in 2011. In its various phases the project has made substantial contributions to stabilizing the harsh environmental conditions and using them as a basis for improving the social conditions of people settling on newly accreted land. Though the area is geophysically dynamic because of char erosion and accretion, the newly accreted land is immensely fertile, if salinity can be stemmed. The CDSP therefore is an example of how a holistic intervention can help very vulnerable rural people take advantage of a window of opportunity to turn around their lives. Protection from the negative impacts of climate change and erosion is enhanced by drainage sluices, embankments, and channels as well as closures. Water Management Groups are formed to operate and maintain the infrastructure. In addition, protective plantations of trees are established on mudflats, foreshores and embankments, which also offer an income generation possibility for Social Forestry Groups established by the project. Various off-farm packages have also been offering alternatives to diversify the livelihoods of char dwellers and increase their resilience to climate change.

¹ Bangladesh is one of the most densely populated countries in the world, with about 1,100 persons per sq km. Around 70% of the population is engaged in agriculture. Cropping intensity is approaching 200%, creating immense pressure on natural resources. Producing more diversified crops on shrinking land for a growing population is therefore a prime focus of the country's development agenda. Bangladesh Development Forum. 2018.

² CDSP various supervision reports.

14. One particularly innovative measure has been the issuing of land titles to beneficiaries. This has had an immediate impact in securing the rights of landless people. In particular, the project has focused on recognizing women's land rights; titles have been issued in the name of both spouses in equal shares, with women's names appearing first on the title. Furthermore, the title includes a provision that in the event of divorce or abandonment, the land will remain with the woman. Finally, titles have also been issued to women-headed households, something that is still quite exceptional in Bangladesh. From an environmental perspective, land titling has encouraged people to invest in land development and agricultural practices that help to further stabilize the land. These are some examples of a holistic package of environmental interventions that have had impressive results over the years. Over time the areas covered by the earlier phases of the project have become well established communities and enjoyed a substantial increase in agricultural production, improved livelihoods and income levels, especially for the poorer sections of the communities and women. For example, project reviews note considerable achievements in lifting people out of poverty, increasing food security and nutrition, improving gender equality, enhancing access to education, and boosting resilience to climate-related shocks such as cyclones and storm surges.

15. However, unlike earlier phases and after many years without being affected by erosion, the project has experienced for the first time the erosion of certain works, in particular a number of embankments and sluice gates. During CDSP IV, certain embankments and a small percentage of sluices became very vulnerable to erosion and at specific points, potentially threatening to lead to the large-scale erosion of areas developed not only under CDSP IV, but also some areas developed in earlier CDSP phases.

16. In response, the project implementers, specifically the Bangladesh Water Development Board (BWDB), had to undertake the immediate retirement of certain embankments in the latter half of 2017, as well as other emergency measures. These works have been largely completed but there are a few remaining sections that are still susceptible to erosion and need to be retired. A technical review undertaken in July 2018 by the IFAD/GoB joint design mission for the AF phase confirmed that the works already done and those still required were well justified in order to secure the investments and gains made under CDSP over the past two decades.

17. These and anticipated works to be completed in the AF phase mean that a number of households who were granted land under the project either fully or partially lose their land. A review by the Ministry of Land (2017) indicated that the affected households should be compensated as titled land holders, in line with the 'Acquisition and Requisition of Immovable Property Act' 2017. Until May 2018, the compensation rate under this Act was calculated as being 150% of the market value of the land and the value of improvements made. However, in May 2018 the law was amended to double the compensation rate to 300% of the market value of the land and twice the value of assets and improvements made (such as trees, etc). The recognition of people's rights and the upwards revision of the now generous compensation terms is a very positive development in GoB policy for poor people.

18. However, this resulted in further challenges for CDSP; since the amendment to the Act was not foreseen, the higher amount of compensation had not been budgeted in Government's contribution to CDSP IV and could not therefore be met from the CDSP IV budget. BWDB accordingly increased the original Government contribution for the AF phase significantly to reflect the amended law. In order to mobilize GoB funds to compensate the affected people, BWDB's planning document or the Development Project Proforma (DPP) for the AF phase needs to be approved. The DPP preparation and approval process is ongoing, and the BWDB has redone the forecasts based on new compensation rates. However, this means that the compensation funds were not available to pass on to affected households prior to the urgent rehabilitation works that the project had to undertake to secure CDSP investments and land. This has resulted in some households (Group A) having to give up all or some of their lands without being yet compensated.

19. Although BWDB, other implementing partners, and the local communities have continued to support these families and many have been able to rely on savings resulting from CDSP IV, they are presently less well off than before the acquisition, although still better off than before accessing CDSP IV services and resulting benefits. Their most pressing need is for GoB and IFAD to complete all processes as quickly as possible, so that they can access their compensation and move on with relocation. GoB recognizes the urgent need to expedite the approval of the DPP so as to speed up affected peoples' access to cash compensation. The DPP is expected to be approved by February- April 2019. In the meantime the BWDB and CDSP team continue to support the

affected people, including ensuring that they are kept well informed and addressing any concerns that are raised.

20. A second group of people (Group B) will be affected by acquisition of their lands during the AF phase, in order to carry out further protection works i.e. construction of a retired embankment to prevent saline intrusion and erosion. A structured Free and Prior Informed Consent process (already underway) would be concluded once the AF is effective. No AF investment would be approved until the FPIC process has been completed and the relevant documents submitted to IFAD by GoB.

21. IFAD is also committed to ensuring that its own process for approving the AF is as fast as possible, whilst maintaining due diligence, in order to ensure that affected peoples can access early benefits as quickly as possible. Both IFAD and GoB are committed to concluding loan negotiations so as to enable the release of funds as early as possible.

22. It is important to note GoB and IFAD's pro-poor commitment in undertaking these emergency works; the 'do nothing' option of simply allowing the erosion (physical and social) to take place and households to lose their land uncompensated would entail putting at risk many more people's livelihoods and resilience.

3. Description of the project components and activities

CDSP IV context

23. **The project area.** The project is located in the Meghna estuary - the central and most dynamic part of the coastal zone of Bangladesh. New land is emerging from the sea at the same time as land is being lost to erosion. Within this zone, CDSP IV focused its activities on the development of five new chars: Nangulia, Noler and Caring (these three Chars are contiguous to each other), Urir (an island) and Ziauddin (on the mainland but not contiguous with the other chars). The total extent of these chars was around 30,000 ha, with an estimated population of 155,000 in 28,000 households. The project included some activities in the areas of CDSP I, II and III in terms of support for operation and maintenance, and completion of land settlement in CDSP III. CDSP IV also identified some new chars, conducted feasibility studies for future char development, and developed some preparatory infrastructure on these chars (earth roads, water supply, cyclone shelters).

24. **Accretion and erosion.** The processes of accretion and erosion are determined by a complex set of interactions between the sediment load, its transport and distribution; the discharge of water and water levels; and tidal forces and estuarine circulation. On average each year, around 1.1 billion tons of sediment is carried down by the Ganges-Brahmaputra-Meghna river system, the largest sediment load in any river system in the world. About one fifth of the sediment load is retained in the estuary, forming the raw material of the land accretion process. Surveys, based on satellite pictures, have shown that each year there is a net accretion of around 20 km², with newly formed land of about 52 km² less eroded land of around 32 km². Accretion dominates around islands south and south-east of the Noakhali mainland, and south-west of Bhola island. The average yearly erosion of 32 km² means that, with an assumed density of 800 people per km², each year approximately 26,000 people (about 4,500 households) will lose their land in the estuary. Many of them will move to newly emerged lands, called chars.

25. **Poverty.** As a result, newly emerged chars were a pocket of extreme poverty. The 2009 RIMS baseline survey for Noler, Caring and Nangulia chars (which account for 85% of the population of all five CDSP IV chars) estimated average household income to be BDT 3,103 per month – or BDT 18.80 per head per day. This fell within the poorest 10% of the rural population³. The same survey found that 87% of households reported a food shortage, with 72% having a shortage for at least 3 months and 46% for at least 5 months. Over half (52%) of children under five years of age were stunted, suffering from chronic malnutrition, 18% of under-five children were wasted, showing acute malnutrition, and 57% of children were underweight for their age. The rates of wasting and stunting were significantly higher than for rural Bangladesh as a whole.

³ The average expenditure per head per day for the poorest 10% of rural households was Tk19.94 – Household Income and Expenditure survey 2005, adjusted to December 2008 prices.

26. **Poor resilience at community and household levels.** As well as being poor, char communities faced multiple vulnerabilities including cyclones and storm surges, floods and drainage congestion, droughts and salinity intrusion, erosion and deteriorating ecosystems. Apart from these physical risks, these chars were largely out of reach of the state services and this, combined with the illegal nature of land occupation, resulted in a high degree of lawlessness and consequent risk of loss and physical harm for char settlers, especially women. These uncertainties were exacerbated by the consequences of climate change, with a greater probability of cyclones and storm surges, increased rainfall during the monsoon season, less precipitation in winter, higher temperatures and sea level rise. All these had an adverse impact on livelihoods. Food security was threatened and conflicts over scarce natural resources were likely more prevalent. Population growth added further pressure.

CDSP IV description

27. CDSP-IV was approved by the IFAD Executive Board in 2010. Its goal was reduced poverty and hunger for poor people living on newly accreted coastal chars. Its purpose was to improve and secure the rural livelihoods for 28,000 households who comprise the population of Nangulia, Noler, Caring, Ziauddin and Urir Chars in the coastal area of Noakhali District in southeast Bangladesh. Its specific objective was to improve the economic situation and living condition of the population in the coastal areas of South-eastern Bangladesh with reference to the poorest segment of the population

28. CDSP IV was jointly financed by IFAD, the Government of Netherlands (GoN) and the Government of Bangladesh. The total cost estimated at project design was USD 89.2 million, including an IFAD loan of USD 47.30 (SDR 30.6 million), a GoN grant of USD 20.6 million, GoB counterpart financing of USD 15.6 million, NGOs credit contribution of USD 4.9 million, and beneficiaries' in kind or cash contribution of USD 0.81 million. The project became effective on 9 May 2011 and was completed on 30 June 2018.

29. The following institutions were the project's executing agencies: (a) Bangladesh Water Development Board (BWDB), (b) Local Government Engineering Department (LGED), (c) Department of Public Health Engineering (DPHE), (d) Ministry of Land (MOL), (e) Department of Agriculture Extension (DAE), and (f) Department of Forest (DOF). Each of these agencies is led by a Project Director and has its own implementation plan known as a Development Project Pro-Forma (DPP). In addition, supported by GoN funding, there is a technical assistance (TA) team and four partner NGOs (PNGO). See also Table 1 below.

Table 1: CDSP at a glance

Project Name		Char Development and Settlement Project – Phase IV (CDSP IV)			
Key Dates:					
IFAD Approval	Signing	Effectiveness	Mid-term Review (Plan)	Original completion	Actual completion
22-Apr-2010	09-May 2011	09-May-2011	2015	30-June-2018	30-June-2018
Actual Midterm Review	Interim Evaluation	Original loan closing	Actual loan closing	Number of extensions	
22-Mar-2015	none	31-Dec-2018	31-Dec-2018	none	
IFAD Financing:					
Loan	SDR million		% disbursed		
	USD million	44.79	% disbursed	94.58% (31/03/2018)	
As of 31 March, 2018					
Number of beneficiaries⁴:					
	Direct	Women		Indirect	
Total # of households	29,008	-		15,000	

⁴ Beneficiaries refer to all members of the household that have received services from the project.

Total # people	185,824	91,240		90,000	
Project Goal and Objectives:					
The project goal is to reduce poverty and hunger for poor people living on newly accreted coastal chars. The development objective aims at improved and more secure livelihoods for 28,000 households.					
Country partners:					
Borrower	Ministry of Finance, Government of Bangladesh				
Executing agency	BWDB, Ministry of Water Resources				
Implementing agencies	Bangladesh Water Development Board, Local Government Engineering Department, Ministry of Land, Department of Agricultural Extension, Department of Public Health Engineering, Forest Department				
NGOs	BRAC, SSUS, DUS, SDI. Implementing 8 sub component: Micro credit support, Water & Sanitation, Legal & Human Right, Climate Change & Disaster Management, Homestead Agriculture& Value Chain Development, Poultry & Livestock and Fisheries				

CDSP IV Additional Financing description

30. **Target area and population:** The AF phase of CDSP-IV will cover the 5 chars of CDSP-IV – Nangulia, Noler, Caring, Ziauddin and Urir. It will also include two additional areas: first, the original project areas in CDSP-I to III and; second, four new chars that have been short listed for development under the prospective CDSP-IV. Taken together, these chars cover an area of almost 92,000 hectares (ha).

Table 2: CDSP areas and populations by project phase⁵

Project phase	Implementation period	Chars	Approximate Area (hectares)	Population during implementation period
CDSP-I	1994-1999	Baggar Dona II Majid Bhartitek	6,800	5,000 households Approx. 25,000 people
CDSP-II	1999-2005	Moradona Baggar Dona I Gangchil/South Elahi Nijhum Dwip Bandartila Muhuri Accreted Area	33,000	Approx 300,000 people
CDSP-III	2005-2010	Boyer	6,500	8,600 households 42,500 people
CDSP-IV	2010-2018	Nangulia Noler Caring Ziauddin Urir	30,000	28,000 households 155,000 people
Chars shortlisted for initial support activities	2018-	– Maksumul-Hakim-Allaudin-Samitir Cluster – Dhal – Kola Toli – Mozammel	Roughly 15,500	Roughly 13,700 households Roughly 70,000 people

31. The direct beneficiary population of the AF phase will be the total population of CDSP-I to IV and the shortlisted chars: in total, this population is estimated to stand at between 500,000 to 600,000 people. Within this population, the project will continue to target specific groups of people who are particularly vulnerable to poverty and food insecurity. These include:

- Settlers who do not yet possess formal titles for the land that they are occupying;

⁵ Government of Bangladesh, Impact Evaluation of CDSP I-III (Dhaka, 2011); Government of Bangladesh, Short Listing of Char Areas for Feasibility Studies; Government of Bangladesh, Char Development and Settlement Project Phase IV: Annual Outcome Survey (Dhaka, 2018).

- Landless households who have settled on vacant public land that is being used for infrastructure – for example, on embankments;
- Women across all CDSP households, and particularly women who act as household heads and whose incomes lie below the national poverty line; and
- Small and marginal farmers who occupy less than 2.5 acres (1 hectare) of land, as per national classifications of marginal farm size.

32. The targeting strategy is to deliver the project's activities and services to a large number of poor, marginalized or otherwise economically and environmentally vulnerable farmers across a continually changing landscape. To do so, the project will adopt several geographic, direct and self-targeting measures as outlined below.

33. Geographic targeting: The target areas of additional financing phase are the chars of CDSP-I to IV and the short listed chars. Each of these areas is currently at a different stage of infrastructural, institutional and livelihoods development, and the priority needs of the target populations that reside on them differ accordingly.

34. Direct targeting. The project has identified a number of direct targeting measures to ensure the inclusion of disadvantaged segments of the population into the institutions and activities that would benefit them the most. Specific measures to benefit people negatively impacted by infrastructure expansion given the ever-present potential need to secure the area against erosion and salinity intrusion are included.

35. Components and implementing agencies (IAs) will remain the same as CDSP-IV for the sake of continuity in implementation. Therefore the AF phase will consist of four components.

36. Component 1: Water management groups will directly target women and men who are between 18 to 65 and who live within the hydrological blocks defined by BWDB. Social Forestry Groups will directly target women and men who fit any of the following criteria:

- a. Destitute women; belonging to landless households;
- b. Belong to households reliant on fishing;
- c. *Belong to households negatively affected by infrastructure expansion.*

37. Component 2: Tubewell User Groups will directly target women in the neighbourhoods in which they are built. Labour Contracting Societies used to build smallscale infrastructure will directly target women and men who fit criteria including the following:

- a. Who do not have any source of gainful employment, or only seasonal employment;
- b. Derive the majority of their income from physical labour;
- c. Possess less than 0.1 hectares of land;
- d. Are adult and physically fit;
- e. Are women who are widowed or abandoned by their husbands.

38. Component 3: The land settlement process will target households who fit criteria including the following:

- a. Include members who are destitute freedom fighters⁶;
- b. Have lost their land elsewhere due to erosion;
- c. *Have lost their land due to infrastructure expansion;*
- d. Are otherwise landless and recently informally settled in the area.

39. Component 4: The agricultural extension services of the project will target small and marginal farmers who cultivate less than 1 hectare of land, as per the national definition of marginal farming.

⁶ Registered freedom fighters who do not have any gainful livelihoods and assets.

40. **Self-targeting.** The field-level institutions established by the project involve the voluntary participation of women and men who live in their vicinity. By doing so, the project allows for the self-selection of households who will benefit most from the particular set of services and activities that these institutions provide. The direct targeting criteria outlined above with the voluntary selection of group members and leaders is aimed at ensuring that the possibility of elite capture through these institutions is reduced.

41. **Socio-economic status of affected households (Group A).** Alongside the ownership of land, households across all CDSP-IV areas have accumulated home and productive assets. Since 2012, average household asset values have increased by 500% in CDSP-IV. As shown in the baseline survey of CDSP-IV, the vast majority of household asset value (62%) was concentrated in livestock. Currently, roughly 20% of household assets are in the home itself, while between 25 to 30% are in livestock, 25% are in non-farm enterprises, and 30 to 40% are in farm assets. In particular, almost 20% of all households across these areas own a store, over two thirds own fishing equipment, and almost 15% now own a sewing machine for the sale of garments. In this environment, the accumulation of productive assets plays a significant role in a household's ability to diversify its income and to protect against income shocks. Household asset accumulation has gone hand-in-hand with the rising importance of non-farm work and the reduction of household vulnerability.

42. **Livelihood strategies:** Secure land ownership and the ownership of productive assets have accompanied a shift in the types of livelihoods activities that households in the CDSP-IV area undertake, including the households belonging to Group A. Agriculture remains the primary occupation for 28% of households, while it serves as a secondary occupation for 48%. In CDSP-IV, off-farm day labour is the primary occupation for a greater percentage of households – 28% and 29% -rather than agriculture. Other significant primary occupations across all areas include small trade, transportation, and salaried jobs. Overall, farm production now comprises 30-40% of income across all CDSP areas, while non-farm activities comprise 60-70%.

4. Legal and institutional frameworks - including mechanisms for dispute resolution and appeals

43. The acquisition of land in Bangladesh, including for the construction of infrastructure, is governed by the Acquisition and Requisition of Immovable Property Act 2017. This sets out in some detail the process, including timelines, authorities, appeal mechanisms and compensation amounts.

44. **Issues considered in determining compensation:** In determining the amount of compensation to be awarded for any property to be acquired, according to the Act, the Deputy Commissioner (DC) takes into consideration: (a) the market value of the property at the date of publication of the public notice (expected in early 2019, where the DC takes into account the average value, to be calculated in a prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the acquisition notice⁷; (b) the damage sustained by affected persons by reason of the acquisition of any standing crops or trees on the property at the time of the making of the inventory; (c) the damage that may be sustained by the person interested by reason of severing such property from his/her other property; (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his/her other properties, movable or immovable, in any other manner, or his/her earnings; and (e) if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his/her residence or place of business, the reasonable expenses, if any, related to such change.

45. **Amount of compensation:** When the Government is acquiring land (as in the case of CDSP), it shall provide affected persons with compensation of: (i) the actual market rate as defined above, (ii) 200 per cent of the market price as defined above; and (iii) in addition, if persons are negatively affected by points b, c, d, or e above, they are entitled to an additional 100 per cent compensation of the crops, economic losses, etc that

⁷ The budget for the RAP and RAF includes a provisional figure that is prudent in that assumes a slightly high estimate.

they sustain. In the case of CDSP affected persons, therefore, they are entitled by law to 300 per cent total compensation, plus the actual cost of crops, etc and the cost of relocation.

46. **Grievance mechanism and appeals.** According to the Act, any person may file an objection throughout the process. These are summarized below:

47. **Objection to content of survey:** affected persons can object to the content of the survey made public at the project site in Bangla in a special list. This allows affected households to highlight any omissions or mistakes with regard to the number/ type of immovable assets, property, trees etc. as well as signal the presence of culturally/ religious important sites. Time limit is within 7 working days and the Deputy Commissioner needs to provide a decision within 15 working days and in case of a “nationally important project”⁸, within 10 working days. The CDSP IV AF phase will provide extra support to project affected people to ensure that they are fully able to take advantage of this option if they want, and to ensure that the DC and the legal grievance mechanism is accessible to project affected households, who may otherwise lack awareness or capacity to access these directly. The project team will accompany the DC’s staff that complete the survey as they have deep knowledge of the project area and can help provide immediate clarifications if needed between surveyers and affected households. The project team will, within one day of the local posting of the list at project sites, hold a public meeting to help affected households verify/ actively agree/ identify corrections to the content of the list, all of which will be recorded in writing. The project team will also support affected households to write and lodge any objections within 4 days of the list posting i.e. leaving 3 days time for delays.

48. **Objection to the amount of compensation:** affected persons have two options to appeal against the award of the compensation fixed by the Deputy Commissioner. Firstly, they can appeal to an Arbitrator who is a Judicial Officer of the Civil Court not below the rank of Joint Judge, who will hear the case and decide. The Divisional Commissioner of the Chattogram Division will act as the appellate authority. Secondly, there is also a provision for appeal against the decision of the Arbitrator. An Arbitration Appellate Tribunal consisting of a Judicial Officer at the rank of a District Judge will hear the appeal case. The process for lodging a grievance is that an individual must submit a written appeal to the Arbitration Appellate Tribunal at any time in the process. The decision of the Arbitration Appellate Tribunal shall be final. Again, the CDSP IV AF phase will provide additional support to ensure that the grievance process is genuinely accessible, equitable and effective for affected persons. Specifically, they will provide any necessary additional explanations of the valuation, and support affected persons to fill in any bureaucratic forms and fulfil procedures.

49. **Objection to entire acquisition process:** Section 5 of the Act also provides for making objections to the whole acquisition process. The social audit conducted in October 2018, however, confirmed that people living in CDSP areas are well aware of the dynamic environment and no such appeals were received or are expected in the CDSP IV AF phase, given the high levels of consultation, but the possibility to do is there.

50. The Act also provides for affected persons to be able to receive the compensation amount ‘under protest’ i.e. while formally disagreeing with the amount. This is an important and welcome provision that enables affected people to access much needed cash while not foregoing their right to appeal.

51. In terms of implementation, the Deputy Commissioner of Noakhali District will exercise the power conferred by the law to perform the whole acquisition process. As the proposed amount of the land to be acquired is more than 16.50 acres, the case must go the Ministry of Land for approval.

52. In addition to the above, affected households can also access the project’s own GRM as set out in the ESIA.

53. **Institutional capacities.** The BWDB is the main implementing agency, and has experience in carrying out acquisition under the previous Law. Their staff on the project are also acutely aware of the social vulnerabilities of the affected households, such as the need to support them to fully understand the GoB law and its provisions, such as how to avail themselves of the opportunity to lodge a grievance, as well as fill in any paperwork. They are extremely supportive of the additional measures proposed in this RAP to complement

⁸ A programmatic commitment of the Government.

the GoB provisions and render them de facto accessible, equitable and effective to project beneficiaries. Indeed, these measures are based on their suggestions during discussions on the RAP, which were in turn based on their daily interactions with field coordinators and beneficiaries. However, the IFAD SECAP procedures and especially the social dimensions were new to them. For this reason, during the mission, these procedures and the social principles behind them, including Guidance Statement 13 on Resettlement, were shared and discussed at length. This hands-on experience and the sensitization during the mission, building on their close relationship with beneficiaries, is a good foundation on which to move forward with the RAP. Nevertheless, they, together with the project team and land expert, will be supported by the country team and the IFAD technical experts on land and resettlement on project implementation support missions.

54. The project will document the experience of the acquisition, including any objections and appeals, and present lessons learned/ good practices to the GoB in order to contribute the perspective of ultra poor and vulnerable beneficiaries in the de facto implementation of the Act, and inform any future amendments.

5. Impacts of the acquisition related to re-alignment of infrastructure on people's land access and livelihoods

55. During CDSP IV 16.83 km of embankments were constructed across Char Nangulia and Noler Char. Certain sections of these works have been unexpectedly subjected to severe erosion in certain locations. In order to immediately safeguard these works and the land of thousands of poor households, the embankment was re-aligned both at Nangulia and Noler Char; consequently the embankment length increased to 32.28 km. The full works (100%) have been completed by 2018. By undertaking these works, it is estimated that about 8,300 hectares of land being used by about 17,600 households in the immediate vicinity will continue to be protected from erosion and the loss of their lands. However, the works have meant that 210 households have lost all their land and 472 households have lost part of their lands. Of these, 615 households were headed by men and 88 by women. The total amount of land that was taken for the works is 189 hectares, of which 117 in Char Nangulia, 68 in Noler Char and 4 in Caring Char. For this group of people (Group A), this document includes a RAP. Of the 321 households who have lost part of their land, all can continue it to a greater or lesser extent. However, the project team has learned from beneficiaries (confirmed by Social Audit) that households with less than 80 decimals are more vulnerable as it is considered to be the minimum amount of land that allows them to earn a cash income from sales. For this reason, the project will make them top priority along with those who have lost all of their land. Many of them also have livelihoods that derived from off-farm sources e.g. labour, sewing.

56. During the AF phase that will be supported by the GoB, GoN and IFAD, a further approximately 20 km of retired embankment have been planned⁹. This is expected to protect about 2,500 hectares of land that is being used by about 4,750 households in the immediate vicinity. However, the works will mean that, depending on the confirmation of the actual location of the works during engineering design, it is expected that about 115 households will lose all their land and 260 will lose part of their land (Group B). As above, households with less than 80 decimals are more vulnerable as it is considered to be the minimum amount of land that allows them to earn a reasonable cash income from sales. For this reason, the project will make them top priority along with those who have lost all of their land. Many of them also have livelihoods that derived from off-farm sources e.g. labour, sewing. The total amount of land that needs to be acquired required for these works is estimated at about 104 hectares. For this group of people (Group B), this document includes a RAF.

57. The summary of people who have already lost and who will lose all or part of their land is presented below.

Table 3: Summary table of households who have already and who will lose all or part of their land

Status	All (HH)	land	Part (HH)	land	Total (HH)	Area (Ha)
--------	-------------	------	--------------	------	------------	-----------

⁹ The retired embankment will cut across three chars: about 2km are in Boyer Char, 10km are in Noler Char and 8km are in Nangulia Char.

Done (Group A, for whom a RAP is formulated)	321	382	703	189
Planned (Group B, for whom a RAF is formulated))	115	260	375	104
Total	436	642	1 078	293

The summary of the people whose land has been or will be protected as a result of the works being done is presented below.

Table 4: summary of households whose land that has been and will be protected as a result of the works

People protected as a result of works already done under CDSP IV

Char	ha	HH	km
Boyer	-	-	-
Noler	1 750	5 220	3.5
Nangulia	6 560	12 380	12.5
Total	8 310	17 600	16.0

People protected as a result of works to be undertaken during the CDSP IV AF phase

Char	ha	HH	km
Boyer	600	950	2
Noler	1 000	2 000	10
Nangulia	900	1 800	8
Total	2 500	4 750	20

58. In total, it is expected that with the retirement of the embankments, about 10,810 hectares of land being used by 22,350 households in the immediate vicinity will be protected but about 436 households will lose all of their land and about 642 households will lose part of their land, giving a total of 1,078 households who will lose all or part of their lands. The GoB, GoN and IFAD are committed to ensuring that those losing their lands to acquisition to protect others are adequately compensated and supported through early measures.

59. The confirmation of people affected by the additional works will only be confirmed once the engineering designs are completed. In case of any differences from the RAF, this will be updated in a final RAP. In addition to the embankment retirement mentioned above, other repair and maintenance works are proposed during the AF phase to secure the works already done in phases I to IV. These works include: protection, maintenance and replacement of eroded sluices; construction and re-excavation of khals (canals); and riverside protection of embankments. These works are not expected to have any significant impact on the land access by people in the vicinity of the works. Collectively, the combined works (retired embankments, protection, maintenance and replacement of eroded sluices, construction and re-excavation of khals and riverside protection of embankments) are expected to protect about 6,400 hectares of land being used by about 13,400 households in the immediate vicinity. Moreover the combined works are expected to protect a far wider area and all households that have already been supported under CDSP various phases (about 60,000), who would also become susceptible to the risk of erosion and saline intrusion.

60. In view of the values that have to be protected, the additional measures to save the land from the impact of the unanticipated erosion and movement of river channels, a technical review done by the July 2018 Additional Financing design mission confirmed that the proposed works and associated costs were well-justified, provided that the associated mitigation measures were also implemented. Above all, amongst these measures, is the proper compensation and adaptation of all those that have been affected by erosion. Additional key measures include: (i) the retirement of the remaining embankments to an acceptably safe distance to minimize the risk of future erosion (up to 2.5 km in certain locations); and (ii) support for more detailed hydro-morphological studies that can better monitor and predict future erosion trends.

6. Resettlement Action Plan for Group A and Resettlement Action Framework for Group B

i. Objectives

61. This RAP aims to ensure that people affected by land acquisition in CDSP IV receive sufficient and equitable compensation in line with GoB laws and IFAD guidelines, so that they can mitigate adequately the loss of physical, economic, and social displacement and are, where possible, left better off than before. It also sets out resources and time needed as well as allocates responsibilities.

ii. Guiding principles and overall approach

62. The two main guiding frameworks for this RAP are: the GoB Acquisition and Requisition of Immovable Property Act (2017) and IFAD's SECAP, with special reference to Guidance Statement 13. In addition, the RAP aligns with other GoB policies including those set out in the Economic and Social Impact Assessment (ESIA) and also with IFAD policies, primarily those on improving access to land tenure security, targeting, gender equality and women's empowerment. The key framing principles from the IFAD SECAP/ Guidance Statement 13 that shape the RAP approach are set out below.

- The type of displacement in the case of CDSP is 'agreed' or 'negotiated' settlement, where "in the respect of the do-no-harm principle and after having properly informed people and gone through the FPIC process, people potentially involved in the resettlement agree on being relocated and/or selling or relinquishing access to assets, against fair and timely compensations for their losses."
- The type of displacement in the case of the CDSP IV AF is both physical and economic, where "physical displacement refers to relocation, loss of residential land, or loss of shelter, while economic displacement implies the loss of land, assets, access to assets, income sources, or means of livelihoods"
- The RAP explains how the Free, Prior and Informed Consent Principle is being upheld, where:
 - FREE implies no coercion, intimidation or manipulation
 - PRIOR implies consent is sought far enough in advance of any authorization or commencement of activities, and the time requirements of consultation and consensus processes are respected.
 - INFORMED implies that all information relating to the activity is provided to concerned people and that the information is objective, accurate and presented in a manner or form that is understandable to these people.
 - CONSENT implies that the concerned people have agreed to the activity that is the subject of the consultation. These people also have the prerogative to withhold consent or to offer it with conditions. Consultation and participation are key elements of a consensus-seeking process.

See the documentation of the FPIC process in section 7 below.

63. Adherence to the "do-no-harm principle" at all times. IFAD states that a broad range of development interventions, particularly those concerned with agricultural intensification, such as irrigation or technology-based agricultural production, and those focused on afforestation or rangeland management, effectively add value to land. Under such circumstances, there may be the risk that the rural poor, especially women, may lose out to more powerful groups. Projects in these areas must be designed, therefore, in such a way they 'do no harm' to the land tenure interests of the rural poor, especially those of women and other vulnerable groups. Careful measures must always be considered to avoid elite capture or forced displacement of people, and to address conflicting claims (IFAD, Improving Access to Land Tenure Security Policy, 2008).

64. Zero tolerance for corruption or sexual harassment. GoB and IFAD have a zero tolerance policy and CDSP IV AF will closely monitor progress of the implementation of this RAP and RAF from this perspective.

65. SECAP Guidance statement 13 states that the principles that IFAD will follow, and which shape this RAP are:

- IFAD will avoid or minimize wherever possible any physical or economic resettlement that could negatively impact the affected people.
- In any case this should be only for a common interest benefitting IFAD’s target groups and based on positive outcomes of FPIC.
- All land and natural resource users with a legitimate claim will be recognized—including people having informal/customary rights.
- No affected person will be left worse off, and preferably should be left in a better position than before, through proper and timely compensation or any other mitigation measures agreed upon.

66. The table below presents a summary of some of the main differences between the IFAD and GoB approaches and also proposed actions. Overall, the CDSP IV AF phase will build on the extensive GoB provisions and complement them with IFAD approaches.

Table 5: Summary of main differences between IFAD and GoB approaches/proposed actions

GoB	IFAD	Action
Public notices and other mechanisms are in place for transparency in the Act, and objections to acquisition as well as amount to be compensated are possible	Adheres to FPIC principles that go over and above GoB	BWDB is implementing the process for Group A, and will implement the process for Group B once the engineering designs are completed. The BWDB is experienced in similar acquisitions processes, and IFAD has carried out sensitization to build their capacities to manage social risks in line with IFAD policy and international guidelines, so as to further complement the GoB commitments.
Cash compensation	Generally recommends in-kind compensation, including land for land and early measures to support the transition	GoB cash compensation at three times the market value and priority for land titling in chars to be developed, plus CDSP-supported early measures and rehabilitation support (capacity development, livelihoods prioritization). The Social Audit in October 2018 confirmed that affected persons prefer cash compensation and additional benefits as described over physical resettlement. This is because they are not a homogenous social groups, but most importantly because they want to have a choice in deciding where to go and what to do. Empowered economically, with new capacities as a result of services from CDSP, the key informants (representing vulnerable groups including women, women heads of household, family heads with disabled and chronically sick members) are aware that they would be resettled in less developed chars given the lack of available land in Bangladesh, and do not want to wait for this or go backwards. They would prefer to use the compensation to buy land around upper Noakhali, or other areas that include relocating to areas outside of the project area, which is less affected by erosion and floods. Please note that due to time constraints and as the BWDB had consulted each household already in public meetings that are preferred as they are seen to be more transparent, the Social Audit itself met with a sample of affected households.

Grievance mechanisms are in place for cash compensation	Takes pro-active steps to support affected persons to access grievance mechanisms	Given the social profile of affected persons, CDSP IV AF phase will continue to make information available and explain the implications at project locations and at public meetings as part of the FPIC process to ensure that affected persons are not misled by unscrupulous persons purporting to be agents and offering to facilitate the process for a fee, also to ensure that formal written GoB documents are easily understood and that affected persons have a full understanding of their rights according to GoB law. In addition, CDSP IV AF phase will provide support should any affected persons wish to appeal, without influencing their decision in any way. This support will focus on ensuring that the GoB grievance process (described above) is <i>de facto</i> as well as <i>de jure</i> accessible (for example, by explaining it fully during the FPIC process and again if affected persons should want to raise a grievance. Similarly that it is equitable, so that all affected households are fully able to take advantage of the grievance procedures, if necessary by helping them to fill in and submit the documentation. Similarly that it is effective, so that any grievances are fully followed up in a timely manner and supporting the GoB with any documentation needed for clarification, facilitating communications if necessary.
Procedures apply equally to all, irrespective gender, etc.	Foresees special provisions for vulnerable groups (see below)	CDSP IV AF phase will continue the pro-poor and gender-equitable approach as per GoB and IFAD policy, and provide support to ensure (a) good investment decisions to do with cash compensation will help the household stay out of extreme poverty and (b) the receipt of compensation and the decisions regarding how to invest it are taken by women as well as men in affected households, in line with the GoB/ CDSP innovations in gender-responsive land titling.

67. **Eligibility determination for cash compensation from GoB.** There are three main groups according to the Act who are eligible for compensation: (a) affected people who have land titles; (b) affected users of land who have been found eligible for a land title, and where the land titling process has begun; and (c) other users of the land that have been using it for a long period of time¹⁰ or in effect have become owners of the land¹¹; these will also be considered as being potentially eligible.

68. With regard to Group A, only (a) applies according to the survey carried out by the BWDB in 2017, as the CDSP has already issued land titles to customary users. For Group B, the project will ensure that households either have land titles or are in the process of acquiring them, when they are identified for compensation.

iii. Special provisions for vulnerable groups and gender related impacts

69. All CDSP affected households are vulnerable in that they are not familiar with bureaucratic and legal processes, and may feel intimidated by these procedures without support. In the CDSP case, the entire project is a demonstration of GoB-IFAD commitment to help very poor rural people out of poverty, and the CDSP IV AF phase will continue to work in close collaboration with the District Commissioner to ensure that affected households *de facto* receive their full entitlements. This will include providing information to affected households on grievance mechanisms (see below). The project will also track a sample of the affected households after they have received their compensation to assess their investment decisions. CDSP IV AF gender coordinators will be tasked with reporting specifically on the impact of relocation on women household members.

¹⁰ This includes people renting, including informally. However, there is no official description of the timeframe.

¹¹ This includes people who have acquired land even though it cannot officially be sold, as the original owners have already been compensated by the price they charged.

70. Early and additional measures for vulnerable groups. Two main measures are already planned, although additional steps may be taken as needs arise during project implementation.

- Affected persons will be prioritized for all project activities that generate any income/livelihoods benefits, including membership in Labour Contracting Societies that would be contracted for carrying out small works, as well as off-farm activities with support in obtaining assets to start small businesses (e.g. sewing, petty trade, renting out equipment etc).
- Affected persons will be supported to make good and gender-equitable investment decisions with their cash compensation, through the normal project livelihood support planned actions, including financial literacy training, business planning trainings, micro-credit group membership.

71. **Indigenous peoples.** No ethnic or indigenous people are living in the project area.

72. **Gender.** For those households that have received land titles through the CDSP IV process, titles have been granted in equal shares to husband and wife. Consequently, all compensation will be awarded equally to both title holders. Two special measures will be introduced to ensure gender-equitable receipt of compensation and decisions regarding how those monies will be invested:

- Firstly, the project will sensitise affected households about the importance of both husband and wife (in the case of households with joint title holders) receiving the compensation through separate cheques drawn out to the wife and husband, in line with the land title provisions, and work to ensure that all affected households have either separate or joint bank accounts ready to receive the cash;
- Secondly, keeping in line with the CDSP approach, the project will integrate a strong emphasis on gender-equitable decision-making in its early measures support to households for making good investment decisions, so as to ensure that affected households understand how this promotes a more sustainable development pathway for them.

73. These activities will take place after the AF phase is effective but before they receive their GoB compensation.

iv. **FPIC process: sensitization and consultation process for reaching agreement on the land acquisition and compensation**

74. The sensitization and consultation process for reaching agreement on the land acquisition and compensation (the FPIC process) is still ongoing in both areas where the retired embankment works have been completed (Group A) and will start in the AF phase for people in the areas where the embankments are still to be retired (Group B).

75. The process undertaken for Group A adheres to the FPIC principles set out above. Key elements of the CDSP's FPIC process include the following:

- (a) **Free.** No coercion, intimidation or manipulation, confirmed by the Social Audit in October 2018. Key respondents confirmed that they understood the information provided and that there is GoB compensation. They also confirmed that they understood that without these works a much larger area is at stake.
- (b) **Prior.** Request for permission for emergency works 2 weeks to 1 month before they were carried out, although given the urgency this was done closer to the date of the works than the BWDB would normally do, in order to carry out as much as possible before the end of project and avoid major losses of land affecting almost 18,000 households.
- (c) **Informed.** Explanations by BWDB to affected persons about why the works were needed as well as their urgency, confirmed by the Social Audit in October 2018. The explanations were in Bangla and carried out on site in public consultations, as these are preferred locally as they are felt to be more transparent. Explanations included an explanation of the GoB Law, valuation and compensation as well as grievance processes in simple terminology to facilitate their understanding, including the

option to receive compensation under protest as an initiative of the GoB to ensure that affected persons do not have to undergo financial hardship even if they wish to lodge an appeal. Questions/ answers were encouraged.

- (d) **Consent.** BWDB request for permission for works in advance, formally documented in December 2018.

76. **For Group B**, in adherence to the above the following activities will have to be undertaken to ensure a comprehensive implementation of FPIC plan:

What to do	How to do it
<p>Socio-cultural and Land Tenure assessment:</p> <ul style="list-style-type: none"> - Identify the community stakeholders and land owners and users in the project area; - Identify types of land ownership; - Assess possible consequences for communities resulting from the change in the status of land, territories and resources emerging from the project. 	<ul style="list-style-type: none"> - The implementing agency responsible for conducting the assessment to engage experts on local communities and land tenure; - Carry out consultations with the full and effective participation of communities; focus group (men, women, youth) interviews and questionnaires focusing on relations among society groups (individuals, families, clans, tribes, neighbouring villages); - Consult local governments and institutions (CBOs, and NGOs); - Share with stakeholders the results of the process.
<p>Identification of decision making institutions and representatives to ensure full, effective and equal participation of stakeholders leading to FPIC</p>	<p>The Implementing agency will:</p> <ul style="list-style-type: none"> - Consult the communities and clearly explain the nature of the project; - Explain and agree on the plan for the consultation process leading to FPIC; - Agree with community representatives on the consultation process leading to FPIC (need for inclusive participation of men, women, youth); - Clarify responsibility of representatives; - Allow time for communities to discuss and decide on their demands; - Formalize representations (formal representation can be documented through written documents, or based on customary practices documented through videos) and means of communication; - Agree on how consent will be reached and provided (requirements for decisions: votes, signing of document, ceremonies, videos) - Identify signatory parties for the consent.

What to do	How to do it
<p>Conduct consultation leading to FPIC on the proposed project</p>	<p>The Implementing agency will:</p> <ul style="list-style-type: none"> - <i>Share the objective and scope of the project with the communities (this is simultaneous to consultations on the identification of decision making institutions described above);</i> - <i>Clearly inform on the actors financing and implementing the project and their respective responsibilities;</i> - <i>Provide clear and transparent information on the benefits and risks of the investments;</i> - <i>Allow for independent facilitators/advisors in the consultation process.</i>

77. In general, CDSP beneficiaries are vulnerable in that they are not experienced in dealing with such procedures, and are often semi-literate or illiterate. The AF phase will therefore communicate proactively with them in a way that processes and information are genuinely accessible to them, offering on-site in-person explanations in the spirit of the land titling exercise and helping them to complete and submit their files. This RAP and RAF will be not only disclosed in Bangla but the BWDB will explain the contents to affected persons, preferably in groups to facilitate proper discussions. Further concrete actions are set out with dates in the implementation schedule below, which distinguishes between GoB requirements and additional/early benefits that the CDSP IV AF phase will offer. The main vehicle is regular public meetings to explain GoB procedures and their options.

v. Grievance redress mechanisms

78. The GoB land acquisition process includes various options for affected people to appeal against individual decisions or against the entire process, and the AF will support the GoB processes by making them easily accessible to affected persons in CDSP.

79. **GoB provisions.** According to the Acquisition and Requisition of Immovable Property Act (2017) there are appellate and arbitrary authorities to address any concerns by a plaintiff regarding the compensation at the various stages of the awarding process. Furthermore, local administration, local government institutions and implementing agencies will monitor the acquisition process to address any grievances at the field level. According to the GoB Act, any person not in agreement with the decision of the Deputy Commissioner may file an appeal to the Commissioner within 7 working days at the stage of issuance of 1st notice and at the time of giving compensation.

80. The Commissioner then hears the appeal and must provide a decision within 15 working days, and in case of a “nationally important project”, within 10 working days. In addition:

- The Divisional Commissioner of Chattogram Division will act as the appellate (appeals) authority.
- If any conflict arises regarding the award of the compensation fixed by the Deputy Commissioner, an Arbitrator who is a Judicial Officer of the Civil Court not below the rank of Joint Judge, will hear the case and decide.
- There is also a provision for appeal against the decision of the Arbitrator. An Arbitration Appellate Tribunal consisting of a Judicial Officer at the rank of a District Judge will hear the appeal case. The process for lodging a grievance is that an individual must submit a written appeal to the court within a reasonable time frame. The decision of the Arbitration Appellate Tribunal within 60 days shall be final.

81. The Act also provides for affected persons to be able to receive the compensation amount 'under protest' i.e. while formally disagreeing with the amount. This is an important provision that enables affected people to access much needed cash while not foregoing their right to appeal.

82. As well as appeals against individual issues e.g. valuation, compensation amount, etc., Section 5 of the Act also provides for people to make objections to the whole acquisition process. The key informant interviews and informal field discussions undertaken by the Social Audit in October 2018 confirmed that people living in CDSP areas are well aware of the dynamic environment and no such appeals were received. According to field level coordinators, no appeals are expected in the CDSP IV AF phase given the high levels of consultation and environmental awareness, but the possibility to do is there.

83. **Additional measures.** In addition to these mechanisms, the CDSP implementation team will explain the grievance mechanism during the FPIC process at public meetings, to ensure that people fully understand it. It will also support any affected persons to prepare and submit an appeal as set out in the law, especially in the event where when their capacity to undertake such an appeal is limited (limited literacy, lack of experience in negotiating with authorities, etc.). As a complementary mechanism, the BWDB will organize with the DC's office a series of public meetings, similar to the innovative ones organized for giving out land titles. This would make the process more transparent as well as more accessible to affected persons. The Gender Coordinators will be fully briefed on the process and will be on hand while women make appeals. The DC's office and/or appointed staff will also be available to: (i) clarify mechanisms during the public meetings to update affected persons on the process; and (ii) follow the timely and effective resolution of any appeals.

vi. Valuation of and compensation for losses for livelihoods restoration and improvements

84. According to the law only cash compensation can be given to affected people to mitigate the loss of land-based livelihoods, that is, for physical and economic resettlement. The process of valuation of land is clearly articulated in the law. Land value will be obtained from the sub-registrar office where the land property is usually registered. The Deputy Commissioner (DC) determines (a) market value of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months). The office will provide the last 12 months of average rates for land in a specific location. In the case of trees and crops, the Forest and Agriculture Department will assess the value, per the procedures established in the Acquisition and Requisition of Immovable Property Ordinance II (1982). For houses and immovable property, the Public Works Department (PWD) will assess the value.

85. In determining the amount of compensation to be awarded for the property to be acquired, the Government shall take into consideration the market value of similar property. As per GoB commitment, affected households will be awarded three-times the market value of similar land in northern Noakhali. The compensation will add the value of standing crops and trees, damage of houses or other properties, damage of income generating activities and livelihoods, and the transfer cost of businesses, for which people will be paid double the value.

86. The compensation of three times the market price of land in northern Noakhali will be a significant resource and would enable affected households to buy land in neighbouring areas, as well as other areas to be rehabilitated. Improved incomes and standards of living can also be ensured by the enhanced cash compensation. The compensation amount for two times the value of the assets will be added to the compensation package.

87. The cash compensation will be paid to the compensates by the DC by cheque. Although joint title holders may waive their right to a separate cheque, CDSP IV AF will sensitize affected persons about the benefits of keeping to the gender-equitable land titling principle of CDSP, i.e. neither husbands nor wives should waive their rights. The CDSP TA team will also support affected persons to ensure that all have functioning bank accounts ready, and hold a public ceremony.

vii. Income and livelihoods restoration

88. The project recognizes diminishing income and dislocation of livelihoods during and after relocation. As a result, in addition to providing compensation and resettlement benefits, appropriate supporting measures will be included for income and livelihood restoration of partially and fully affected households in both Groups A and B. These households will be given preferences for project-related livelihoods training and employment – whenever possible. BWDB will make provision in the contract with the contractors for employment of members of affected households on a priority basis, especially in the engagement of the Local Construction Societies. Employment in the project construction will be an added source of income in the income restoration processes of affected households.

89. The project will budget an income and livelihood restoration programme, specifically for the affected households, particularly targeting the poor and the vulnerable groups, including poor female-headed households. The programme will include human resource development and occupational skill development trainings and subsequent credit support for undertaking suitable business. The main objective of these activities will be to improve or, at least restore, the income and livelihood of all affected households.

90. The project will undertake a needs assessment survey and available skills, for implementation in post relocation period. Income and livelihood restoration efforts will be extended to affected households in the form of both short-term support and long-term programme to achieve sustainable livelihood for affected households. A national level Livelihood Development NGO (LD-NGO) will be involved for fostering implementing livelihoods activities among the entitled households. Environmental protection and management

91. As confirmed in the SECAP review note, the infrastructure will modify the hydrological characteristics of the micro-watershed within the influence zone of lower Meghna river. The operation of the sluice gates will influence the flow patterns of freshwater within the target areas, while the embankment system will not allow influence of saline water by blocking the penetration of tidal water and also the occasional storm surge. As a result, a gradual transformation of a brackish environment into a predominantly freshwater environment will be ensured, creating a much needed habitat for crops, freshwater fisheries, vegetation, and livestock. The potential reduction of salinity will greatly facilitate the establishment of fruit-bearing and timber species of vegetation, which currently is not adequately supported due to high salinity and the constant threat of saline inundation. Moreover, the social forestry programme will have a greening effect in the target areas. The ability to control salinity ingress along the river by the building and subsequent operations of sluice gates and closures will in turn create opportunities for fisheries, particularly for aquaculture to flourish in the target areas. Moreover, the rearing opportunities for moderate salinity-tolerant buffaloes will be complemented with more socially preferred cattle and goat rearing as a result of improved salinity regime in the target areas, which will boost livestock management inside the project areas. These are all positive contributions of the project with regard to human development.

92. An increase in cropping intensity inside the project areas is likely. With the intensification of agricultural activities, there might be a requirement in the future to use higher levels of pesticides. This potential pollution from chemical pesticides warrants carefully designed delivery of extension services to include information regarding integrated pest management, use of feromone and light-trap (using low-energy-consuming light-emitting-diode bulbs), use of low-cost parching techniques, and use of bio-pesticides. It is recommended that the CDSP, ideally with the Department of Agricultural Extension, runs a campaign on the use and implications of the known toxic agro-chemicals in the target area, raising overall awareness on potential harmful exposures for human beings, and alternative methods of pest management including integrated pest management (IPM). These measures are expected to reduce the level of exposure to such harmful chemicals significantly.

93. As there has been no initiative so far to analyze environmental carrying capacity in any part of Bangladesh, this data gap means that it is almost impossible to understand whether further densification of the target area and increase in economic activities would lead to exceeding the carrying capacity of the target areas. The project areas fall outside the national protected areas, ecologically sensitive areas or areas of global significance for biodiversity conservation. The target areas are not known as habitats for endangered species.

The sea-facing chars are not known for being habitats for sea turtles and their nesting (unlike beaches of St. Martin and Sonadia islands & Cox's Bazaar area).

94. The project will only slightly affect hydrology through the operations of sluices, closures and embankment rehabilitation. However, such changes are considered as positive impacts for the expansion of human habitat. The project is not supposed to cause fragmentation of a contiguous habitat involving endemic species or any species of global significance. The quality of land will be enhanced. Therefore, no significant adverse effects to habitats and ecosystems are anticipated.

95. The construction of embankment, road and other infrastructure will significantly enhance livability of the area, and trigger densification of human habitat. Since a significant proportion of the land belongs to Government (as *Khas* land), the Ministry of Lands will be able to distribute part of the developed areas to poor and ultra-poor people through establishing property rights (i.e. titling). This will enable the project to trigger positive physical resettlement from outside of the project areas to inside it, without having to cause any social damage. Rather, by doing so, the process will greatly benefit the marginal population to access lands for the maintenance of their livelihoods, which otherwise would not have been possible without the investment of large amounts in already habitable areas (where there is always a scarcity of *Khas* lands).

viii. Organisational responsibilities

96. The main organizational responsibilities are set out below. Overall, the GoB leads on the acquisition process and the CDSP will adhere to the provisions of the Act. As in the case of CDSP land titling, the project implementation agency, the BWDB, supported by the TA team, will provide additional measures to make the provisions and procedures accessible to the affected people, given their vulnerability arising from lack of literacy and experience in such matters.

BWDB, GoB:

- Is the "Requiring Body" of the acquisition process according to the Act, or the organization making the formal proposal for the acquisition of land;
- Implements construction works including all budgeting for actual works and compensation according to the Act, following valuation criteria set out above;
- Implements the FPIC dimension of the compensation process, with inputs from the DC/ADC and their appointed representatives.

97. The BWDB has been implementing several major infrastructure projects, including the ADB financed "Bangladesh: Flood and Riverbank Erosion Risk Management Investment Program", where BWDB has had experience with RAP and RAF. Through this ADB-financed project financing, the BWDB has also had capacity building for implementing and monitoring land acquisition and relevant RAP-RAFs. The supervision reports publicly available for the project, have so far identified BWDB's capacity for RAP implementation as satisfactory.

Deputy Commissioner (DC) of Noakhali, GoB:

- In terms of implementation, the DC of Noakhali District will exercise the power conferred by the law to perform the whole acquisition process. As the proposed amount of the land to be acquired is more than 16.50 acres, the case must go to the Ministry of Land for approval;
- As the representative of the MoL in the area, after receiving the acquisition proposal from BWDB, the DC will take necessary steps according to the Act and submit the proposal to the MoL for approval - see implementation schedule below;
- According to the Act, after completing the legal processes, the DCi will recover the budgeted amount of the acquisition from the Requiring Body, i.e. BWDB, and will distribute the compensation money to the identified affected persons;
- In addition to the above, the DC will participate in three FPIC process events: the formal public meetings to inform affected persons of their rights; subsequent meetings the day after first public notice is served so that affected persons can appeal within 15 days as prescribed by law; and formal

award of compensation at CDSP sites, similarly to meetings to distribute land title certificates in previous CDSP phases.

MoL, GoB: The main role of MoL in the acquisition process is to make the final decision on the compensation, as the total land to be acquired exceeds 16.5 acres. In the past, the MoL has played a key role in highlighting that compensation is payable according to the higher rates in the new Act (2017).

CDSP IV AF TA team: The main role of the TA team is to support the GoB process, and primarily to support the implementation of the additional FPIC requirements of IFAD before and after acquisition. Specifically:

- The Land Policy Advisor will be the primary responsible officer in the TA team with regard to the implementation of RAP and RAF;
- TA will be responsible for supporting the BWDB and for compiling a quarterly report on progress on this RAP and RAF to be submitted to BWDB and IFAD. The Team Leader will ensure that the RAP and RAF progress, including the resolution of any grievances, is reviewed every month and an update sent to the IFAD country team;
- The Gender Coordinators will play a key role in sensitization, to maintain amongst affected persons the gender equity promoted via land titling and other activities, after receiving their compensation;
- The M&E officer will report on the progress of this plan in line with the markers identified in the summarized RAF plan above.

The TA team may engage with local NGOs to offer support to those buying assets with their compensation so they help affected persons both to know their rights as well as understand the improved livelihoods options they have through the compensation money.

IFAD country team: The main responsibility is to closely supervise the implementation of the RAP and RAF with review of quarterly reports and supervision missions as per corporate norms.

ix. Implementation schedule

98. The schedule according to GoB law for the implementation of the RAP is provided below. This applies to affected persons at Nangulia and Noler Chars, where the retired embankment is almost complete. The end of the CDSP IV and the start of a new phase means that the compensation amount is expected to be available in the fourth quarter of 2019. However, IFAD and GoB are aware of the pressing urgency of mobilizing the compensation and will work to expedite timing whilst ensuring due diligence and adherence to legal requirements. The two key documents with regard to timings for releasing the cash compensation are the DPP and the BWDB formal proposal to the DC for the acquisition process – see Figure 1 below for a simplified diagram of the standard process. According to this timeframe, households belonging to Group A would start to receive their compensation around August 2019. The distribution of the compensation will be carried out by the BWDB. It is expected that the additional financing would become effective at the earliest in May 2019, after which the implementation of RAF can be initiated for Group B.

Figure 1: GoB process for cash compensation.

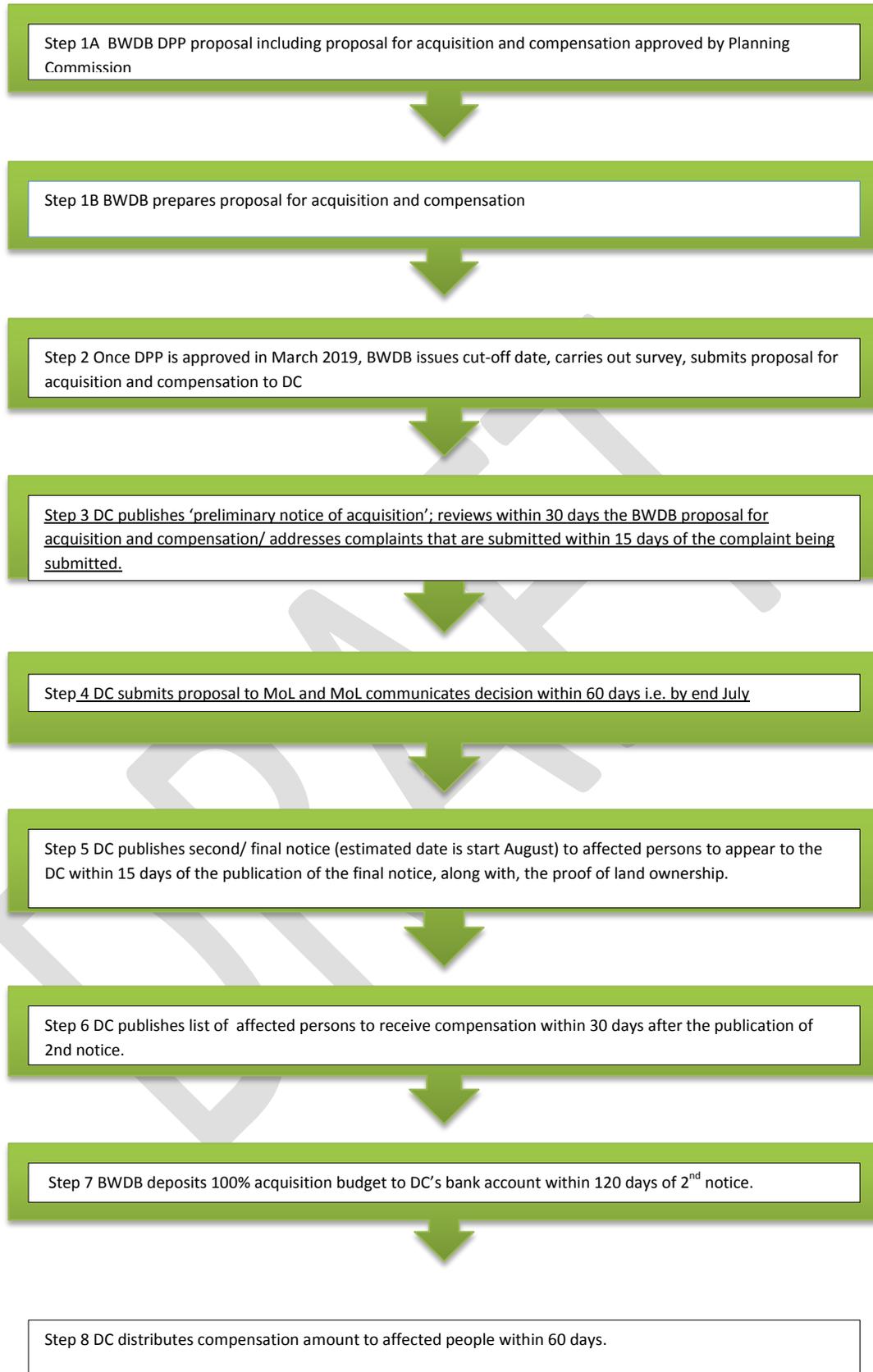


Table 6: Poposed expedited implementation schedule

GoB cash compensation (BWDB and DC lead)	Additional/ Early benefits (CDSP IV AF TA team lead)
CDSP IV May to June 2018	CDSP IV to December 2019
<p>BWDB lead discussions with HHs in affected communities to explain need for emergency works and get consent for acquisition due to aggressive erosion and saline intrusion risk.</p>	<p>Supported BWDB communications with affected communities</p>
 <p>Continuing discussions and explanation of compensation process with affected communities on site by BWDB, Noakhali. March/ April 2017.</p>	<p>Supported BWDB communications with affected communities</p>
<p>Discussions on 2 May 2017, 3 May 2017, 8 May 2017 with communities by BWDB & CDSP IV TA Team to provide update on compensation process in presence of affected persons.</p> 	<p>Supported BWDB communications with affected communities</p>
<p>June 2018. Embankment retired</p>	
 <p>ADC (Rev.) BWDB, TA Team share further updates on compensation status with affected communities on 8 September 2017</p>	
<p>Sept 2017 – November 2018. further informal update meetings with affected communities on progress and increased provisions. Explanation of formal FPIC process and upcoming meetings.</p>	
<p>December 2018. formal public meetings in affected areas, preceded by miking to ensure awareness of HHs and prevent false assurances/ information from non-official sources (see Annex 1 for details of HHs, signatures and content).</p>	<p>CDSP IV TA team supports process to ensure special outreach for vulnerable and women</p>
<p>BDWB submits DPP for approval by 31 December 2018</p>	<p>CDSP IV TA team supports BWDB in preparing DPP</p>
<p>Gap between CDSP IV and AF phase implementation start BWDB continues monthly update meetings with communities.</p>	
<p>Step 1A: GoB approved DPP by end February 2019 Step 1B: BWDB prepares proposal for acquisition and compensation by end February 2019</p>	
<p>Step 2: BWDB submits proposal for acquisition and compensation to DC by mid-March 2019</p>	
<p>Step 3: DC publishes 'preliminary notice of acquisition'; reviews within 30 days the BWDB proposal for acquisition and compensation/ addresses complaints by mid-April 2019</p>	

Step 4: DC submits proposal to MoL by end April 2019, and MoL communicates decision within 30 days i.e. by end May 2019	
CDSP IV AF phase from May 2019	
Step 5: DC publishes second/ final notice (estimated date is start June) to affected persons to appear to the DC within 15 days of the publication of the final notice, along with, the proof of land ownership. Tentative dates: completed by end June 2019	<p>By end of June/ as soon as CDSP IV AF starts:</p> <p>CDSP IV AF immediately commences support to affected persons:</p> <ul style="list-style-type: none"> - targeted livelihoods support - support to ensure affected persons make good investment decisions with cash compensation - sensitization about gender equity in investment decisions made with cash compensation <p>CDSP IV AF TA Team to organize monthly progress monitoring meetings and written documentation of these meetings, so as to identify issues and solutions</p> <p>CDSP IV AF TA Team organizes public meetings to distribute cheques to affected persons.</p> <p>November – December 2019: CDSP IV AF TA Team to follow up with affected persons at CDSP site offices to determine how cash compensation has been spent and gender equity. Produce report for GoB and IFAD that will inform acquisition process for those households to be affected by second phase of acquisition.</p> <p>See also section on M&E below.</p>
Step 6: DC publishes list of affected persons to receive compensation within 30 days after the publication of 2nd notice i.e. by end June 2019	
Step 7: BWDB deposits 100% acquisition budget to DC's bank account within 15 days of 2 nd notice. Tentative date: July 2019	
Step 8: DC distributes compensation amount to the affected people within 30 days. Tentative date: by end August 2019	

The Project Implementation Manual (PIM) will include this RAP/RAF, which will be part of the IFAD/ GoB project design report.

x. **Supplementary considerations for Resettlement Action Framework (RAF) for Group B**

99. The identification of the proposed location for the remaining retired embankment is ongoing but it is expected that the works will start not earlier than February 2020. The formal GoB acquisition and compensation process will be initiated as soon as the location of the embankment has been confirmed and there is a clear indication from the core financing partners (GoB, IFAD and GoN) that the finances for the remaining works are expected to be approved in May 2019. Nevertheless, the BWDB, in close cooperation with the DC's office, will be ready with a draft proposal for GoB that has all details of affected households. The compensation payment for the people that will lose their land for the remaining works to be done is expected to be finalized by the end of March 2020, just as the preparatory works are being initiated as per normal, non-emergency situations.

100. The schedule foreseen for this group of people is similar to that above, except that much less disruption to livelihoods is foreseen as there would be no gap between being displaced and receiving compensation. The following principles will apply:

- No works will begin, other than emergency works, until at least one month after compensation has been distributed to affected households, to give them some time to act and initiate a grievance process if required. Furthermore, the following conditions will have to be fulfilled to start any work in areas affected by land acquisition:
 - Proof of payment of compensation;
 - Submission to IFAD report documenting FPIC process;
 - Submission to IFAD signed statement of representing member of affected households, stating that they have been informed of their compensation, rights and GRMs;
 - Works designs finalised in consultation with affected households;
 - Request for IFAD no objection.
- Lessons learned from the first group of affected persons will inform the process for Group B;
- Early measures will begin as soon as the exact households have been identified, around the same time as for the first group of already affected persons.

7. Costs and budget for RAP (Group A) and RAF (Group B)

101. The costs and budget are set out below. The general principle is that CDSP will support the additional requirements over and above the GoB cash compensation requirements as set out by law. Wherever possible, the actions in this RAP/ RAF will be aligned with existing project/ GoB actions so as to minimize costs. It should be noted that BWDB has included some measure of flexibility in the budget; this is because the valuation of affected persons' property is carried out according to the values at the time of the First notice in order to protect them against inflation; therefore at this moment it is not possible to specify the precise amount.

Table 2: summary costs of RAP/RAF

	Item/ Budget	Cost
Affected persons Group A	<u>GoB</u> Cash compensation, including additional asset values for 189 hectares.	Tk.769,200,000 or USD 9,300,000
Affected persons Group B	<u>GoB</u> Cash compensation, including additional asset values for 104.22 hectares.	Tk. 42,42,00,000 or USD 5,000,000
Affected persons Groups A and B	<u>CDSP IV AF phase budget</u> Early benefits: extra livelihoods support M&E: follow up on Group A Legal support in case of affected persons taking up grievance procedures Consultancy for land expert from January to project start in 2019	USD 20,000 USD 1,000 USD 2,000 USD 2,000

8. Monitoring and evaluation (M&E) for RAP and RAF

102. **Monitoring progress in the implementation of the RAP.** Progress in the implementation of RAP will be monitored and reported on by the DC and BWDB to IFAD through monthly reports developed by the project TA team. The reports will be submitted to IFAD until the time that both groups A and B have been compensated. In addition, the responsible officer in CDSP will be the Land Policy expert, working with the M&E expert. The Land Policy expert will provide the Team Leader and IFAD country team with quarterly updates on the progress of the RAP and the RAF.

103. **Monitoring and Evaluation follow up with affected people.** The RAP/ RAF M&E plan will aim to: (i) monitor progress to ensure timely implementation, given that delays could potentially result in a negative cycle (i.e. Group A persons experience longer period without cash compensation or Group B persons face uncertainty); and (ii) capture learning to inform subsequent interventions; and (iii) check that affected persons receive 100% of their cash compensation as intended by GoB.

DRAFT

DRAFT