

Resettlement Planning Document

Resettlement Framework
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Sri Lanka: Local Government Infrastructure Improvement

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DRAFT RESETTLEMENT FRAMEWORK

A. Background

1. The proposed Project adopts a two-stage process-type approach. The first two years of the Project will be concentrating on building capacity for (i) the Ministry of Provincial Councils and Local Government (MPCLG), (ii) Provincial Councils, and (iii) Local Authorities (LA). From year three onwards, basic infrastructure and services delivery will be implemented through loan and grant disbursement from the Local Loan and Development Fund (LLDF) to PCs. Through a participatory approach, an LA selection criteria has been developed.¹ The selected LAs will undertake subprojects under the following categories: (i) communal water supply; (ii) urban roads, (iii) urban drainage; (iv) solid waste management; and (v) municipal facilities. The selection of subprojects is based on the following: (i) project design and feasibility reports; (ii) environmental impacts; (iii) social impacts; (iv) LA priorities; (v) LA attributes (governance, social equity, finance, and standard of infrastructure development); and (vi) impact on LA staffing, resources, and operations and maintenance costs. Subproject selection and design will be primarily through a participatory process.

2. During project preparation, extensive community consultation were undertaken in 24 LAs. Consultation included (i) key informant interviews in LAs; (ii) focus group discussions with stakeholders including vulnerable groups such as poor and low income groups, nongovernmental organizations, community based organizations, and basic social service providers; (iii) participatory needs assessment aimed at identifying basic infrastructure needs and priorities; (iv) strengths-weaknesses-opportunities-threats analysis involving stakeholders; and (v) questionnaires administered on samples of potential beneficiaries. In addition, information and data have been collected from LAs. Community consultations and information obtained during project design indicate that subprojects are likely to have very limited resettlement impacts. Resettlement impacts is further minimized through prioritizing the rehabilitation of existing basic social infrastructure over new construction; providing as a subproject selection criteria, the requirement that subprojects must not have significant resettlement impacts²; using government land to the extent possible; and avoiding private land in subproject siting and alignment.

B. Subprojects and Resettlement Impacts

3. **Communal Water Supply.** Activities will focus on improving the efficiency and management of existing community-based water supply systems, and developing LA staff supervision over operations and maintenance of the facilities. The main technical options for new water supply are (i) groundwater wells with hand pumps, (ii) rainwater harvesting, (iii) piped systems with overhead tank, and (iv) gravity pipe system. Except for the enlargement or construction of small storage tanks (each averaging about 1,200 square feet), no land acquisition or any other resettlement impacts are anticipated.

¹ In developing the criteria, four parameters were examined: (i) involvement of citizens and community-based organizations in decision making at the local-level, complaint redressal system, availability of qualified and trained personnel in LA for project implementation, physical and economic plans and the degree of computerization of the administrative process; (ii) social equity focusing on issues of poverty, gender, and multicultural representation; (iii) LA financial management particularly tax collection, non-grant revenues, accounts, audits, outstanding loans and fixed deposits; and (iv) infrastructure deficiency in terms of lack/deficiency of water supply, tertiary roads, drainage, solid waste management, community health centers, and the status of operations and maintenance of existing infrastructure.

² Resettlement will be significant where 200 or more people experience major impacts. Major impacts are defined as involving APs being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.

4. **Urban Roads.** Subprojects will involve rehabilitation and repair of existing tertiary roads within the urban core area, traffic management improvements, and procurement of equipment to keep the local-level road systems in good condition. Temporary land acquisition may be required to construct right-of-ways.

5. **Solid Waste Management.** Subprojects will primarily improve and strengthen collection and disposal in LA areas. Subprojects will provide for the procurement of small garbage trucks, pushcarts, and communal concrete garbage bins in order to improve the storage and collection of wastes. The subproject will typically include a review of existing feasibility study, detailed design, and where possible construction of sanitary landfill sites in an environmentally acceptable manner. Communal landfill sites will be developed if agreement is reached within the LA and with all stakeholders concerned, to facilitate controlled disposal of the waste. Subprojects may lead to the development of solid waste disposal landfill sites which may require land acquisition. New facilities will be sited in government land to the extent possible. Even if private land is required, considering the size of solid waste management systems to be developed (typically serving about 1,500 households), it is unlikely that subprojects will have significant resettlement impacts. Subproject design will minimize potential land acquisition and relocation by using government land as construction sites. However, if private land acquisition is necessary, action will be taken to minimize resettlement impacts and address potential adverse environmental impacts.³

6. **Urban Drainage.** Drainage subprojects will involve rehabilitation of existing drains and culverts thorough the elimination of blockages, obstructions, and encroachments on existing drainage paths. Subprojects, where necessary, can also involve construction of new drains to serve previously unserved areas, and construction of missing links. Drainage improvements and construction are typically in road right-of-ways and may require temporary land acquisition.

7. **Municipal Facilities.** The subprojects will involve rehabilitation and improvement of municipal facilities. Examples are health care centers, public toilets, sports grounds, small recreation parks, and small-scale library or communal gathering space. Reconstruction and rehabilitation of existing infrastructure will not result in any land acquisition and resettlement impacts.

C. Policy Framework and Entitlements

8. The draft Resettlement Framework (RF) is based on the Involuntary Resettlement Policy (IRP) of ADB, the Land Acquisition Act (LAA) of Sri Lanka, and the National Involuntary Resettlement Policy (NIRP) of Sri Lanka. ADB's IRP principles are: (i) avoid and or at least minimize adverse project impacts on project affected people (AP) where possible; (ii) consult APs in project planning and implementation (iii), disclose resettlement plans (RPs) and other project-related information to all APs; (iii) pay compensation for all acquired assets at market/replacement values; (iv) provide resettlement assistance to APs, including non-titled persons (informal dwellers/squatters and encroachers); (v) restore income and provide a rehabilitation program for the benefit of all APs; and (vi) provide special attention to vulnerable people and groups. A full RP is required for projects/subprojects that will have significant resettlement impacts, and a short RP is required for projects/subprojects which are not likely to have significant resettlement impacts.⁴

³ Environmental criteria will ensure that sites selected will not have significant impacts on surrounding settlements.

⁴ Resettlement will be significant where 200 or more people experience major impacts. Major impacts are defined as involving APs being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.

9. The LAA of 1950 as amended from time to time provides for compensation for land, structures and crops. However, it does not require project executing agencies to address key resettlement issues such as (i) exploring alternative project options that avoid or minimize impacts on people; (ii) compensating those who do not have title to land; (iii) consulting APs on resettlement options; (iv) providing for successful social and economic integration of APs and their hosts, and (v) full social and economic rehabilitation of APs. The NIRP addresses most of these key issues.

10. The NIRP approved in May 2001 requires a short resettlement action plan (RAP) if 20 or less households are affected. On the other hand, if more than 20 households are affected, the NIRP requires a detailed RAP. The RAP is submitted to the Ministry of Lands. Four guidelines from the Government apply to resettlement: (i) General Guidelines on Planning and Implementation of Involuntary Resettlement; (ii) Guidelines for the Preparation of a RAP; (iii) Process for the Implementation of the NIRP—Ministry of Land; and (iv) Guidelines for a Participatory Resettlement Process. The NIRP is generally in conformity with ADB policy except in the case of entitlements for non-titled APs (informal dwellers/squatters and encroachers. Through the RF, the Project will meet all requirements of both the NIRP and ADB policy on involuntary resettlement over and above the requirements of the LAA.

11. The RF sets out the scope, policy and procedures for screening and formulating RPs for subprojects of the Project. The detailed scope of subprojects have not yet been defined, however, the LAs supported by the Provincial Subproject Coordination Units (SPCUs), will be required to prepare when needed, RPs according to the RF, and the Government and ADB involuntary resettlement policy principles for each subproject with resettlement impacts.⁵ The core involuntary resettlement principles adopted for the Project are:

- (i) Land acquisition, relocation, and adverse impacts on livelihood and income will be avoided and when unavoidable, at least minimized.
- (ii) Where involuntary resettlement is unavoidable, APs will be assisted to re-establish themselves and improve their income and livelihood.
- (iii) Non-titled APs (informal dwellers/squatters and encroachers) will be provided compensation and rehabilitation assistance.
- (iv) APs are entitled to compensation for all types of losses (land, crops/trees, structures, business/employment, and workdays/wages) at market/replacement value. If land-for-land is not a feasible option, APs will be compensated at full replacement costs.
- (v) APs are entitled to receive assistance at least to restore income and livelihood to pre-project levels.
- (vi) All APs will receive additional grants in addition to compensation received based on the LAA and Government Circulars reflecting the replacement value of their lost assets.
- (vii) The EA will pay all transaction costs such as stamp duty and registration costs (in case of purchase of replacement land) in addition to the replacement cost of land acquired.
- (viii) All displaced APs will get cash grants and resettlement assistance such as shifting allowance, and compensation for lost income/work days due to dislocation and relocation.
- (ix) APs will be fully informed and consulted regarding project planning and implementation, including disclosure of RPs and other project-related information.

⁵ Resettlement impacts include social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) change in the use of land, or (iii) restrictions imposed on land.

- (x) APs social and cultural institutions will be safeguarded and supported.
- (xi) Compensation and rehabilitation programs will be undertaken for men and women affected by subprojects. Affected female-headed households, indigenous peoples households (if any), and other vulnerable households will receive special packages to rebuild and improve lost income and livelihood.
- (xii) A Resettlement Committee (RC) will be established by each participating LA with representatives from APs (including vulnerable households), LA, nongovernmental organizations (NGO) and community based organizations (CBO). It will assist EA in determining compensation rates, special assistance packages, and resolving AP grievances.
- (xiii) Compensation and resettlement assistance will be fully provided to each AP before approving any subproject, if it involves resettlement impacts.
- (xiv) The full compensation and resettlement costs will be included in subproject costs, and the EA ensures that sufficient funds are available for compensation, resettlement and rehabilitation assistance before proposing a subproject.

12. An entitlement matrix outlined below will be applicable to each subproject. It reflects the core involuntary resettlement principles to ensure APs of their entitlements. The entitlement matrix is not exhaustive and more entitlements will be added if any resettlement impact not listed in the matrix is identified during subproject design. Mitigation measures for unforeseen losses will be proposed by the LA and reviewed and approved by the SPCU in consultation with the community and APs. LAs with assistance from SPCUs will closely coordinate subproject activities, and monitor and mitigate adverse impacts.

Table 1: Entitlement Matrix

Type of Losses	Definition of APs	Entitlement	Implementation Issues
Permanent Loss of land	Landowners with land titles.	Land-for-land or cash-for-land compensation at replacement value with vulnerable APs prioritized for land-for-land compensation. Allowances for transaction costs such as documentary stamps and registration costs (in case of purchase of replacement land), and other cash grants and resettlement assistance such as shifting allowance.	Cash compensation will be at replacement value determined by the Resettlement Committee (RC).
Temporary loss of land	Land owners with land titles	Rent during the temporary use of land.	Affected persons (AP) will be provided land rental at market rates determined by the RC (engaging a land surveyor, if required). Land will be restored to previous or better quality by contractors/Local Authority (LA).

Type of Losses	Definition of APs	Entitlement	Implementation Issues
Loss of structures and immovable assets	Titled APs (owners and tenants) losing structures or immovable assets	Compensation for owners for structures/assets will be at full replacement cost without deduction for depreciation/salvageable materials. Compensation includes transportation and labor costs, and shifting allowance. Compensation for business income for owners and tenants including income for workers affected by loss of commercial structures for 6 months.	Market and replacement values will be determined by the RC. Owners of affected structures will be allowed to take/reuse all the salvageable materials.
Loss of structures and immovable assets	Non-titled APs (informal dwellers/squatters and encroachers) losing structures or immovable assets	Compensation for structures/assets will be at full replacement cost without deduction for depreciation/salvageable materials. Compensation includes transportation and labor costs, and shifting allowance. Compensation for business income including income for workers affected by loss of commercial structures for 6 months.	Market and replacement values will be determined by the RC. Owners of affected structures will be allowed to take/reuse all the salvageable materials.
Loss of income and livelihood	Titled APs whose means of livelihood and income have been affected	Cash compensation for losses in wages/income for 6 months to allow finding an alternative employment or livelihood or to learn new skills. Vulnerable APs will be provided training programs to re-establish income and livelihood, and will be prioritized in employment generated by subprojects.	Current wage rates will be determined by the RC. The LA with the assistance from the Subproject Coordination Unit (SPCU) will take appropriate steps to re-establish incomes and livelihoods including provision of training programs.
Loss of income and livelihood	Non-titled APs whose means of livelihood and income have been affected	Cash compensation for losses in wages/income for 6 months to allow finding an alternative employment or livelihood or to learn new skills. Vulnerable APs will be provided training programs to re-establish income and livelihood, and will be prioritized in employment generated by subprojects.	Current wage rates will be determined by the RC. The LA with the assistance from the SPCU will take appropriate steps to re-establish incomes and livelihoods including provision of training programs.
Loss of crops and trees	Titled APs (owners and leaseholders) losing crops and	Cash compensation will be paid for loss of crops	APs will be allowed to harvest standing crops.

Type of Losses	Definition of APs	Entitlement	Implementation Issues
	trees	<p>at replacement cost. If sown or standing crops are affected, these will be compensated in cash at at the value of matured crops, based on current market rates.</p> <p>Compensation for loss of fruit trees will be at replacement cost based on the present income and crop bearing capacity. Other trees will be compensated at replacement cost based on the current market value of timber.</p>	<p>Crops and trees to be affected by a subproject will be identified and listed by the RC. Trees are valued by specialized agencies such as the Coconut Development Board, Department of Agriculture, and Divisional Secretaries. Valuation is to be undertaken in consultation with the RC. The RC will ensure that APs are given an opportunity to express their views. Sufficient prior notice will be provided to owners before acquiring cultivated land.</p>
Loss of crops and trees	Non-titled APs losing crops and trees	<p>Cash compensation will be paid for loss of crops at replacement cost. If sown or standing crops are affected, these will be compensated in cash at at the value of matured crops, based on current market rates.</p> <p>Compensation for loss of fruit trees will be at replacement cost based on the present income and crop bearing capacity. Other trees will be compensated at replacement cost based on the current market value of timber.</p>	<p>APs will be allowed to harvest standing crops. Crops and trees to be affected by a subproject will be identified and listed by the RC. Trees are valued by specialized agencies such as the Coconut Development Board, Department of Agriculture, and Divisional Secretaries. Valuation is to be undertaken in consultation with the RC. The RC will ensure that APs are given an opportunity to express their views. Sufficient prior notice will be provided to owners before acquiring cultivated land.</p>
Restoration of cultural/community structures	Communities affected	Restoration by contractors/LA or cash for rehabilitation/rebuilding of the affected common property and cultural structures from the LA.	<p>The RC in consultation with the community will decide the manner in which restoration or compensation for affected structures. Community leaders are to be identified before any cash payment is decided. Payment is to be made to formal or locally recognized patrons/users' group leaders.</p>

D. Procedures for Formulating a Resettlement Plan

13. The steps to be followed in formulating subproject RPs are given below:

- (i) The LAs will screen potential involuntary resettlement (IR) impacts through an IR screening checklist and will send it to the SPCU for review. If the checklist indicates any potential IR impacts, the LA with guidance from the SPCU will formulate an RP consistent with the RF.
- (ii) The LA will conduct consultations with all stakeholders regarding how to avoid and minimize involuntary resettlement impacts. Needs and preferences will be identified.
- (iii) A socio-economic survey of a sample population will be conducted to identify different categories of APs, based on the degree and scale of impacts of the subproject on APs. A census, an asset inventory, and a detailed measurement survey will be undertaken.
- (iv) An entitlement matrix to outline entitlements of all APs including non-titled APs will be formulated. If new categories of APs and types of losses other than those listed in RF entitlement matrix are identified, appropriate entitlements will be added in the RP.
- (v) A time-bound schedule for RP implementation, procedures for grievance redress, monitoring and evaluation (both internal and external) will be formulated.
- (vi) The draft RP will be disclosed to all APs. The SPCU will review and endorse the RP to the LLDF Project Appraisal Unit (PAU) for review and endorsement.
- (vii) Once the LLDF endorses the RP, it will be sent to ADB for approval. A subproject with significant resettlement impacts will have a full RP which is consistent with ADB's IRP and the Government's NIRP.
- (viii) The RP will be finalized based on the findings of the detailed measurement surveys, census and full asset inventory. The final RP will be translated into local language and disclosed through public notices at LA and SPCU offices, and through mass media. The final RP will also be posted on Government and ADB resettlement websites.
- (ix) The approved RP will be implemented before any award of construction contracts of the subproject.

E. Implementation Arrangements

14. The EA of the Project is MPCLG which is responsible for overall project coordination under the guidance of an inter-ministerial steering committee. A PCU under the EA will manage and coordinate project implementation. The LLDF PAU will provide guidelines in undertaking social assessments (including IR formulation) to the LAs through the SPCUs. SPCUs will be set up as units in the offices of Provincial Councils in each participating province in the proposed Project. The SPCU will assist LAs in undertaking required social assessments (including IR issues) for the subproject, providing required technical assistance and project consultants. The LAs (where required), with technical assistance from the SPCU, will be responsible for preparing RPs for subprojects, and will submit the RPs to SPCUs for review. NGOs and CBOs will be engaged by the LA for RP implementation. The SPCUs will provide reviewed RPs to the LLDF PAU for review and endorsement to ADB for approval. The first batch of subprojects processed under the Project will include a subproject that involves land acquisition or resettlement in order for a model plan to be prepared. The model plan and all subsequent subproject resettlement plans will be subject to review and approval by ADB. Roles and responsibilities of agencies involved in RP preparation and implementation are in Table 2. The Project's capacity building component will provide support to LAs in selecting and designing and implementing subprojects including training on ensuring social and environmental safeguards. Social safeguards would include training on NIRP and ADB policy and implementing and managing land acquisition and resettlement. Such training will be provided through consulting services provided for the support of subproject loan appraisal at the LLDF (Supplementary Appendix A). Since there will be a dedicated social development specialist in the LLDF and consulting services will be provided

for subproject loan appraisal. In the initial phase of the loan when there will be little subprojects to appraise, the social development specialist in LLDF, supplemented by consulting services, will conduct training on social safeguards to LAs and SPCUs to build their capacity.

Table 2: Agencies Responsible for Resettlement Implementation

Activity	Agency Responsible
Hiring of Consultants/Resettlement Specialists	SPCU/PCU
Screening for land acquisition and resettlement impacts	LA/SPCU
Preparation of Land Acquisition and Resettlement Plan	LA/SPCU
Review and Approval of Land Acquisition and Resettlement Plan	SPCU/LLDF/PCU
Coordination and submission of Land Acquisition and Resettlement Plans for subprojects to be undertaken under the Project to ADB and finalization based on comments from ADB	PCU
Verification survey for identification of APs	LA/SPCU
Land survey for identification of plots	LA/SPCU
Resettlement training workshops	PCU/SPCU/Project Consultants
Consultation and disclosure of Land Acquisition and Resettlement Plan to APs	LA, NGOs and CBOs
Preparation of land acquisition plan	LA/SPCU
Submission of land acquisition proposals to District Commissioner	SPCU
Compensation award and payment of compensation	District Commissioner
Payment of replacement value allowance	LA, NGOs and CBOs
Takeover the possession of acquired land/houses	LA/SPCU
Hand over acquired land to contractors for construction	LA/CSPCU
Notify construction starting date to APs	LA, NGOs and CBOs
Assistance in relocation, particularly for vulnerable groups	LAs, NGOs and CBOs
Income restoration activities, particularly for vulnerable groups	LAs, NGOs and CBOs
Restoration of temporarily acquired land to its original state including restoration of private or common property resources	Contractors subject to monitoring by LA/SPCU
Internal monitoring	LA/SPCU
External monitoring	Independent Agency

F. Consultation and Participation

15. All subproject planning activities and each RP will be prepared and implemented in close consultation with stakeholders, particularly APs, through focus group discussions, socio-economic surveys, and stakeholder consultation meetings. Stakeholder consultations will be facilitated by LAs through the RC with support from CBOs and NGOs. Consultations will be conducted in affected communities to explain the resettlement plan and coordinate with community leaders. The SPCU will ensure that LAs invite vulnerable households to stakeholder consultation meetings. CBOs and NGOs⁶ will be engaged by the LA to document consultations (including responsibility and time-line for implementing decisions taken at such consultation meetings). Each AP will be provided information regarding specific entitlements. Disputes on entitlements can be forwarded to the RC for appropriate action. Resettlement information generated during RP preparation will be disclosed to all APs in their own language, and their views and opinions will be taken into consideration in finalizing the RP. The final RP will be translated into local language and disclosed through public notices at LA and SPCU offices, and through mass media. It will also be posted on Government and ADB resettlement websites. Information dissemination and consultation will continue throughout the project implementation period.

16. All APs are entitled to compensation and rehabilitation. Eligibility for compensation and other assistance will be determined by a cut-off date to be set for each subproject coinciding with the date impact assessment commences. The cut-off date will identify eligible

⁶ The SPCU, LA Welfare Officer, Gramaniladahri will be take part in consultations.

APs for compensation and rehabilitation. Persons arriving in the subproject areas after the cut-off date will not be considered eligible for compensation and other assistance under the subproject.

G. Grievance Redress Mechanism

17. The SPCUs will develop the LA's competency to handle grievances. In the first instance, the implementing LA will have primary responsibility for the timely and effective redress of any complaints regarding RP implementation. In the event that the implementing LA is unable to satisfactorily resolve a complaint or the AP is dissatisfied with the outcome, the complaint will then be referred to the RC. The RC will handle referred grievances with technical assistance from SPCUs. The LA and RC's main responsibilities for redressing grievances are to: (i) provide support to APs on problems arising from land/property acquisition; (ii) record, categorize, and prioritize AP grievances and resolve them within 2 weeks from the date complaints are lodged; (iii) immediately inform the SPCU of serious cases; and (iv) report to APs on developments regarding their grievances and decisions of the LA and RC. Other than disputes relating to ownership rights under the court of law, the LA and RC will review grievances involving all resettlement benefits, compensation, relocation, and other assistance. Detailed investigation will be undertaken which may involve field investigation with the concerned APs. APs can make further appeals against RC decisions regarding grievances to the Provincial Council through the SPCU.⁷ If unsatisfied, APs can seek assistance of appropriate courts of law to redress their grievances. Each subproject RP will detail the grievance redress mechanisms.

H. Monitoring and Evaluation

18. Internal monitoring will be the responsibility of the SPCU through the LAs. The SPCU internal monitoring will include: (i) administrative monitoring: daily planning, implementation, feedback and trouble shooting, individual AP file maintenance, and progress reports; (ii) socio-economic monitoring: case studies, using baseline information for comparing AP socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, community relationships, dates for consultations, and number of appeals placed; and (iii) impact evaluation monitoring: income standards restored/improved, and situation of APs. The SPCU will establish a quarterly monitoring system at the LA. The SPCU will prepare quarterly progress containing progress made in RP implementation with particular attention to compliance with the principles and matrix set out in RP. Monitoring and evaluation reports documenting progress on resettlement implementation and RP completion reports will be provided by the PCU to ADB as part of quarterly progress reports.

19. The EA will engage the services of an independent agency not associated with project implementation to undertake external monitoring and evaluation. The external agency, with previous experience in resettlement activities and familiarity with Government and ADB resettlement policy, will be engaged with ADB concurrence within three months of loan effectiveness. The external monitor will monitor and verify RP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitoring will undertake monthly monitoring and impact evaluation on a sample basis during mid-term and project completion. Monitoring will also ensure recording AP views on resettlement issues; AP understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies. The external monitor will also evaluate the performance of the PCU, SPCUs, and LAs. The external agency will report its findings simultaneously to the EA and to

⁷ Appeals through Divisional Secretariats or PEACE (Samatha Mnadala) committees can also be considered in designing the RP.

the ADB twice yearly. Provisions will be made in the budget for engaging the external monitor.

I. Resettlement Budget

20. Resettlement budget is an integral part of the cost estimates of the subproject. The resettlement budget will include (i) costs of land acquisition at replacement value, relocation, livelihood and income restoration and improvement, and all other forms of compensation; (ii) source of funding; (iii) arrangements for approval of RP cost estimates; and (iv) the flow of funds and contingency arrangements. All land acquisition and resettlement funds will be provided by the Government through the EA.