

INVOLUNTARY RESETTLEMENT ASSESSMENT AND MEASURES RESETTLEMENT FRAMEWORK

1. **Project Objective and Type of Activity.** The proposed Community Irrigation Project (the project) aims to enhance farm incomes and reduce poverty through the development or improvement of small scale irrigation systems and complementary agriculture enhancement in poor areas of 12 Terai and hill districts.
2. **Scale of activity and benefit.** The project is estimated to support 300 or more subprojects (maximum 25 ha in the hills and 200 ha in the Terai) covering approximately 4,000ha in the hills and 11,300 ha in the Terai benefiting at least 20,000 households. Schemes will include (i) rehabilitation of gravity schemes, (ii) pond/tank systems, (iii) pumped irrigation schemes, and (iv) shallow tube wells. Infrastructure will be built by users themselves wherever possible, and mostly on land already used for irrigation infrastructure or construction underground.
3. **Scope.** This framework covers small, community-led projects with no resettlement and where all land acquisition is voluntary. The selection criteria for a sub-project is that irrigation improvement is desired by a community whose members would voluntarily donate small parcels of their land for the irrigation enhancement, and by contributing land for the project they become primary beneficiaries of enhanced irrigation facility.
4. **Safeguards.** This Resettlement Framework has been prepared to ensure the subproject selection criteria have been met, and to clearly identify the triggers, if any, for more comprehensive safeguards (i.e. a resettlement plan). Resettlement due diligence will be conducted on each subproject to assess the social safeguards status of a proposed subproject. Resettlement due diligence will be required for each subproject that requires new land, and will outline whether project selection criteria have been met.
5. **Due Diligence Reporting.** Resettlement due diligence will be documented in the subproject's feasibility assessment report and will incorporate at a minimum the following:
 - (i) Verification and documentation that land required for the project is given voluntarily;
 - (ii) Verification that nobody will be impoverished by the land donation (more than 5% of total land holding donated will require that water users associations negotiate livelihood restitution measures such as reduction in operation and maintenance fees or preference for employment in community contracting;
 - (iii) Verification that land donation will not displace tenants or bonded labor, if any, from the land;
 - (iv) Meaningful consultation has been conducted in good faith with all affected persons. Documented verification of the agreement of affected persons to the sub-project. Separate discussions to be held with women and minority groups as required to facilitate meaningful participation;
 - (v) Assurance that a community mechanism for sub-project implementation is operational and has a fair system of grievance redress, as well as a system for project monitoring and reporting; and
 - (vi) Sex disaggregated socio-economic data for the sub-project area has been collected including at a minimum household size, caste/ethnicity, location within the area, land holding size, land type, crop yield per ha other important sources of income (maximum 2 pages and around 4 tables of data).

6. Documentation of due diligence need not be more than four pages with supporting documents (verification records, socio-economic survey) as appendices. Resettlement due diligence information will be verified during subproject detailed design and updated as necessary.

7. **Resettlement Plan.** If any of the resettlement-related project criteria are not met the sub-project will be dropped. For this reason a Resettlement Plan will never be necessary under the project.

8. **Resettlement Monitoring.** Land acquisition issues will be monitored by district development committees, DOLIDAR, and ADB periodically. During review missions, ADB will verify that resettlement due diligence has been conducted in accordance with the above procedures.