

Social Monitoring Report

Project No. 52174-001
Semestral Report (January-June 2021)
July 2021

Bangladesh: Emergency Assistance Project

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Social Safeguards Completion Monitoring Report¹

G0582-BAN: Emergency Assistance Project (EAP)

(Consolidated report for the subprojects implemented by DPHE, LGED, BREB & RHD)

Jan 2021 – June 2021



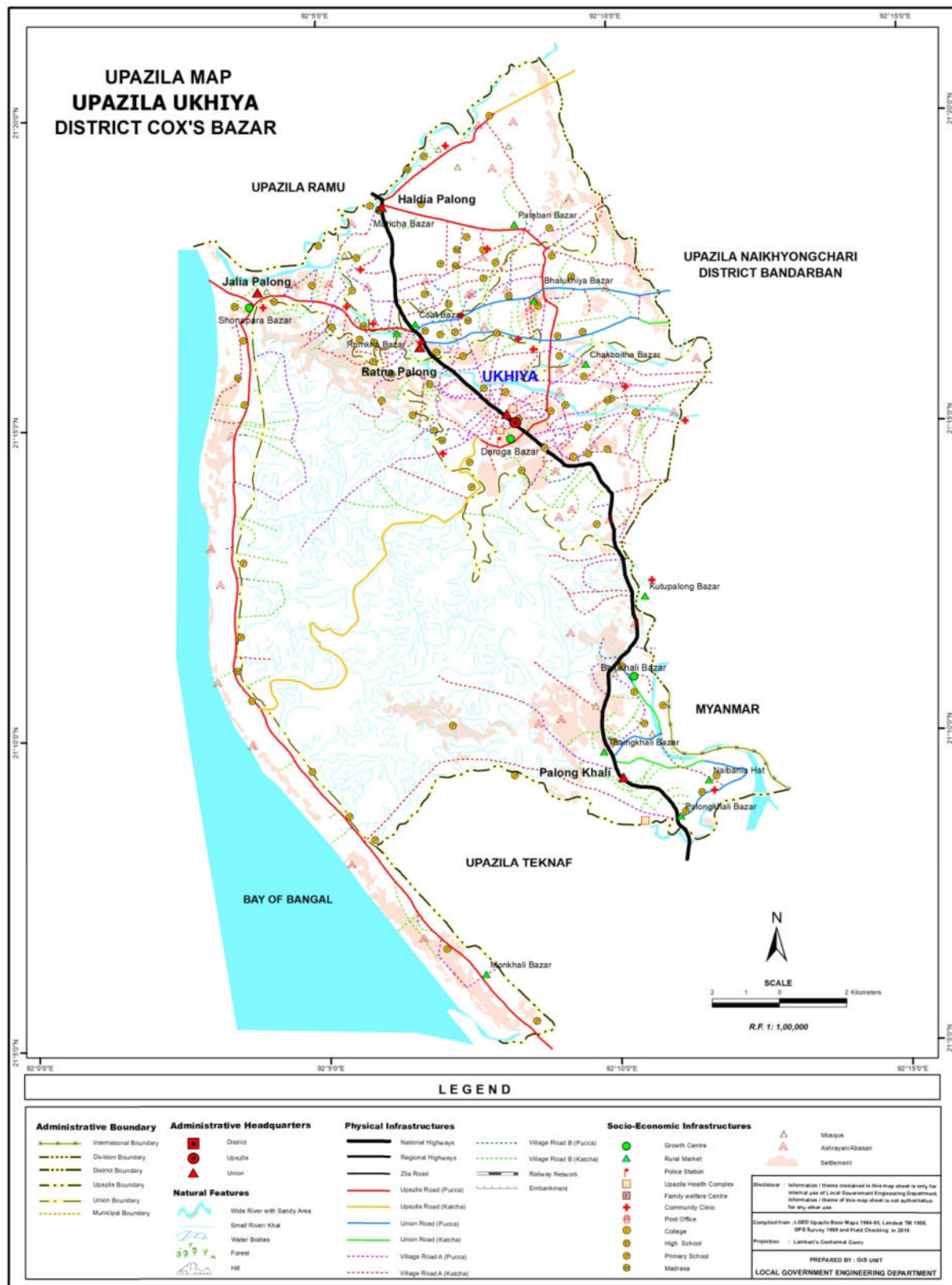
¹This Social Safeguards Completion Monitoring Report for July 2018 to June 2021 has been prepared by Md Mayen Uddin Tazim, Individual Consultant –Social Safeguards Specialist with the assistance, and on be behalf of the Executive Agencies (LGED, DPHE, BREB & RHD). The report will be made publicly available in accordance with ADB's public communications policy (2011). It does not necessarily reflect the views of ADB.

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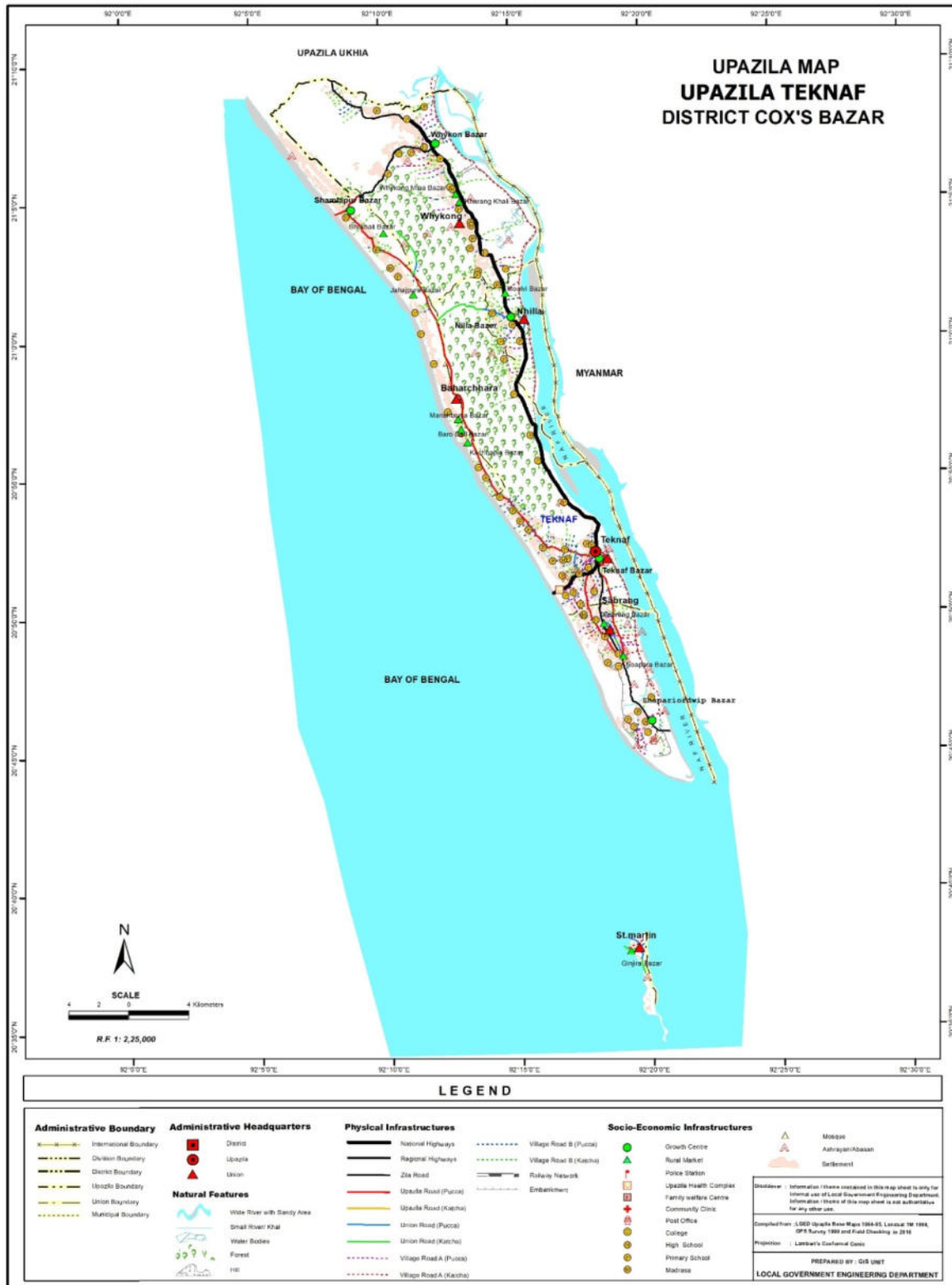
Upazila

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Map Sub-Projects Locations



Subproject's locations



Glossary

ADB	: Asian Development Bank
AH	: Affected Household
AP	: Affected Person
BREB	: Bangladesh Rural Electrification Board
DPHE	: Department of Public Health Engineering
DC	: Deputy Commissioner
DDR	: Due Diligence Report
EAP	: Emergency Assistance Project (EAP)
EA	: Executing Agency
EP	: Entitled Person
FGD	: Focus Group Discussion
GRC	: Grievance Redress Committee
GRM	: Grievance Redress Mechanism
HH	: Household
IR	: Involuntary Resettlement
LA	: Land Acquisition
LAO	: Land Acquisition Officer
LGED	: Local Government Engineering Department
MOLGRD & C	: Ministry of Local Government Rural Development & Cooperatives
PAPs	: Project Affected Persons
PD	: Project Director
PMU	: Project Management Unit
RP	: Resettlement Plan
RHD	: Roads & Highway Department
XEN	: Executive Engineer

A. Executive Summary

1. In line with the ADB's Social Safeguards Policy Statements 2009, this final Social Safeguards Completion Monitoring Report is stated for the entire the project period from July 2018 to June 2021 which has been covered the activities of sub-projects under Emergency Assistance Project being implemented by DPHE, LGED, RHD and BREB.

2. The Semiannual Monitoring Report is dealing with the Outputs of the Sub-projects, ADB Social Safeguards Requirements, Indigenous People Planning (IPP), Grievance Redress Mechanism (GRM), the scope of social safeguards activities, the obligation of the Brower / EA for social safeguards and the status of sub-projects with Involuntary Resettlement impacts in line with the agreed project framework. The issues mentioned in the above are discussed in dealing with each subproject under EAP which has been implemented by the respective Executive Agency.

3. **Formation of Grievance Redress Mechanism (GRM):** As per agreed Project Framework, all respective Executive Agencies are required to form GRM at the sub-projects/ Upazila and PMU levels to create facilitation for the project affected persons/beneficiaries to address their grievances which will be resolved amicably through the GRM process. As per agreed Framework, GRM should be functional for addressing grievances of the affected communities if any adverse impacts are observed during the implementation of the different sub-projects. ADB Senior Project Officer repeatedly sent formal emails to all PDs of the respective EAs requesting them to form the GRM immediately. The individual TA consultants had also communicated the issue with the respective Executive Engineers and Project Directors although the issue was not taken into account. However, in February 2021, DPHE started forming the GRM at the sub-project level in line with the Project's (EAP) agreed Framework while it (DPHE) was incurred in the social conflicts in case of obtaining private land for the surface water treatment plant (EAP/ DPHE/18) at Palongkhali through the long-term lease agreement with the respective person of the Wakf Estate. After creating community conflicts over the implementation of this subproject at Palongkhali, ADB raised question over the grievances and the formation of GRM to address and resolve the raising issue, thus DPHE immediately formed GRM at the sub-projects level.

4. In a nutshell, the following status of the subprojects' activities under each of the Executive Agencies in the perspective of social safeguards is outlined here:

Sub-project under DPHE:

5. DPHE has been dealing with the implementation of sub-projects in connection with the outputs and outcomes of **Improved Water Supply & Sanitation**. The subprojects are mainly (i) mobile water carriers for the distribution of treated water; (ii) community bathing facilities for women; (iii) mini piped water supply systems with a production tube well, distribution pipe network, and standpipe water distribution points; (iv) integrated waste management facility with collection system; and (v) surface water treatment plants.

6. The subprojects have been implemented mostly in using the lands owned belongs to the Govt. for which only permission of the respective authority was required before commencing the physical works, thus the subprojects were categorization as 'C'. Despite, one subproject is called surface water treatment plant at Cox's Bazaar (DPHE/W11) which has been determined and

confirmed as 'B' categorization owing to requiring of the land acquisition and Involuntary Resettlement (IR) impacts for which DPHE was advised by ADB to prepare Resettlement Plan (RP) before commencing the civil construction works. Despite, having delay and continuing civil construction works, DPHE has submitted the draft RP in April 2021 for which ADB made comments of the draft RP and requested for making appropriate steps to finalize the RP by incorporating the non-title affected families and the remaining landowners who were dropped out during the first households survey. However, as of 30 June 2021, the final RP is yet to be submitted to ADB although in the same period, the civil construction works are being progressed (15% to 35% physical works done under Lot- 01 to Lot-05) as of June 20).²

Social Safeguards/ IR Impacts for the Water Treatment Plant at Cox's Bazar:

7. Determining the Involuntary Resettlement impacts, the subproject has already been defined as 'B category'. Meanwhile, all process of the Land Acquisition has already been completed, and DC office paid compensation to the landowners in this connection. Despite, a few landowners filed a case against the acquisition with the district Judge Court, which is dealing with the documentation of ownership of the acquired land.

8. In the beginning, DPHE could not take initiative to prepare the RP for this Water Treatment Plant. Finally, the Resettlement Consultant is named Association for Socio-Economic Advancement of Bangladesh (ASEAB) was deployed in the beginning of August 2020 for socioeconomic household's survey in order to prepare the RP. There are huge IR impacts which are observed at the design level of the subproject - Surface Water Treatment Plant for supporting water supply at Cox's Bazaar city and surrounding area (EAP/DPHE/W11). This sub-project requires the land acquisition of 2.125 acres belongs to the private ownership in which Involuntary Resettlement (IR) impacts have been confirmed. Apart from the landowners, about 45 non-titleholders who have settled on the government's land for decades, are being affected and forcefully displaced from their homestead while constructing the Overhead Water Tank located at Tankirpar associated with the above water treatment plant.

9. The assigned resettlement team conducted only 18 households socio-economic survey, which is only about 30% of the total affected families. However, the non-titleholders/ settlers (45 HH) who have been residing on the government land at Tankirpar had refused to provide an interview with the survey team during the households' survey conducted by the resettlement team assigned by DPHE. The entire community had shown agitation in the presence of the survey team despite having the City Mayor's intervention who tried to convince them in this connection. Finally, in convincing, the resettlement team interviewed only 12 head of households, out of 45 non-title landowners and also interviewed only 06 (six) titleholder landowners, out of 25 landowners who lost lands due to the land acquisition.

10. In May 2021, the resettlement consultant assigned by the DPHE submitted draft RP in which ADB has made few comments and advised to finalize the RP by incorporating all comments. Notwithstanding, the RP is yet to be finalized and approved as well as publish in the ADB's web portal.

² Source: ADB Progress Report 27 June 2021

11. In dealing with the ADB Social Safeguards Policy Statements, 2009 and agreed Framework with the government, the DPHE is supposed to complete the Resettlement Plan (RP) before commencing the civil construction works by assessing the Loss of Inventory of the affected properties through households' survey for the affected persons, including non-title affected families. Moreover, a livelihood restoration program is also significantly necessary for the affected families, who will be displaced from their homesteads.

12. At this point of discussion, in keeping compliance with the agreed policy framework, it is required to complete inclusive households survey by covering all affected households both title-holders and non-title landowners to determine the Loss of Inventory and their socioeconomic profile, consequently, finalize the Resettlement Plan (RP) in keeping budget for the resettlement activities which is required to be submit to ADB.

13. Apart from the water treatment plant at Cox's Bazaar (DPHE/W11), in most cases, the subprojects are being established using the government's lands for which permission from the respective authority was required. Moreover, in some cases, DPHE requires to make agreement/negotiation with the private landowners for obtaining the lands. Even negotiation is required with the non-title landowners, who have been occupying the government lands for decades, which was identified for implementing the proposed subprojects for the water treatment plant.

14. DPHE has faced difficulties in getting access to the land for the surface water treatment plan at Palongkhali. In the beginning, DPHE made long terms agreement for 50 acres of lands with the one of the members of the Wakf Estate by ignoring other members of the Wakf Estate. However, conflicts were aggravated among the landowners who are members of the Wakf Estate that created conflicts among the members of the Wakf Estate (land belongs to Wakf Estate members) that affected the civil construction works. Finally, the conflict among the landowners of the Wakf Estate has been resolved amicably with the intervention of the ADB.

15. Among the government's lands for the implementation of the subproject, Surface Water Treatment Plant at Shalbanga, Noapara (Camp-26) is required to use government land. In the beginning at the feasibility level, it though that about 60 -70 Rohingya families, who built houses at the surrounding location of the proposed Surface Water Treatment Plant at Noapara, would be relocated. And, DPHE was advised to avoid any adverse impacts which may affect the refugees, who resided surrounding the water reservoir area, will have to be relocated, if necessary, by DPHE in consulting the authority concerned and with the UNHCR before commencing the civil works. Finally, this relocation has not been required during the implementation, and DPHE resolved it technically.

16. It is observed that negotiation is required with the private landowners for constructing a water treatment plant at Noapara in which small traders who have established business on the land that belongs to the Government. Therefore, DPHE is required to make a mutual understanding and negotiated-settlement with the traders before removing them from their existing place of business, either temporarily or permanently.

17. For the implementation of the proposed surface water treatment plant at Whykong/ Unchiprang, DPHE is required to cross over the exiting farming /irrigated lands for establishing

water distribution network from the natural reservoir to the treatment plan is located at Unchiprang for which negotiation with the local farming landowners is being continued.

Sub-projects under the LGED:

18. In the emerge of Emergency Assistance Project (EAP) with the financial and technical support from ADB, LGED implemented different subprojects as per planned schedule in considering the outputs and outcome of **Access Road Improved and Disaster Risk Management Strengthened**. The Access roads improved consists of rehabilitating (i) rural roads to connect to food storage and distribution centers, field hospitals, primary health care centers, and primary education centers; (ii) emergency access roads to the camp areas; and (iii) existing access roads to and within the camps and drainage systems. The project also supports resurfacing the road from Cox's Bazar to Teknaf, which is the main supply line. Similarly, **Disaster risk management strengthened** includes constructing in and around the camp areas (i) multipurpose cyclone shelters with emergency access roads, (ii) food distribution centers, (iii) hill slope protection, and toe walls to resist landslides, and (iv) storm water drainage networks.

Categorization and Social Safeguards/ IR impacts:

19. Before commencing the civil construction works, in the screening of the sub-projects under LGED, all subprojects were determined as 'C category'. In the implementation period, LGED used the existing alignments of the roads for which additional lands belong to the private ownership were not required for the acquisition or negotiated resettlement. In this connection, LGED avoided any adverse social impacts during the survey and design phase. As a result, involuntary resettlement impacts were not seen to implement the subprojects dealing with the access roads, food distribution centers, cyclone centers, hill slope protection, etc. As of June 2021, residential houses, /structures, and commercials shops or any other private properties have not been affected by the civil construction works of the sub-projects under LGED. Moreover, the government's lands were found available with the prior permission of the authority concerned for implementing the food distribution, cyclone centers, hill slope protection, internal roads and drainage improvement.

20. In improving the internal roads and stairs with drainage facilities and hill slope protection in the different mega camps areas, the relocation of the refugees was required before commencing the civil works. During the implementation, the relocation of refugees was very sensitive and significant for which permission from the respective government authority and assistance from the UNHCR was essentially required.

21. Moreover, LGED further redesigned and changed the locations of the sub-projects for hill slope protections owing to finding the difficulties in case of relocating significant numbers of refugees who were residing on top of the hills.

22. In conclusion, during the implementation / physical works of the subprojects under LGED, any adverse social impacts were not observed in this connection. LGED was keeping continuous community consultations during the implementation stage to avoid any adverse social impacts.

Subprojects under BREB:

23. Rohingya refugees need access to safe and sustainable energy as one of the basic needs in considering the refugees' remoteness. Without access to necessary power and energy, these

displaced people, particularly women and children, are at stake in living within the camps. In dealing with the UNCHR, the government of Bangladesh is committed to addressing refugees' energy needs, improving access to sustainable fuel, powering health centers, and utilizing solar-power lighting under the Emergency Assistance Project (EAP).

24. As of June 2021, BREB has completed the implementation of the physical works of different sub-projects under EAP in dealing with the impact and outcomes of **Energy sources provided**. It includes providing the camp areas with (i) retained heat cookers, (ii) stand-alone solar-powered street lights with solar photovoltaic panels, battery boxes, and mini grid-connected street lights; and (iii) access to electricity by augmenting substations, distribution lines, and transformers.

25. **Social safeguards impact:** Adverse Involuntary Resettlement / Social Safeguards impacts were not observed during the implementation of sub-projects under BREB. Meanwhile, BREB has successfully completed all subprojects dealing with energy improvement by using lands owned by the government. Despite using the government lands, only 41 decimals of private land were required for the implementation of BREB/ W1A Supply, Installation, Testing & Commissioning of 33/11KV Sub-Station at Palongkhali, Ukhiya. In this connection, BREB purchased the 0.41 acres of private land from the landowner with the appropriate negotiation by following the department's procedure before commencing the civil works.

Subproject under RHD:

26. In dealing with the **Improvement of Access Road**, RHD has started civil construction works for the implementation of two subprojects on the rehabilitation of the existing roads that include (i) 25 km road from Cox's Bazaar link road to Ukhiya and (ii) 25 km road from Ukhiya to Unchirang under the EAP.

27. As of June 2021, almost 98% physical works have been completed for the Rehabilitation of National Highway from Link Road (Cox's Bazar) (Chainage 381+494) to Ukhiya (Chainage-406+494). Similarly, almost 97% Rehabilitation of National Highway from Ukhiya (Chainage 406+494) to Unchirang (Chainage- 431+494) has also been completed as per planned schedule.

28. **Social Impacts & Land Acquisition:** The subprojects have been implemented within the right of way in which land belongs to RHD as land acquisition is not required for the improvement of the access road. Despite the fact, temporary economic impacts were anticipated in the different market areas and identified 80 project affected persons during the preparation phase of the Resettlement Plan (RP) that approved by the administrative ministry in January 2019. Accordingly, the budget has been incorporated in the approved RP to compensate the affected persons. The sub-projects are determined as 'B category' for which RHD is aware of any adverse economic impacts during the construction works. RHD had given due attention to find any adverse impacts which put forwarded by the affected traders. In this connection, RHD keeping public consultation through assigning Social Development Consultant.

29. **Payment of compensation:** Immediately after commencing civil works, RHD had taken the initiative to find affected persons based on the approved RP. Among the listed project affected persons mentioned in the RP, finally 27 affected persons were identified and compensated by RHD in a formal meeting with the local UP chairman on 7 July 2019.

30. **Newly Identified Social Impacts:** Few commercial shops were partially affected by the contractors assigned by RHD due to scope changes in the alignment at different places. The businessmen expressed their resentment over the breaking of commercial shops during the construction works for which no compensation was given to the affected traders/ street vendors. However, RHD resolved the matter to motivate them (Affected Traders/ street vendors) in consulting with the market management committees.

31. ADB advised for taking the appropriate mitigation measures on the impact of commercial shops that affected the traders for which following points are outlined:

- Confirmation on number of structures, Loss of Inventory, which was affected for EAP additional scope of work;
- Assessment of the price for the affected properties for paying compensation to the affected traders/shop owners;
- Timeline for compensation hand over to the impacted structure owners;
- RHD will revise the approved RP based on changing the scope of works and determine the timeline to revise the RP in which all impacted properties, affected persons, and the budget of the compensation will be included in the revised RP.

32. Finally, ADB advised revising the RP due to changing the scope of works. Despite, RHD could not revision the approved RP due to administrative constraints and prevailing COVID-19. RHD continued communication with the local community leaders to avoid adverse social impacts. In principle, RHD agreed with ADB for paying compensation to the non-title Project Affected Persons by following the government's rules. Finally, additional compensation was not required and the issues resolved in consulting with the market management committee.

33. The following information received from the draft social safeguards report of December 2020 dealing with the resettlement impact produced by Management Consultant of RHD (Page-07-8, para-5 &):

Resettlement Impact:

34. In total, 27 Entitlement Persons (EPs) were identified and paid by July 2019 against the target number of 71 EPs. All EPs are within the low-income generation category, are impacted temporarily during the construction time and will have to switch to an alternate location as set up by the Business Committee to accommodate traffic diversions. After December 2019, no EPs were specified in accordance with the approved plan. The Revised Resettlement Plan (RP) implementation, including compensation related concerns, awareness-raising program, is being continued. A proposal for an updated list of certain non-title Affected Persons (APs) has recently been put forward to the field, but it needs to be discussed with all the parties concerned before finalizing the issues.

Compensation and Rehabilitation

35. The overall objective of the project resettlement policy is to ensure that all persons affected by the project can maintain and, preferably, improve their pre-project living standards and income earning capacity by providing compensation for the loss of physical and non-physical assets.

36. It has been observed that in most cases the impacts are limited to the removal of a few trees, temporary/ permanent boundary walls/ fences, shops during the construction period. Thus, the impacts are very temporary that can easily be mitigated. Some affected persons are interested in receiving

compensation against their losses. There is also evidence that many affected persons have voluntarily removed trees, shops, border fences, etc. and are not seeking any compensation.

37. The sub-project is on the Right of the Way (ROW) that owned by the RHD. Consequently, no land or permanent structure will be affected. This affect in business and livelihoods are expected only along with some distinct market areas of the corridor, where vendors have temporary sitting arrangements with market areas adjacent to the road.

B. The Project Background

38. In August 2017, Bangladesh received more than 700,000 Displaced Myanmar Nationals from Myanmar (displaced persons³). These people reached Bangladesh by crossing the nearby border on foot and joined about 400,000 other refugees who had arrived in waves from Rakhine State earlier. The vast majority of displaced persons who have arrived in Bangladesh live in 32 camps in Cox's Bazar District, with more than 600,000 living in the Kutupalong–Balukhali mega camp. This large influx has caused an enormous strain on the local infrastructure and economy. The 2:1 ratio of displaced persons to the local population poses significant challenges to the food supply, shelter, health, sanitation, water, and other essential services. Although the United Nations (UN) agencies and other donors provide humanitarian relief such as food, water, medical aid, and temporary shelter, the existing services are stretched, and large gaps remain. In these circumstances, on 7 May 2018, the Government of Bangladesh requested the Asian Development Bank (ADB) for grant support to provide high-priority basic infrastructure and essential services to help address the humanitarian crisis caused by the arrival. The Emergency Assistance Project supports the Government of Bangladesh in addressing the immediate and urgent needs of the displaced persons. The project will mainly support the improvement of water supply and sanitation, disaster risk management, sustainable energy supply, and access roads.

C. Objectives of the Proposed Project

39. The object of the Emergency Assistance Project is to support the Government of Bangladesh in addressing the urgent needs of the displaced persons from Myanmar in Cox's Bazar District, as identified by the United Nations (UN) in its Joint Response Plan (JRP). The project will have the following outcome: living conditions and resilience of displaced persons improved. The project is aligned with accelerating the social recovery of displaced persons in Teknaf and Ukhiya camps and will have the outcome of improving living conditions and resilience of displaced persons. The ultimate goals of the project to improve water supply and sanitation, disaster risk management, sustainable energy supply, and access roads within the camp and surrounding host communities. The possible intervention areas to support the refugees are: (a) multipurpose cyclone shelters (b) food godowns; (c) hill protection walls to resist land-slides; (d) flood embankment (e) storm water canal to evacuate rainwater from Kutupalong Camp to Naaf River; (f) secondary transfer stations for managing solid waste management; and (g) 1,000 lightening arresters in access roads to Kutupalong refugee camp from Palongkhali; (h) capacity development on emergency preparedness and disaster management to improve response

³ UN, Strategic Executive Group. 2018. 2018 JRP for Rohingya Humanitarian Crisis, March–December 2018. Cox's Bazar. Various terminology is used in media, official and unofficial documents to describe the affected people. Terminology used herein is intended solely to identify such people for the purposes of this paper, and not to assert any view regarding the manner or circumstances of such persons' displacement. Such terminology may not reflect the terminology used or accepted by any government or any agency thereof. ADB expresses no view and takes no position herein regarding the legal rights or political assertions or the characterization of any such persons. The use of the term "displaced persons" in this paper is not intended to have the same meaning as the term "displaced persons" defined in ADB's Safeguard Policy Statement (2009).

readiness in camps and host communities; and (i) preventive community-based risk management focusing on environmental risk.

D. Project Rationale and Linkage to Country /Regional Strategy

40. On 7 May 2018, the Government of Bangladesh requested the Asian Development Bank (ADB) for grant support to provide high-priority basic infrastructure and essential services to help address the humanitarian crisis caused by the arrival of the displaced persons⁴. The project meets the requirements for emergency assistance financing.

E. ADB Fact-Finding Mission

41. Asian Development Bank fielded a consultation mission to Cox's Bazar, Ukhiya, and Teknaf on 22-24 July 2018 for Emergency Assistance Project (EAP). The objectives of the Mission were:

- i. Visit Project sites (Teknaf and Ukhiya Upazila) and conduct technical and safeguards due diligence for the first batch of subprojects for immediate procurement;
- ii. Coordinate with the offices of Refugee Relief and Repatriation Commissioner (RRRC), Deputy Commissioner Cox's Bazar, Inter-sector Coordination Group
- iii. Explore a suitable office space for ADB site office

The Mission met officials of the different Govt. agencies like RHD, LGED, BREB, DPHE, DC of C. Bazar, RRRC, UN agencies working in Cox's Bazar. The Mission visited sites of the proposed subprojects. In consulting with RRRC, CIC, EAs/IAs and UN agencies, the Mission conducted sub-projects selection, and Mission confirmed the sub-projects:

F. ADB Inception Mission

42. ADB fielded an inception mission to Bangladesh from 11 to 21 August 2018 for the Grant 0582-BAN: Emergency Assistance Project (EAP). The Mission met the Ministry of Finance, Economic Relations Division (ERD), Road Transport and Highway Division (RTHD), LGED and DPHE. The mission visited the project sites in Ukhiya and Teknaf in Cox's Bazar District to conduct further due diligence in developing selected subprojects. The mission also met with the office of the refugee relief and repatriation and commissioner (RRRC), the inter-sector coordination group (ISCG), and other development partners.

43. **Inception activities:** The mission discussed with all four EA/IAs, in a workshop, on various activities such as (i) subproject selection process; (ii) procurement and recruitment process, and progress ; (iii) counterpart funding and maintaining independent project records/ accounting ; (iii) reporting, and monitoring requirement(iv) safeguards and gender implementation and compliance (v) compliance requirement of grant covenants (v) financial management and disbursement ; (vi) updating of procurement plan and PAM; and (vii) progress.

⁴ Stated as above

44. The social safeguards team covered both actual and sample subprojects sites by visiting camps in Ukhiya and Teknaf. Minimal or no impacts are anticipated from the proposed sub-projects as these will be mostly improving existing facilities, such as the RHD and LGED road components. The subprojects visited were mainly: (i) internal roads and stairs with drainage facilities (ii) storm water drainage networks;(iii) mini pipe water supply systems (iv) community bathing facilities (v) hill slope protection works (vi) construction of Food Distribution Centers (vii) RHD road subprojects (phase 1 & 2) (viii) surface water treatment and pipe water supply in Teknaf. The Mission requested EAs/IAs to secure land free of encumbrance for these sub-projects. The Mission also reconfirmation categorization of RHD road sub-projects. Minimal impacts from this subproject are anticipated. As per the selection criteria, land acquisition and resettlement impacts will be avoided to the extent possible.

G. ADB Review Mission

45. On 18-20 November 2018, a Review Mission of the ADB BRM led by Mr. Tika Limbu had visited the Cox's Bazar, and sub-projects area. The ADB Review Mission conducted meetings with the Project Directors, the key officials of the executive agencies at the district and Upazila level, representatives of the UNCHR, and also ADB consultants of the respective expertise in order to assess the progress, and expediting the implementation process of the sub-projects. During the meeting at a discussion point, the mission raised the constraints in progressing the implementation process like floating and awarding tenders in a timely manner. The Mission also raised key issues in line with the social and environmental safeguards that need to be brought in to the light before the implementation stage of the sub-projects. Mission also emphasized the coordination among the respective officials of the Executive Agencies (EAs) and ADB consultants in order to expedite the implementation process on schedule. In conclusion, Project Directors of LGED, DPHE, and BREB briefed on the progress of the subprojects during the meetings with ADB Mission, and they showed their determination to expedite the implementation process to complete the implementation on schedule.

46. ADB Review Mission visited the sub-projects on 27-28 January 2019 and held all the Project Directors and the respective officials of the Executive Agencies like DPHE, LGED, RHD, and BREB. ADB Mission exchanged views on the ongoing implementation process and social safeguards issues of the sub-projects under the Emergency Assistance Project.

47. ADB Mid-term Review Mission, along with the Country Director, BRM, came to Cox's Bazar on 16 June 2019. The Mid-term Review Mission members visited the sub-projects locations on 16-18 June to see the progress of the implementation activities of the sub-projects. The Mission visited mainly Cyclone Centers, Food Distribution Centers, Mini Pipe Water System, and Bathing Facilities for women, Street Lights, Lightning Arresters, and RHD Access Roads (Cox's Bazar to Teknaf).

48. In the event of ADB Mission, all Executive Agencies put forwarded the progress before the RRRC on the ongoing civil works for the implementation of sub-projects under EAP.

H. Outputs of the Project

49. With a view to implementing the planned activities as per agreement between ADB and the government of Bangladesh, the following outputs will be achieved through implementing the Emergency Assistance Project by the respective executive agencies:

50. **Output 1: Institutional capacity strengthened.** The TA will focus on enhancing the project implementation capacity of government and implementing agencies by providing capacity building and resource support in (i) procurement; (ii) financial management and audit; (iii) project management; (iv) environmental and social safeguards, (v) disaster risk management and climate resilience; and (vi) gender empowerment and social inclusion. In addition to a full-time financial management consultant, ADB staff will provide capacity support to project implementation unit staff on ADB's financial management requirements and disbursement guidelines to ensure robustness and transparency. A project liaison office in Cox's bazaar has already been established to coordinate and facilitate subproject development, implementation, and monitoring. The TA will support the government's RRRC and the liaison office on logistics, including vehicles, office equipment, and capacity building.

51. **Output 2: Planning, design, and implementation of the proposed subprojects supported.** The TA will mobilize adequate national consultants to help executive agencies to overcome their capacity constraints and low readiness on subproject selection, technical and safeguard due diligence, design, procurement, and contract management. TA consultants for each sector will support (i) the preparation of development project proforma, technical assistance project proforma including technical and economic due diligence and bid documents; and (ii) bid evaluation. Similarly, project implementation units will be reinforced with consultants to help with construction supervision, safeguard application, sound application of communication strategy, gender equity, social inclusion action plan, and reporting. In addition, pilot testing of the project approach will be supported.

52. **Output 3: Effective monitoring and evaluation established.** A well-functioning project monitoring and management information system will be established in four project implementation 3 units and their district counterparts to monitor progress on procurement, quality of equipment and civil works, contract management, implementation, fund flows, accounting, audit, and reporting functions. TA consultants will operationalize the system through a project liaison office in Cox's Bazar. Quarterly coordination meetings among ADB, RRRC, the local deputy commissioner, UN agencies, and development partners will be held at the liaison office.

I. Impact and Outcome of the Project

53. The project is aligned with the following impact: social recovery of displaced persons in Teknaf and Ukhiya camps accelerated. The project will have the following outcome: living conditions and the resilience of displaced persons improved (footnote 5). The project will directly benefit the lives of people in camps while indirectly co-benefitting host communities in some instances. ADB is cognizant of sensitivities and potential conflicts among and within affected communities. These will be addressed through a gender- and socially-inclusive approach, among others.

5. The project has the following four outcomes:

- (i) **Water supply and sanitation improved.** This consists of providing the camp areas with (i) mobile water carriers for the distribution of treated water; (ii) community bathing facilities for women; (iii) mini piped water supply systems with a production tube well, distribution pipe network, and standpipe water distribution points; (iv) an integrated waste management facility with collection system; and (v) small surface water treatment plants.
- (ii) **Disaster risk management strengthened.** This includes constructing in and around the camp areas (i) multipurpose cyclone shelters with emergency access roads, (ii) food distribution centers, (iii) hill slope protection, and/or toe walls to resist landslides, and (iv) storm water drainage networks. The project will also provide lightning arresters and support the preparation of gender-sensitive disaster risk management plans with a community-based disaster risk reduction approach.
- (iii) **Energy sources provided.** This includes providing the camp areas with (i) retained heat cookers, (ii) stand-alone solar-powered street lights with solar photovoltaic panels, battery boxes, and mini grid-connected street lights; and (iii) access to electricity by augmenting substations, distribution lines, and transformers.
- (iv) **Access roads improved.** This consists of rehabilitating (i) rural roads to connect to food storage and distribution centers, field hospitals, primary health care centers, and primary education centers; (ii) emergency access roads to the camp areas; and (iii) existing access roads to and within the camps and drainage systems. The project also supports resurfacing the road from Cox's Bazar to Teknaf, which is the main supply line.

6. **Subprojects.** ADB applied a sector lending approach in selecting an investment under each of the outputs. Within the JRP framework, ADB prioritized subprojects for development and implementation to optimize the available resources in close coordination with the government and development partners. Each subproject was subject to ADB's prior approval based on the following selection criteria:

- (i) direct impact on the lives of the international displaced persons in the camp areas,
- (ii) no or minimal land acquisition or acquisition of government land,
- (iii) compliance with ADB's safeguards requirements and no activities inside critical habitats and protected areas,
- (iv) no duplication of activities funded by other donors,
- (v) implementation period not extending beyond the project closing date, and
- (vi) inclusion of feedback from a beneficiary consultation process.

J. ADB Social Safeguards Requirements

54. As per ADB Safeguard Policy 2009, three safeguard policies involve a structured process of impact assessment, planning, and mitigation to address the adverse effects of projects throughout the project cycle. The safeguard policies require that (i) impacts are identified and assessed early in the project cycle; (ii) plans to avoid, minimize, mitigate, or compensate for the potential adverse impacts are developed and implemented; and (iii) affected people are informed and consulted during project preparation and implementation. In line with the ADB Social Safeguards Policy Statement (SPS), 2009, the safeguards requirements that displaced persons dealing with the lands in a project area could be of three types:

- Persons with formal legal rights to land lost in its entirety or in part;
- persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and
- Persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons.

K. Indigenous People Impact (IPP)

55. The Asian Development Bank (ADB) determines Indigenous people's rights to improve their livelihoods and development. In general, Indigenous people are being suffered and threatened due to their exiting social stratification that violates into areas they traditionally own, occupy, use, or view as an ancestral domain. Therefore, special efforts are required to engage Indigenous people in the planning process of development activities that affect them to fulfill their specific needs and aspirations.

56. ADB categorically outlines in the Safeguard Policy Statement (SPS) that a proposed project is assigned to one of the following categories depending on the significance of the potential impacts on Indigenous Peoples:

- Category A: A proposed project is classified as category A if it is likely to have significant impact on Indigenous Peoples. An Indigenous Peoples plan (IPP), including assessment of the social effects, is required.
- Category B: A proposed project is classified as category B if it is likely to have limited Indigenous Peoples impacts. An IPP, including assessment of the social impacts, is required.
- Category C: A proposed project is classified as category C if it is not expected to impact Indigenous Peoples. No further action is required.

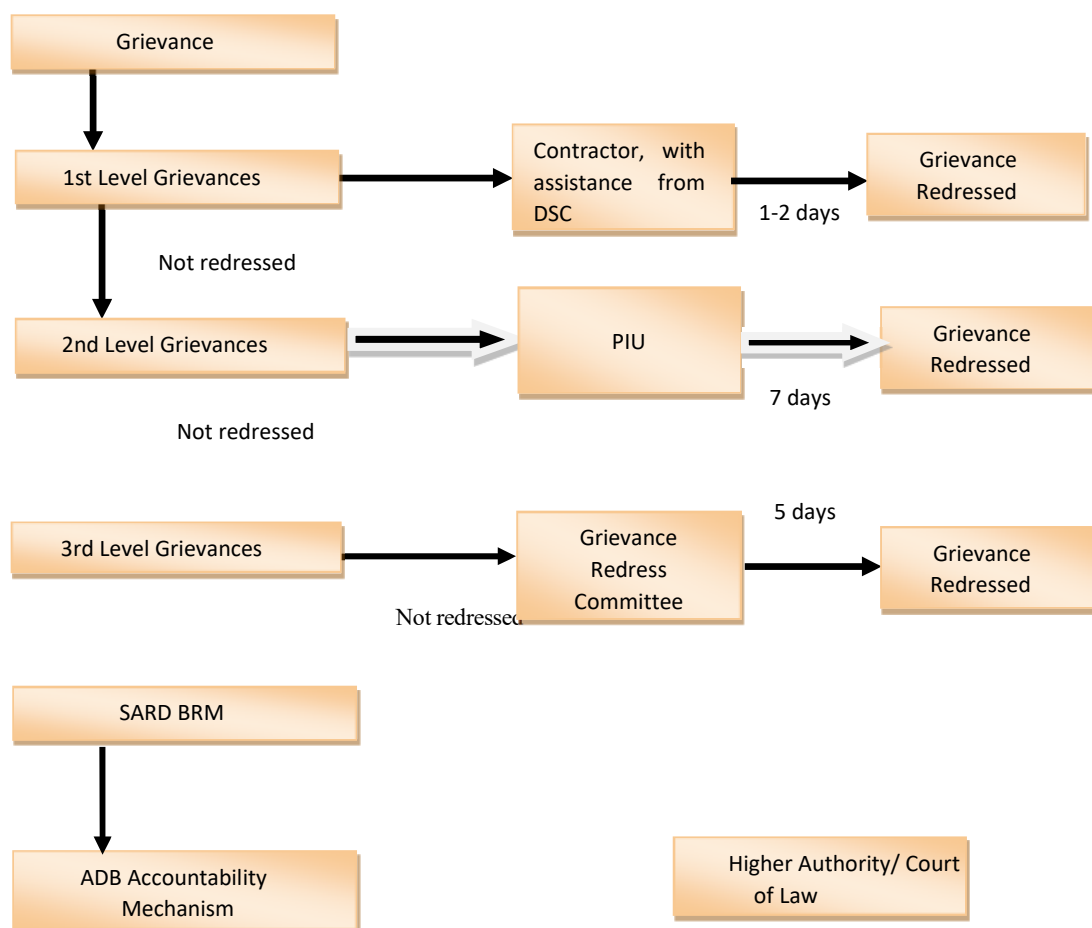
L. Grievance Redress Mechanism (GRM)

57. A Resettlement Framework (RF) for Emergency Assistance Project (EAP) was disclosed in June 2018 in which the GRM is outlined in details.

58. The Grievance Redress Mechanism (GRM) is to resolve complaints as quickly as possible and at the local level through a process of conciliation; and, if that is not possible, to provide clear and transparent procedures for appeal. A well-defined grievance redress and resolution

mechanism is supposed to be established to resolve grievances and complaints in a timely and satisfactory manner. All affected persons will be made fully aware of the grievances redress procedures will be publicized through an effective public information campaign. During the implementation of the sub-projects, the Grievance Redress Committee (GRC) is essentially required to be formed at the Upazila level to District / National level by following by the approved Resettlement Framework. And, it will be done through discussion at all the respective levels of the executive Agencies like LGED, DPHE, RHD, and BREB. The following figure shows an example of the Grievance Redress Mechanism as per the Resettlement Framework for the EA.

Flow Chart 01: Grievance Redress Mechanism



Note: ADB = Asian Development Bank; BRM = Bangladesh Resident Mission; DSC = Design and Supervision Consultant; PIU = Project Implementing Unit; SARD = South Asia Regional Department.

All the respective Executive Agencies are required to form GRM at the sub-projects level in which any affected persons can address grievances to resolve it through a transparent process.

M. Scope of social Safeguards Activities

59. In accordance with the ADB SPS 2009, it is required to strengthen coordination among the project stakeholders to enhance identification and fast track implementation of resettlement and social safeguards measures. Mobilization of the Social Safeguards Specialist was done on 18 September 2018, and ADB supported Executive/Implementing agencies (EA/IAs) and their Project Implementation Units (PIUs) in screening projects for Involuntary Resettlement (IR) and Indigenous Peoples (IP) impacts in accordance with categorization based on SPS 2009. The screening should ensure compliance with the subproject selection criteria, frameworks, and SPS. Screening by the EAs/IAs will be verified by the TA Consultant, after which the EA/IAs will include these in monitoring reports provided to ADB (BRM). Where screening compliant with the subproject selection criteria shows non-significant IR impacts (Category B), the TA Consultant, will guide the EA/IAs in the preparation of a resettlement plan (RP) for approved subprojects. The Specialist will review the RP, ensuring compliance with ADB's Safeguards Policy Statement, 2009 (SPS) for involuntary resettlement safeguards, the resettlement framework, and national laws and regulations. The reviewed RPs will then be sent to ADB (BRM) for concurrence. The Specialist will guide the EA/IA in incorporating safeguards planning in bidding documents. The Specialist will monitor safeguards implementation in ensuring compliance with the safeguards plans and frameworks, SPS, loan agreement, and national laws and regulations. The Specialist will guide EAs/IAs in conducting monitoring, conduct verification of monitoring reports—and provide reviewed reports to ADB.

60. Social safeguards: The social safeguards consultant is required to monitor the activities of both actual and sample subproject sites by visiting camps in Ukhiya and Teknaf to identify the anticipated impacts of the subprojects, which will mostly be improving the existing facilities such as the RHD and LGED road components.

N. The obligation of the Brower / EA for Social Safeguards

61. EA/IAs are required to consult with the local community, refugees (who live in the camps area), traders who are found in conducting business beside the access roads, in order to disseminate the information immediately before the civil works of sub-projects are started. Finally, the Executive Agency will have to ensure that social safeguards issues are taken into account and determined before and during the implementation of sub-projects for which following points are to be brought in to the surface:

- Need to fulfill the minimum Right-of-Way (ROW) requirement to avoid land acquisition and Involuntary Resettlement (IR) impacts in case of access roads under the respective Executive Agency
- Avoid acquisition of land and involuntary resettlement through alignment shifts, and modifications in cross-sections.
- Ensure that meaningful consultations are conducted with the community living in the Right of Way at the time of cross-sections survey / preliminary design stage that help make the public aware of the project and obtain necessary information from the public/ community to be incorporated into road designs.
- Ensure that consultations are conducted with the individuals or community and obtain their written agreements in case of requirement; the needs of shifting temporary structures on

the Govt. land will be discussed in advance during consultations at a different level. If the community agrees for voluntary shifting of the temporary movable structure without compulsion, this part should be well documented by the EA.

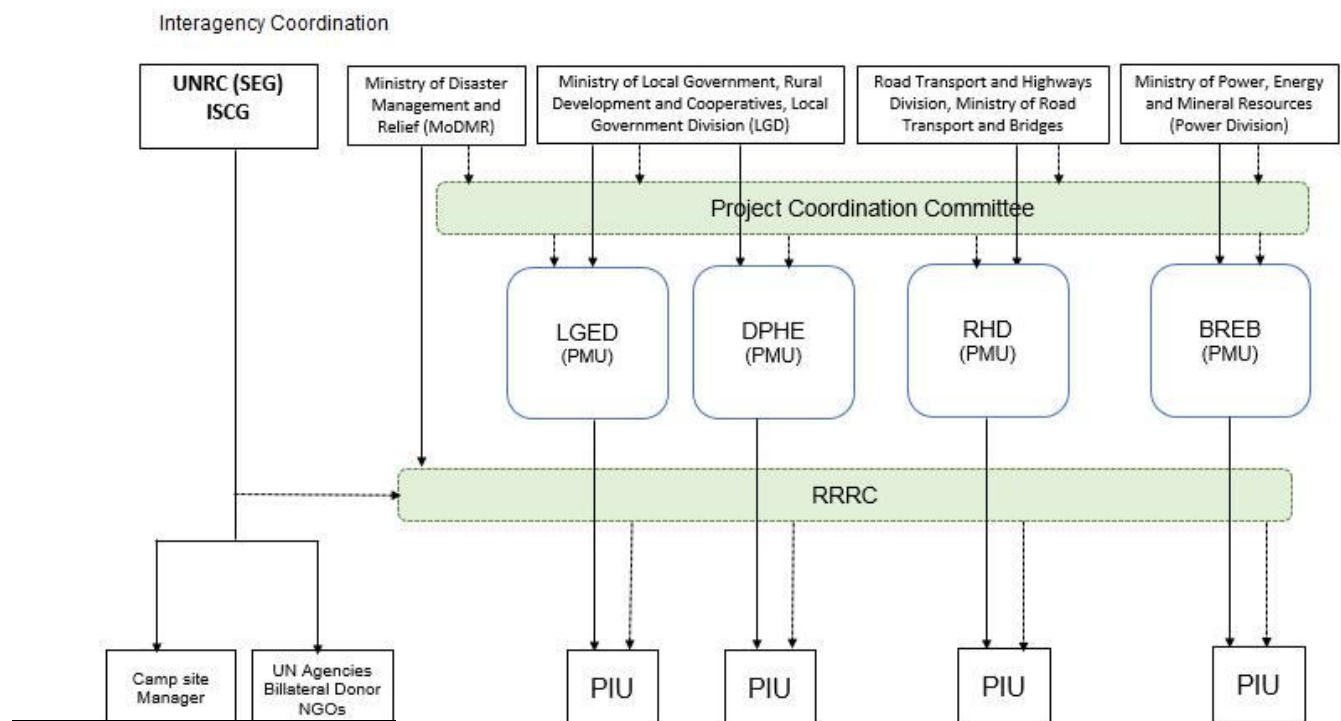
- In case of requiring private lands, an amicable/ negotiated lease agreement with the landowners must be completed before commencing the construction of sub-projects.
- In the case of Access Road under RHD, it is required to bring attention to the affected vendors / small shop-keepers, which have been trading besides the road, for paying compensation to them. Moreover, RP revised also required based on changing the scope of works.
- Permission/ NOC is required for using lands that are owned by the government / Department of the Forest or other government agencies by maintaining appropriate procedures of the Govt.
- In dealing with the agreed Framework of the EAP, ensure that a Grievance Redress Mechanism (GRM) is in place to address any grievance by the affected community/ settlers.

O. Submission of Due Diligence Report

62. As per project framework agreement, Due Diligence Reports (DDR) for all sub-projects under category C were submitted to ADB that prepared by the TA consultant with the assistance of the Executive Agencies like DPHE, LGED and BREB.

P. Project Organizational Structure

Figure 1: Project Organization Structure⁵



⁵ Project Administrative Manual (PAM) for EAP, ADB, 2018

Q. Project Management Arrangements⁶

Project Implementation Organizations: Roles and Responsibilities

Project Implementation Organizations	Management Roles and Responsibilities
Ministry of Finance, Economic Relations Division	<ul style="list-style-type: none"> • Will enter into the grant agreement with ADB;
Ministry of Disaster Management and Relief	<ul style="list-style-type: none"> • Facilitate establishing a project coordination committee and provide guidance and supervision of project activities; • Conduct quarterly meetings to review project progress; • Review progress reports from all implementing agencies; • Oversight for overall implementation of project.
<p>Executing and implementing Agencies</p> <p>1) Local Government Engineering Department (LGED); Local Government Division; Ministry of Local Government, Rural Development and Co-operatives</p> <p>[Output 2 and Output 4]</p> <p>2) Roads and Highway Department (RHD); Road Transport and Highways Division; Ministry of Road Transport and Bridges</p>	<ul style="list-style-type: none"> • Establish project implementation unit (PIU) headed by a project director; provision of the procurement staff for the efficient operation of the project management unit (PMU); • Provide operational support and budget for project activities and PMU's activities; • Higher level coordination with government and partner agencies for successful implementation of the project; • Safeguards implementation; • Monitoring and evaluation of project activities and outputs including periodic review;

⁶ Project Administrative Manual (PAM) for EAP, ADB, 2018

<p>[Output 4]</p> <p>3) Bangladesh Rural Electrification Board (BREB); Power Division; Ministry of Power, Energy and Mineral Resources [Output 3]</p> <p>4) Department of Public Health Engineering (DPHE); Local Government Division; Ministry of Local Government, Rural Development and Co-operatives [Output 1]</p>	<ul style="list-style-type: none"> • Dissemination of project activities and outputs; • Quality assurance of project outputs; • Provide progress reports to the coordination committee; • Provide quarterly project progress, annual audit reports and others as required; • Undertake day-to-day implementation activities; • Supervise project management and construction supervision consultants and safeguards consultants; • Prepare bid documents, manage the bidding process, submit to ADB for required clearances; • Implement the project design, procurement, and safeguards Implementation activities.
<p>Project Coordination Committee</p>	<ul style="list-style-type: none"> • Meets once every month; • Provide all necessary guidance to expedite project development and Implementation.
<p>Refugees Relief and Repatriation Commission (RRRC)</p>	<ul style="list-style-type: none"> • Acts as a nodal agency for coordination at the project site; • Provide all necessary coordination among the stakeholders for smooth project implementation.
<p>ADB</p>	<ul style="list-style-type: none"> • Undertake regular project reviews and facilitate in implementation of the project including the compliance by the executing and implementing agencies of obligations and responsibilities.

Source: Asian Development Bank.

R. Sub-projects under DPHE: Social Safeguards Impact

63. DPHE has been authorized to implement different subprojects projects under Emergency Assistance Project (EAP) dealing with the mini water supply, women bathing facilities, surface water treatment plant, solid waste management etc. Apart from the water treatment plant at Cox's Bazar, all sub-projects are identified as 'C' categorization since no IR impacts are found during the appraisal of the subprojects. DPHE used lands for implementing the subprojects mostly belong to the government, although a few private owned lands had also used for these purposes. In most cases, adverse social impacts were not observed for using the lands for the implementation of different sub-projects. Despite, adverse social/ Involuntary Resettlement (IR) impacts have been determined for implementing the surface water treatment plant at Cox's Bazar (DPHE/W11) where land acquisition is required as the sub-project is determined as 'B' categorization. In this case, about 2.125 acres of private lands have been acquired by DPHE by following the Land Acquisition Law of the Govt. in which nearly 25 landowners are affected due to land acquisition.

64. Moreover, about 45 non-title landowners are required to be displaced from their homesteads at Tankirpar close to the Cox's Bazar Pouroshova (Municipality) where the water reservoir is going be established in association with the water treatment plant. DPHE has partially conducted household surveys, although the assigned resettlement/ survey team could not perform the households' survey covering all the affected landowners. Even, affected non-title landowners, who established residence on the government land at Tankirpar, refused to provide interviews with the resettlement/ survey team assigned by DPHE. Finally, in September 2020, only 19 households, out of about 70 families, were covered in the resettlement team's survey.

65. The assigned ADB Individual Consultant /Social Safeguards Specialist had assisted the resettlement team in preparing the contents of the RP, questionnaire for households' survey and database table to expedite the RP preparation. In May 2021, DPHE has submitted draft RP to the ADB although it has been unexpectedly delayed. In receiving the draft RP, ADB reviewed immediately and commented on the draft RP as well as returned to DPHE to make appropriate initiatives for finalizing RP by resolving those comments received from ADB on the draft RP, However, the draft RP is yet to be completed to submit to ADB by June 2021.

66. Apart from the land acquisition, in case of using the land belongs to the government, DPHE is required to get permission from the government's respective department. DPHE was advised to obtain the government's approval to keep compliance with the policy in this connection. On the other hands, in case of land belongs to the private for which land acquisition is not required, DPHE was advised to take lease/ rent or negotiated settlement with the landowners to minimize any social conflicts in order to keep compliance with the agreed Framework between Govt. and ADB for the project (EAP).

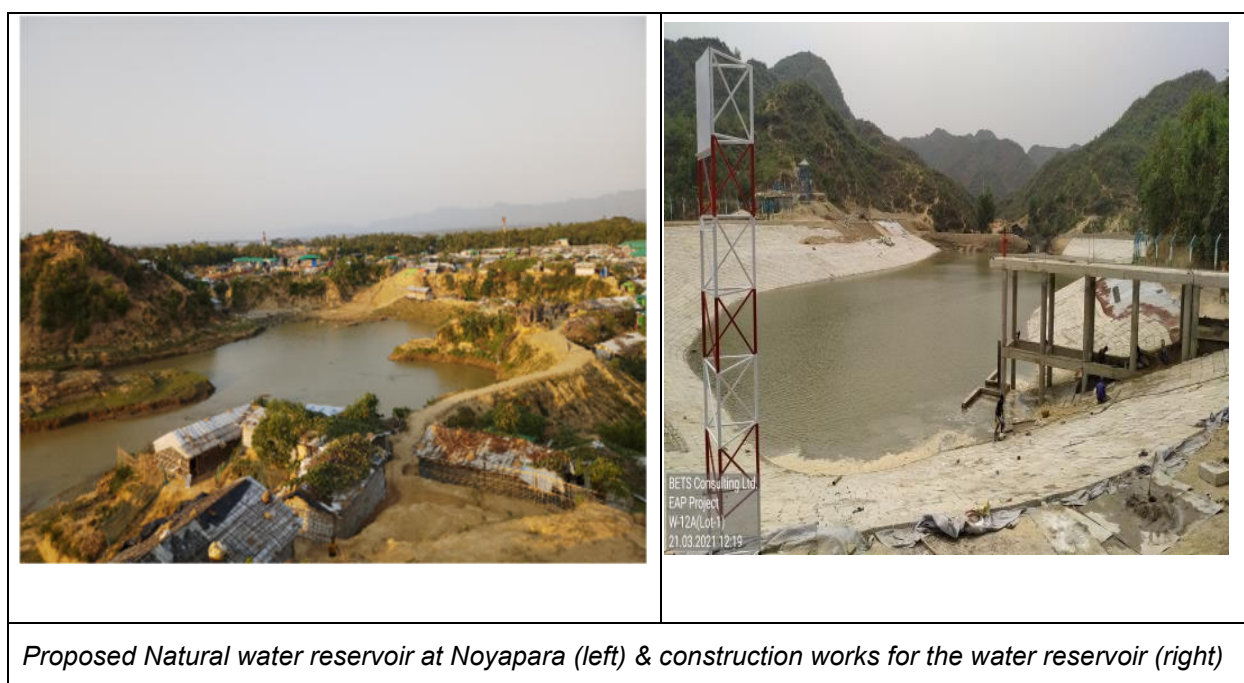
67. In most cases, the DPHE negotiated with the private landowners for using the land for the subprojects like solid waste management and surface water treatment plant at Noapara (DPHE/W/12A), camp 26, and surface water treatment plant at Kutupalong (DPHE/W/18). Despite, in case of keeping the evidence of record, DPHE is required to complete the negotiated contract in writing with the landowners which could not submitted to ADB.

The details discussions are pointed out for the implementation of the sub-projects undertaken by DPHE for the EAP:

Sub-project: Construction of surface water reservoir based piped water system at Nayapara, Teknaf, and DPHE/W/12A

68. In order to establish a surface water reservoir based piped water system, DPHE has identified a natural dam is called Shalbagan at Nayapara, which is closed to camp-26. As of December 2020, only 25% physical progress / construction works in the implementation phase has been done.

Outputs of the sub-project



69. The Potentiality of Shalbagan Reservoir: Shalbagan Reservoir is located at the upstream that very closed to the Noapara camp-26 from which presently drinking water is being supplied to the camp although it is not found sufficient in practice. The feasibility study indicates that the site is suitable for supplying drinking water in which about 80% of water within the reservoir is natural formed by surrounding hills, and a dike rising about 6 meters above the current topography. At the lower end of the site, there is a narrow opening where the water flows out.

70. As per the feasibility study on the Integrated Drinking Water Supply and Shalbagan Reservoir, DSS Water Mission, Jan 2019, the Shalbagan reservoir has the potentiality to contribute in supplying drinking water to the surrounding community directly to mitigate the demand of the safe water mainly, but it should be developed in the greater context of demands of the entire point.

71. It is observed that with the active initiation of UNCHR and Oxfam, presently, water is being supplied to the Rohingya refugees from the Shalbagan dam to the refugee camp in which water

is found available in the dam for about eight months. During the consultation with the refugees at the camp area, they apprised that they had been suffering for pure drinking water, especially children and women who are being affected by the water-borne diseases. Even they could not manage sufficient water for bathing regularly due to scarcity of water. They remain without bathing most of the days in a week that creates health hazards generally.

Social Safeguards Impact:

72. Dealing with the subproject, the civil construction works for Surface Water Reservoir based Piped Water System and the components are: (i) dam along with spillway and protection (ii) embankment (iii) slope protection (iv) access road and (v) automated gauging.

73. During the design, it was decided that the land belongs to the government would be used for implementing the subproject thus Involuntary Resettlement (IR) impacts could be avoided in this connection. In fact, no private land was required for this subproject; nevertheless, Rohingya refugees were required to relocate at the nearby location within the camp while the civil works were started around the natural dam along with spillway and protection.

74. The fact is that 60 -70 Rohingya families had built houses at the surrounding location of the proposed water reservoir of Shalbangan. Therefore, in order to avoid any adverse impacts, the refugees were relocated by the DPHE in consulting with the authority concerned like Camp in-charge, and also with the UNHCR before the implementation of the sub-project. All possible measures had been undertaken in this connection to avoid any adverse impacts on removing the houses of the respective refugees immediately before commencing the civil construction works.

75. Secondly, apart from the above surface water reservoir, a piece of land approximately 0.05 acre belongs to the department of forest of the Government was used for constructing the Water Treatment Plant Components which included following construction/installation of:

- Raw water intake station;
- Transmission pipeline;
- Pre-settlement tank;
- 2 nos. portable surface water treatment plant of capacity 100 m³/hr./each;
- Ground water tank;
- Elevated water tank and Tap stand



Sub-project: Pipe Water Systems for the Camps in Unchiprang, DPHE/12B:



The natural dam at Whykong, the source of water for the proposed treatment plant

76. DPHE identified the above-mentioned natural dam at Whykong to implement the subproject for supplying pipe-water to the Unchiprang camp. The construction of the civil works to implement the sub-project could not be completed by June 2021.

77. **Background of using the natural water:** The natural-water is found available in the lake very potential for the surrounding communities of the Whykong since water is used for the agricultural lands by the local farmers. They entirely depend on the water of the natural reservoir of Whykong for irrigation.

Outputs of the sub-project

The subproject deals with the construction and operation of surface water-based pipe water systems at Unchiprang, Teknaf. The components of the subproject are (i) dam along with spillway and protection (ii) intake (iii) raw water transmission main-10 km (iv) pre-settling basin (capacity: 4000 m³) – 2nos. (v) portable treatment plant (capacity: 100 m³/hr.) (vi) solar-powered portable treatment plant (capacity: 30 m³/hr.) (vii) groundwater reservoir (capacity: 10000 liter/no) – 10 nos. (viii) elevated water reservoir – 3 nos. (ix) HDPE pipe network for camp – 1 scheme (x) HDPE pipe network for host community – 1 scheme; and (xi) community tap stand – 100 nos].

78. Benefits of the sub-project was identified during the feasibility stage, which are:

- **Use of Natural Water:** The proposed water treatment plant will adopt an innovative layout plan and design to make full use of the natural water available at the lake at Whykong.
- **Optimize land use:** The proposed water treatment will adopt innovative plant layout and design without any adverse impacts on the existing irrigation land to make optimal use of the water for the refugee camps and also for the host communities.

- **Minimize social and environmental impact:** The proposed water treatment plant will be equipped with advanced technologies to ensure a friendly environmental impact by avoiding any adverse social and environmental impacts on the livelihoods of the surrounding communities.

Social Safeguards Impacts

79. At the design level, any adverse social impacts were not found at all. As per the decision of the DPHE, land belongs to the government will be used for the proposed water treatment plant thus, Involuntary Resettlement (IR) impacts are not found in case of implementing the facilities. As per design, the pipe water distribution network line of the subproject is required to establish from the Natural Dam, the main source of water, (picture is reflected in the earlier page) to the water treatment plant at Unchiprang by crossing over the vast area of the private irrigation project/croplands. As a result, croplands under the ongoing irrigation project managed by the local farming community were supposed to be affected during the construction works.

80. It was assumed in the beginning of the consultation with the local irrigation/ croplands committee, the existing private irrigation management system and croplands would be affected by installing the treatment plant's pipe water distribution system. DPHE started consultations with the communities dealing with the irrigation project and owners of croplands and assured that if any temporary impacts on the croplands/ irrigation field are observed, DPHE would consider making an amicable solution. Farmers/ local host communities were finally assured by the DPHE that they would get access to irrigation water continuously without any obstacle by the implementation and operation of the subproject.



Irrigation Water is supplied from the above-mentioned natural dam at Whykong to the croplands. The crop lands were not affected during the implementation of the sub-project for which appropriate measures were taken.



The vast irrigation channel prepared by the farming groups in front of the natural dam at Whykong. The picture was taken during the irrigation season on 23 December 2020.

81. The assigned contractor was instructed by DPHE to mitigate any accidental damage during civil construction works.

82. Apart from the pipe-water distribution channel, DPHE identified one small land at the adjacent of Unchiprang camp for installing Water Treatment Plant under this subproject. The identified land plot about 5-10 decimals belongs to the government occupied by the private owners. Therefore, DPHE was required to negotiate with the landowner before commencing the construction of the treatment plant on the proposed land which was settled amicably.



land before the construction



83. During the entire project period, TA Consultant physically visited the proposed sub-project and exchanged views with the local community on the impacts of the subproject. The local farmers apprised that they would be happy if the water treatment plant is made. However, the local community expects from the authority concerned for getting pure drinking water during the facility's operation phase, if DPHE supplies drinking water to the host communities commonly with the Rohingya refugees. Community concerns over the water treatment plant's intervention with a distribution channel that might be affected the croplands/ irrigation project has been resolved.

84. Despite having no involuntary resettlement impacts, the project authority (DPHE) was required to consider the following issues in line with the social safeguards policy for the implementation of the proposed water treatment plant at Whykong:

- The design of the proposed water treatment plant is required to consider the prevailing irrigation management system for which farmers will be able to use the water for irrigation throughout the year likely to the pre-project level.
- The project authority will make a Submersible dam during the implementation due to the additional water during the monsoon even incessant rainy days will overtop to the croplands for which farmers should be consulted/ trained how they will be able to use/efficiently manage the additional water.
- A drainage system will be made by the project authority at the appropriate point of the lake/dam to supply the necessary water to croplands; thus, farmers will get benefit in fulfilling the demand of the irrigation water like pre-project level.
- In any circumstances, farmers and the surrounding community should not be affected by the project during the operation. Any adverse impact may have happened during the project's civil construction works that cannot be presumed at the pre-project level, so an appropriate measure must be taken in consulting with the community or affected persons.
- Private lands should not be affected due to the construction of the water distribution channel from the treatment plant to the Rohingya refugee camps at Unchiprang/ Shamlapur. If, in any case, temporary lands are required that must be consulted and negotiated with the affected persons/ community to pay the compensation or any "amicable negotiation" with the affected persons, and that should be written and recorded.
- DPHE must keep continuous community consultation during the implementation, operation, and maintenance of the water treatment plant to avoid any unsolicited or adverse impacts.

DPHE ensured finally that the existing croplands were not affected in any circumstances by installing the pipe water distribution system of the treatment plant. DPHE and the assigned contractor had given attention to any temporary impacts on the croplands/ irrigation field during the civil construction works. And, DPHE consulted with the farmers for considering any amicable solution as no social conflicts or adverse social impacts were not observed in the construction phase.

Subproject: Surface Water Treatment Plant at Cox's Bazar, DPHE/W11

85. **Outputs of the subproject:** The Surface Water Treatment Plant (SWTP) will produce potable water for consumers through facilitating the water supply system. Potable water is commonly known as safe drinking-water that finds enough for drinking and food preparation. The treatment process typically consists of several steps which include: (i) Collection (ii) Screening and Straining (iii) Chemical Addition (iv) Coagulation and Flocculation (v) Sedimentation and Clarification (vi) Filtration (vii) Disinfection (viii) Storage (ix) and finally Distribution.

86. A Surface Water Treatment Plant of capacity 1000 m³/hr has been proposed to produce and supply potable water to the consumers in Cox's Bazar Town to mitigate growing water

demand in the city. The use of surface water for city water supply will bring benefits to reduce dependency on groundwater, a threat of salinity intrusion. The water supply intervention comprises of the following main components for Cox's Bazar City:

- **Water Intake:** A Water Intake proposed to be located on the left bank of Bakkhali River. It is about 200m far from TP site and about 150m ahead of the Rubber Dam in the upstream. The river intake will consist of a floating pontoon of a size of 3mx5m, two low lift pumps, a suction pipe, and a delivery pipe.
- **Pre-settling Basin:** The location of the proposed Pre-settling basin/impounding reservoir is at the scheme site along with SWTP. About 200 decimal lands have been acquired. The area and depth of the pre-settling basin is approximately 2700 sqm and 6.5m, respectively.

Surface Water Treatment Plant (SWTP): A Surface Water Treatment Plant of Capacity 1000 m³/hr along with office, Lab, Alum Storage Room, Cl₂ Storage Room, Cl₂ Dosing Room have been proposed to be implemented in scheme site.

- **Transmission Main:** About 6.5 km HDPE transmission pipe of diameter 630mm will be laid from TP to Over Ground Reservoir at Tankirpar in the City.
- **Over-ground Reservoir:** A RCC circular-shaped over the ground reservoir will be constructed on an elevated land (like a Tila) at Tankirpar. The level of Over-Ground Reservoir and Overhead Tanks will be arranged in such a way that the flow of water from Over Ground Reservoir to the overhead tanks located at different places in the Town may happen by gravity.
- **Distribution Main:** About 15 km HDPE pipeline of diameter 400 mm will be laid from Over Ground Reservoir to the OHTs for filling the OHTs by gravity from the Over-Ground Reservoir.
- **Overhead Tanks:** 4-OHTS of capacity 700 m³ each will be constructed at 4-different locations in the Town. The locations of the Tanks not yet finalized.

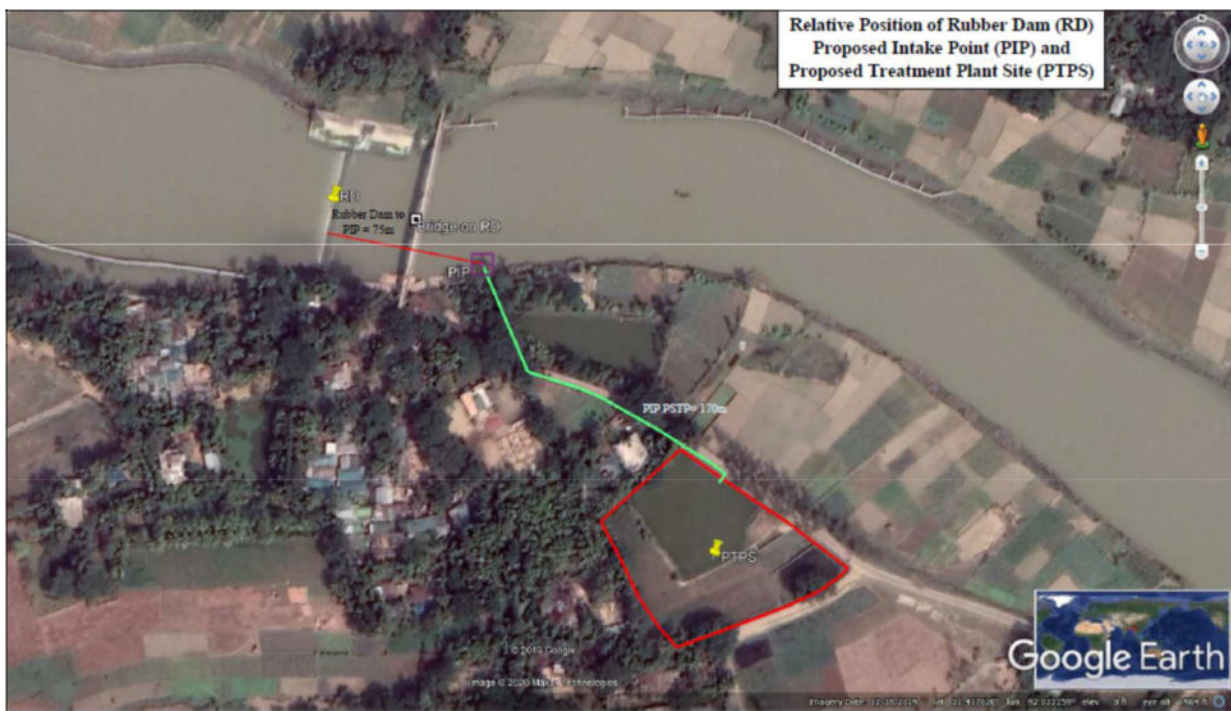
87. As per the design, a surface water treatment plant (SWTP) with the capacity of 1000 cum/hour will be constructed at Chanderpara under Jhilonjja Union Parishad in Cox's Bazar. In total, 1697sqm of land is required for the proposed water treatment plant.

88. Location of the proposed water Treatment Plant that will affect the community settlements/ residential houses along with the 2.125-acre lands at Jhilonjja UP. As of June 2021, on average only 15% to 35 % of civil constriction works has been completed for Lot-1 to Lot-5 of the water treatment plants (source: Dashboard Progress Report, June 2021, EAP, ADB)

Social Safeguards & Involuntary Resettlement Impacts:

89. With the growing demand for fulfilling the scarcity of water in the Cox's Bazar city and its surrounding, DPHE has planned to establish the proposed Surface Water Treatment Plant at the above location in Cox's Bazar. However, adverse social impacts are significantly high in dealing with the land acquisition of 2.125 acres owned by 25 landowners. DC office already paid the compensation to the affected landowners except a few, who have incurred with the ownership's documentation. Immediately receiving the LA notice, a few landowners filed a case in the District Judge Court on 21 January 2020 for imposing injunction against the LA case which is yet to resolve. Through the consultation with the landowners, it is known that the District Judge sent a Commission to investigate the matter.

90. The red mark is indicated for the location of the proposed Treatment Plant in which about 2.25 acres of land already acquired by the Govt. in this purpose.



91. **Adverse Impacts on the Non-titleholders:** In determining the Involuntary Resettlement impacts, the subproject has already been defined as 'B category'. Meanwhile, all process of the Land Acquisition has already been completed, and DC office paid compensation to the landowners in this connection. Despite, a few landowners filed a case against the acquisition with the district Judge Court, which is dealing with the documentation of ownership of the acquired land.

92. Apart from IR impacts dealing with land acquisition, about 45 non-titleholders will also be removed from their homesteads to establish Over-ground Reservoir at Tankirpar. The socioeconomic households survey for the preparation of the RP will be finally determined the Loss of Inventory of these affected non-titleholders.



The above pictures show the community settlements (Non-titleholders) living surrounding the proposed Overground Resourviour located at Tankirpar who will be displaced during the implementation of the sub-project

93. In line with the Policy Framework agreed between the Government of Bangladesh and ADB, full RP is required to assess the nature and extent of Involuntary Resettlement Impacts and to pay compensation to the affected persons.

94. DPHE has deployed a resettlement team under the supervision and management consultant, and the resettlement team conducted households' survey in September 2020. Before, conducting the households' survey in the sub-project area, the assigned TA Consultant of ADB had provided them with the Questionnaire and Database formatting table to insert the quantitative information derived from the households' survey. The ADB Consultant prepared the table of contents to prepare RP that provided the resettlement team to finalize the RP on time.

95. After the deployment at field of the resettlement team in September 2020, the assigned consulting team of DHPE could not conduct the complete households survey by covering all affected households/ families, who are owners of the acquired private lands (2.125 acres). Besides, about 45 Non-title landowners have been residing on the government land over the

decades. The non-title landowners, who are being displaced from their homesteads, has been residing at the proposed location of Over-ground Reservoir associated with the water treatment plant, had refused to provide interviews with the resettlement team. The local community at the Tankirpar with the support of the non-titleholders agitated against the proposed plan for the water reservoir tank at this location by displacing the non-title landowners. Despite the intervention of the City Mayor, finally, only 18 households were interviewed, 6 from landowners at Jilongja and the remaining 12 from the non-title landowners located at Tankirpar, Cox's Bazar. Therefore, Inventory of the Loss of Assets due to the implementation of the subproject will be remained incomplete if the RP is prepared by using the partial information.



The agitated community leaders at Tankirpar had refused the Resettlement Team to conduct households' survey in August 2020.

96. In dealing with the ADB Social Safeguards Policy Statements, 2009 and agreed Framework with the government, the DPHE is supposed to complete the Resettlement Plan (RP) before commencing the civil construction works by assessing the Loss of Inventory of the affected properties through households' survey for the affected persons, including non-title affected families. Moreover, a livelihood restoration program is also significantly necessary for the affected families, who will be displaced from their homesteads.

97. In May 2021, the resettlement consultant assigned by the DPHE submitted draft RP in which ADB has made few comments and advised to finalize the RP by incorporating all comments. Notwithstanding, the RP is yet to be finalized and approved as well as publish in the ADB's web portal.

98. At this point of discussion, in keeping compliance with the agreed policy framework, it is required to complete inclusive households survey by covering all affected households both title-

holders and non-title landowners to determine the Loss of Inventory and their socioeconomic profile, consequently, finalize the Resettlement Plan (RP) in keeping budget for the resettlement activities which is required to be submit to ADB for disclosure.

Subproject: Surface Water Treatment Plant at Ukhiya, DPHE/W18

99. **Outputs of the subproject:** The sub-project is named Construction of Piped Water Supply with surface water reservoirs, treatment plant, and other associated facilities at Ukhiya Upazila. Construction of Piped Water Supply with Surface Water Reservoirs, Treatment Plant and Other and Associated Facilities will be established at Palongkhali BGB Camp, Kutupalong, and Ukhiya. The subproject components are: (i) impounding reservoir including inlet culvert (ii) perimeter road around the impounding reservoir (iii) electrical sub-station (iv) barbed wire fencing around 50 acres scheme area (v) plantation around impounding reservoir. Besides, the following key components, along with others, have been planned to be included in the proposed surface water-based water treatment intervention under the mentioned sub-project⁷:

- I. Impounding Reservoir with Earthen Embankment;
- II. The road around the Impounding Reservoir;
- III. Pre-settling Tank;
- IV. Portable Water Treatment Plant;
- V. Transmission Main;
- VI. Distribution Pipeline for Refugee Camps;
- VII. Distribution Pipeline for Host Community;
- VIII. Electrical Sub-station;
- IX. Plantation;
- X. Barbed Wire Fencing

100. **Source of surface water:** The proposed sub-project is located adjacent to the Naf River and close to the border side of Myanmar. The subproject/water treatment plant will be established from 1.5 km of the Naf River in the west direction and approximately 10 km away from the Bay of Bengal. The site is located at 25 km away from the Marine drive road and connected to Shaymlapur-Whykong Road⁸.

101. The proposed land for setting up the surface water treatment plant is located at Anjumanpara village and adjacent to the Palongkhali BGB Camp under Palongkhali Union in Ukhiya Upazila. The proposed location is approximately 1.5 km far away from the right bank of Naf River. Ukhiya Rohingya Refugee Camps and Uhkiya Upazila Town are situated at 12 km and 15 km far from the proposed location in the north, respectively. The Palonkhali khal is flowing 0.5 km south and Palongkhali khal 1 km north of the land. The land is almost flat up to the right bank of Naf River in the west, which inundates at a depth of 1.5m every year during the monsoon. In the post-monsoon, it becomes almost dry except tidewater entry and exits twice a day from Naf River through a man-made channel. There are hills and mountains in the other three sides of the

⁷ Sub-project Technical Appraisal Report for EAP, BETS, May 2028

⁸Source: Consultant Report to DPHE, Grihayan Limited, March, 2019

land from which small Springs/Charas originate during monsoon, but most of them become dry during the dry season.

102. The proposed location of the land is closed to the availability of plenty of raw water from Naf River with an allowable limit of chloride content as per WHO Drinking Water Standard 2004. Moreover, two natural canals (Palongkhali & Phingkhali Khal) with sweet water flow from upstream hills may supplement during a shortage of water supply from Naf River due to salinity during the dry periods. Source: Sub-project Technical Appraisal Report for EAP, BETS, May 2020.

103. There is plenty of surface water found available in the Naf River throughout the year, which is closed to the proposed water treatment plant. The river water will be brought to the treatment plant that virtually can be refined for drinking water by removing the salinity. In addition, rainwater will also be harvested and preserved in this plant for fulfilling the demand of the local community and the Rohingya refugees. The natural rain-water is found available at least 4 months in the year as the Upazila is considered a heavily rain-fall region. These two sources of water (river-water & rainwater) will create an opportunity for fulfilling the demand for pure drinking through the proposed Water Treatment Plant and the Surface Reservoirs to be implemented by DPHE.

Social Safeguards Impact & Land Issues:

104. With a view to providing better facilities, the intervention in setting up the water treatment plant at Palongkhali with the high capacity of supplying water will help fulfill the demand of scarcity of water for the refugees and host communities. In line with the Safeguards Policy of ADB and as per agreed project framework, DPHE is required to ensure to avoid any adverse social and environmental impacts.

105. DPHE has taken lease of 50 acres land for a period of 20 years from the Waqf Estate in which about 500 acres of land is found available, and DPHE started implementation of required components associated with the treatment plant after signing the agreement with the one of the members of the Estate. All on a sudden, it was observed by the finding that two main rival groups within the Waqf estate have existed, which are Mr. Latif Anwar Chowdhury versus Sohel Mostafa Chowdhury, who also owners of the land among the 30 members. These two persons used local power politics and leaseholders to control the enter the land within the Wakf Estate. It is known that Sohel is a former '*Motoyali*' (CEO) of the estate, who was removed from his position by the Bangladesh Waqf Administrator in 2017. Waqf Administrator subsequently formed an interim committee to elect the next *Motoyali* but Sohel filed a writ petition to the High Court against the decision of the Wakf Administrator. However, the verdict is yet to be given on the writ case.

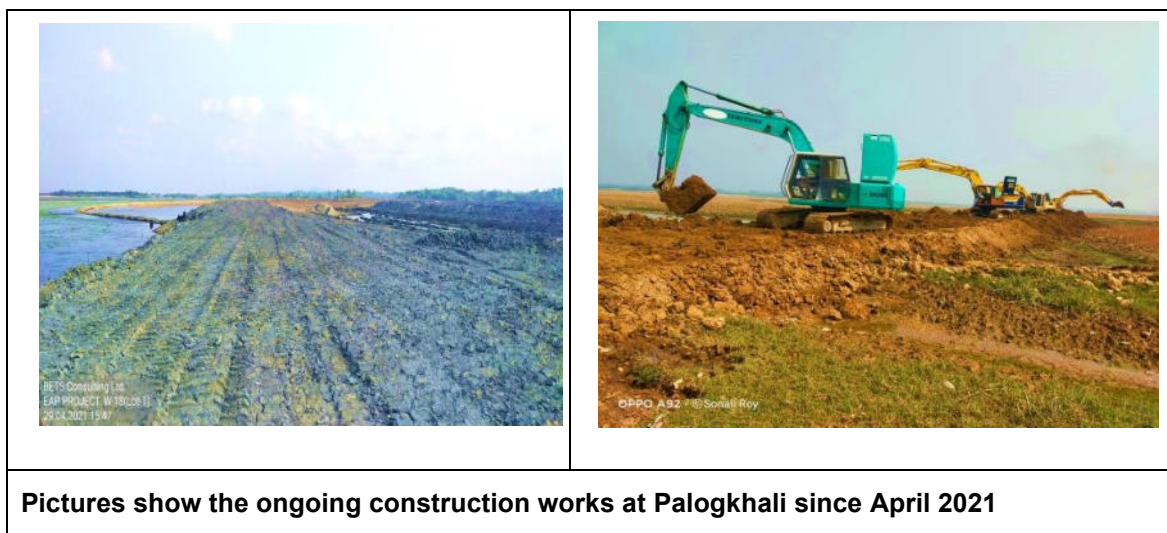
106. In the above-mentioned situation with respect to conflicts among the members of the Wakf Committee, civil construction works were stopped and assigned contractors were obstructed in which local elites and leaseholders, who had taken lease from the members of the Wakf Estate, involved in creating conflict situation. In these adverse social conflicts, DPHE filed a case against the miscreants those who obstructed the civil works.

107. As advised by ADB DPHE stopped construction works. Meanwhile, members of the wakf committee appealed to the ADB to resolve the matter in order to get the equal benefits from the long-term lease agreement between DPHE and the Wakf Estate. It is to be noted that the lease

agreement was done with the Latif Sharif as CEO of the Wakf Estate that was not agreed by the majority of the members of the Wakf Estate. In this situation, ADB deployed TA consultant to investigate the matter at the field level to determine the actual facts based on which an investigation report was finalized. Subsequently, the matter was resolved with the intervention of the ADB in involving all members of the Wakf Committee.



The picture shows the Land belongs to wakf estate at Palongkhali for which long-term lease agreement was performed by DPHE for the subproject.



Pictures show the ongoing construction works at Palogkhali since April 2021

108. **Community perception:** In consulting with the host / local communities, it was observed that the communities would be benefitted if the water treatment plant is made. They would be benefitted mainly for getting pure drinking water if the authority supplies drinking water to the local communities in common with Rohingya refugees. In spite of having no involuntary resettlement impacts primarily, the project authority (DPHE) was required to consider the following issues in line with the safeguards policy for the implementation of the proposed water treatment plant:

- Before commencing the civil construction works, DPHE will perform to make an Agreement with the private landowner's owners for obtaining land as per legal procedure, and a copy of the agreement provides to ADB for its record.

- The design of the proposed pipe water reservoirs and water treatment plant is required to consider the demand of the water for the surrounding communities along with refugees.
- Every family should get an equal opportunity to get pure drinking water and also other usages of water.
- DPHE is required to keep continuous community consultation during the implementation, operation, and maintenance of the water treatment plant to avoid any unsolicited or adverse impacts.

109. Finally, Indigenous People were not found at all living in the proposed sub-project area locations or camps thus possibility of affecting the indigenous people by the implementation of sub-project for the water treatment plant could be ruled out.

Subproject: Integrated waste management and resource recovery facility with a collection system at Shamlapur, DPHE/W10

110. The safe disposal of solid waste is critical for public health, which is significantly true during an emergency period. It will not only be disrupted the existing collection and disposal systems even there will also be extra waste causing the emergency itself. Initially, in the camps of displaced people or refugees and similar to new sites, there are no arrangements in place at all. If solid waste is not dealt with quickly, serious health risks will be developed, which will further demoralize the community already traumatized by the emergency.

111. Intervention in camp 13 for Solid Waste Management is designed for the beneficiary of about 20,820 population or 100% of population having a total solid waste management capacity of 2.5 tons per day (including recyclable waste) and dried fecal sludge of 1.5 tons per day.

112. Intervention in camp 4 for Solid Waste Management is designed for the beneficiary of 25,000 population or 78% of the population having a total solid waste management capacity of 3 tons per day (including recyclable waste) and dried fecal sludge of 1.75 tons per day.

113. Two locations have already been identified at the camp 4 and 13 in which lands belong to the government absolutely. However, DPHE is required to take the permission of the authority concerned of the Government to get access to the lands before commencing the construction works for the implementation of the sub-projects in order to obtain the land as per the procedure of the Govt. and the ADB safeguards policy.

Outputs of the Subprojects of Solid Waste Management

114. The construction and operation of Integrated waste management system at Shamlapur, Teknaf comprises of the different components are: (i) Integrated Settler (IST) with ABR (ii) Filter Drain (FD) (iii) Soak Pit (SP) (iv) Site Improvement and (v) Pipe Network & Inspection pit.

115. The sub-project in dealing with the construction and operation of integrated waste management and resource recovery facility with collection system at the Shaymlapur, Teknaf. As of June 2021, 100% civil construction works have already been performed. It is proposed to treat the black water from toilet blocks by providing a decentralized wastewater treatment system (DEWATS) based on the black water characterization data. This would contain an integrated

settler comprised of 2 settling chambers, then 3 baffled chambers, followed by a filter drain and soak pit.

Social Safeguards Impact:

116. In consulting with the DPHE, the Solid Waste Management Specialist identified the land for establishing the solid waste management facility at Shamlapur. The identified land belongs to the private ownership was determined before the construction of the sub-project, and immediately after identifying the land, DPHE negotiated with the landowners. The landowners were willing to provide their lands in exchanging money with a contractual agreement. However, during the design phase, the lands were remained empty as resettlement impacts not observed. In conclusion, DPHE is advised to provide the copy of agreement with the landowners to ADB for its documentation which is yet to be submitted.

Sub-project: Construction and operation of 2 Integrated waste management and resource recovery facilities with collection system at the outskirts of Kutupalong Balukhali Mega camp, Ukhiya Group-2, DPHE/W9A & Subproject: Construction and operation of Integrated waste management (Kutupalong Balukhali) Group-3, DPHE/W9B

117. In the contextual, it was estimated that since August 2017, about 702,160 Rohingya refugees arrived in Bangladesh's Cox's Bazar District from Myanmar. The unplanned and spontaneous nature of the post-August Rohingya refugee camps has combined with high population densities and challenging environmental conditions to produce a crisis with especially acute water, sanitation, and hygiene (WASH) needs. In particular, severe watery diarrhea and other water-borne diseases present a serious threat to an extremely vulnerable population already affected by high endemic rates of malnutrition. Under the leadership of the Public Health Engineering (DPHE) and co-chaired by UNICEF and Action Against Hunger, the Cox's Bazar WASH Sector is tasked with the coordination, oversight, monitoring, and strategic planning for all WASH aspects of the humanitarian response⁹.

118. **Outputs of the Subprojects:** Improved Water Supply & Sanitation: Integrated Waste Management and Resource Recovery Facility (DPHE/ 9A & 9B) :



⁹ Source: Water, Sanitation and Hygiene baseline assessment, REACH, April 2018

In considering the environmental challenging in line with water sanitation and hygiene, it is required to construct waste management facilities for the Rohingya refugees for which the following benefits will be brought from it:

- **Current Status of Intervention on SWM and FSM:** ADB has selected camp 23, camp 4, and camp 13 for intervention on solid waste management linked with fecal sludge management.
- **Intervention in camp 13 for SWM** is designed for the beneficiary of 20,820 population or 100% of the population having total solid waste management capacity of 2.5 tons per day (including recyclable waste) and dried fecal sludge of 1.5 tons per day
- **Intervention in camp 4 for SWM** is designed for the beneficiary of 25,000 population or 78% of the population having a total solid waste management capacity of 3 tons per day (including recyclable waste) and dried fecal sludge of 1.75 tons per day.

119. As of June 2021, civil construction works for the integrated waste management (Kutupalong Balukhali) Group-3 under DPHE/W9B has been completed, whereas civil construction works for DPHE/ W9A is yet to be completed for which Lot-1 17% and Lot-2 69% have been completed as of June 2021 (source: Dashboard Monitoring Report, June 2021 EAP, ADB).

Social Safeguards Impact:

For the implementation of the above-mentioned subproject, one open space land belongs to the government was used for the construction works, therefore any adverse social or Involuntary Resettlement impacts were not observed during the physical works. In this point of discussion, DPHE is advised to take permission from the authority concerned of the government in this connection for maintaining the incompliance with the laws and policy, and the copy of the permission is required to submit to ADB for its documentation.

Subproject: Improved Water Supply & Sanitation: Construction of Community Bathing Facilities (DPHE/W13, W14 & W15)

120. With the permission of the authority concerned like RRRC, DPHE has used lands belong to the government for the construction of the bathing facilities as private-owned lands were not required for the construction in this connection. As per the planned schedule, DPHE started constructing 500 bathing facilities for women in early 2019. Meanwhile, 100% of the civil works have already been performed, which are being under operation phase fully.

Outputs and Impacts of the sub-project



121. Positive impacts have already been reflected due to creating safe bathing facilities for refugee women who did not have any safe bathing in the beginning; as a result, they had been suffering since started living in the camps. Due to the installation of bathing facilities, women will get the following facilities:

- The scope of access to bathing facilities exclusively for women will bring healthy and safe living conditions in the camp area.
- The bathing facility absolutely for women is ensured socially protected living condition and keeps them safe from the sexual harassment and gender violation that are being prevailed in the camps area.
- The common bathing system for men and women creates a risk of sexual harassment to the women, mainly innocent adolescent girls who remain unsafe at the time of bathing, and presently they get rid of sexual harassment.
- During the implementation, the sub-projects activities in dealing with the construction work for bathing facilities had created the income generation of the refugees while they were employed by the contractors as an unskilled day laborer.

122. Women have been started using the bathing facilities since 2019 within the different refugee camps constructed by the DPHE under EAP. At the point of discussion on the benefits of the bathing facilities for women, they apprised that construction of the bathing facilities for women is giving remarkable benefits exclusively since men are not getting access to this facility. As a result, women can feel safe at the time of using the bathing facilities. However, the formation of water users/ bathing committees is required for using the facilities friendly / amiably among the refugee communities during the operation phase, and DPHE will take steps in this connection consulting the respective Camp in charge.

Social Safeguards Impacts

123. No adverse social or Involuntary Resettlement (IR) impacts are observed during the implementation of the sub-projects since the sub-projects dealing with the bathing facilities were being established on the lands belong to the government. Moreover, DPHE carefully avoided IR impacts during the survey/design stage of the sub-project, and before construction of the bathing

facilities, DPHE avoided negative/ adverse impacts by emphasizing on the issues relating to social safeguards.

Sub-project: Ground water-based mini pipe water supply system (DPHE/EAP/W1, W3, W4 & W5, 4 packages)



124. With the TA support of ADB, DPHE started installed 40 mini piped water supply system with Production Tube Well to mitigate the longstanding water crisis of the refugees living in the Kutupalong and Balukhali mega camps. As of June 2021, DPHE has completed 100% of the construction works and installation of mini piped successfully.

Outputs of the sub-project

125. The consultant physically visited the proposed sub-project's locations along with the officials concerned of the Executive Agency (DPHE), and exchanged views with the Rohingya refugees on the proposed sub-projects for the improved water facility dealing with the mini pipe water supply system.

126. While exchanging views with the beneficiaries (refugees) in the mega camps, the refugees opined that the newly established water supply system was being functioned. Consequently, they had started mitigating the crisis of water for which they are delighted to see the remaining works in this connection. They are expecting more construction activities of the DPHE for installing a mini piped water supply system in order to supply enough water for drinking, bathing, cooking, and other necessary uses.



The completed safe water facility is seen in operation at the Kutuplang Reg. Camp location.

127. In consequence of the installation of the Mini Pipe water supply system, the following outputs are being facilitated:

- It helps improve the healthy living by mitigating the crisis of water for different purposes for the Rohingya refugees.
- It facilitates enough pure drinking water supply to keep them safe from the water-borne diseases.
- The supply of sufficient water facilitates the women and children for bathing facilities as well as enjoying a healthy living for which they have been suffering since long.
- During the implementation, the sub-projects activities in dealing with the construction work for a mini pipe water distribution system had created income generation for the refugees while they were employed by the contractors as an unskilled laborer.

Social Safeguards Impacts:

128. The sub-project for Mini Piped Water Systems constructed on the lands belong to the government as private lands were not required for the acquisition or negotiated a settlement during the implementation. In fact, water pumps and tanks had installed in the open space of the Government's lands for which no private lands were affected. Therefore, no Involuntary Resettlement (IR) impacts were observed during the implementation of these facilities. In this point of discussion, DPHE is advised to take permission from the authority concerned of the government in this connection for maintaining the incompliance with the laws and policy, and the copy of the permission is required to submit to ADB for its documentation.

S. Sub-projects under LGED: Social Safeguards Impact

Output: Access Roads Improved



129. **Requirement for Access Roads:** in the emerge of the Emergency Assistance Project, LGED implemented the sub subprojects for the Improvement of the access roads financed by the ADB. These Access Roads are very significant for these vicinities where a vast majority of the Rohingya refugees have been living in the different camps, which are existed in and around under Ukhia and Teknaf. The access roads towards the refugee camps are found significantly narrow, congested, and heavily overburdened due to an increase in traffic for providing needful support and supply relief materials to the refugee camps. It is evident that the Average Daily Traffic (ADT) in the major road from Cox's Bazar to Teknaf has increased since August 2017 owing to the increasing traffic movement of relief supplies and personnel. Traffic jams are frequently observed remaining for several hours. Marketplaces are overcrowded along the road with high pedestrian traffic. Within the camps, the mud roads have skipped up, which are very narrow and get washed away with heavy rains. It is difficult supplying emergency services to the Rohingya refugees living

in the camps for which it is required for widening and brick-lining. Therefore, improvement of the existing earthen/HBB road is required for removing the traffic congestion along with the road network towards the Rohingya camps from the main highways. Moreover, some proposed access roads are not accessible to the camps due to disrupting and remoteness within the hilly areas which will be improved in connecting to the Marine Drive by implementing the subprojects for access road by LGED under EAP, eventually it will help in improving traffic jams towards the Rohingya camps. It will also provide better access to the surrounding communities in terms of economic activities. The Access Roads under the implementation are:

Improvement of 1.5 km existing Folia Para road connecting Highway to U-B Road Ukhiya+ Up gradation of 5.5 km existing N.I. Chowdhury Road Connecting Marine Drive to U-B road under LGED/W3 and up-gradation of existing 8.8 km link road connecting Cox's Bazar-Teknaf and Marine Drive Highways, Ukhiya under LGED/W5, Improvement of 7.5 km internal roads with drainage facilities. LGED/W1 (Group-1 & 2).

Up-gradation of existing 9.2 km link road connecting Cox's Bazar-Teknaf and Marine Drive Highways. Improvement of R & H Palongkhali Bazar Marine Drive Road by BC at CH-00-9145m under Ukhiya Upazila District -Cox's Bazar. (Road ID 422944013), Package no. EAP/LGED/OCB-N/W5.

Outputs of the sub-projects

130. The significant outputs of improving the Access Roads in a nutshell are:

- Improvement of the access roads facilitates the vehicle for carrying the commodities, and foods for the Rohingya community easily.
- It will save times during movement due to reducing traffic obstacles that help in supplying of foods and other commodities to the refugee on time
- The new traffic control system and signals will facilitate the safe movement of the pedestrians, mainly old and children who frequently meet accidents during the crossing roads.
- Improvement of access roads will connect to food storage centers, food distribution centers, field hospitals, primary health care centers, cyclone shelters, and primary education centers

Involuntary Resettlement Impacts of the road sub-projects under LGED:

131. Civil construction works were done by LGED for the improvement of sub-projects in the different packages. The sub-projects dealing with the construction of Access Roads will improve the existing earthen/HBB road network for which additional lands were not required for the acquisition or negotiated settlement during the implementation. LGED opined that the existing roads were covered by the government lands that observed 2-3 meter wide in an average, and LGED paved 3.7 meters under EAP. It was confirmed by the respective Upazila officials of LGED that any other properties like shops and houses were not affected during the rehabilitation works as no adverse social impact was observed within the right of way in dealing with the lands or other properties.

132. LGED carefully avoided the involuntary resettlement impacts during the design and planning stage for the improvement of Access Roads in which private lands and properties belong to the local people could not be affected. In most cases, government lands were found available which was used during the construction works.



133. **Construction of internal roads and stairs with drainage facilities:** Improvement of the internal roads with drainage facilities within the camp areas is essentially required. LGED had designed for internal roads under the packages of EAP/LGED/ 1A, 1B, 2A & 2B in order to improve the internal roads and creating drainage facilities within the refugee camps of Ukhiya and Teknaf for which civil construction works has been completed.

Social Safeguards Impacts

Land belongs to the government used for the implementation of these sub-projects dealing with the storm drainage networks, creating for internal roads and drainage facilities for which LGED took permission from the authority concerned. However, during the survey subsequent to design, it was observed that Rohingya refugees, who were residing in the proposed locations, would have to be relocated before commencing the civil works of the improvement of internal roads. Finally, LGED with the assistance of the UNCHR and taking permission from the respective agency like Camp-in Charge (CIC) had relocated them (refugees) at the appropriate places before commencing the civil works in this connection. Thus, any adverse social impacts were not observed in case of relocation of the refugees.

Hill Slope Protection and Storm Drainage Water Drainage Network:

134. In the beginning a significant issue was raised for which relocation was required for the substantial numbers of refugees who settled on the top of the hills, which are sandy soils in nature, and hills' slope is not strong enough to sustain against the landslides or any natural disaster. With this situation, the necessity of the construction of the Hill Slope Protection has come to the concerned authority of the Government of Bangladesh and also its development partners like ADB after the settlement of millions of Rohingya refugees on top of the hilly areas. And, this vulnerable settlement of the refugees on top of the hilly area may be a serious disaster and environmental threat due to high intensity and more frequent rainstorms for which it is required stringent control measures immediately.

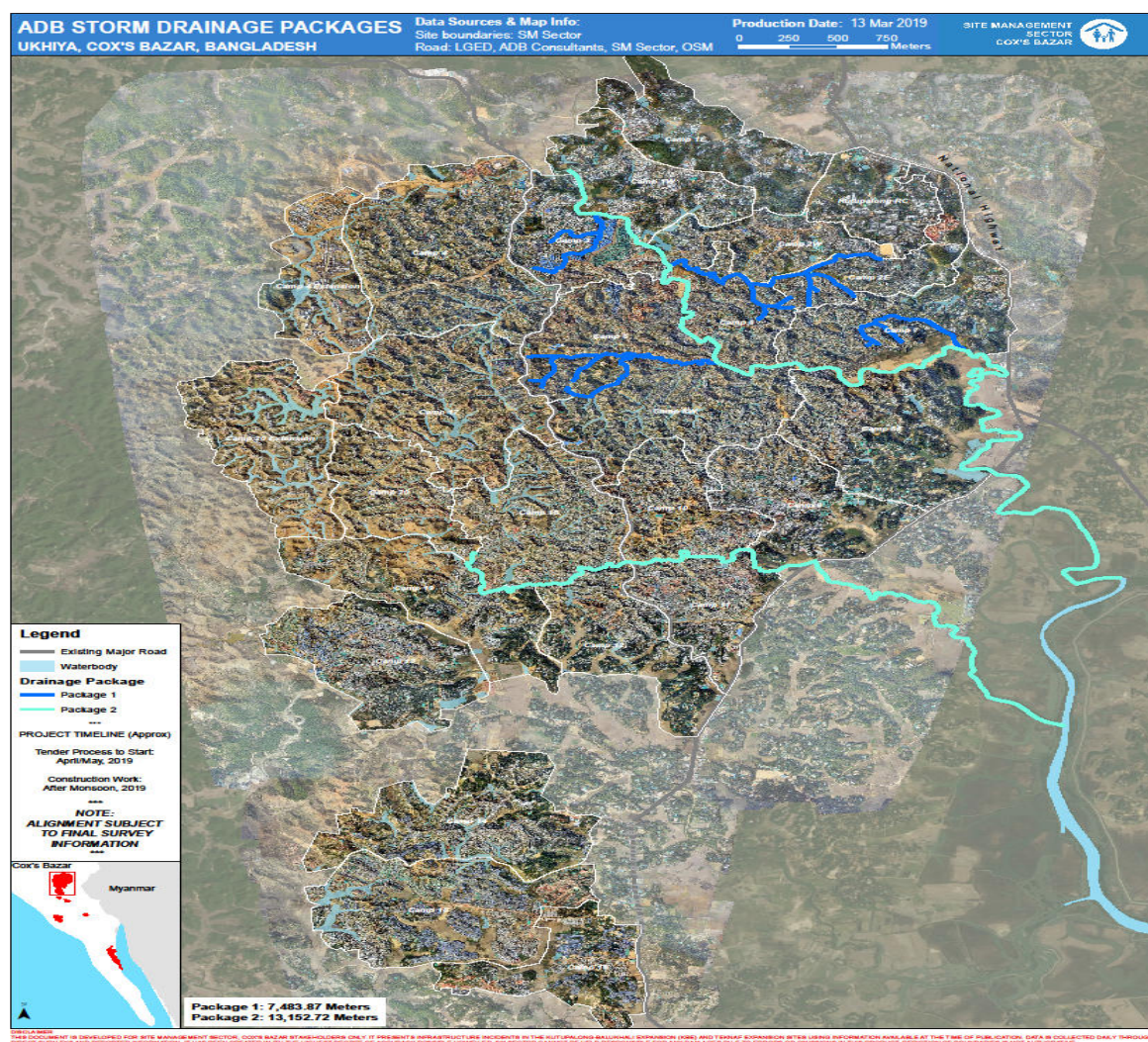
135. In this situation on the environmental threat, appropriate planning and achieving sustainable development are significantly required in dealing with the drainage, flash flood, erosion and sediment, and slope stability management. In the case of some residential areas or settlements in hilly areas, refugees have been living in a vulnerable situation due to lack of slope protection that will be threatened their lives if any landslides are occurred during the heavy rainfall apart from other practices of a natural disaster. Bangladesh is, to some extent, subject to high intensity and more frequent rainstorms than other developing countries, which requires more severe control measures, either structural and/or non-structural, in order to resolve problems.

136. In the beginning of the design stage LGED planned and designed the sub-projects for Hill Slope Protection Works inside the Kutupalong Balukhali in Ukhiya for protecting the Rohingya refugees from any natural disaster or calamities for which civil works being continued.

137. In avoiding the any disaster, furthermore, the PMU decided to change the scope of work a bit and protect the hill toe rather than protecting and stabilizing the hill slope, because stabilizing hill slope needs lots of houses to be demolished and relocated to safe place, which was time consuming and might not be possible in the perspective of considering the relocation issues. The DMS consultants had prepared Design and Estimate for two packages and sent to PD for approval. Finally, due to unavoidable circumstances, tender for only 01 (One) package has been approved; accordingly, the contractor had started the work. The package number is EAP/LGED/OCB- N/W10, mentioned in the Monthly Report of November 2020 submitted to ADB by LGED.

138. **Relocation Impacts:** It was required a substantial number of Refugees for relocation before commencing the construction works for Hill Slope Protection for which assistance from the UNCHR was required, along with the permission of the government authority concerned (Camp in Charge). Finally, as per new scope of works, LGED performed civil constriction works for Hill Slope Protection for which relocation of the respective refugees was done properly with the active initiation of the respective authority and UNHCR. In addition, LGED took permission from the government for using the government lands (hills) for implementing the sub-project. Thus, any adverse social impacts were not observed in case of implementing the Hill Slope Protection.

Subproject: Storm Drainage Network:



The above map shows the alignments of the storm drainage networks

139. In view of improving the drainage congestion, LGED planned for the construction of Storm Water Drainage Network inside camps and evacuating water outside camps in Ukhiya and Teknaf. This component is interlinking with the Hill Slope Protection. Storm water drainage construction was done alongside the Hill slope Protection sites. The necessity of the construction of the Storm Water Drainage Networks was come to the concerned authority of the Government of Bangladesh and also its development partners like ADB after the settlement of millions of Rohingya refugees on top of the hilly areas of Ukhaia and Taknaf. And this vulnerable settlement of the refugees on the hilly area would be a serious disaster and environmental threat due to high intensity and more frequent rainstorms for which it is required stringent control measures immediately.

140. Under package EAP/LGED/W1B, LGED had taken over the subprojects for internal roads and stairs with drainage facilities at Ukhiya Upazila which are covered by Balukhali Highway to

Camp-9 Hilly Road, Kutuppalong link road, Jamtoli field learning center- Baggona road, Mosque Road via Nauka Bazar, and Talikhola to Mochorkhola road.

Outputs of the sub-projects



141. In considering the environmental threat, appropriate planning and achieving sustainable development are significantly required dealing with the drainage, flash flood, erosion and sediment, and slope stability management, and LGED had undertaken these sub-projects dealing with the improvement of the storm drainage network.

142. The above sub-project will improve the Storm Drainage Networks in order to save the Rohingya refugees from the disaster like the frequent rainstorm for which subprojects do not have to require any additional lands for acquisition or negotiated settlement during the implementation. Even any other adverse social safeguards impacts are not observed within the right of way.



Social Safeguards Impact:

143. The Construction of the sub-projects dealing with the internal road with drainage facilities and Storm Water Drainage Networks under the proposed subprojects is observed in positive impacts absolutely. During the civil construction works of the sub-project done by LGED, no adverse social impacts were found in this connection since the improvement works were done by using the government's land in taking permission from the authority concerned.

Sub-project: Food Distribution Center

144. LGED completed the construction activities of four food distribution centers that handed over to the WFP accordingly in the operation has been continued by the WFP. As per agreement with the ADB, seven Food Distribution Centers (E-voucher Assistance Outlet) were required to be constructed by the LGED at the different locations around the Rohingya camps; subsequently, WFP would operate these centers for distributing foods to the refugees. As per agreement, WFP was authorized to handover the lands and locations of the proposed 7 FDCs. Despite the fact, WFP could determine only 4 (four) locations, which were handed over to LGED for constructing the Food Distribution Centers. The civil works under LGED for establishing the Food Distribution Centers like Jamtoli, Maduchara 4-Extension, Camp-20, and Maduchara Camp-4 were being monitored by the WFP officials concerned in addition to management consultant to ensure the quality of the civil works as per agreed design.



Women are waiting for receiving foods at the center



Food Distribution Center at Muduchara-4

145. LGED had completed plan to start the remaining 3 (three) Food Distribution Centers for which design was also completed on schedule. However, WFP failed to provide available lands and the locations to LGED for constructing the remaining Food Distribution Centers.

146. **Social Safeguards Impacts:** All food distribution Centers were implemented on the land belongs to the government for which WFP took permission from the Government. Thus, any adverse social safeguards impacts were not observed during the construction of Food Distribution Centers.

Outputs: Disaster risk management strengthened

Sub-project: Cyclone Centers:

147. The need of Cyclone Centers: The frequent natural disaster like cyclone hits the Cox's Bazar, a coastal region of Bangladesh, which remains the people in a vulnerable situation at the time of cyclone happens in this area. Cyclone Centers give the opportunity for vulnerable people to take shelter for saving themselves during disasters.

148. LGED completed the proposed 10 cyclone shelters for which 8 (eight) are in the periphery of the Rohingya camps sites under Ukhiya Upazila in order to fulfill the need of both the displaced persons from Myanmar and the host communities, and the remaining cyclone shelters were constructed for the host communities under Taknaf Upazila. The purpose of the cyclone shelters is to reduce the vulnerability of the population to natural disasters. In addition, these sub-projects will support the preparation of a gender-sensitive disaster risk management plan by adopting a community-based risk reduction approach.



Newly built Cyclone Center at N.I Chowhury, LGED under Ukhiya



Newly built Cyclone center at Gonarpara Shafi

Involuntary Resettlement Impacts

149. Government's lands were used for constructing all the proposed cyclone centers as private lands were not required. During the civil construction works for cyclone centers, adverse impact was not observed except, Cyclone Center at Folia Para. The assigned contractor had dumped the soils on the yard of the adjacent house as the owner of the resident complained of affecting his family in this connection. The issue was brought to the knowledge of the respective Upazila Engineer of LGED, who had immediately resolved the matter.

150. In line with the ADB Safeguards Policy, LGED was advised to aware of any adverse impacts during the civil construction works at the implementation stage in which the surrounding communities should not be harmed or impacted by the civil construction works, accordingly officials concerned of LGED followed the safeguards policy.



In the beginning of the construction works, ADB Mid-term Review Mission's members along the Project Director, LGED overseeing the progress of civil works of Cyclone Center being implemented.

T. Sub-projects under BREB: Social Safeguards Impact

Output 03: Energy Source Provided

151. Energy sources include in providing the camp areas with (i) retained heat cookers; (ii) stand-alone solar-powered street lights with solar photovoltaic panels, battery boxes, and mini grid-connected street lights; and (iii) access to electricity by augmenting substations, distribution lines, and transformers including supply and installation of lightning arresters along the access roads from Palongkhali to Kutupalong camp, and all other camps.



33/11 KV Substation at Palongkhali established by BREB on the private land (picture at the right corner) through negotiated settlement with the land-owner

152. Access to safe and sustainable energy is one of the basic needs of Rohingya refugees. Without access to necessary energy, these displaced people, particularly women and children, are at stake in living within the refugee camps. In dealing with the UNCHR, the government of Bangladesh is committed to addressing the energy needs of refugees, improving access to

sustainable fuel, powering health centers, and utilizing solar-power lighting under the Emergency Assistance Project (EAP) by receiving technical assistance from ADB.



BREB/G5 Supply and installation of 50 nos. solar mini-grid for household electricity supply within the camp (150 households per cluster: to cater 7,500 HH) at Balukhali mega camp

Improving access to a clean and sustainable source of energy can transform broken lives. It can power health centers and ensure that life-saving medication is refrigerated. Street lighting allows people to move around camps in greater safety at night, particularly women and girls, and solar-powered lamps mean they can work, cook, study, socialize and continue with their lives long after the sun has gone down. Additionally, with a clean, sustainable fuel, or fuel-efficient technologies, refugees can cook meals and avert the malnutrition and ill-health that may occur when using open fires.



BREB/G6A: Supply, installation, Operation & Maintenance of 25 Nos. Solar PV Nano Grid for Household electricity

153. BREB established street lights and Lightning Arresters, and remaining lights are also being installed in all camps area. In consequence, positive impacts are being observed in accessing the energy for which Rohingya refugees are showing their joys since they are able to access to the improved energy, which will help them improve their safe living conditions. A lightning arrester provides protection by routing the excess electricity away from the system into the ground in which it will dissolve without doing any harm to the people. Installation of these Lightning Arresters is supposed to be safest during rough weather with a view to keeping Safe Home of the community to avoid being struck.



BREB G7: Supply and installation of 200 lightning arrestors along the access roads within the camps

154. **Social safeguards impact:** No adverse Involuntary Resettlement / Social Safeguards impacts were observed during the implementation of sub-projects under BREB. Meanwhile, BREB has successfully completed all subprojects dealing with the improvement of energy by using lands owned by the government. Despite using the government lands, only 41 decimals of private land were required for the implementation of BREB/ W1A Supply, Installation, Testing & Commissioning of 33/11KV Sub-Station at Palongkhali, Ukhiya. In this connection, BREB purchased the land from the landowner with the appropriate negotiation by following the procedure of the department (BREB) before commencing the civil works.



The pictures show the impacts of Lightning Arresters and LAD Street Lights established by BREB

U. Sub-projects under RHD: Social Safeguards Impacts

Output 04: Access roads improved

155. **Outputs of the subprojects:** The subprojects consist of resurfacing of the existing road, including reconstruction of the critical sections, including market areas in the town in which traffic congestions are seen very frequently at the entrance to the camps from Cox's Bazar to camp areas. The improvement works of the access road from Cox's Bazar to Taknaf will create facilitation to reduce the existing traffic volume due to influx of the displaced persons and the transportation of relief materials.



construction works done by RHD during implementation

1.

156. As per planned schedule, 98 % civil construction works have been completed by RHD for the improvement and rehabilitation of the existing roads that include (i) 25 km road from Cox's Bazar link road to Ukhiya and (ii) 25 km road from Ukhiya to Unchiprang under the EAP. Overall, 98% physical progress has been achieved to date for the Rehabilitation of National Highway from Link Road (Coxs Bazar) (Chainage 381+494) to Ukhiya (Chainage- 406+494). Similarly, overall, 97% physical progress has been achieved to date for the Rehabilitation of National Highway from Ukhiya (Chainage 406+494) to Unchiprang (Chainage- 431+494)

Scope of Land Acquisition and Resettlement as per RP:

157. The subprojects are within the right of way in which land belongs to the RHD as land acquisition was not required. Thus, during the rehabilitation and improvement works from Cox's Bazar to Unchiprang, no adverse social impacts were observed in the case of the land acquisition. However, temporary economic impacts in the market areas were being observed during the civil construction works that addressed in the Resettlement Plan (RP). RHD submitted Resettlement Plan to the administrative Ministry which approved in January 2019 before commencing the civil construction works. And, budget was incorporated in the RP to compensate non-title project affected persons.

158. As per approved RP, adverse social impacts of the sub-projects are anticipated. It is mentioned in the RP that minimal business disruptions will be anticipated during the construction period. This disruption in business and livelihood is anticipated only along with some distinct market areas of the corridor, where vendors had temporary sitting arrangements with the market, very close to the road. During the RP preparation, the socioeconomic study of the survey, 71 project affected persons were identified who are mostly street vendors; accordingly, a budget was allocated that incorporated in the RP for paying compensation to them.

159. **Indigenous People Impact:** The activities of the project are situated within the urban and rural areas, and no ethnic minority group was found who could have been affected by the project. Thus, during the RP preparation and even during the implementation of the project, no ethnic minority groups were existed within the right of way.

160. **Payment of Compensation for Project Affected Persons:** In principle dealing with the safeguards policy framework, RHD is aware of any adverse economic impacts during the construction works, accordingly the authority (RHD) provided due attention to any adverse impacts to be raised by the affected persons.

161. Immediately after commencing the civil work, RHD took the initiative to identify the affected persons based on the RP. Thus, in the beginning of the construction works, RHD identified and paid compensation to 27 project affected persons, who were mainly street vendors, by following the list of the approved RP. The remaining project affected persons (street vendors) mentioned in the RP were not found despite giving the best efforts to identify them. RHD took all administrative processes for the payment of compensation and invited the local government representatives like UP Chairmen and members during handing over the Bank draft to the affected persons in a formal meeting at RHD office.

Adverse Social Impacts and changing of the scope of works:

162. Although RHD paid compensation to the project affected persons as per approved RP, during the construction works, some commercial shops and street vendors were removed at the different places within the Right of Way of the RHD while assigned contractors were making alignment of the construction works as per approved design. RHD mobilized the Social Development Specialist under the management consultant to conduct the consultations to share the proposed constructions works and its implications. RHD conducted meetings with the local market committees and UP chairmen to minimize and resolve the issues dealing with the removal of the shops and vendors.

163. The scope of works mentioned in the approved Resettlement Plan (RP) was changed in case of affecting the structures of commercial shops of the non-title holders at the different places. The affected shop owners, who established and used to making business over decades by using the RoW / Government's land, were required to bring in the light for paying compensation as per ADB Social Safeguards Policy Statement, 2009, and the issue was raised to RHD by the ADB.

164. RHD mentioned in the Quarterly Report of Sept 2020 that impacts were limited to the removal of a few trees, temporary/ permanent boundary walls/ fences, shops during the construction period, and the impacts were found very temporary and could easily be mitigated.

165. As per advised by ADB, the amounts of compensation could be estimated through revising the RP due to scope of changing the works during the construction phase but RHD did not agree finally. Some affected persons claimed and interested to receive the compensation against their losses. On the other hand, there was also evidence that many affected persons had voluntarily removed trees, shops, border fences, etc. and did not seek any compensation for which RHD took initiatives in consulting with the local government and affected persons and minimized the social tension in this connection.



Community Consultations done by RHD in the Nela Bazar at 80 km will be improved under 2nd phase of EAP in August 2020

166. In a meeting with PD and XEN on 6 July 2020 subsequent to email communication, ADB advised for taking the appropriate mitigation measures on the impact of commercial shops that affected the traders for which following points were spelled out:

- Confirmation on the number of structures, Loss of Inventory, which was affected for EAP additional scope of work;
- Assessment of the price for the affected properties for paying compensation to the affected traders/shop owners;
- Timeline for compensation hand over to the impacted structure owners;
- The existing RP will have to be revised
- RHD will revise the approved RP based on the changing of the scope of works and determine the timeline for revising the RP in which all impacted properties, affected persons, and the budget of the compensation will be included in the revised RP.

As advised by ADB, finally RHD could not take initiative to revise the RP due to administrative constraints and prevailing COVID-19.

Table 04: Status of the Involuntary Resettlement Impacts in Brief

Outputs	Sub-Project & Planned Activities	Resettlement impacts	Status of Resettlement Plan / Remarks
Access Roads Improved	25 km Road from C. Bazar link to Ukhia	<p>No land acquisition is required for this sub-project as the subprojects implemented in using the existing alignment of the road belongs to the RHD.</p> <p>As per approved RP, 27 street vendors were compensated by RHD on 7 July 2019.</p> <p>Adverse impacts were being observed during the construction of the civil works at different places like Moricha Bazar, where commercial shops were affected.</p>	<p>RHD submitted RP to the Ministry that already approved in which name of the affected street vendors are mentioned.</p> <p>During the entire implementation period, RHD continued consultation with the market committees and traders to minimize /resolve adverse impacts.</p>
	25 km Road Ukhia to Unchiprang	Stated as above	

V. Stakeholders Consultations

167. Despite having limitation due to prevailing COVID-19, consultation process is being continued with the different stakeholders, mainly officials concerned of the Executive Agencies (EAs) like DPHE, LGED, BREB, and RHD. During the meetings with the EAs, it was discussed on the social safeguard's issues related to land acquisition, resettlement, relocation, and progress of the implementation process. Officials of the EAs are aware of the issues of social safeguards. As a result, Executive Agencies avoided land acquisition and involuntary resettlement impacts during the design of the sub-projects under EAP (EAP) in which sub-projects are determined under 'C' category. However, in case of Water Treatment Plant at Cox's Bazar under DPHE/EAP/W11, Land Acquisition has been done for the implementation of the sub-project, moreover, about 45 non-title landowners will have to be displaced who are residing on the

government's lands over decades. DPHE is required to prepare RP and submitted to ADB for its review before finalization and disclose the report (RP) to the web portal.

168. In the case of using the Govt. lands, it is advised to obtain permission/ No Objection from the respective government agency before commencing the implementation of sub-projects. Consultations are being conducted with the stakeholders to identify the benefits and impacts of sub-projects dealing with the installation of Mini Pipe Water Supply, bathing facilities for women, cyclone centers, and improvement of the access roads towards the Rohingya camps, storm drainage improvement works, construction of cyclone center, setting up the solar power, power station, LED / street lights within the camps area etc.

169. The TA consultant, ADB visited the sites along with the executive agencies in order to assess and monitor the ongoing construction activities of the different subprojects.

170. Consultations were conducted with the crop's land/ irrigation groups living in the proposed location of the water treatment plant to inform them of the civil construction works for treatment plant along with distribution network. It was assured that measures would be taken for protecting the crop lands/ irrigation projects during the implementation of the water treatment plant at Whykong.



Picture shows consultants conduct consultations with the refugees at camp-26 on the proposed water treatment plant at Noapara



Consultation with the local elite (left) on water treatment plant at Whykong, and consultation with the affected person (right) after breaking the commercial structures by the RHD

W. Screening and approval of the sub-projects

171. All executive Agencies under the implementation of the EA are required to take the permission of the respective authority/ government agency like RRRC for the implementation of the sub-projects in and around the refugee camps. In this connection, the screening / categorization of the sub-projects has been completed.

X. Status of Due Diligence Reports & the Resettlement Plan

172. Due Diligence Reports are required for the sub-project for which land acquisition or other resettlement impacts are not seen. DDRs for subprojects are being prepared, and submitted to the respective Executive Agencies and ADB. List of the DDR that already submitted to ADB by the Social Safeguards Specialist on behalf of Executive Agencies:

1. Status of the completion of the DDR

Name of the Sub-project	Package	EA	DDR Status & Resettlement Plan
Food Distribution Centers	LGED/W19	LGED	Submitted
Access Roads, LGED	LGED/W3, W4A, W4B, W4D & W4C	LGED	Submitted
Cyclone Centers, LGED	LGED/W6, W8, W9	LGED	Submitted
Strom drainage water network inside the camps	LGED/W20	LGED	Submitted
Construction of internal roads and stairs with drainage facilities:	LGED/ W1A, 1B, 2A & 2B	LGED	Submitted
Mini Pipe Water Supply Systems	DPHE/W1 to W8(8)	DPHE	Submitted
Community Bathing Facilities	DPHE/ W13 to W16 (5)	DPHE	Submitted
Integrated Waste treatment Plant at Shamlapur/ Unhip rang	DPHE/W10	DPHE	Submitted
Water treatment Plant at Noapara camp-25	DPHE 12 A	DPHE	Submitted
Water treatment Plant at Unsprang / Whykong	DPHE 12 B	DPHE	Submitted
Solid waste management for camp 19 & 4	DPHE / W9A & 9B	DPHE	Submitted
Surface Water Treatment Plant	DPHE/W18	DPHE	Submitted
Construction of 50 KM of 11 KV and below Palongkhali area, Ukhiya, BREB	BREB/W2	BREB	Submitted
Street Lightning	BREB/GA, G2A, G2B, G5, G6	BREB	Submitted

Resettlement Plan

173. Resettlement Plan (RP) is required only for the subproject of the Surface Water Treatment Plan at Cox's Bazar under DPHE/EAP/W11 for which Involuntary Resettlement (IR) Impacts have been confirmed. DPHE has agreed to prepare RP by completing the households' survey for the Project Affected Persons (PAPs) in view of completing the social impact assessment and the loss of inventory, which eventually all information derived from the census survey will be incorporated in the RP. Similarly, due to changing the scope of works during the implementation of the subprojects, RHD is advised to revise the existing Resettlement Plan by assessing the loss of properties of the project affected persons for additional paying compensation to the affected traders/ street vendors subject to the approval of the respective ministry.

Y. Action to be Action by Executive Agencies

174. In dealing with the agreed frameworks of the It is urgently required that all the respective Executive Agencies will take the initiative to form the Grievance Redress Mechanism (GRM) at the appropriate levels, district and subprojects/ Upazila levels, in order to facilitate the communities/ project affected persons for addressing their grievances through Grievance Redress Committee (GRC). Moreover, the following issues to be taken into action before implementing the respective sub-projects:

- Resettlement Plan (RP) will have to be prepared in case of Involuntary Resettlement / Land Acquisition Impacts for which the sub-project is determined as 'B Category';
- Before commencing the civil construction works, negotiation/ lease agreement is required to get access to Private Lands for the establishment of sub-projects under EAP;
- Permission from the government is required to get access to the public land and properties for the implementation of the sub-projects;
- Compensation or settlement negotiation / agreement is required with affected persons in case of using any private lands, removing shops, houses or other infrastructures;
- Monitoring the ongoing activities of sub-projects to identify issues dealing with social safeguards that may adversely impact on the livelihoods of surrounding communities due to the civil construction works, and those issues should be taken into account by the respective EA to pay compensation or resolve amicably;
- Permission from the respective authority of the government will have to be ensured in case of the relocation of the Rohingya refugees, if any, for the implementation of the sub-projects. In this connection, all necessary measures to be taken in consulting with the agencies concerned like UNHCR before commencing the civil works of the subprojects;
- Community consultations the during the implementation of sub-projects will be continued;

Conclusion

175. In conclusion, it is observed that all Executive Agencies like LGED, DPHE, RHD and BREB have been implementing the sub-projects under Emergency Assistance Project, and they are aware of maintaining the social safeguards policy of the ADB, and trying to avoid any adverse social impacts during the survey/ design and also in the implementation of the subprojects. In consequence, all of the sub-projects are determined as 'C' category except 2 (two) subprojects under DPHE and RHD which are categorized as 'B' due to adverse social impacts dealing with the Involuntary Resettlement (IR) and Land Acquisition

176. RHD determined 27 affected vendors out of 71 based on the approved Resettlement Plan (RP) and paid compensation to them in the first week of July 2019. However, the additional scope of works are observed during the construction works while commercial shops were dismantled from the Right of Way in some places like Morichha Bazar by the assigned contractors of RHD. The issue was brought to the knowledge of the RHD for the assessment of affected properties and the list of the affected traders for paying compensation to them on time. In consequence, RHD has agreed with ADB at a discussion point to mobilize the Social Development Specialist of Management Consulting team to find the remaining project affected persons, who were affected during the construction phase, for making an assessment, and the list of the adverse impacts on the commercial shops. RHD will revise the exiting RP by incorporating the additional scope of works and paying compensation to the affected businessmen based on the RP revision.

177. DPHE has assign resettlement consultant for conducting the household survey in order to assess the impacts and preparing the Resettlement Plan (RP) for the surface water treatment plant at Cox's Bazar, DPHE/ EAP/W11. However, the resettlement team could complete only about 30% of the affected households in September 2020, despite they (resettlement team, has not yet submitted the Resettlement Plan. DPHE has acquired lands of 2.125 acres which belong to the private ownership as Involuntary Resettlement (IR) impacts have been confirmed, and determined as the category 'B' sub-project. DC of Cox's Bazar completed the payment for land acquisition to landowners. Nevertheless, a few landowners, who are residing closed to the proposed treatment plant area could not receive compensation, filed a case against the land acquisition case in the District Judge Court due to constraints are incurred with land ownership. In addition, about 45 non-title landowners, who have been residing on the government land for decades, will be displaced to the implementation of the overhead tank at the Tankirpar which is associated with the water treatment plant. The issue of compensation and resettlement are being remained unsolved. Therefore, DPHE is advised to prepare the Resettlement Plan (RP) by following the ADB Social Safeguards Policy 2009 that will be reviewed by ADB for disclosing on the web portal.

178. LGED will take appropriate initiatives for relocating the Rohingya refugees in consulting with the authority concerned before commencing the civil works in considering the sensitive issues of the Relocation during the implementation of hill slope protection and internal road improvements & drainage facilities within the camp areas. In this connection, LGED is keeping contact with UNHCR and Camp in charge that requires for getting cooperation from them during the relocation.

179. Finally, the Project (EAP) is required to consider avoiding adverse social impacts or adequate mitigation measures as per ADB's Social Safeguards Policy, 2009 for which DHPE is aware of taking appropriate measures in dealing with the safeguards policy in case of using private lands or other facilities.

Annexure : A

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	DPHE/ G1	Supply of 7 no. water Carrier for Emergency Water supply, capacity 3000-liter, including operation for 2 years, for Cox's Bazar and Ukhiya, Teknaf	Category-C. No Social Safeguards / IR Impact is found	DDR is not required	It is supplied items of the water carries
	DPHE/ G2	Supply and operation of waste management equipment/vehicle for two years. (Vacuu tag, Suction pipe, SWR equipment, drainage management equipment) for Camps in Ukhiya	Category-C. No Social Safeguards / IR Impact is found	DDR is not required	It is supplied items of the equipment
	DPHE/ G3	Supply and operation of waste management equipment/vehicle for two years for Camps in Teknaf	Category-C. No Social Safeguards / IR Impact is found	DDR is not required	It is supplied items of the equipment
	DPHE /W1	Construction and operation of 7 nos. mini piped water supply system with Production Tube Well in camps and adjacent affected villages. Group -1 (camp-5)	<ul style="list-style-type: none"> Category-C. No adverse social / IR Impact is seen. Govt.'s land is used for the subproject. 	DDR submitted	The sub-projects for the mini-piped water supply (DPHE/W1 -8) have been categorized as C.

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	DPHE/ W2	Construction and operation of 7 nos. mini piped water supply system with Production Tube Well in camps and adjacent affected villages. Group -2 (camp-5)			
	DPHE/ W3	Construction and operation of mini piped water supply system with solar powered production well in camps and adjacent affected villages: Group 3 (Camp 17)			
	DPHE/ W4	Construction and operation of mini piped water supply system with solar powered production well in camps and adjacent affected villages:			


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
		Group 4 (Camp 2)			
	DPHE/ W5	Construction and operation of mini piped water supply system with solar powered production well in camps and adjacent affected villages: Group 5 (KRC and Camp 3)			
	DPHE/ W6	Construction and operation of mini piped water supply system with solar powered production well in camps and adjacent affected villages: Group 6 (Camp 4)			



1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	DPHE/ W7	Construction and operation of mini piped water supply system with solar powered production well in camps and adjacent affected villages: Group 7 (Camp 11)			
	DPHE/ W8	Construction and operation of mini piped water supply system with solar powered production well in camps and adjacent affected villages: Group 8 (Camp 13)			
	DPHE/ W9A	Construction and operation of Integrated waste management and resource recovery facility with collection system at the outskirts of Kutupalong Balukhali Mega camp, Ukhiya Group-1	<ul style="list-style-type: none"> Category-C. No adverse social / IR Impact is seen. Govt.'s land is used for the subproject 	DDR submitted	DPHE is required to obtain land from the Govt. by following the appropriate process of the Govt..




1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	DPHE/ W9B	Construction and operation of Integrated waste management and resource recovery facility with collection system at the outskirts of Kutupalong Balukhali Mega camp, Ukhiya Group-1	<ul style="list-style-type: none"> Category-C. No adverse social / IR Impact is seen. Govt.'s land is used for the subproject 	DDR submitted	DPHE applied to the RRRC for getting permission which is in progress.
	DPHE/ W10	Construction and operation of Integrated waste management and resource recovery facility with collection system at Shayamlapur, Teknaf	<ul style="list-style-type: none"> Category-C. Adverse social / IR Impact is not seen. The selected land is belonging to the private owner, DPHE has done agreement with the landowners. 	DDR submitted	DPHE apprised that agreement with the landowner was under process. The agreement copy is required to submit to ADB.
	DPHE/ W11	Construction of Surface Water Treatment Plant for supporting water supply at Cox's Bazar city and surrounding areas	<ul style="list-style-type: none"> Category-B DPHE has identified the land that belongs to the private owners as Land Acquisition is required. Adverse social & IR impacts are observed due to land acquisition & impacts on the about 45 non-title 	RP is required.	 <p>The sub-project is categorized a B due to adverse social / IR Impacts.</p> <p>Ministry approved the land acquisition proposal, accordingly DC office completed the Land Acquisition. However, Non-</p>


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
			households who are residing at the Tankirpar, the location is proposed for overhead-tank.		titleholders are not brought in to account to pay compensation.
	DPHE/ W12A	Construction of pipe water Systems including surface water treatment plants for the camps in Nayapara, Teknaf	<ul style="list-style-type: none"> Category-C. The above location/ Shalbagan natural dam has been identified for water reservoir. An additional Land plot identified for installing the Plant. Land belongs to the government but occupied by the traders. No adverse social / IR Impact is seen It is primarily assumed that about 40 refugees' houses, who were residing inside the Shalbagan natural Dam, relocated during the implementation. 	DDR submitted to DPHE based on the existing location/ Shalbagan natural dam and the identified water treatment plant	 <p>Relocation of the refugees is required from the water reservoir area.</p>  <p>Non-title small traders will have to be removed/ relocated from the proposed Treatment Plant through the negotiated settlement with them.</p> <p>Govt.'s land is used for the subproject as it is categorized as C. No IR impacts are seen.</p>


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	DPHE/ W12B	Construction of pipe water systems for the camps in Unchiprang/ Shamlapur, Teknaf	<p>Category-C</p> <p>No adverse social / IR Impact is seen</p>  <p>The above selected natural dam at Whykong for water treatment plant belongs to the government.</p> <p>About 5 decimal additional lands have been selected for the treatment plant owned by government.</p>	DDR submitted to DPHE	  <p>Existing Irrigation Channel prepared is seen in December 2020</p> <p>There is a vast area of irrigated croplands in the down area of the natural dam. And, water is supplied from the dam to croplands by the water user's association. The water</p>

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
					<p>treatment's distribution pipeline will be installed under/ throughout the crops land</p> <p>During the consultation, farmers raised the issue of affecting the water supply to the crop's lands owing to the proposed treatment plant</p>
	DPHE/ W13	Construction of Community Bathing Facilities for women, Group -1	<ul style="list-style-type: none"> Category C No adverse social / IR Impact is seen Bathing facilities have been installed on the land belongs to the government 	DDR submitted	<p>1500 Women bathing facilities are being constructed</p> 
	DPHE/ W14	Construction of Community Bathing Facilities for women, Group -2			
	DPHE/ W15	Construction of Community Bathing Facilities for women, Group -3			


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	DPHE/ W16	Construction of Community Bathing Facilities for women, Group -4			
	DPHE/ W16	Construction of Community Bathing Facilities for women, Group -5			
	DPHE/W18	Construction of piped water supply with surface water reservoirs, treatment plant and other and associated facilities at Ukhiya	<p>Category-C</p> <p>About 50 acres of lands have been identified that owned by the private landowners who were agreed to handover the land to the DPHE by taking cash amount.</p>	DDR submitted	 <p>DPHE is required to complete the agreement with private landowners by following the appropriate process before the civil construction works</p>
	LGED/ W1A	Construction of 7.5 km Internal Roads and Stairs with Drainage Facilities Inside the camps in Ukhiya, Group 1	<p>Category-C</p> <p>About 1500 refugees will have to be relocated before the</p>	DDR submitted	It is required to monitor the implementation process, and determine the actual number of the Relocations of the refugees will be done by the UNHCR.


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
			implementation of the sub-project		
	LGED/ W1B	Construction of 7.5 km Internal Roads and Stairs with Drainage Facilities Inside the camps. in Ukhiya, Group 2	Category-C Land belongs to the government. As per LGED, about 1000 refugees will have to be relocated before the implementation of the sub-project	DDR submitted	
	LGED/ W2A	Construction of 7.5 km Internal Roads and Stairs with Drainage Facilities Inside the camps. in Teknaf -Group 3	Category-C Land belongs to the government. About 1500 refugees will have to be relocated before the implementation of the sub-project	DDR submitted	

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	LGED/ W2B	Construction of 7.5 km Internal Roads Internal Roads and Stairs with Drainage Facilities Inside the camps in Teknaf – Group 4	Category-C No IR impact is seen	DDR submitted	
	LGED/ W3	Improvement of 1.5 km existing Folia Para Road connecting Highway to U-B Road Ukhiya+ Up gradation of 5.5 km existing N.I. Chowdhury Road Connecting Marine Drive to U-B road.	No IR impact is seen at the construction stage. Constriction is done on the existing road as additional land not required.	DDR submitted	 <p>Women participated in the ongoing construction works</p>
	LGED/ W4a	Up gradation of existing N.I. Chowdhury Road Connecting Marine Drive to U-B road, including construction of Bridge/ culverts at Ukhiya (Group 1: 4.5 km within Ch	Category-C No IR impact is seen at the design stage Constriction will be done on the existing road as additional land is not required.	DDR submitted	It is required to monitor the activities of civil works to find any adverse social impacts


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
		0+000 km to 10+000 km)			
	LGED/ W4B	Up gradation of existing N.I. Chowdhury Road Connecting Marin Drive to U-B road, including construction of Bridge/ culverts at Ukhiya (Group 2: 9.6 km within Ch. 10+000 km to 19+600 km)	Category-C No IR impact is seen at the design stage Constriction will be done on the existing road as additional land is not required.	DDR submitted	During the monitoring no adverse social impacts were found in the construction period.
	LGED/W4C Package No. EAP/LGED/OCB-N/W4C	1.Hajirpara Mukter Swdagor bari Side-Dakhin Faliapara Sajahan bari Rd. by BC at Ch. 00-2400 m (Rd. ID: 422945114),	Category-C No IR impact is seen at the design stage Constriction will be done on the existing road as additional land is not required.	Draft DDR submitted to LGED	

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
		<p>2.Malercul LGED Road-Dakhin Faliapara Rd. by BC at Ch. 00-814 m (Rd. ID: 422945112) &</p> <p>3.Ali Mohammed Pingir Rd. by BC at Ch. 00-2327 m (Rd. ID: 422944037),</p> <p>Under Ukhiya Upazila, Dist: Cox's Bazar;</p>			
	LGED/W4D	<p>EAP/LGED/OCB-N/W4D Improvement of Ukhiya Daroga Bazar-Moricha GC via Dagbanglo-Patabari Rd. by BC at Ch. 00- 12760m (Road ID: - 422942002) & Rotna Palong UP Office-Coat Bazar-Valukhiya Bazar Rd (Valukia Sea beach rd). By BC at Ch. 00-4300m (Road ID: -</p>	<p>Category-C</p> <p>No IR impact is seen at the design stage</p> <p>Constriction will be done on the existing road as additional land is not required.</p>	Draft DDR submitted to LGED	TA consultant monitored the activities of civil works to find and assess any adverse social impacts


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
		422943001), Under Ukhiya Upazila, Dist.: Cox's Bazar.			
	LGED /W5	Upgradation of existing 8.8 km link road connecting Cox's Bazar-Teknaf and Marine Drive Highways, Ukhiya	Category-C No IR impact is seen at the design stage	DDR submitted	TA consultant monitored the activities of civil works to find and assess any adverse social impacts
	LGED/ W6	Construction of 4 nos. school cum cyclone shelter for affected people, 3 story LGED Prototype, in Ukhiya	Category-C No adverse social / IR impact is seen. The selected land belongs to the government	DDR submitted	 <p>Newly constructed Cyclone Center</p>
	LGED/ W8	Construction of 3 nos. school cum cyclone shelter for affected people, 3 story LGED Prototype, in Ukhiya	Category-C No adverse social / IR impact is seen. The selected land belongs to the government	DDR submitted	
	LGED/ W9	Construction of 3 nos. School cum cyclone shelter for affected people, 3 story LGED Prototype, in Teknaf	Category-C No adverse social / IR impact is seen. The selected land belongs to the government	DDR submitted	


1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization		
				Status of DDR / RP	Remarks
	LGED/ W10	Hill Slope Protection Works inside the Kutupalong Balukhali Mega Camp, Ukhiya Group -1	Category-C No adverse social impacts are observed during the civil construction works	DDR submitted.	
	LGED/W11	Hill Slope Protection Works inside the Kutupalong Balukhali Inside Mega Camp Ukhiya Group -2			
	LGED/W12	Hill Slope Protection Works inside the Kutupalong Balukhali Inside Mega Camp Ukhiya Group -3			
	LGED /W19	Construction of Semi-Permanent Food Distribution Centers and loading /unloading yard in Ukhiya and Teknaf	No adverse social / IR impact is seen. The selected land belongs to the government	DDR submitted	WFP has handed over 4 locations for the Food Distribution Centers, out of originally planned 6 locations. LGED completed construction works the above 4 centers and handed over to WFP

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP


Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	LGED/ W20	Construction of Storm Water Drainage Network inside camps and evacuating water outside camps, 2 groups in Ukhiya	Category-C No adverse social / IR impact is seen. The selected land belongs to the government	DDR submitted	 drainage improvement work
	LGED/ W21	Construction of Storm Water Drainage Network inside camps and evacuating water outside camps: 1 group in Teknaf	Category-C No adverse social / IR impact is seen. The selected land belongs to the government	DDR submitted	

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of DDR / RP	Remarks
	RHD/ W1	Rehabilitation of National Highway from Link Road (Cox' s Bazar) (Chainage 381+494) to Ukhia (Chainage- 406+494)	<p>Category-C</p> <p>IR impact is not found as the construction is being done on the land belongs to the RHD.</p> <p>During the construction works, more affected persons, who are small traders/ vendors (non-titleholders), have been identified by the management consultant.</p>	The existing RP is required to revised based on the changing of the scope of works	<p>Based on the existing RP, among the 75 affected vendors, DPHE paid compensation to 27 affected street vendors on 7 July 2019.</p> <p>The existing RP will have to be revised based on the ongoing civil works in which more affected persons have been identified. The revised RP will be submitted to ADB for its review.</p>
	RHD/W2	Rehabilitation of National Highway from Ukhia (Chainage 406+494) to Unchiprang (Chainage- 431+494)	<p>Category-B:</p> <p>RP was prepared and approved by the Ministry.</p> <p>27 non-title holders/ street vendors were compensated based on the RP.</p>	Same as stated above	

1. Status of the IR / Social Safeguards Impact for Sub-projects under EAP

Sl. No	Package Number	General Description	Status of IR Impact & Categorization	Status of	
				DDR / RP	Remarks
	RHD/W3	Reconstruction of critical sections of major access road connecting Cox's bazar Link Road - Teknaf with the Camps, Package 3: Palongkhali to Nhila Teknaf			

	BREB/ W1B	Augmentation of Cox's Bazaar Transmission Grid Network to strengthen 33/11KV Sub-Station (10/14MVA, Turn Key)	IR impact was not determined as the sub-project was not finally brought into the implementation process.	DDR/ RP is required	
	BREB/ W2	Construction of 50 KM of 11 KV and below lines with necessary transformers from proposed two substations to Palongkhali area, Ukhiya	Category-C No adverse social / IR Impact is found. Land was purchased by the EA.	Done	 <p>The selected Land was purchased by BREB before commencing the civil work.</p>
	BREB/GA, G2A, G2B, G5, G6	Street Lights	Category-C No adverse social / IR Impact is found	DDR submitted	Street lights installed on the government land within the camps area

