**Social Management Framework of PKSF**

**Palli Karma-Sahayak Foundation (PKSF)**

www.pksf-bd.org

**Social Management Framework of PKSF**

Date of Publication: January, 2012

Published by Palli Karma-Sahayak Foundation (PKSF)

PKSF Bhaban, E-4/B Agargaon Administrative Area,

Sher-E-Bangla Nagar, Dhaka-1207

Tel: 880-2-9126240

Fax: 880-2-9126244

Email: pksf@pksf-bd.org

@PKSF 2012

TABLE OF CONTENTS

[TABLE OF CONTENTS i](#_Toc433719378)

[ABBREVIATIONS & ACRONYMS 1](#_Toc433719379)

[A. SOCIAL ISSUES AND IMPLICATIONS 3](#_Toc433719380)

[Attachment A1: CHECKLIST WITH NEGATIVE SOCIAL ATTRIBUTES 7](#_Toc433719381)

[Attachment A2: SOCIAL SAFEGUARD SCREENING FORM 8](#_Toc433719382)

[B. GUIDELINES FOR USING PRIVATE AND PUBLIC LANDS 11](#_Toc433719383)

[Attachment B1: IMPACTS ASSESSMENT AND MITIGATION DATA SHEET 16](#_Toc433719384)

[Attachment B2: FORMAT TO DOCUMENT CONTRIBUTION OF ASSETS 17](#_Toc433719385)

[Attachment B3: SCHEDULE OF COMPENSATION FOR PRIVATE AND PUBLIC LANDS 18](#_Toc433719386)

[C. GUIDELINES FOR TRIBAL PEOPLES PLAN 19](#_Toc433719387)

[Objectives of Tribal Peoples Plan 19](#_Toc433719388)

[Identifying the Tribal Peoples 19](#_Toc433719389)

[TPP Basic Principles 20](#_Toc433719390)

[Identifying TP Social Concerns 20](#_Toc433719391)

[Impact Mitigation 20](#_Toc433719392)

[TP Consultation Strategy 21](#_Toc433719393)

[Attachment C1: MAJOR IMPACT AREAS AND INDICATORS 22](#_Toc433719394)

[D. GUIDANCE NOTES FOR INTEGRATING SOCIAL AND GENDER ISSUES 23](#_Toc433719395)

[1. Social and Gender Issues and their Implications 23](#_Toc433719396)

[2. Integrating Social and Gender Issues 24](#_Toc433719397)

[3. Social and Gender Analysis 24](#_Toc433719398)

[4. Social and Gender Actions in Project Cycle 25](#_Toc433719399)

[5. Monitoring Social Inclusion 26](#_Toc433719400)

ABBREVIATIONS & ACRONYMS

BCCRF Bangladesh Climate Change Resilience Fund

BCCSAP Bangladesh Climate Change Strategy and Action Plan

CBO Community-Based Organization

SMF Social Management Framework

FGD Focus Group Discussion

GoB Government of Bangladesh

GR Grievance Redress

GRM Grievance Redress Mechanism

MDGs Millennium Development Goals

NGO Non-Government Organization

PKSF Palli Karma-Sahayak Foundation

PO Partner organization of PKSF

RAP Resettlement Action Plan

SDG Sustainable Development Goals

SGP Sub-Grant Proposal

SIP Social Inclusion Plan

SMF Social Management Framework

SMP Social Management Plan

TP Tribal People

TPP Tribal Peoples Plan

UP Union Parishad (The smallest jurisdiction of local government, Bangladesh)

**Background**

Palli Karma-Sahayak Foundation (PKSF), an apex development organization, has been established by the Government of Bangladesh (GoB) in May 1990, for sustainable poverty reduction through employment generation. PKSF, primarily set it's goal to create self-employment opportunities in rural off-farm sector by extending loan facilities to the rural moderate poor. This loan programme has been diversified over the years to provide for changing needs of heterogeneous groups of poor people. PKSF’s “inclusive financing programme” now extends financial packages to the ultra poor, moderate poor, small and marginal farmers, micro-entrepreneurs etc. It provides a wide range of development services including appropriate credit, basic education, primary health care, technology transfer and business development services to the disadvantaged segments living anywhere in Bangladesh through the appropriate pro-poor organizations called Partner Organizations (POs).

PKSF has adopted disaster management and micro insurance programme under the fold of its social protection programmes aiming to enhance the capacities of the poor to increase their resilience to the adverse impacts of climate change. In addition, mapping of various rural business clusters has been completed to commence programmes for the development of rural industries.

The major objectives of PKSF are:

1. To provide financial assistance and institutional development for reduction of poverty;
2. To assist socio-economic development by education, capacity building health, training and risk reduction;
3. To build and strengthen the institutional capacity of the POs (partner organisations) and enhance their ability to provide services to the poor on a sustainable manner;
4. To support, promote and sponsor for climate change effects and environmental development;

PKSF do endorse, where applicable, laws, regulations, policies and guidelines of country related to environmental management, international treaties, laws, and conventions related environmental protection. This policy also consulted the targets related to Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs). This policy will be a living document, meaning it will be reviewed time to time based on the requirement. Environmental and Social safeguard are always considered of all activities undertaken by PKSF.

# SOCIAL ISSUES AND IMPLICATIONS

1. **SMF Objectives**

The principles, guidelines, and procedures provided in this SMF are intended to ensure that project/programs are prepared, screened and implemented to achieve the following objectives:

* Enhance positive social outcomes of the community-based activities;
* Ensure participation of the target communities, including women, while identifying the specific measures/activities for project/program
* Prevent or compensate for loss of livelihood, which may result from some activities including land-based adaptation activities and use of common property resources; and
* Ensure compliance with the relevant GOB policies on social safeguards and other social issues.

1. **Achievement of the objectives:**

To achieve the objectives, Social Management Plan (SMP) will be prepared for each project/program following the principles, guidelines and procedures outlined in this SMF and implemented. The SMPs may include social inclusion plan (SIP), resettlement action plan (RAP) where private lands or public land from private uses are taken for any infrastructure, and tribal peoples plan (TPP) where tribal peoples are affected.

1. **Basic Planning Principles**

Preparation, screening and implementation of the activities of any project/program and climate change adaptation proposals will be based on following principles:

* While preparing the proposals, POs will undertake extensive community consultations separately with men and women, with regard to,
* Existing and emerging issues that may have been caused by climatic change;
* Identifying the impacts that could be adapted to with community-based measures;
* Identifying specific activities that are and would be appropriate for adaptation to the existing and emerging changes; and
* Assessing equity issues in the distribution of adaptation benefits among the different social groups, in terms of socioeconomic characteristics, gender, ethnicity and the like.
* POs will be encouraged to consider projects that will significantly benefit women, in view of their needs and preferences expressed in consultations, especially in those separately conducted with them.
* POs will not propose to undertake land-based physical activities that may require private lands that are to be acquiredby using the power of eminent domain under the Bangladesh *Acquisition and Requisition of Immovable Property Ordinance, 1982*.
* Where use of private land is essential to implement critical adaptive measures, POs may seek voluntary contribution (without compensation) from the concerned landowners, and/or explore alternatives to voluntary contribution that may include “contribution against compensation” where the beneficiary communities might collectively pay for the compensation (see Section B).

1. **Social Screening Guidelines**

PKSF/POs will use the following guidelines for selection and implementation of adaptation measures:

Activities with Negative Social Attributes*.* POs will not propose to undertake activities that will create social safeguards impacts that PKSF/POs/communities cannot mitigate with their current capacity. Such activities are those that involve involuntary resettlement and adverse impacts on tribal peoples.

*Involuntary Resettlement:* Any physical/construction activities that

* Require acquisition of private lands by using the Bangladesh *Acquisition and Requisition of Immovable Property Ordinance, 1982* (Guidelines for using private and public lands are provided in Section B)
* Require involuntary contribution of private lands
* Affect private homesteads
* Require lands that are not available on ‘contribution against compensation’ or other means not acceptable to the landowners
* Render households using public lands destitute
* Affect mosques, temples, graveyards, cremation grounds, and other places/objects that are of religious and cultural significance
* May significantly restrict access to common property resources and livelihood activities of groups and communities

*Tribal Peoples:* Any activities/adaptation measures, including physical/construction activities that

* Threaten cultural/traditional way of life of tribal peoples
* May severely restrict access to common property resources (forests, water bodies, etc) and livelihood activities
* May affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.)
* Require private lands using the power of eminent domain under the Bangladesh *Acquisition and Requisition of Immovable Property Ordinance, 1982* and cause resettlement/relocation

Selection, design and implementation of particular project/program will apply the following guidelines and requirements:

Guidelines for Using Land for Project Purposes (Section B)*.*  Provide principles, policies and guidelines for use of public and private lands and adverse impact mitigation; impact assessment procedure; and implementation and monitoring.

Guidelines for Tribal Peoples Plan (Section C).Contain principles and guidelines to identify and deal with adverse impacts on tribal population where an adaptation measure accepted for funding may adversely affect them.

Guidance Notes for Integration of Social and Gender Issues (Section D). Intended to help POs/PKSF to take into account social (non-safeguard) and gender dimensions into project selection, preparation and implementation.

POs will screen the activities with respect to social safeguard issues and other social aspects including gender implications of the proposed activities. The POs, in consultation with the community members, will fill in the forms on Adaptation Measures with Negative Social Attributes (*Attachment A1*) and Social Safeguards Screening (*Attachment A2*) and submit them with the detailed project proposal. On its part, PKSF will review the information on negative social attributes in A1 to determine whether or not the proposal could be financed. The information sought in the screening form A2 will inform PKSF whether or not the proposed activities would involve social safeguards issues and, if they do, the nature and scale of potential impacts and how they have to be mitigated in accord with the SMF principles and guidelines. PKSF may also undertake visits of the project locations and the target communities and verify whether the proposals have been prepared in compliance with the SMF guidelines and the screening results truly reflect the ground reality.

1. **Community/Stakeholder Consultation**

Extensive consultations with the community and other stakeholders will be a key to undertaking community-based inclusive activities/ climate change adaptation measures and integrating social and gender issues into the proposals. In addition to open community meetings, the POs will hold separate consultations/focused group discussions with women for a better understanding of how they have been impacted by climate change and coping with them, and what measures would help them most to cope with or adapt to the changes. Community consultation and participation framework will be an integral part for any kind of project/program activities.

1. **Grievance Redress Mechanism (GRM)**

Grievance Redress Mechanism (GRM) will be established at central (PKSF) and subproject level to deal with any complaints/grievances about environmental and social issues. At the project level, the Union Parishad (UP) Chairman or his/her nominated representative from the UP will be the local Grievance Redress (GR) focal person for addressing the grievances. The aggrieved persons or entities will address the complaints/grievances to the focal person designated by the UP Chairman and submit them in sealed envelopes to the PO office. The PO will enter the grievances into the Grievance Register and issue receipts to the aggrieved persons/entities with the entry reference. POs will not open the envelopes, but inform the local GR focal person about receipt of complaints and schedule hearings as per his/her advice. In open meetings, he/she will hear and discuss the complaints and try to resolve them in view of the applicable guidelines of the SMF. The aggrieved person, if female, will be assisted by a female UP member in the hearing, and if from a tribal community, by a tribal representative. It is expected that all complaints at PO level will be disposed within 15 days, failing which the petitioner can seek resolution from the focal person at the PKSF headquarters.

1. **SMF DISCLOSURE**

Any time, any aggrieved person can send complaints directly to the MD of PKSF. The MD will review and try to resolve the complaints and may seek advice from the PKSF Chairman/Board about any issues critical to the project. A decision agreed by the complainants at any level of hearing will be binding on the concerned Pos and PKSF. TheGRM will, however, not pre-empt an aggrieved person’s right to seek redress in the courts of law. The institutional arrangement of Grievance Redress Mechanism is illustrated in Figure 1.

**Aggrieved Persons/Entities**

**Local GR Focal Person**

**GR Focal Person at PKSF**

**Managing Director of PKSF**

Chairman of PKSF

Figure 1: Institutional Arrangement of the GRM

### Attachment A1: CHECKLIST WITH NEGATIVE SOCIAL ATTRIBUTES

PO Name: ……………………………………………………………………………………………….

Project Title & Location: …………………………………………………………………………………

……………………………………………………………………………………………………………...

|  |  |  |  |
| --- | --- | --- | --- |
| **Involuntary Resettlement:** *Do the proposed project activities:* | | | |
| 1. | Require private land which is to be *acquired* by using the Bangladesh *Acquisition and Requisition of Immovable Property Ordinance, 1982*? | [ ] Yes | [ ] No |
| 2. | Require private land which is not available on voluntary contribution? | [ ] Yes | [ ] No |
| 3. | Affect any *private homesteads* (vita with houses & other assets)? | [ ] Yes | [ ] No |
| 4. | Require land that is not available on ‘contribution against compensation’ or other means not acceptable to the landowners? | [ ] Yes | [ ] No |
| 5. | Make persons/households using public lands destitute? | [ ] Yes | [ ] No |
| 6. | Affect mosques, temples, graveyards, cremation grounds, and other places/objects that are of religious and cultural significance? | [ ] Yes | [ ] No |
| 7. | Affect livelihood of vulnerable persons based on the required land? | [ ] Yes | [ ] No |
| 8. | Significantly restrict access to common property resources and livelihood activities of groups and communities? | [ ] Yes | [ ] No |
| **Tribal Peoples:** *Do the proposed activity/adaptation measures, including physical / construction activities:* | | | |
| 1. | Threaten cultural/traditional way of life of tribal peoples? | [ ] Yes | [ ] No |
| 2. | Require tribal lands that are to be acquired by using the Bangladesh *Acquisition and Requisition of Immovable Property Ordinance, 1982* | [ ] Yes | [ ] No |
| 3. | Severely restrict access to common property resources (forests, water bodies, etc) and livelihood activities? | [ ] Yes | [ ] No |
| 4. | Affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.) | [ ] Yes | [ ] No |
| ***“Yes” answer to any of the questions under Involuntary Resettlement and Tribal Peoples will make the proposed sub-project ineligible for financing under a project of PKSF.*** | | | |

### Attachment A2: SOCIAL SAFEGUARD SCREENING FORM

PO Name & Address: …………………………………………………………………………………..…

Screening Dates: …………………………………………………..

1. **The Proposed Project**
2. *Project/programTitle: ………………………………………………………………….……………............................*
3. *Location of the project and target/beneficiary communities*

Village: .............................................................. Union: ..................................................................

Upazila: ............................................................. District: ................................................................

1. *Project proposed for communities where residents are:*

[ ] All mainstream or non-tribal peoples

[ ] All tribal peoples

[ ] Majority mainstream or non-tribal peoples

[ ] Majority tribal peoples

1. *Brief description of proposed activities and expected benefits*:

.……………………………………………………………………………………………………..…..

……………………………………………………………………………………………..…………....

..................................................................................................................................................................

.……………………………………………………………………………………………………..…...

1. *How do poor in general and women in particular benefit from the proposed activities,?*

.................................................................................................................................................................

.……………………………………………………………………………………………………..…...

..................................................................................................................................................................

1. *Description of any physical/construction activities that will be required by the project:*

.……………………………………………………………………………………………………..…..

……………………………………………………………………………………………..…………....

..................................................................................................................................................................

1. **Community Participation**
2. *Community consultations conducted on the following dates: …………………………………………….*
3. *Women were consulted separately:* [ ] Yes [ ] No

*Consultation minutes are available for review:* [ ] Yes [ ] No

1. *Names of PO personnel participated in screening:*

.……………………………………………………………………………………………………..…..

1. *Names of community members participated in screening:*

.……………………………………………………………………………………………………..…..

……………………………………………………………………………………………..…………....

.……………………………………………………………………………………………………..…...

……………………………………………………………………………………………..…………....

1. **Social Safeguard Issues**
2. *Were free prior and informed consultations held with the communities?*  [ ] Yes [ ] No

*If ‘Yes’, consultation dates: ................................................................................................................*

1. *Does the project require any physical/construction activities?*

[ ] Yes [ ] No

1. *Will there be a need for lands to carry out the physical/construction works?*

[ ] Yes [ ] No

1. *If ‘Yes’, the required lands presently belong to:*

[ ] Government (Public Lands: *Khas*, other GoB agencies, Local Governments)

[ ] Private citizens

[ ] Commons land

[ ] Others (mention)

1. *If the required lands are Public Lands, they are presently used for:*

[ ] Agriculture (No. of persons/households using the lands: ……..…. )

[ ] Residential purposes (No. of households living on them: ……..…. )

[ ] Commercial purposes (No. of persons: ………. No. of shops, etc: ……… )

1. *If the required lands are Private Lands, they are presently being used for:*

[ ] Agriculture (No. of landowners/households: ………. )

[ ] Residential purposes (No. of households: ………. )

[ ] Commercial purposes (No. persons: ………. No. of shops, etc: …….… )

1. *If the required lands are Private, they will be mobilized through:*

[ ] Voluntary contribution

[ ] “Contribution against compensation”

[ ] Other means (Mention):

1. **Information on Tribal Peoples (TP)**
2. *If the required lands are Private and belong to Tribal Peoples, they will be obtained through:*

[ ] Voluntary contribution

[ ] “Contribution against compensation”

[ ] Other means (mention):

1. *Do the physical/construction works restrict any Tribal Peoples’ access to any resources that they use for livelihood?*

[ ] Yes [ ] No

1. *If yes, dates of consultation held with the TP communities and their organizations:* …......................

Are consultation minutes available for review: [ ] Yes [ ] No

1. *Names of TP community members and organizations which participated in social screening:* ……………………………………………………………………………............................................

…………………………………………………………………………………………....……………

…………………………………….……………………………………...............................................

1. *Is there a traditional grievance redress mechanism (GRM) in the project locality?*

[ ] Yes [ ] No

1. *If ‘Yes’, did any member of this GRM participated in social screening?*

[ ] Yes [ ] No

1. *The would-be affected TP have the following forms of rights to the required lands (more than one may apply):*

[ ] Legal (No. of TP households: …..…..)

[ ] Customary (No. of TP households: ……….)

[ ] Lease agreements with the government (No. of TP households: …...….)

[ ] Others (Mention): ……………………………………..................................................................

(No. of TP households: …..…..)

*24. The following are the three main economic activities of the would-be affected TP households:*

a. ……………………………………………………..........................…………..…........................

b. ……………………………………………………............................……………........................

c. …………………………………………………….............................…………..................….....

*25. Social concerns expressed by TP communities and organizations?*

.……………………………………………………………………………………………………..…...

……………………………………………………………………………………………..…………....

*26. The TP community and organizations perceive the social outcomes of the proposed adaptive measures:*

[ ] Positive

[ ] Negative

[ ] Neither positive nor negative

*27. In respect of the social impacts and concerns, is there a need to undertake an additional impact assessment study?*

[ ] Yes [ ] No

---------------------------------------------------------------------------------------------------------------

***This form completed by (Name of PO official)****:* ………………………………………….......................

***Signature:*** ……………………………………….. ***Date:*** ………………………….

# GUIDELINES FOR USING PRIVATE AND PUBLIC LANDS

1. **Land Availability and Resettlement Issues**

Involuntary resettlement issues are expected to arise where project proposals include land-based physical infrastructures. But as stipulated, private lands cannot be acquired, and use of public lands will depend on current uses and users. Where the proposed infrastructures are a critical part of the activity/adaptation measure, the POs will use the following guidelines to obtain public and private lands.

* Public Lands. Where they are in use by well-off persons and stoppage of further use would be socioeconomically inconsequential, the POs and communities may persuade the users to relinquish occupancy of the lands and look for alternative lands, if they refuse. Where these lands are currently used for living and/or livelihood by the poor and vulnerable, the POs and beneficiaries can obtain them by offering socioeconomic rehabilitation measures acceptable to the affected persons. The following condition will however apply:

*The current users will have the option to refuse to relinquish occupation of the lands without the fear of any adverse consequences.*

* Private Land on ‘Voluntary Contribution’*.* As is often the practice in the rural areas, the concerned members of the community, if persuaded, may elect to contribute the lands without compensation. This method will be followed only for small amount of lands and the project will ensure that,
  + The contributions are voluntary;
  + There are no encumbrances on the contributed lands;
  + The contributions do not affect the livelihood of vulnerable persons and, if it does, the PO and community devise and implement mitigation measures acceptable to the affected persons; (see *Attachment B1*)
  + The affected persons/contributors are made aware of the Grievance Redress Mechanism described in the preceding section;
  + The contributors give up all claims on the lands and the titles are transferred to the recipient through the legal process in the country; and
  + The contributions are documented through an MOU ( see *Attachment B2*)
* Private Land on ‘Contribution Against Compensation’*.* Voluntary contributions are seen more feasible where the landowners are well-off and very few in number. Contributions for infrastructures like irrigation and drainage canals, roads, etc, may involve a larger number of landowners -- some of whom might be quite marginal and vulnerable. In such cases, the beneficiary communities can offer this option as an incentive for contribution. The following condition will however apply:

*The landowners will have the option to refuse or to accept the ‘contribution against compensation’ offer without the fear of any adverse consequences.*

In cases of voluntary contribution and ‘contribution against compensation’, the POs will (i) ensure that landowners and communities are made fully aware of their rights and obligations; (ii) verify that contributions without and against compensation are truly voluntary; and (iii) that the contributors are the legitimate owners of the lands being obtained and there are no outstanding disputes over ownership.

1. **Impact Mitigation Objectives**

The principles and guidelines provided in this framework are to avoid or minimize adverse impacts on private landowners and public land users, mitigate the impacts that are unavoidable, and assist to improve, or at least restore, their living standards and income earning or production capacity to pre-project levels. To achieve the objectives, POs will adhere to the following strategic guidelines.

* Avoid or minimize displacement of persons/households who may have been using public lands for residential and livelihood purposes;
* Establish guidelines and procedures to ensure that private land contributions are voluntary and sought and accepted in transparent manners without causing unacceptable adverse impacts on the owners;
* Collectively decide on community-based impact mitigation measures where private lands are required for critical adaptation measures and adverse impacts are to be shared together by many landowners;

1. **Guiding Principles for Land Availability**

While preparing their proposals, the POs will explore alternatives to avoid or minimize use of private and public lands, especially those that have been under use by poor and vulnerable. In unavoidable cases, they will adhere to the following principles:

* Where lands are absolutely required, POs will,
  + Use as much of public lands as possible
  + Completely avoid displacement from private homesteads
  + Avoid or minimize displacement of homesteads from public lands
  + Use lands of lower value in terms of productivity and uses
  + Avoid affecting premises that are used for business/commercial activities
  + Avoid affecting religious sites like places of worship, cemeteries, and buildings/structures that are socially and historically important.
* POs will not propose any physical activities in their adaptation proposals which will significantly restrict access of the communities, especially the socioeconomically vulnerable groups, to common property resources that have been a primary source of their livelihood.

1. **Impact Mitigation Principles**
2. Where physical activities affect persons/households on public land, or require private land on “contributions against compensation”, POs will adhere to the following principles to avoid/minimize adverse impacts and adopt appropriate mitigation measures:

* As a first step toward mitigating adverse impacts, POs will always try to avoid adversely affecting persons/households who are socioeconomically vulnerable.
  + Where adverse impacts are absolutely unavoidable, the POs will ensure that the beneficiary communities collectively rehabilitate the affected persons / households with measures acceptable to them.
* Where displacement of public land users is unavoidable, POs will assist the affected persons/households to relocate on available public lands in the vicinity.
  + POs will mobilize the communities to collectively provide financial and material assistance to the affected persons/households to move and rebuild their houses.
  + Where businesses, such as small-scale road-side shops, are displaced, POs will mobilize community assistance to relocate them in the vicinity to ensure that they remain operational and do not lose income.
* Where private land is unavailable on voluntary contribution, contribution can only be sought against compensation.

1. Resettlement Action Plan (RAP) is prepared to follow the guidelines and principles contained in this SMF in the case that use of private lands or public lands from private uses could not be avoided. The POs and communities will implement the RAP once the SGP is accepted for sub-grant and implemented before receiving the sub-grant.
2. **Eligibility for Compensation/Assistance**

The persons/households affected directly and indirectly by the physical activities under an SGP are eligible for compensation and assistance. The most likely eligible groups are:

* Private Landowners: Persons who have legal rights to the affected lands and other assets, such as houses/structures, trees, etc, built and grown on them.
* Squatters: Persons/households who do not have legal rights to the lands, but use them for residential and livelihood purposes constructing structures on the lands.
* Encroachers: Persons/households who do not have legal rights to the affected lands, but use them for agricultural or other productive purpose without any construction.

1. **Compensation/Assistance Principles**

Depending on an affected person’s preference, POs and the beneficiary communities may consider using both financial and material forms of compensation and assistance. POs will ensure delivery of the agreed compensation/assistance in a timely and transparent manner. Compensation for the affected assets will be according to the following principles:

* Replacement cost for an equal amount of land of same productive quality.
* Replacement cost of houses/structures at the current prices of same building materials, plus the current cost of labor (without deducting the depreciation value) to build them.
* Current market prices of trees that are to be felled (owners will retain ownership of un-felled trees).
* Other acceptable in-kind compensation.
* Compensation in cash will be made in public.

The POs, beneficiary communities and the landowners will jointly determine the replacement costs of land based on the most recent transactions made in the same or adjacent localities, in view of the land type, productive quality and accessibility. Current prices of other assets, such as building materials, trees, etc, will be in accord with those in the local markets.

POs will document the impacts and affected persons/households, mitigation measures agreed with them, and verifiable evidence that the agreed measures have been implemented. The cases of voluntary private land contributions and contributions against compensation will also be documented with appropriate evidence and will remain open to be verified by PKSF, and others interested bodies related to the project (Documentation formats for impact assessment and mitigation; contribution of lands and other assets; and a schedule of compensation for using public and private lands are suggested in *Attachments B1, B2 and B3*).

## 

1. **Community Consultation**

Consultations will be inclusive of all stakeholders and used as a two- way communication strategy to provide information about the project and solicit support and agreements on the mitigations proposed.

1. Community consultation will be a vital part of decision making about all land-based activities in a project. In addition to general consultation about the benefits and feasibility of specific physical activity, POs will make certain that the users of the required lands (with and without legal rights), are consulted very early in the proposal preparation process. Consultations will focus on the issue of land availability and the conditions under which they could be used for projects. In cases where the would-be affected persons are women, POs will arrange culturally appropriate or separate consultations.
2. POs will prepare consultations minutes, indicating dates, venues, compensation issues discussed, and the details of the agreements reached. The affected persons will be provided with copies of the minutes signed by the affected persons and the POs. Copies of all such signed minutes will be kept by POs and will be made available for review by PKSF and the donor.
3. **Documentation**

The POs will keep the minutes of community meetings; records of persons / households who may have been displaced from public lands; voluntary contribution and “contribution against compensation” of private lands; and agreements made on compensation and the evidence of compensation payment. POs will make them available for review as and when asked for by PKSF.

### Attachment B1: IMPACTS ASSESSMENT AND MITIGATION DATA SHEET

1. PO Name & Address: ……………………………………………………………………………….
2. *Project Title: ………………………………………………………….……………........................................*
3. *Project Location: ……………………………………………………………………..…………………………*

Village: ………………….……………….. Union: …………………………………………

Upazila: ………………………………….. District: ………………………………………..

1. *Description of the physical/construction activities that will be implemented under the project:*
2. *Description of lands used for the project:*
3. *Public Lands:* Total amount used (decimals): …………..…

|  |  |  |  |
| --- | --- | --- | --- |
| *Number of affected users* | Squatters | Encroachers | Others (specify) |
|  |  |  |

*Other assets affected on public lands: ………………………….…………………………………..........*

*Livelihood impacted of vulnerable persons: ……*………………………………………………………………………………………….....

|  |  |  |
| --- | --- | --- |
| *Private Lands:* | Total amount used (decimals): …………… | Total number of affected landowners: ……………. |

*Other private assets affected: …………………………………………................…………………………*

*Livelihood impacted: ..........................................................................................................................*

7. *How the private lands obtained:*

|  |  |  |
| --- | --- | --- |
|  | Amount | No. of Contributors |
| Voluntary contribution |  |  |
| Contribution against compensation |  |  |
| Other means (Specify): …………………………..….  ………………………………………………………..) |  |  |

|  |  |  |
| --- | --- | --- |
| *8. Compensation payment:* | No. of persons paid | Total amount paid (Tk) |
| Contributors against compensation |  |  |
| Squatters |  |  |
| Others (specify) ………………….....  …………………………………...…. |  |  |
|  |  |

*9. Documentation:* Types of evidence of voluntary contribution obtained:

[ ] Signed MOU witnessed by community members

[ ] Others (specify) ………………………………………………………………….………....…

***This form filled in by (Name):*** ……………………………………………………

***Signature:*** ……………………………………………. ***Date:*** …………………………

### Attachment B2: FORMAT TO DOCUMENT CONTRIBUTION OF ASSETS

PO Name & Address: …………………………………………………………………………………..

Project Title and Location: *..……………………………………….……………..............................................*

*The following agreement has been made on (Day-Month-Year) .............................. between (the*

*Owner(s*) .........................................……………………………….……, *resident of …………………….*

*.…………….......................................................................... and the PO (Recipient).*

1. That the Owner(s) holds the legal right to the land (Dag No., Khatian No., Mouza, etc) ...........

.…………….….………………………………………………………... and other assets situated on it.

2. That the Owner(s) hereby voluntarily contributes to the Recipient portion (in decimal) of this asset for the construction of (infrastructure name) ……………………………………………………….

..…….……………………………………… for the benefit of the villagers and the public at large. There are no vulnerable groups losing livelihood as a result of this contribution of land, nor are there any other encumbrances on the land.

*Either, in case of Voluntary Contribution:*

3. That the Owner(s) will not claim any compensation against the contribution of this asset.

*Or, in case of Contribution Against Compensation:*

4. That the Owner(s) will receive compensation against the contribution of this land and other assets as per the attached Schedule.

5. That the Recipient agrees to accept this grant of assets for the purposes mentioned above.

6. That the Recipient shall construct and develop the (infrastructure name) ………………………

………………………………………..… and take all possible precautions to avoid damage to adjacent land/structure/other assets.

7. That both the parties agree that the (infrastructure name) …………………………………….…

……………………………….. so constructed/developed on the land shall be public premises.

8. That the provisions of this agreement will come into force from the date of signing of this document.

9. That the owner gives up all claims to the land and the title of the land will be transferred to the recipient through the existing legal process in the country.

……………………………………………………... …………………………………….……...

*Signature of the Owner(s) Signature of the Recipient*

**Witnesses** (Name, signature, father’s/husband’s name, and address):

1. …………………………………………………………………………………………………………

2. …………………………………………………………………………………………………………

### Attachment B3: SCHEDULE OF COMPENSATION FOR PRIVATE AND PUBLIC LANDS

[For each person who has made ‘contribution against compensation’ and squatter and encroacher who has been paid compensation or assisted in any other form]

1. PO Name & Address: …………………………………………………………………………………...............................
2. *Project Title and Location: ..……………………………………….…………….................................................................................*
3. *Name of Compensation Recipient:* ……………………………………………………………......

Father’s/Husband’s Name: …………………………………………………………………………

1. Compensation for: [ ] Contribution of land against compensation

[ ] Displacement from public land (squatter/encroacher)

1. Compensation Schedule

|  |  |  |
| --- | --- | --- |
| ***Affected Items*** | ***Amount/units Compensated for*** | ***Agreed***  ***Compensation*** |
| Land (in decimals) |  |  |
| Houses/structures (Floor area in sft): |  |  |
| *Structure type* (bamboo, mud, brick, etc.):  ……………………………………………………….... |  |  |
| Trees (Number) |  |  |
| Others (Specify): ………………………………………….. |  |  |
| ***Total Agreed*** | ***Compensation*:** |  |

Agreed compensation in words: ...............................................................................................................

|  |  |
| --- | --- |
| *Agreed Compensation Paid:*  …………………………………………………...........  Name & Signature of PO Official  Date: …………………. | *Agreed Compensation Received:*  ……………………………………………  Signature of Recipient  (Contributor/Squatter/Encroacher)  Date: ……………………. |

# GUIDELINES FOR TRIBAL PEOPLES PLAN

The following guidelines for Tribal Peoples Plan (TPP) will apply where POs propose activities/community-based climate change adaptive measures in areas/localities inhabited by tribal peoples (TPs).

## Objectives of Tribal Peoples Plan

The main TPP objectives are to ensure that adaptation activities, including physical, proposed by POs do not adversely affect TPs, and that they are culturally compatible and do not threaten their traditional way of life. This will require POs to determine whether proposals would include TP who may live as separate communities or parts of the mainstream communities. Depending on their presence in the project area and their needs and concerns, POs will prepare their proposals with the following strategic objectives:

* Select adaptation measures and determine their scopes to avoid or minimize, to the extent feasible, adverse impacts on TPs.
* Where adverse impacts on TPs are unavoidable, adopt and implement socially and culturally appropriate measures to mitigate them.
* Wherever possible, adopt measures – in addition to those for impact mitigation – to reinforce and promote any available opportunities for socioeconomic development of the TP communities.

## Identifying the Tribal Peoples

Although the TPs of Bangladesh are well recognized locally, POs will examine the following characteristics to make formal identification:

* Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
* Collective attachment to geographically distinct habitats or ancestral territories in the subproject area and to the natural resources in these habitats and territories;
* Customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and
* An indigenous language, often different from the official language of the country or region.

## 

## TPP Basic Principles

To avoid or minimize adverse impacts and, at the same time, ensure benefits for TPs, NGOs will use the following principles in the selection, design and implementation of particular climate change adaptation measures:

* Ensure that TP communities in general and their organizations, if any, are fully included in the process leading to selection, design and implementation of the adaptation measures.
* Together with TPs, screen the adaptation measures for a preliminary understanding of the nature and magnitude of potential impacts and, if necessary, explore alternatives to avoid or minimize the adverse ones.
* Where alternatives are infeasible and adverse impacts are unavoidable, POs, together with TPs and others knowledgeable of TP culture and concerns, will immediately make an assessment of the key impact issues.
* POs will undertake the tasks necessary to adopt appropriate mitigation measures. The most important in this respect is intensive consultation with the TP communities, community elders/leaders, and formal and informal TP organizations, civil society organizations like POs, and others who are interested in and have knowledge of TP issues.

*Consultation will include the objectives and scope of the proposed adaptation measures; the likely key adverse impacts on and benefits for TP; TPs’ own perception of the impacts and feedback; and a preliminary assessment of economic opportunities which PKSF/POs could promote – in addition to mitigating the adverse impacts.*

## Identifying TP Social Concerns

Impacts on TPs will vary in terms of adaptation measures and their scopes, presence and size of TP population in the area, and the magnitude of potential adverse impacts and social risks. To the extent applicable for particular adaptation measures, information on the cultural and socioeconomic characteristics, and potential vulnerability will be used to identify the TP social concerns and adopt alternative mitigation measures (major issues and indicators suggested in *Attachment C1*).

## Impact Mitigation

To use public and private lands and to avoid or minimize adverse impacts on TPs, PKSF/POs will apply the same guidelines proposed in Section B. Eligibility and standards for compensation will also be according to those proposed in the same section.

## TP Consultation Strategy

That free, prior and informed consultations will be held, and as required for informed consultations, POs will provide TPs with all information related to the probable adaptation measures, including that on potential adverse impacts. To facilitate consultations NGOs will,

* Prepare a time-table for TP consultations leading to selection, design and implementation of the adaptation measures, and consult them in manners so that they can express their views and preferences freely.
* In addition to the communities in general, consult TP organizations, community elders/leaders and others with adequate gender and generational representation; and civil society organizations like POs and groups knowledgeable of TP issues.

In addition to the choice of alternative adaptation measures, consultations will concentrate on the adverse impacts, if any, perceived by the TPs and the probable (and feasible) mitigation measures, as well as exploring additional development activities that could be promoted under the sub-grant. This will provide the inputs necessary to prepare and implement a Tribal Peoples Plans for a subproject in an area/locality inhabited tribal peoples. POs will keep minutes of these consultation meetings and make them available for review by the donor and other interested groups and persons.

### Attachment C1: MAJOR IMPACT AREAS AND INDICATORS

The following major impact areas and indicators are suggested for assessment of TP concerns and social risks.

*Cultural Characteristics*

* Relationships with areas where they live -- relating to religious/cultural affinity with the ancestral lands, existence of livelihood opportunities, etc.
* Presence of customary social and political organizations – characteristics indicating internal organization and cohesion of the communities, and their interaction with those of the non-indigenous population.
* Interactions and relationships with other indigenous peoples’ groups in the same and other areas.
* Presence of TP organizations, like NGOs and CBOs, working with TP development issues, and their relationship with mainstream organizations engaged in community development activities.
* Identification of any cultural aspect that is likely to be affected or made vulnerable because of the proposed adaptation activities.

*Settlement Pattern*

* The extent to which the tribal settlements are physically separated from those of the non-indigenous peoples, indicating interactions and mutual tolerance between the groups.
* Characteristics indicating physical organization of homesteads, and the existing community facilities, such as schools, water supply, etc.
* Present distance between the settlements and the proposed physical/construction activity in the projects/programs.

*Economic Characteristics*

* Prevailing land tenure -- indicating legal ownership and other arrangements that allow them to reside in and/or cultivate the lands in their areas.
* Access to common property resources -- prevailing conditions under which they may have been using natural resources like forests, water bodies, and others that are considered important sources of livelihood.
* Occupational structure -- indicating relative importance of household’s present economic activities, and the extent to which they might be affected or benefited because of the proposed adaptation measures.
* Level of market participation -- engagement in activities that produce marketable goods and services, and how and to what extent market participation would be affected or enhanced.

# GUIDANCE NOTES FOR INTEGRATING SOCIAL AND GENDER ISSUES

## Social and Gender Issues and their Implications

Climate Change is a certain matter and it will influence directly or indirectly to all, but the level of consequences won’t be equal to all. People living in the low-lying coastal and delta regions, such as south and south-western part of Bangladesh, are particularly exposed to coastal erosion and land loss, inundation and flooding, soil salinity, salinity intrusion into the ground water reservoirs etc. People living *Northern Part* Bangladesh suffering from flood and the *Middle Part* are suffering from dryness due to lack of surface water and downing the ground water. In this way, the people of in other agro-ecological zones are affected differently by the climate changes. Geographic location is however not the only determinant of the extent and severity of vulnerability, but also the access to resources, capacity to sustain, adaptive measures to keep peace with the risk they exposed in. More than any other factor, poverty determines vulnerability to climate change and it is considered on priority basis.

Base on the past experiences, this is observed that, climate change affects women more severely than men. Globally, it is largely the role of women to provide food, fuel, water, and the care that the family needs – all of which they do in addition to often earning some cash income. It is widely observed that climate changes cause a disproportionate burden on women, because they are more reliant on natural resources that are more climate-sensitive and have fewer physical (land and other assets) and financial resources, and have very limited access to markets. Women are most often made least powerful because of the social and cultural norms that limit their mobility and participation in decision making. To add to all this, they are often less educated, have less access to information and fewer or no opportunities for learning anything new.

But it is widely recommended that active participation of women in environmental decision making and integration of gender concerns and perspectives in policies and programs would be a significant positive step toward achieving sustainable development. And the policies and programs for adaptation and mitigation must take gender differences into account to understand how women have been and would be affected by climate change. This would be crucial to formulate gender-differentiated strategies for capacity building of women to respond to the climate change impacts that are associated with the gender-specific roles and responsibilities.

To make the adaptation measures truly community-based and inclusive, POs/PKSF are explicitly take into account social and gender concerns into proposal preparation, review and implementation. In this regard, extensive community consultations would be a key to understanding how the different community groups (in terms of socioeconomic characteristics, gender differentiation, ethnicity and other relevant attributes), perceive of climate change impacts, how they cope with the changes that have been underway, and what measures would be more effective based on their experience, to adapt to the changing conditions.

## Integrating Social and Gender Issues

To ensure that adaptation measures are socially inclusive, irrespective of geographical location, POs will consider the following things-

* + *Prepare the sub-grant proposals*: It considers the existing and emerging socioeconomic, culture and gender issues that may have resulted, or likely to result, from the climate changes.
  + *Identify the key factors:* The key factors that have caused or would cause variations in climate change impacts among the members of the target communities, in terms of geographical location, gender and socioeconomic characteristics.
  + *Identifying the adaptive measures:* The sustainable adaptive measures are to be identified that would be effective considering the issues identified previously.

## Social and Gender Analysis

The objective is to identify the differences and provide evidence for gender roles, activities, needs and available opportunities for men and women. This will provide the information necessary for effective integration of gender issues into the adaptation measures and will be a key to promoting social inclusion. While preparing project proposals, POs undertakes an assessment of the target communities to gather gender-disaggregated views and preferences of the different stakeholder groups, including women, in order to improve project design and establish a participatory process for implementation and monitoring. This requires analysis of the existing conditions that indicate vulnerability of the different community groups; their capacity to cope with and/or adapt to the climate changes; and their ability to share in the benefits of the probable adaptation measures. Analysis may include, but not limited to, the following information-

* *Project location*: It describes the physical characteristics (topography and other features) of the targeted settlements within a given climate change vulnerable zone.
* *Community profile*: It indicates demographic and socio-economic features like population size, ethnicity, education, major economic activities, formal/informal institutions and rules and behavior, and the scope of strengthening them to assume ownership of the project, and other aspects that may indicate effectiveness of the proposed adaptation measures under consideration.
* *Vulnerability to climate change:* Itindicates equity/inequity in access to and control over land and other resources of different community groups, such as landless, women, ethnic minorities and the like occupational groups among landless persons/households, including women.
* *Existence of common property resources:* like rivers and other water bodies, forests, etc. that are used by the poor in general, and women in particular vulnerable area.
* *Existing and potential gender issues and concerns:* It is related to the roles women play in the household and how they cope with the changes, as well as feedback on alternatives that would lessen their burden (consultations/focus group discussions as suggested in Section A may generate inputs for appropriate adaptation measures).
* *Assessing Women’s Contribution:* It’s important to assess the women who are integrated into the decision-making process involving project screening, preparation and implementation.

## Social and Gender Actions in Project Cycle

As an effective way to integrate social and gender issues, the POs prepare Social Inclusion Plans (SIP) for project proposal. In addition to social safeguards compliance, POs implement the SIPs to undertake the following activities at different stages in the project cycle:

*Stage I: Project Proposal*

* *Collect baseline information* on key social and gender issues prevailing in the communities targeted under the project, and make an assessment of how the project would impact on women and different socioeconomic groups. (All information and analyses must be gender-disaggregated.)
* *Identify goals and priorities*, in consultation with the communities/stakeholders, that are socially inclusive and would foster community ownership of the project
* *Make a preliminary assessment of community capacity* in terms of formal/informal institutions/groups, including CBOs/NGOs, as well as women who could actively participate in project preparation, implementation and monitoring
* *Ensure that social inclusion* is integrated into the project goals and objectives, and set targets that are measurable
* *Set up a monitoring and evaluation system* *with key indicators* that would inform of progress and effectiveness of the adaptation activities designed to foster social inclusion
* *Organize reporting and feedback processes*, identifying who will collect and analyze information, and who will use it and how it will be used to guide project implementation.

*Stage II: Project Implementation*

* *Carry out capacity development exercises* for integrating social and gender issues, and for monitoring and evaluating the social inclusion aspects included in project design
* *Collect gender-disaggregated data* on the indicators selected for social inclusion targets for the period under evaluation, and feed results into the system to allow any needed corrections
* *Identify any gender and other issues*, that were not addressed in project design, but faced during implementation, and adopt and implement appropriate remedial actions in consultation with the communities and other stakeholders

*Stage III: Implementation Completion*

* *Assess outcomes and impacts* of integration of *social and gender issues* in the overall project context
* *Assess outcomes and impacts of the project* on men and women, and more specifically on the social inclusion aspects and targets set during project design

## Monitoring Social Inclusion

Monitoring of social inclusion in project process will start from the concept stage and intensified once the project goes into implementation. Monitoring will be in line with the social and gender analysis and consists of the activities/issues that have been integrated into project design. It is essentially ensured that the project in question does not reduce one gender’s vulnerability to climate change at the expense of the other gender. In case of any unforeseen problems/issues missed in gender analysis is identified is necessary to adjust during the period of project implementation.

The information gathered during monitoring is provided with the essential inputs for evaluation and impact assessment of the individual projects. Social and gender analysis in the planning stage enables an evaluation to critically appraise how well the project meets its defined goals and objectives. Depending on the project contents and objectives, evaluation should take into account, among other relevant aspects, the following points are to consider-

* Whether or not or the project addressed *specific adaptation needs* of men and women, and how they have been incorporated into project design;
* Whether the combination of the *local knowledge* into the project performs better or not;
* Assessing the *level of extension* to which the project has brought about adaptation and *reduced vulnerability* to climate change for men and women;
* Whether or not the project had any unexpected or unintentional gender effects;