

Technical Assistance Consultant's Report

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TA 7566-REG: Strengthening and Use of Country Safeguard Systems

Subproject: Strengthening Involuntary Resettlement Safeguard Systems (Nepal)

CAPACITY ENHANCEMENT TRAINING ON SOCIAL SAFEGUARDS SYSTEM BIRATNAGAR, 18–20 March 2014 Prepared by ADB Consultant Team

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Asian Development Bank



Capacity Enhancement Training On Social Safeguards System.

18-20 March 201

Biratnagar

TA 7566 REG: Strengthening and Use of Country Safeguards System. NEP Subproject: Strengthening Involuntary Resettlement Safeguard Systems in Nepal

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Abbreviation:

ADB	Asian Development Bank
APs	Affected Person/ people
CDC	Compensation Determination Committees
CRP	Compliance Review Panel
DDC	District Development Committee
DoR	Department of Roads
NGO	Non-Governmental Organization
GoN	Government of Nepal
IR	Involuntarily Resettlement
IP	Indigenous people
RP	Resettlement Plan
SPF	Special Project Facilitator
TA	Technical Assistance
TOT	Training of Trainer
VDC	Village Development Committee
VWRCC	Village Workers Road Construction Committee
WB	World Bank
WG	Working Group
PAP	Project Affected People



1 Background: The present sub-project (TA make Nepal's involuntary 7566) aims to resettlement safeguard system more effective so that it addresses the gap between the best international practices and the current practices of the country. It will assist the Government of Nepal to conduct a diagnostic study of the existing regulatory frameworks and policies with the best international practices, including the assessment of financial implications of the draft policy and the specific practices that have been adopted by the dovernment to address the gap between international best practices and hence develop technical guidelines. It will also assist in identifying institutional and capacity development requirements in line with the proposed policy and the legal reforms. The subproject envisages strengthening the effectiveness of the public



delivery system and mainstreaming of social safeguards in the government system in line with the Country Partnership Strategy 2010-2012.

The main outcomes of this subproject can be summarized as: i) Diagnostic study of the legal and regulatory framework, ii) Institutional strengthening through Institutional and Capacity Development Plan, iii) Developing guideline for land acquisition and involuntary resettlement for procedural clarity and iv) **Taking capacity building measures for IR implementation**. These outcomes are the priority needs of GON for enhancing its involuntary resettlement system and practice (details in Inception Report, June 2013).

Capacity Building measures to implement Involuntarily resettlement is one of the major aim of the TA7566, The capacity building measures has been undertaken with the first training program of this nature organized in Biratnagar. The training was designed for three days.

Experience sharing, the concept and process of the IR and planning and management, ADB's main areas of safeguard policies and importance of automated system of monitoring and status of the project were main high lights of the training program.

1.1. Objectives of the training: The objectives of the training are i) experience sharing in compliance of social safeguard system .ii) providing skill and knowledge to make the social safeguard system being implemented properly in the field. iii) Plan and implement the livelihood/ life skill training properly in the field and identify the roles and responsibilities of line agencies to complete the projects successfully.

1.2. Training Schedule: The training Schedule is prepared well in advance and distributed to the resource persons and distributed to the participates during the first part of the training on first day of the training. The entire table is in Annex-i.

2. Commencement of the training: There was commenced on 18th of March in Biratnagar. As ritual process of organizing the day and activities of the group, the training has



collected the expectations. Training schedule is attached in annex-I, after discussion on need of social safeguards system, the overall prospective of the ADB social safe guard system was discussed, the trainees were asked the question where they were confused. During afternoon session people were divided into the groups and they were asked to work on the cycle of IR, and project cycle of ADB was presented. They were working on the issues where what should be addressed during the process of cycle, where to make the IR plan, which steps they have disclose the information etc. Afternoon session was for project screening approaches of ADB related to Social safe guards, Conducting Social Impact Assessment (SIA) and RP preparation on the process it was discussed on Preparation of loss of inventory, project categorization, screening the projects,.

Cate gory	Environment	Resettlement	Indigenous People
Α	significant adverse environmental impacts that are irreversible, diverse, or unprecedented	Likely to have significant involuntary resettlement impacts.	Likely to have significant impacts on indigenous peoples.
В	impacts are less adverse than those of category A projects	Includes involuntary resettlement impacts that are not deemed significant.	Likely to have limited impacts on indigenous peoples.
С	likely to have minimal or no adverse environmental impacts	Have no involuntary resettlement impacts.	Not expected to have impacts on indigenous peoples.
FI	involves investment of ADB funds to or through a financial intermediary (FI)	Involves the investment of ADB funds to or through a FI.	A proposed project involves the investment of ADB funds to or through a FI.

Project cycle, IR cycle and guideline on IRP preparation Conducting Social Impact Assessment (SIA) and RP preparation on the process it was discussed on Preparation of loss of inventory, Project cycle and IR cycle and guideline on IRP preparation was also presented during the day.

2.1.Output of the day:

1. Need of social safeguards system internalized an in it's absent, the development projects will be affected and the people will have owned the projects if they were taken care properly. This was highly appreciated for the sustainability and protection of the projects.

2. Social safeguards system of ADB and what are the major issues to prepare the social safeguards were internalized among the participants, some of the participants have reinvented on social safeguards system.

3. Participants were highly experienced the approaches on project categorization, screening the project with different approaches especially environmental, IP and Displacement of the population.

4. Need and urgency in IR to carry out SIA was discussed and they have prepared the format to conduct SIA.

2.Day 2. , 19th March 2014.

2.Introduction of the day : The day was basically focused on the development of Entitlement Matrix , Experience sharing one another in the field what is happening especially in social safeguards part in different projects and Report writing.

2.1. Commencement of the Training: The Session Started at 8:30 as planned and reported the work carried out in previous day. The report was purely on the contents and some participants were enthusiastic on the part where it was missing that has given a chance to revise the contents of the previous day.

How to prepare a resettlement plan was discussed and asked the people to come up with the idea and they have formed the group to prepare entitlement matrix. It will be working as a policy level frame work. Importance of the matrix was discussed and they have asked to prepare one as per given data. The groups prepared the matrix as given below.

Type of loss	Scope	Who is entitled	Entitlement	Responsible for delivery of the entitlement	Comments
A. loss of land	Temporary	Individual X	A. Cash B. Skill Dev training	Assistance from the project/GON	
	Permanent	Individual Y	A .Land B. Cash	Assistance from the project/ GON	
B. Loss of	Temporary	Individual X	B. Cash	,	
residential and Commercial structure.	Permanent	Individual Y	A .Land B. Cash Equivalent to Loss, Transportation, Demolition cost, Shift to adaptable community of they feel their own.	Assistance from the project/GON	
C. Loss of Income generating	Temporary	Individual X	A. Cash B. Training SD	Assistance from the project	
sources and assets	Permanent	Individual Y	A. Cash B. Training SD	. Assistance from the project/GON	
D. Additional	Elderly/Disabled	Owner	A. Cash	Assistance	

2.1.2.Entitlement Matrix developed by Group 1

support to Vulnerable	People Single women		B. Training C. Relocation in proper place equivalent to previous one	from the project/GON	
E. Loss of common property /Resources	Temporary/ Permanent	Owner – Community Individuals	Cash and Suitable relocation	Assistance from the project/GON	
F. Other Unanticipated Impacts					

There were four groups and they have developed the Entitlement matrix as per their Understanding and they have presented to the people. Each group was given 15 minute to present the entitlement matrix. Question answer was conducted where it was not clear to the other groups.

Group three developed the entitlement matrix differently with the given numbers and loss of property and structure as per provided data.

RP Implementation: It was discussed the stages of Resettlement plan implementation. It should be developed well in advance and the people have to be paid compensations before the commencement of the project. It has side implications if it is delayed. The group discussed on it.

2.1.3.Experience sharing: There are difficulties in the field, Dharan also reported, the people are not helping to the project as it was expected during the time of envisioned. The consumer committee members do come in the meeting but they are not ready to listen to the project people. In one area of tea farm after it privatized who to support the workers in toilet construction. Is it the responsibility of the contractor or the municipality? Many areas have small problems that are resolved in consensus.

2.1.4. Report Writing: Due diligence report Writing: ADB complies to prepare due diligence report preparation and the concept of due diligence report was presented as an audit of what has carried out where it is in loss in terms of Social safeguards system. The previously prepared report was discussed and a model of due diligence has to be developed. A suggestion is given as below.

1. Introduction and Project background, 2: Social Safeguards policy as per the project document, 3 Gap identification. 4. Lacking parts to comply the Social safeguards system 5. Suggestions and Recommendations .6. Conclusion.

2.2.Output of the Day:

1. The participants developed a Entitlement matrix. It has given a guide line what should be incorporated in providing assistance and including in RP. It has also given an Opportunity to be precise on Loss inventory since the compensation is provided on the basis of the loss inventory.

2. The participants also discussed on the development of Due diligence report preparation since they were confusing on the part of preparing the due diligence report. This had worked as remedy for the participants.

3. Experience sharing has opened the new ideas on how to solve the problems during the time of implementation of the projects. It worked as a healing center of the social safeguards system.

Day 3. 20th March 2014

3. Introduction of the day: The day was separated for report writing, livelihood, life skill, roles and responsibilities of a project manager was focused in delivering the contents.

3.1. Commencement of the Session: The training session started at 8:30 Am as usual. The reporting tem presented the work carried out of the previous day. The participants were also asked to add where the important part of the day was missing.

3.1.2. Roles and responsibility of Management on compliance of social safeguard system and ADBs role on compliance of Social Safeguards system was discussed. The participants were enthusiastic to understand the roles of their own. They were also incorporated by providing the roles and responsibility of project coordinator.

3.1.3. Importance of Grievance addressing mechanism : It was discussed . How have their own project addressing the grievances. It was associated with the field experience. The people found it more appropriate to address the grievances here and there if possible from the field level/ project level.

3.1.4. Livelihood restoring and Life skill training management: It was discussed with the example and experience on it was also shared during the training session. The discussion brought major issues of employment creation and restoration of income. A short out line on preparing curriculum on life skill training was also discussed. People were asked to develop life skill training as per the requirements of the target group. Women, youth, workers, field level workers and so on. Importance incorporating with safety rules applied in different areas also incorporated.

3.1.5. Automated Monitoring system of ADB: It was discussed and demonstrated as on how it works in traffic light system . Red, Orange and Green color. How the project is monitored, it has given an opportunity to understand the seriousness of social safeguards system as Technical development.

3.1.6. Wrap up of the training: Before the closing session of the training program, the participants were distributed training evaluation questionnaire; the participants took 10 minutes

to fill the form to air their views on the training part. 95% found it useful to enhance the capacity in the field of social safeguards system.

3.2.Output of the day:

1. Trainees have acknowledged the importance of Management in order to be successful of any projects, the project coordinators were reminded and refreshed their roles and responsibilities in the project.

2. Implementation of Livelihood and life skill training: They were conducting the training but to bring the training on national frame work was lacking form the part of the management, it was subsided some since there was no proper commitment in the field. It was refreshed on the importance and to make the project successful as well as the community will felt the project is their own.

3. Automated monitoring system made the people to work harder on the completion of the project and compliance of Social safeguards system. The participants were enthusiastic to

4. Closing session: Participants were asked to put their view openly on the training; One from female and one from male. Both of them highlighted the importance of the training, they were also said to use the skill and knowledge what they have learnt during the course of the training in the field effectively.

Team Leader of TA 7566, Dr. Bhim Prasad Subedi and Senior Social Safeguard Officer Mr. Laxmi Prasad Subedi also addressed the participants to apply the renewed knowledge and skill in the real field so that the project will be benefited from the training. The entire training program was facilitated by Mr. Nimananda Rijal of TA 7566.

5.Conclusion: The training was fruitful, some of the participants felt the duration was short since there were issues that need to be addressed in detail. Participants were satisfied with the training program and they found most of their expectations were full filled in short duration of the training. Such kind of training should be conducted frequently to update with the changing skill and knowledge in the social safeguards system and other related issues such as Land acquisition acts, resettlement policies and plan preparation.

The end.

Annexes:

i. Training Schedule:

DAY: 1

Sessions	Contents	Objectives	Time	R. Person
1	Expectation collection and objectives of the training:	To identify the expectation of the participants	8:30-9.30	NR
2	Overview of safeguards need and development impacts.	• To discover the importance of social safeguards system and impacts to the people.	9:30-10:00	BS
Tea Break	(10:00-10:15			
3	Overview of ADB's Safeguard Policy Statement:	 To share ADB's SPS and its requirement to be followed in ADB projects. 	10:15- 12:30	LPS
Lunch bro	eak 12:30-1:30		1	
4	ADB project cycle and IR cycle in ADB projects	 To identify different stage of projects. To make familiar with involuntarily resettlement step in project cycle. 	1:30-2:30	LPS
Tea Breal	k 2:30-2:40			
5	Nepal IR legal framework and practices	 Participants will be able to: Identify the category of the project and prepare loss 	2.40-3:20	BS
	Screening/ Inventory of Losses/ Project Categorization	 inventory. Prepare RP Conduct social impact assessment 	3:20-4:00	LPS
	Social Impact Assessment and RP preparation		4:00-4:40	BS
6	Wrap up session	• Revision of learning of the day.	4:40-5:00	NR
DAV 2.	1	1	1	

DAY 2:

Sessions	Contents	Objectives	Time	R. Person
1	Preparation of entitlement matrix	The participants will be able to prepare entitlement matrix	8:30- 9:15	BS
	Group work on preparing entitlement matrix (case		9:15-10:15	NR

	study)			
Tea Br	eak 10:15-10:30			
2	Experience sharing on IR planning and implementation by participating projects	• Know the others experiences, what was happened and how to tackle similar types of problem in their project areas.	10:30- 11:15	LPS/BS/NR
3	Group presentation	• Learning from one another's experience during the project implementation.	11:15- 12:30	Group team leader/NR
Lunch	Break 12:30-1:30			
4	RP implementation and updating	Participants will be able to know the challenges during implementation and requirement of updating RP	1:30-2:30	LPS
5	Report Writing: Due Diligence Report	Participants will be able to prepare due diligence report.	2:30-3:00	BS
Tea Br	eak 3:00-3:15			
6	Report Writing: Semiannual Report	 Participants will be able to prepare different types of reports to be prepared in the 	3:15-4:00	LPS
	Regular Progress Report	projects.	4:00-4:50	NR
7	Wrap up session	Revision of learning of the day.	4:40-5:00	NR
			I	

DAY: 3

Sessions	Contents	Objectives	Time	R. Person		
1	Role and responsibility of Central Team/Management.	 Identify the roles of the Central level team of the project. 	8:30-9.30	NR		
2	ADB's Roles and responsibility in safeguards compliance	 Aware the participants on roles and responsibility of ADB 	9:30-10:00	LPS		
Tea Break	Tea Break 10:00-10:15					
3	Importance of grievance redress mechanism and disclosure	 Make the participants vigilant on grievances and information 	10:15- 11:15	BS		

		disclosure		
4	Livelihood and income restoration measures	 To design and implement the life skill training and income restoration measures 	11:15- 12:30	BS/NR
Lunch Brea	ak 12:30-1:30			
5	Field Experience Sharing from the field	 Know others experiences, what was happened to others and identify means and ways to tackle problems in their project. 	1:30-2:30	NR/BS/LPS
Tea Break	2:30-2:40			
6	Automated Safeguard Performance Monitoring System	• Familiarize with automated monitoring system of ADB and their role progress updates.	2.40-4:10	LPS
7	Evaluation of the training program	 Identify the areas of improvement. 	4:10-4:20	NR
8	Wrap up of the Day	Participants/LPS/BS/NR	4:20- 4:50	

Resource Persons

BS- Dr. Bhim Prasad Subedi, Team Leader – TA 7566

NR- Mr. Nimananda Rijal, Communication and Training Expert -TA 7566)

LPS- Mr. Laxmi Prasad Subedi Sr. Social Development Officer (Safeguards) - ADB

ii. Participants List:

S.N.	Name	Position	Organization	Contact No
1	Bindeshore Lal Das	Engineer	WSSDO- Jhapa	9852026479
2	Uttam Prashad Paudel	S. Safeguards Expt.	IUDP- Janakpur	9841276706
3	Ganga Prasad Yadav	Project Manager	IUDP Janakpur	9741043149
4	Ankitman Shrestha	Engineer	P ISU-Letang	9852056036
5	Haridatta Paudel	SDE	CMIASP,ERID -	9846082532
			Biratnagar	
6	Krishna Uprety	Sociologist	ERID, Biratnagar	9841955537
7	Kumar Ghimire	Engineer	CMIASP-Biratnagar	9752000633
8	Babukaji Thapa	Sociologist/SSE	BDA/IUDP -Dharan	9841306144
9	Rajiv Giri	Social Dev, Officer	STIVEIP-Birarnagar	9845060794
10	Uttam Bajracharya	Social Dev. Specialist	BDA/CEMAT/SMFCC	9841500244
11	Upendra Prasad Baral	Project Manager	STIUEIP- Biratnangar	9852027267
12	Dhundiraj Dahal	Team Leader	STIUEIP- Biratnagar	9750090312
13	Punam Kumar Dahal	Sociologist	STIUEIP- Biratnagar	9852022729
14	Sharmila Thebe	Social Mobilizer	PISU- Panchthar	9804968759



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15	Sharada Bhattarai	Social Mobilizer	PISU- Jhapa	9845089213
16	Shanta Subba Rai	Woman Worker	PISU- Dhankuta	9842200850
17	Mokshya Dahal	Social Mobilizer	PISU-Letang -Morang	9842725806
18	Shusila Chaudhary	Social Mobilizer	WSSDO- Itahari	9842078159
19	Bhawana Karki	Social Mobilizer	WSSDO-Itahari	9852048743
20	Renuka Paudel	Social Mobilizer	Small town-	9817955181
21	Urmila Kumari Chaudhary	Social Mobilizer	Small town- Damak	9807744753
22	Chakra Kumar Rai		Dharan	9842040422
23	Bijaya Kumar Thakur	Engineer	WSSDO- Panchathar	9852830655
24	Er. Ranjit Ojha	Engineer	RMSO- Dhankuta	9851144920
25	Ganesh Prasad Yadav	Section officer	Janakpur Municipality	9844125493
26	Arun Kumar Karna	Engineer	WSSDO-Sunsari	9841627911
27	Satrughana Yadav	Engineeer	WSSDO-Morang	9852022558
28	Kishore Adhikari	Sub Engineer	IUDP/PIU	9852050000

iii. Glimpses of the training sessions.













