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SOCIAL SAFEGUARDS MANAGEMENT ISSUES AND CHALLENGES IN URBAN SECTOR:

A SOUTH ASIAN PERSPECTIVE



WORLD BANK GROUP

*Based on thematic review of safeguards by Regional Safeguards Advisor, South Asia Region, The World Bank
Projects from Bangladesh, Pakistan and Sri Lanka; covered both environment and social.
PLUS India experiences*

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Objectives of the Review

- assess the level of compliance with safeguards requirements
- review the implementation effectiveness of the safeguards policies and instruments on the ground
- summarize the operational challenges
- synthesize lessons learned in the urban sector to profile good practices in projects and
- recommend measures to enhance the effectiveness of safeguards work including preparation, supervision and strengthening of borrower's capacity to manage environmental and social safeguards.
- This effort is unique as it lays a framework for the conduction of thematic safeguard reviews

Urban Sector is Different – Why

- Urbanization is inevitable as the secondary and tertiary sectors expand, aspirations enhances and so the demand for services increases from all quarters
- Multi-sectoral – water supply, sanitation, roads, electricity, transport etc.
- Multiple Agencies – Coordination and communication an uphill task. Further land management agencies may/ may not have any stake unlike the implementing agency(s).
- Population Density is quite high. In migration and floating population too high.
- Pressure on the existing infrastructure and demand for services continue increasing.

So What...

- Urban Poverty manifests – distinctly different from Rural
- Squatters and Encroachers – Land Mafia emerges altering the stakeholder profile and interest groups. Non- title holders??
- Business entities and religious houses!!
- Securing lands not only difficult (political economy- vote banks) addressing adverse effect on livelihoods looms large if physical relocation
- Development Plans may or may not have been prepared with full involvement of landed stakeholders. While direct/ indirect methods of compensations may exist, rehabilitation and full livelihood restoration are not on cards.
- Natural calamities and vulnerability. Floods, cyclone etc. This makes,, specially poor people (slums) more vulnerable and greatest impact are felt by them with no facilities of any kind.

Legislative Support –Resettlement Policy

- In South Asia, India has probably one of the most advanced and comprehensive policy
- The **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013** (also **Land Acquisition Act, 2013**) is an Act of Indian Parliament that regulates land acquisition and lays down the procedure and rules for granting compensation, rehabilitation and resettlement to the affected persons in India. The Act replaced the [Land Acquisition Act, 1894](#), a nearly 120-year-old law enacted during British rule.
- Key words are: consultation, informed participation, transparency, fair compensation and adequate rehabilitation and resettlement. Provisions are good; but processes to be tested ...
- Sri Lanka – has a policy, but. Relatively not a land scarce country; cascading effects are quite high (view urban services in isolation). Colombo Metro Project.
- Bangladesh and Pakistan do not have a national policy – needs to bridge the gap between Bank's OP and local laws.
- No URBAN SPECIFIC POLICY. Most policies are rather 'rural' oriented.
- One such instance – ROW in Transmission Projects - no need to acquire lands, but Diminutive value??

Legislative Support – Indigenous People

- This is bit tricky as IPs are supposed to be addressed as ‘group’ .- Tribal Settlement
- But, Tribals (in India) are subject to multiple displacements as well.
- Indian LA RR Act does provide for differential addressing of STs and SCs.
- **BANK’s Policies – OP 410 (IPs) and OP 4.12 (Resettlement)**
- OP 4.10 triggering is rather difficult
- OP 4.12, though needs to be triggered, there could be some cases without
- Low Income Housing Projects – Social Safeguards Management without OP 4.12.

WHAT NEXT....

- By and Large, Compliances have been satisfactory in the Bank projects, yet ...
- Project Vs Program- ring fencing safeguards within the realm of a Project vs mainstreaming
- Bank window vs Institutional reform agenda
- Exhaustion of technical alternatives and try resettlement as a last resort
- Land Readiness Filter
- Urban Residents are much more knowledgeable and resourceful – so conflicts and litigations are quite obvious

WHAT NEXT....

- Communication outreach is critical to the smooth implementation – especially when the temporary disturbances are quite high. Karnataka Urban Water Project (24X7 supply).
- Grievance Redressal Mechanisms (GRM)- inclusive, effective and accountable
- Community mobilization/ Development irrespective of triggering of the policy
- Capacity building of all stakeholders including ‘contractors’, especially from OHS point of view and contract management
- Unique Identification of Property (UIP).
- Urban Resettlement Policy ?

Thank You

*For full reading of the SAR Review, please contact:
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