



Dealing with Gaps in Pakistan Regulations and ADB Social Safeguard Requirements

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Key Challenges and Differences with Regulations in Pakistan and ADB Safeguards

- No requirement for compensating based on replacement cost
- No requirement for provision of resettlement assistance, income/livelihood rehabilitation measures
- No provision/assistance to poor and vulnerable DPs and severely affected DPs
- No compensation of DPs without legal rights to land for non-land assets
- No explicit attention to gender issues in involuntary resettlement



Key Challenges and Differences with Regulations in Pakistan and ADB Safeguards

- No requirement for engagement of qualified and experienced experts to undertake the valuation of acquired assets;
- Use of LAA urgency clause in acquiring land for development projects and starting civil works before compensation;
- No requirement for exploring benefit-sharing schemes
- No requirement to prepare and disclose a resettlement plan
- No preference to land-based compensation for DPs dependent on land for their livelihood



Key Challenges and Differences with Regulations in Pakistan and ADB Safeguards

- No requirement for establishing convenient / accessible grievance redress mechanism (GRM);
- No requirement to support social and cultural institutions of DPs and host population
- Requirement for meaningful consultation versus hearing of objections
- No requirement for monitoring and disclosure of monitoring reports



Identifying and Dealing with Gaps

Due diligence work during project preparation

- IR screening/impact assessment
- Identification of legacy issues and actions conducted in anticipation of ADB support
- assessment of status of LAA activities
- EA/IA capacity assessment and orientation on ADB requirements



Identifying and Dealing with Gaps

- Preparation of Resettlement Frameworks and/or Resettlement Plans/Corrective Action Plan (combining both country and SPS requirements) and putting in the legal agreement
- Harmonizing LAA process with RP preparation
- Integrating requirements and standards related to resettlement in PC-1
- Conducting independent valuation study (IVS) to confirm replacement cost of acquired assets
- Monitoring of RP and CAP implementation and link with award of civil works contracts and handing over of sites commencing works



Measures in Case of Non-Compliance During Project Implementation

- Preparation and implementation of corrective action plan (CAP) agreed with ADB
- Suspension of works until CAP has been fully implemented
- Exclusion of section or subproject from the project
- Extension of loan closing until CAP has been fully implemented
- Partial/full cancellation of Loan (in case of no action/resolution) and/or reimbursement of ADB funds used in the project