

**Special Symposium on Resettlement and Livelihoods**

# **Involuntary Resettlement** **Policy Mapping Exercise**

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# Policy Mapping Exercise

- ADB Safeguard Policy Statement (SPS) objective: to assist borrowers address projects' environmental & social impacts and risks
- Using tools in the SPS, map involuntary resettlement policy in the region



## Policy Mapping Exercise

- Recognize strengths in IR policy across ADB developing member countries
- Identify gaps at national level & rationalize allocation of resources to bridge these
- Make assessments available to practitioners & development partners as a regional public good

# Tool: Equivalence Assessment Matrix

- Array relevant country policy instruments & international good practice
- ADB SPS : 12 IR policy principles & 36 IR policy principle elements
- Full, partial or no equivalence assessment for each of the policy principles and key elements

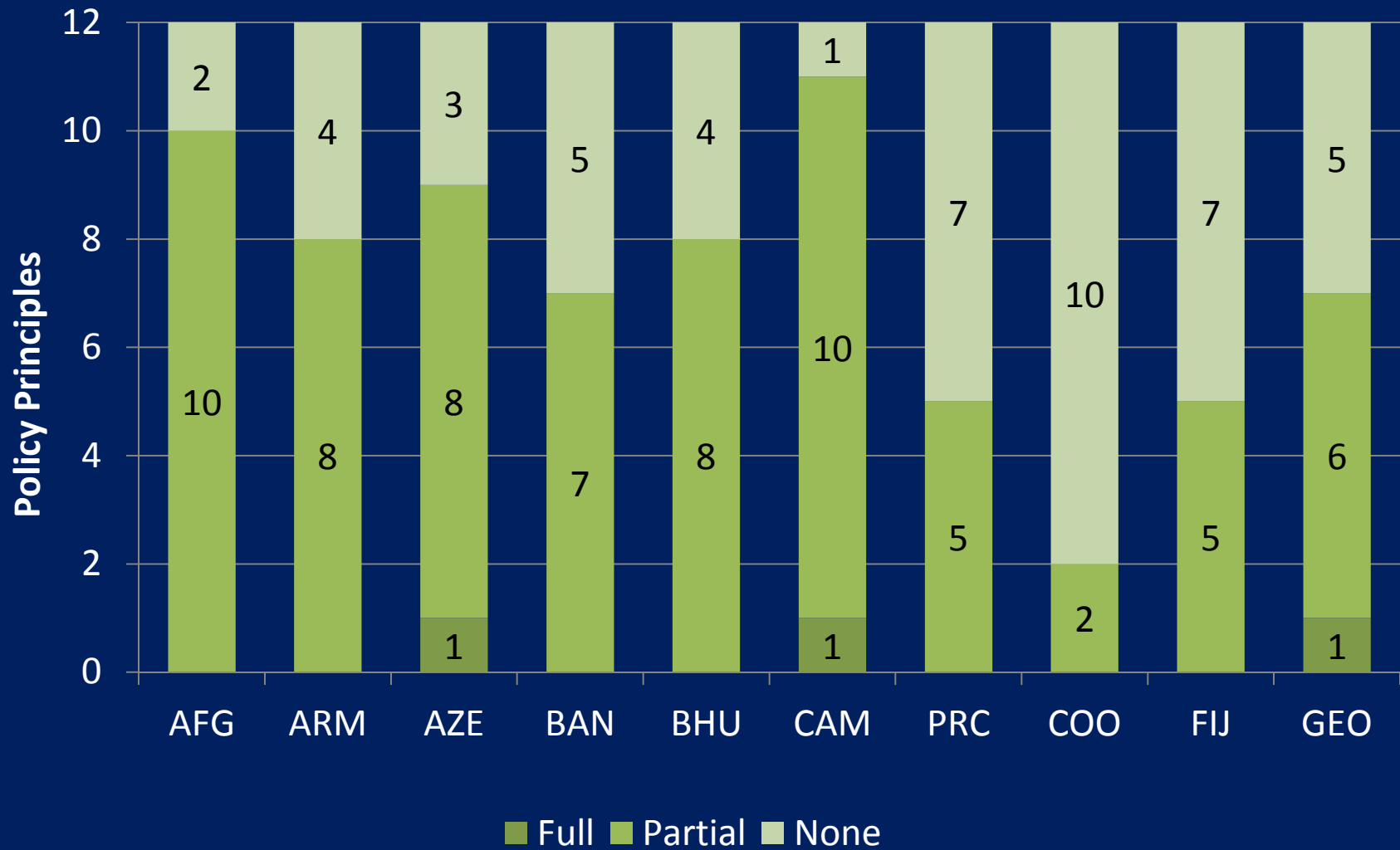
## EQUIVALENCE ASSESSMENT MATRIX FOR INVOLUNTARY RESETTLEMENT SAFEGUARDS<sup>¶</sup>

¶

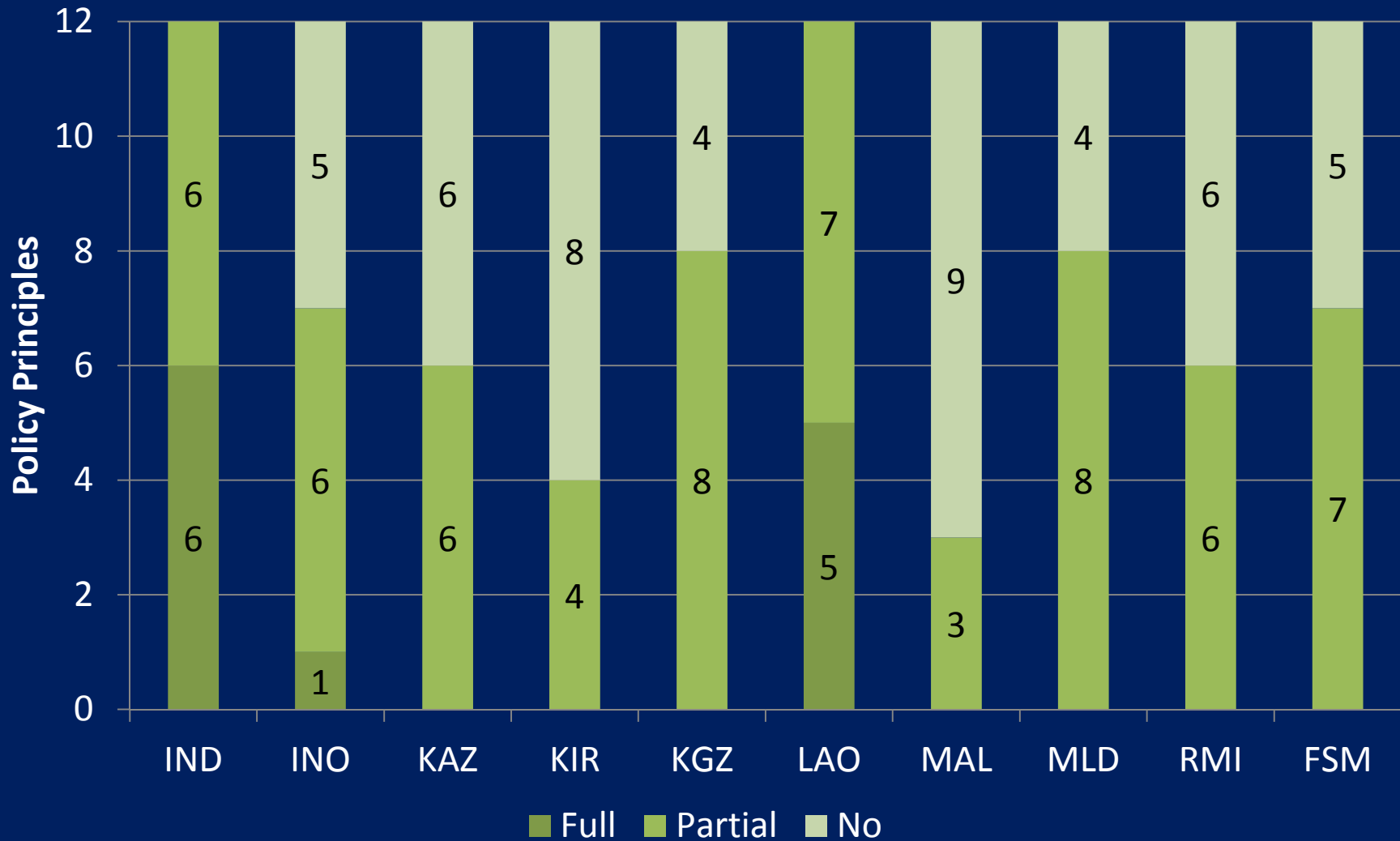
ADB Safeguard Policy Statement <sup>¶</sup>	Corresponding DMC Legal Provisions <sup>¶</sup>	Extent of Equivalence <sup>¶¶</sup>	Recommended Gap-filling Measures <sup>¶</sup>
<b>Objectives:</b> To avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. <sup>¶</sup>			
¶		¶	¶
<b>Scope and Triggers:</b> The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary. <sup>¶</sup>			
¶		¶	¶
<b>Policy Principle 1:</b> Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. <sup>¶</sup>			
<b>Key Element (1):<sup>¶</sup></b>  Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. <sup>¶</sup>	¶	¶	¶
<b>Key Element (2):<sup>¶</sup></b>  Determine the scope of resettlement planning through a survey and/or census of displaced	¶	¶	¶

# Mapping Results

## Legal Framework Equivalence Assessment: Involuntary Resettlement

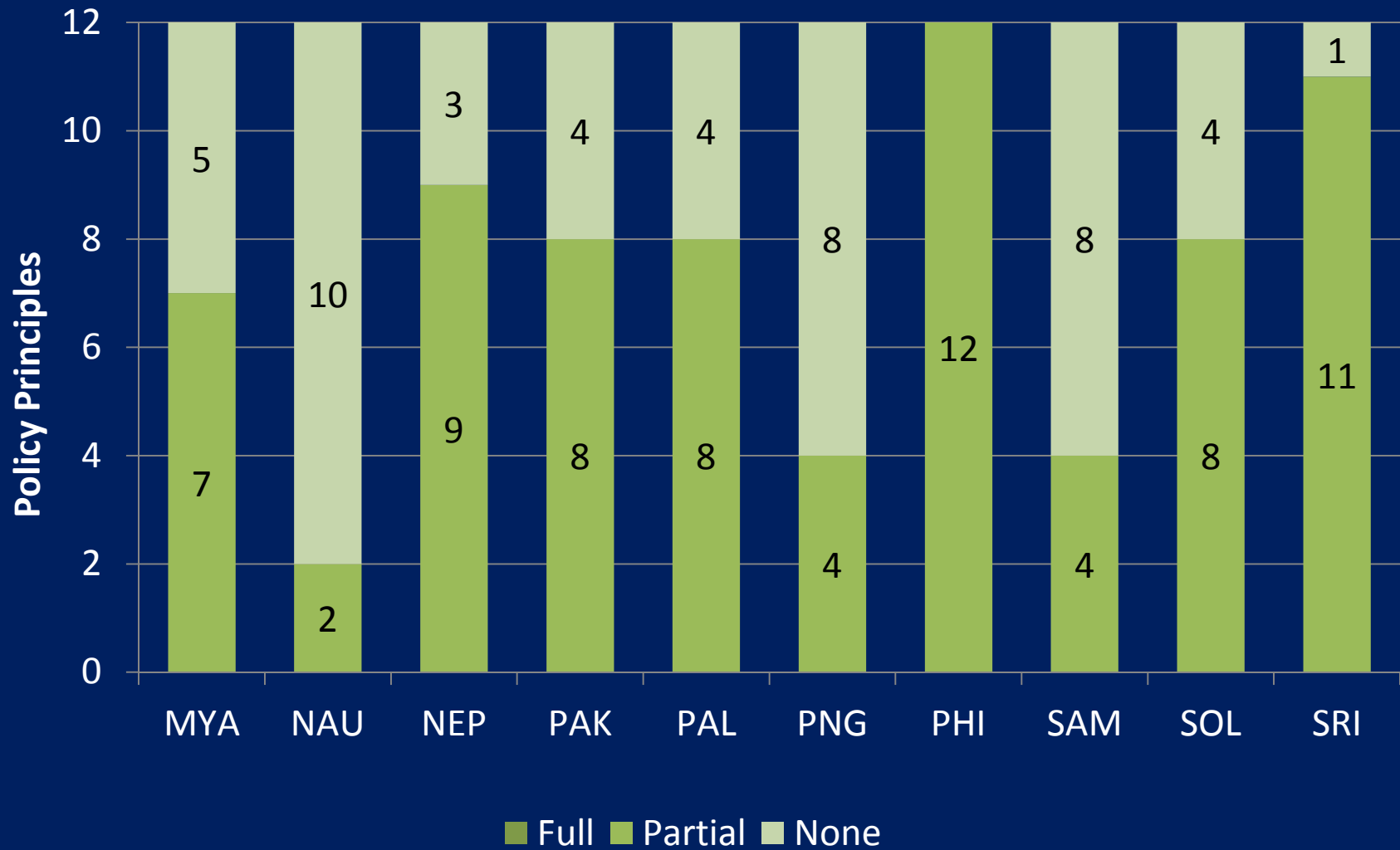


## Policy Framework Equivalence Assessment: Involuntary Resettlement

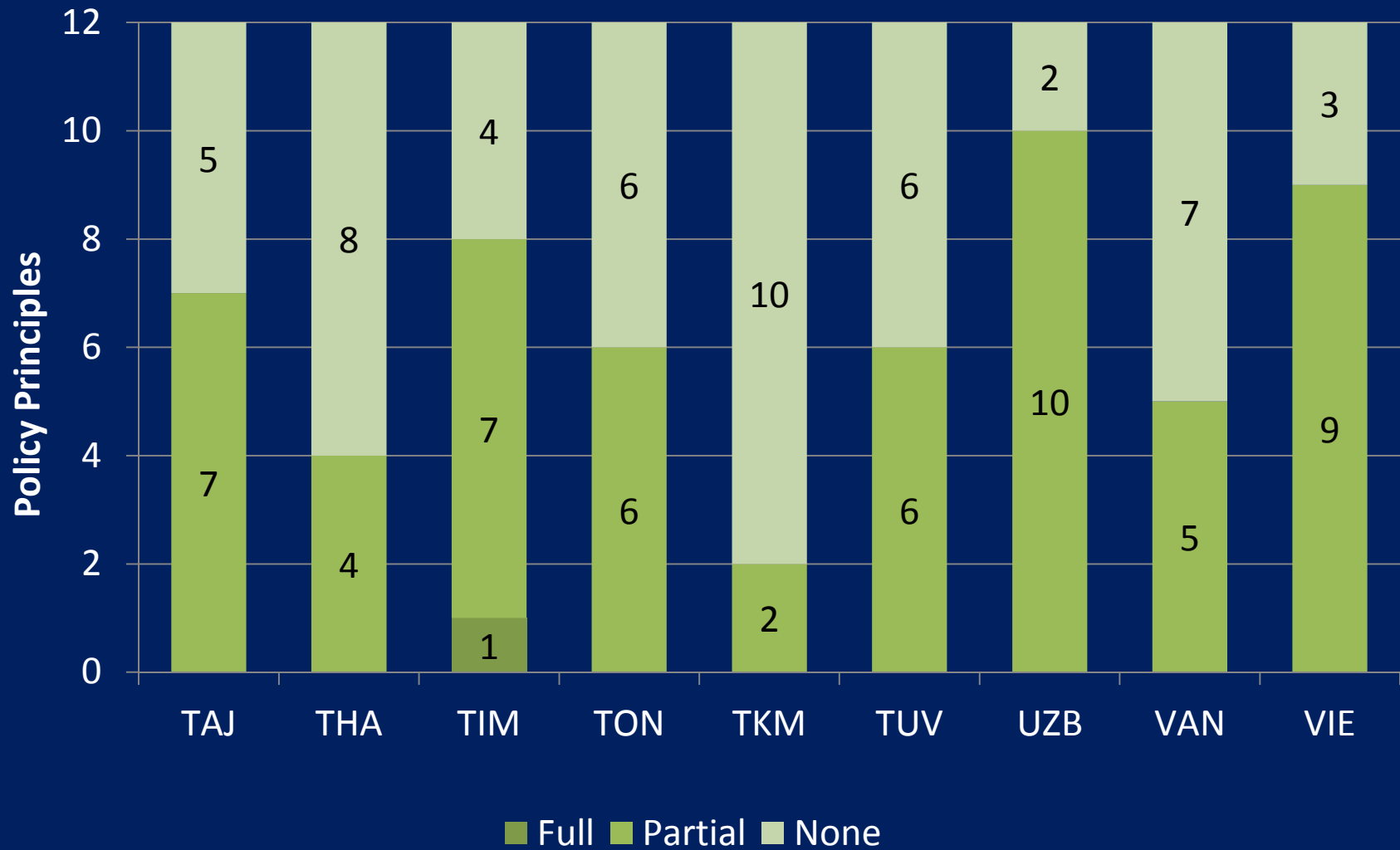




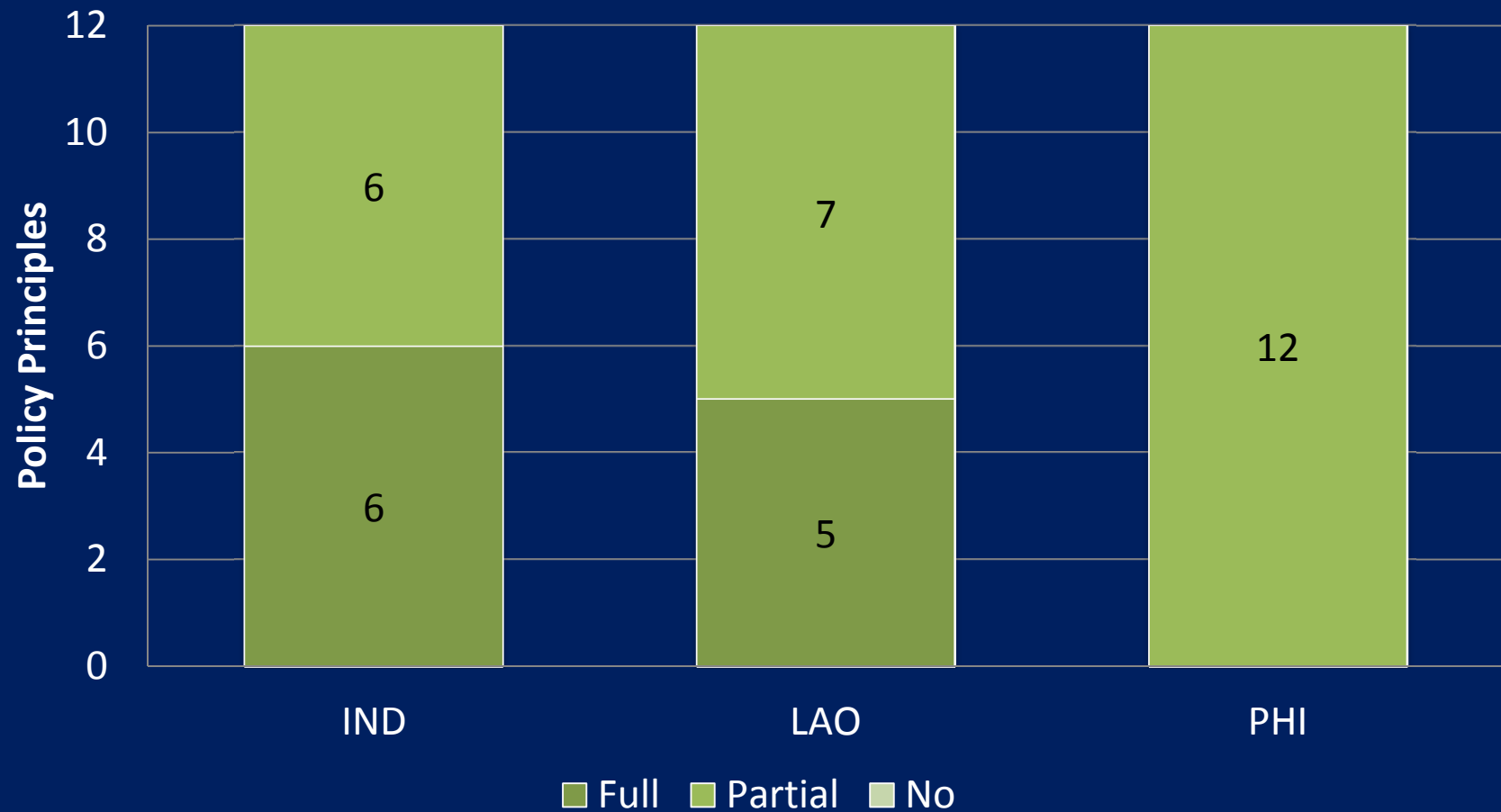
## Policy Framework Equivalence Assessment: Involuntary Resettlement



## Policy Framework Equivalence Assessment: Involuntary Resettlement



# Legal Framework Equivalence Assessment: Involuntary Resettlement Selected Countries



# Common Areas of Equivalence

- Survey displaced persons
- Conduct consultation
- Provide resettlement assistance
- Provide compensation prior to displacement

# Common Gaps

- Livelihood restoration
- Compensation for affected persons without title
- Monitoring resettlement process & outcomes
- Gender-sensitive consultation
- Preparation & disclosure of resettlement plan and monitoring report
- Grievance redress

# Country Safeguard Systems (CSS) Portal

<http://countrysafeguardsystems.net/>

ADB

# COUNTRY SAFEGUARD SYSTEMS

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LEGAL INSTRUMENTS

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### Involuntary Resettlement

#### Legal Instruments:

-  [COAST CONSERVATION ACT](#)
-  [COAST CONSERVATION AMENDMENT 1988](#)
-  [COAST CONSERVATION AMENDMENT 2011](#)
-  [EIA REGULATIONS 772](#)
-  [FFPO 1993](#)
-  [FFPO 2009](#)
-  [FFPO](#)
-  [LAND ACQUISITION ACT](#)
-  [LAND ACQUISITION AMENDMENT 1983](#)
-  [LAND ACQUISITION AMENDMENT 1986](#)
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## Summary

- IR policy frameworks are evolving towards international good practice
- However, policy gaps persist
- Addressing these requires political will and resources to support policy action and capacity
- Mapping exercise: desk review

# Thank You! Salamat Po!

## For more information

- <http://www.adb.org/site/safeguards/main>
- <http://www.adb.org/site/safeguards/country-safeguard-systems>
- [llauroto@adb.org](mailto:llauroto@adb.org)

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