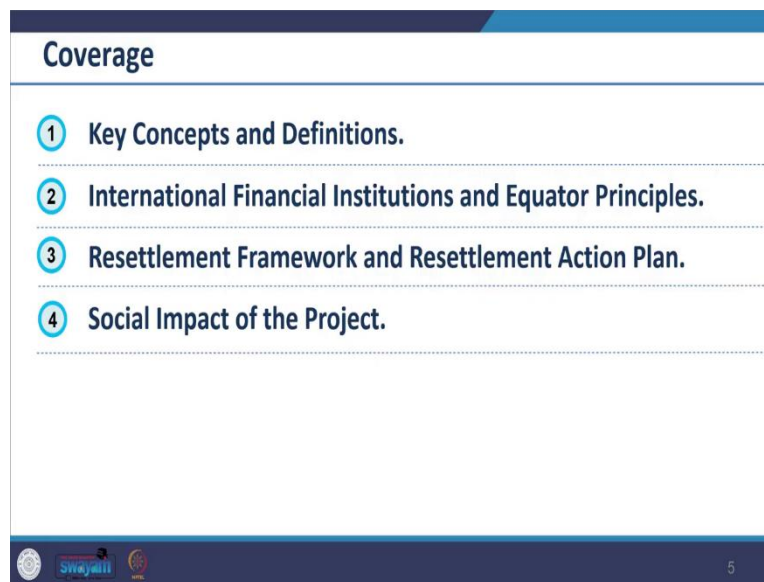


Environmental Impact Assessment
Professor Harshit Sosan Lakra
Department of Architecture and Planning
Indian Institute of Technology, Roorkee
Lecture - 22

EIA – Law, Policy and Institutional Arrangements for EIA Systems (Part – X) Land Acquisition, Resettlement & Livelihoods

Welcome to the course- Environmental Impact Assessments in today's session, we are going to cover land acquisition, resettlement, and livelihoods from the perspective of all the legal aspects, as well as what kind of policies are there, and what kind of institutional arrangements are there or standards or guidelines are there, so we will look at that, and if you may connect that, this is what we have been covering for a couple of lectures here. So, for this session, our main reference from the textbook would be chapter 15 of the book Therivel & Wood 2018.

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So, our coverage would include that, first, we are going to look at the key concepts and definitions and then we will look at international financial institutions and also understand equator principles, then we look into resettlement framework and resettlement action plan like what it is and what kind of work has to be taken within this framework and then we will look at the social impact of the project in this particular domain dealing with land acquisition and resettlement aspect.

Then we will look into the Indian context, where we will try to understand what kind of property rights we have, we will just touch upon that. And then we will also look at the key legislation in this that, is the right to fair compensation and transparency in the land acquisition, rehabilitation, and resettlement act of 2013.

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Learning Outcomes

- 1 Define Concepts
- 2 Identify International Financial Institutions & Equator Principles.
- 3 Discuss key approach and documents within Land Acquisition.
- 4 Review Social Impact.

   7

So, our learning outcomes, what we expect to understand after completing this particular session is that we should be able to define these concepts in the key terms, we should be able to define them and we should be able to identify the key international financial institutions, the kind of guidelines they provide, legislations they provide, the legal instruments they provide, and then also the equator principles and similar kind of guidance which is given by them.

Then you should be able to discuss key approaches and documentation which is required within the land acquisition and resettlements, then you should be able to discuss the social impact which one needs to consider within the domain of land acquisition and resettlement, then you should be able to like to locate the Indian context, like, what is the scenario here and explain the key act and the elements of the right to property and then the right to fair compensation and transparency in land acquisition, rehabilitation, and resettlement act.

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The image shows two presentation slides. The first slide, titled "Key Concepts and Definitions", is slide 8 and features a blue rounded rectangle with the title in white text. The second slide, titled "Negative Impact of Resettlement", is slide 10 and lists nine bullet points: Displacement, Landlessness, Joblessness, Homelessness, Marginalization, Increased morbidity and mortality, Food insecurity, Loss of access to common property, and Social disarticulation. It also includes the text "(Impoverishment Risks and Reconstruction (IRR) Framework)" at the bottom right.


So, starting with the key concepts and definitions, think about the negative impact of land acquisition and displacements you have, you have been reading and listening about it, and think about you being in that, situation. So, as per the World Bank study which really discusses this and brings forward, all these components, the study on impoverishment risk and reconstruction (IRR) framework, identifies that there is a certain negative impact of resettlement like there are cases of, there is displacements because of resettlement, there is landlessness, there is joblessness, people lose job, then people lose home, homelessness, then there is also marginalization, then there is also increased morbidity and mortality, so those kind of things happen, then there is increase in food insecurity, loss of access to common property, and there is also social disarticulation, so many problems arise out of resettlement, when one has to be relocated.

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Transition in Project Outcomes:

| | | |
|------------------------|-------|--|
| Landlessness | ————— | Land-based resettlement |
| Joblessness | ————— | Re-employment |
| Homelessness | ————— | House reconstruction |
| Marginalization | ————— | Social inclusion |
| Increased morbidity | ————— | Improved health care |
| Food insecurity | ————— | Adequate nutrition |
| Loss of access | ————— | Restoration of community Assets and services |
| Social disarticulation | ————— | Networks and community rebuilding |

(Therivel & Wood, 2018;Pg 548)



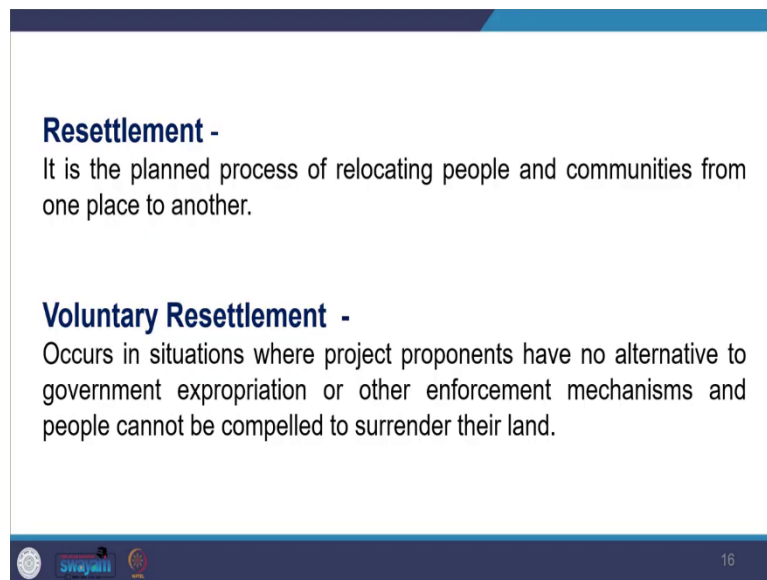
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It is also like, there are a lot of problems, but it is also cons, it is also considered that, when all the impacts are, all the risks are taken into perspective, consideration, and proper planning is done, then the same project with good consideration and involvement could change the outcome, so the outcome like what we saw from that, we are looking at negative impact as landlessness.

So, from that, we can have land-based resettlements, we can have reemployments from joblessness, and then we can have house reconstruction from homelessness, so we can look at social, inclusion and then we can have improved health care, we can have adequate nutrition and then we can also see, how we can restore community assets and services, likewise how we can build the network and community when we really take into consideration all these kind of impact and plan properly for these things.

So, further, there is also developing understanding and recognition of the risk involved in business, if all the aspects of projects are not well considered. So, it is just not that, it is one needs to do it, it is there are certain impacts and for the class environmental clearance one needs to do it, but then it is also, the understanding is evolving that, it is due consideration and taking consideration of all the involved risk, it helps to improve the business as well. So, based on that, that, context we see, will now have certain conceptual clarity.

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Resettlement -
It is the planned process of relocating people and communities from one place to another.

Voluntary Resettlement -
Occurs in situations where project proponents have no alternative to government expropriation or other enforcement mechanisms and people cannot be compelled to surrender their land.

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So, there are terms like voluntary and involuntary resettlements, so like what is a voluntary settlement, like settlement, when we look at resettlement, resettlement is a planned process, where you plan the process of relocating people and community from one place to another. And we say voluntary resettlement when in situations where project proponents have no alternative to government expropriation or other enforcement mechanism and people cannot be compelled to surrender their land. So, when people cannot be forced to surrender their land, then you say it is a voluntary resettlement.

For example, you can see that, like indigenous people, the tribal people have constitutional rights to their land and would only agree or they would be only relocated when they agree to the project, they give their consent to the project to occupy the land. So, when that consent is taken free, in a free environment, prior and informed consent is taken, only then that, land can be willingly taken from them. So, such kind of things are said to be voluntary resettlement.

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Involuntary Resettlement –

Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement.

swayamii 17

And, when we say involuntary resettlement, it is considered, when resettlement takes place without informed consent, so when there is no consent of the people who are being displaced, the affected people who are being displaced, there is no consent of theirs, then it is said involuntary resettlement, and also in the cases where do not, where they do not have the power to refuse the resettlement. So, many times they are forced to agree to what is being offered, so when they do not have the power to refuse the resettlement, irrespective they agree with that, or not so that, is said to be involuntary resettlement. So, now we saw the voluntary resettlements, we saw involuntary settlements, and we saw what resettlement means.

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- **Eminent Domain**
Right of a government or its agent to expropriate private property for public use, with payment of compensation.
- **Land Expropriation (Negotiated Agreement)**
Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses.

(IFC Handbook for Preparing a Resettlement Action Plan; pg. ix)

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, also, we may know that the government has the power of eminent domain, so there is term eminent domain means, the government has the right to land expropriation, which, means to take away your private property for public use with payments of compensation, so they can compensate you for the land which they have taken.

So, they have, come, meaning, they can compulsorily acquire land when projects are considered to be in the public interest, so it is for the larger good for everyone's benefit then the government has the power to take

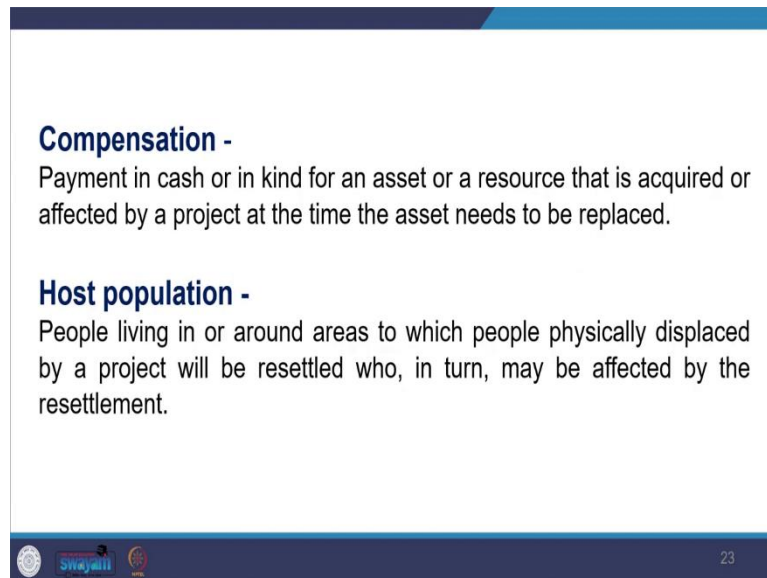
that, land from you. So, think of all the situations in which the government can take the land from you and then it can be, it is like most of the projects, all of the projects can be supported for public interest purposes.

So, we see that, what the IFC World Bank suggests is that in cases where one needs to negotiate and negotiation is seen as a best practice, so one needs to promote negotiation in the process of acquiring land. Forced relocation is bad for business, so that, is not good and, may have a lot of consequences in terms of protests, delay, and a lot of legal actions and though and that, would can be very expensive for the project proponent. So, in most of the cases that, should be avoided and negotiation should be made when there is no consent, so one should come to a common agreement there.

So, wherever, even in the cases where the government uses its eminent domain or higher land has to be acquired, it is always desirable that there is a negotiated agreement, that, should be taken care of and for the resettlement process. And this particular process, where the agreement there is a lack of consent, but there is a negotiated agreement, so that, is said to be negotiated involuntary resettlement.

And it is, in cases where it is unavoidable, it is promoted by the international standard and it is viewed as the best practice, so negotiation is one of the important aspects here to come to an agreement and have a better exchange of concerns and also the sharing of values here. So, even if there is a negotiated process under IFC, performance standard five the condition about involuntary resettlement still applying must be considered, there will be also norms and standards that have to be followed here.

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Compensation -
Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.

Host population -
People living in or around areas to which people physically displaced by a project will be resettled who, in turn, may be affected by the resettlement.

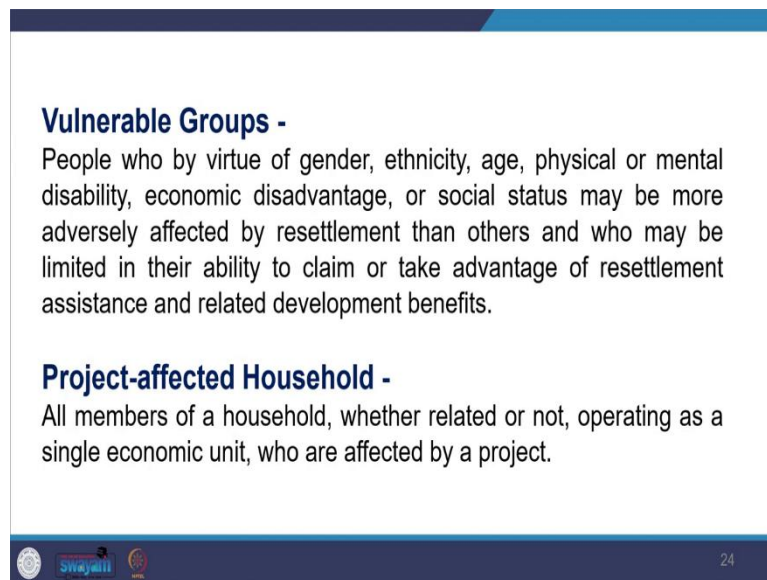
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So, in any situation of resettlement, irrespective of the use of the eminent domain, we also see that compensation should be paid for those who are displaced, so compensation is mandatory, has to be done and some guidelines suggest how those considerations have to be taken care of and how those processes have to be followed.

So, we see that learning the term compensation, compensation means the payment in cash or in kind for an asset or a resource that, is acquired or affected by a project at the time the asset needs to be replaced, so you see what compensation means this I have taken from the IFC performance standards.

Then you also see the host population, what do we mean by that, people living in or around areas to which people physically are displaced by a project and who have to be resettled and they would be affected by the resettlement, so they would be considered as the host population.

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Vulnerable Groups -
People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

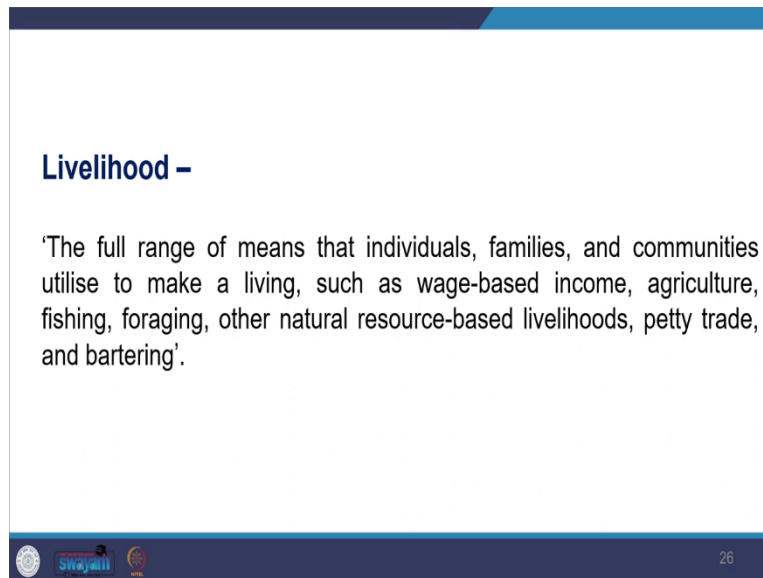
Project-affected Household -
All members of a household, whether related or not, operating as a single economic unit, who are affected by a project.

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Then you also see terms like vulnerable groups these are people who buy by gender or ethnicity, age, physical or mental disability economic disadvantage, or social status and will face the negative impact of the resettlement, so they would be considered as the vulnerable group.

And they might have limited capability to take advantage of whatever is being proposed, so you need to take care of that, as well and you understand what we mean by vulnerable groups and then you see the project affected households, so this term is used for all the members of the household, whether related or not related and they work together as an economic unit and this household is referred as a project affected household if they are affected by a project. So, that is about the vulnerable group and projected affected households.

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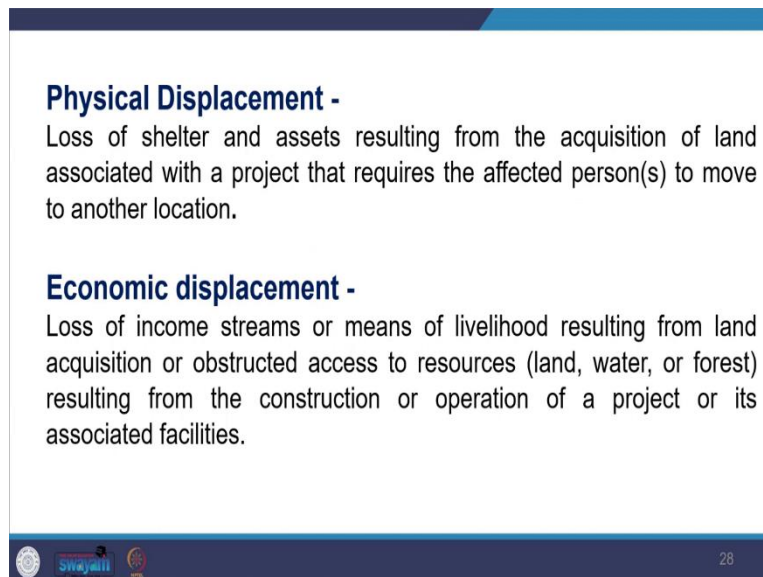
Livelihood -

'The full range of means that individuals, families, and communities utilise to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering'.

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Further, one needs to understand the livelihood concept and there is the significance of restoring livelihood. It should not be limited to the compensation part itself, but one needs to ensure that, the impacted communities are not disadvantaged in the process of when you are taking away land from them. So, you have to see that, we must not only give them money but also restore their livelihood when their lands are being taken away.

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Physical Displacement -
Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

Economic displacement -
Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.

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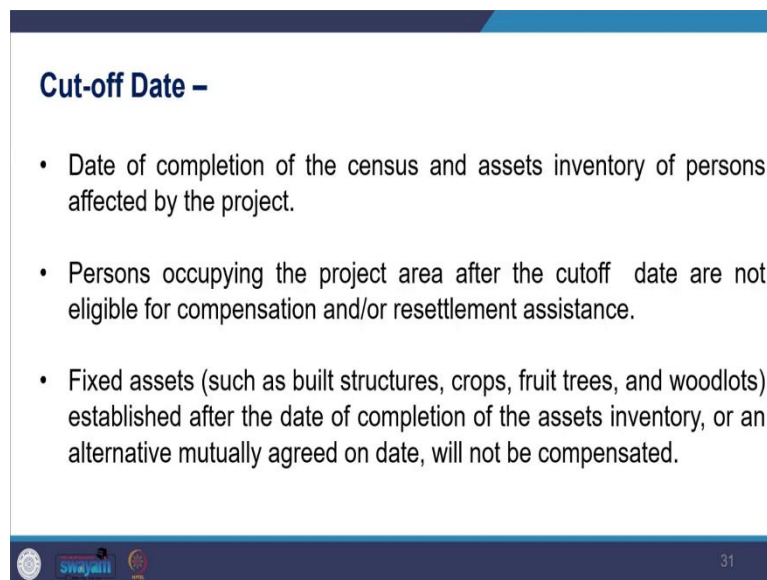
So, this is an important concept of restoration of livelihoods in resettlement planning and then people, we see that people can be seriously affected by the project, even when they do not have to be physically relocated, so even if we are not relocating them, then also they can get seriously affected. Especially when their livelihood opportunities or access to livelihoods is hindered or obstructed by the interventions you are doing there.

So, for example, if a highway is coming up and then splits the site into two parts, the agriculture field into two but no longer the farmer can go to the other side and use the major chunk of the land that is available to that, so that, hampers the person, though that, a person is not being relocated, but there is reduced income,

may there can be drastic reduced income in that. So, that kind of displacement is called economic displacement.

So, understanding the term livelihood means, it is the full range of means that, individuals or families and the communities, utilize to make a living such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty traits, and bartering, so all these are livelihoods and then any interference in this could be an economic displacement.

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Cut-off Date –

- Date of completion of the census and assets inventory of persons affected by the project.
- Persons occupying the project area after the cutoff date are not eligible for compensation and/or resettlement assistance.
- Fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.

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So, another important concept is the cut-off date, the cut-off date is said as under the national law, permits the project to freeze further development on the land to be acquired by the project, so it is an important date by which everything should be attained and cut-off date addresses also to the date of completion of the, all these sensors, all the documentation and assets inventory of persons affected by the project.

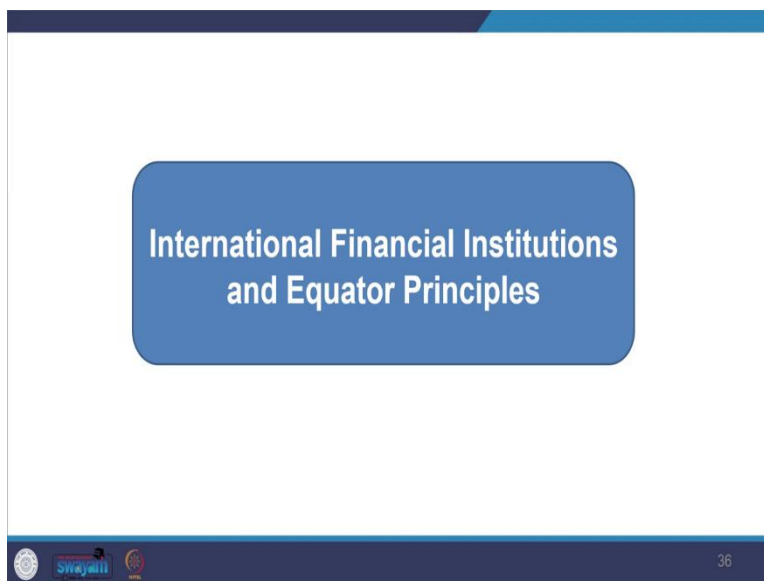
Persons occupying the project area after the cut-off date are not eligible for compensation and or resettlement assistance and then you also have fixed assets that are documented, such as build structures, crops, fruit trees and wood lots, forest trees, and all and then you establish the date of completion of all assets inventory and then or an alternatively mutually agreed on the date will not be compensated.

So, in principle people must be compensated for all improvements that, occurred before the cut-off date, but do not need to be reimbursed for any improvements made after that, date, so only when the declaration is made, the cut-off date decided, only till then they will, they are compensated.

So, we see you must have heard about such kind of problems like a lot of delays between the cut-off date and actual relocation, which, also causes a lot of project cost, adds to the project cost, and then you must have also heard about problems of speculation of or opportunistic behavior where whenever the projects are declared, people start buying purchasing things at the lower cost, so that, one can acquire or one can sell it at a higher rate for the land acquisition purpose.

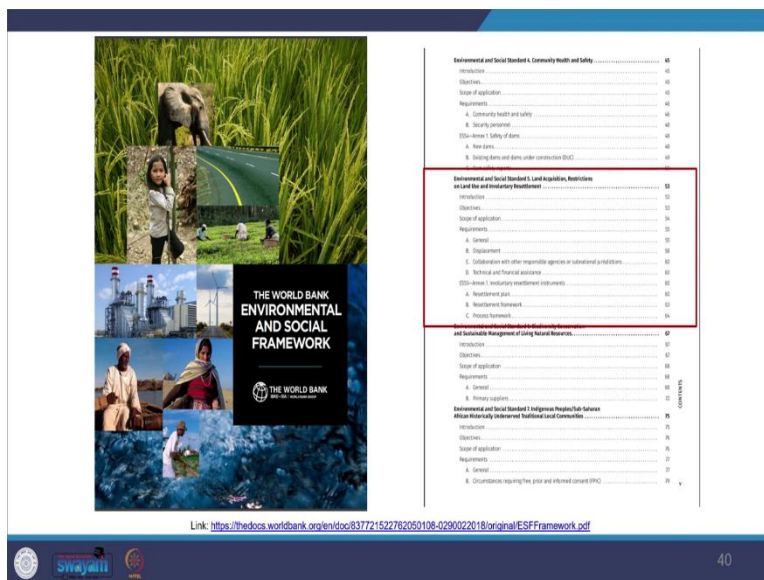
So, these kinds of problems are very common which ones look at it, so as a professional, you might have to deal with them. So, that was about some of the relevant concepts, there are many concepts, and I have just chosen some of them, so that, we understand things.

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So, now looking at the international financial institutions and equator principles, you see that, most of the international banks have developed their standards and guidance and we also see convergence and integration among them, so there are a lot of standards and guidance which have been prepared and then there is a lot of commonalities and integration which have been worked out among them.

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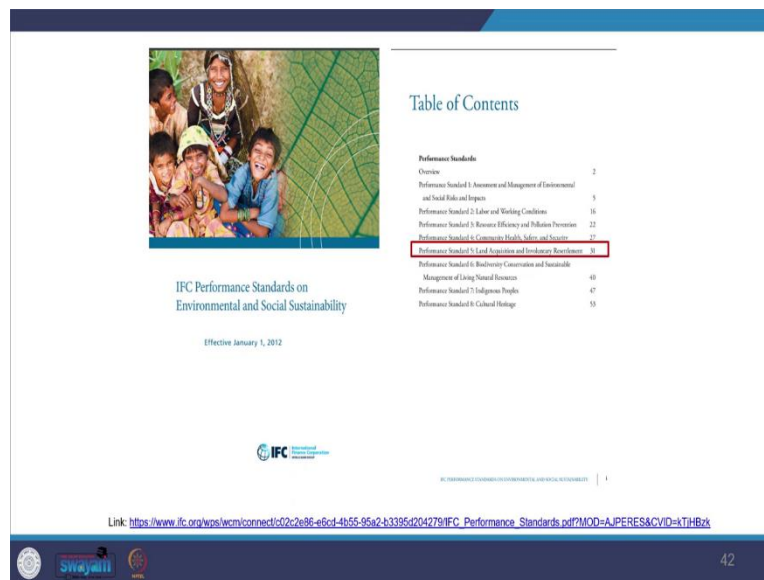


So, you can find the environment and social framework, EFS, developed by the World Bank, the environment, and social framework, this requires the bank and it is like the people who borrow, the agencies that borrow to evaluate and manage environmental and social risk, and they are supposed to inform and consult the stakeholders and they are supposed to, they are required to compensate certain project affected people. This is a mandatory requirement for projects for which want to take funds and then we see that the environmental and social framework is mostly used by the government agencies.

And in this way, we see that bank also contributes in a way to supporting and encouraging projects that, are environmentally and socially sustainable, so in engaging, and encouraging people to have a more environmentally and sustainable approach towards project planning. They, also target to improve the ability of the project developers, so the guidelines are given to them, so it also improves their capacity to handle such kind of environmental and social risk and also to reduce the project negative impact of the project.

We see that the bank has defined specific environmental and social standards which are also referred to as ESS and these are designed to avoid minimize reduce or mitigate the adverse environmental and social risks and the impacts of the project. So, I have provided you the link and you can see the environmental and social frame framework here.

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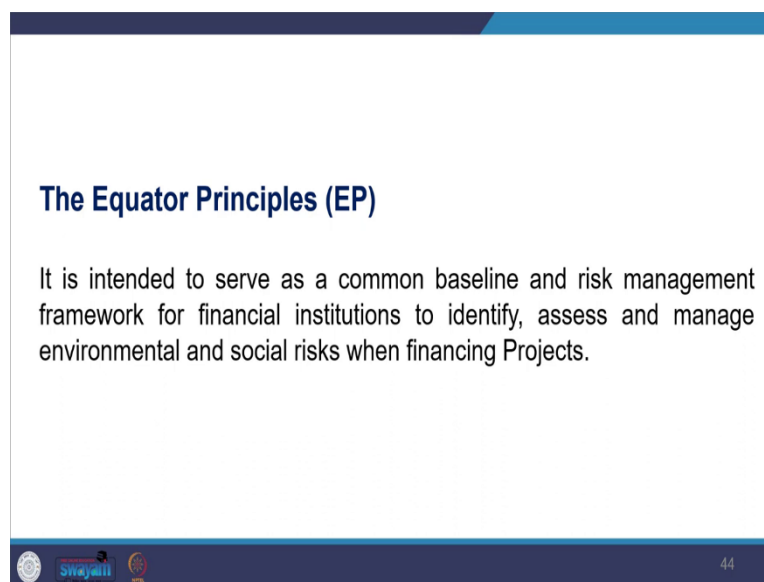
The image shows the Table of Contents for the IFC Performance Standards on Environmental and Social Sustainability, effective January 1, 2012. The document is titled "IFC Performance Standards on Environmental and Social Sustainability" and is effective as of January 1, 2012. The Table of Contents lists the following sections and page numbers:

| Performance Standard | Page |
|--|------|
| Overview | 2 |
| Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts | 5 |
| Performance Standard 2: Labor and Working Conditions | 16 |
| Performance Standard 3: Resource Efficiency and Pollution Prevention | 22 |
| Performance Standard 4: Community Health, Safety, and Security | 27 |
| Performance Standard 5: Land Acquisition and Involuntary Resettlement | 31 |
| Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources | 45 |
| Performance Standard 7: Indigenous Peoples | 47 |
| Performance Standard 8: Cultural Heritage | 53 |

Link: https://www.ifc.org/wps/connect/c2c2e86-e6c1-4b55-95a2-43395d204279/IFC_Performance_Standards.pdf?MOD=AJPERES&CID=KTHBz

So, you will also find that IFC performance standards on environmental and social sustainability, are usually used by commercial projects, the previous one you saw was mostly used by government agencies.

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The Equator Principles (EP)

It is intended to serve as a common baseline and risk management framework for financial institutions to identify, assess and manage environmental and social risks when financing Projects.

So, we also see that IFC performance standards are also applied for the equator principle banks, so the banks which align networks together in equator principles, so it is also applied for them. So, what is the equator principle? Equator principles are like them, they are a common baseline and risk management framework that puts all the financial institutions together to identify access and manage environmental and social risk when financing the project, so they have a certain framework together.

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The EP apply globally, to all industry sectors and to five financial products:

- 1) Project Finance Advisory Services,
- 2) Project Finance,
- 3) Project-Related Corporate Loans,
- 4) Bridge Loans,
- 5) Project-Related Refinance, and Project-Related Acquisition Finance.

[Link: https://equator-principles.com/about-the-equator-principles/](https://equator-principles.com/about-the-equator-principles/)

So, equator principles, it is applied globally and to all the industry sectors and five financial products, you see this, project financing advisory services, project finance, project-related corporate loans, bridge loans, project-related refinance, and project-related acquisition finance. So, you see how the projects and project proponents are managed to align their development projects with the environmentally or sustainable development approach.

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Equator Principles Banks

- The Equator Principles is a sustainability framework for the global finance industry.
- 127 financial institutions in 38 countries have officially adopted the Equator Principles
- (<https://equator-principles.com/members-reporting/>)
- IFC standards are applied in the EIA of the development projects .

So, the IFC performance standard, the compliance with that is increasing and here you see that, it is also required by the equator principle banks and the equator principle is a sustainability framework for the global finance industry. So, we see that 127 finance institutions in 38 countries have officially adopted the equator principles, so through them, IFC standards are applied in the EIA of the development projects.

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The image shows the cover of the Equator Principles EP4 (July 2020) on the left, featuring a large stylized 'E' logo. On the right is a table of contents. Below the table of contents is a URL: https://equator-principles.com/app/uploads/The-Equator-Principles_EP4_July2020.pdf. The slide number '49' is in the bottom right corner.

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So, looking briefly into equator principles, they have become the financial industry standards for environmental and social risk management and projects. Financial institutions adopt EP to ensure that, the projects they finance are developed in a socially responsible manner and reflect sound environmental management practices. By doing so adopting this negative impact on project-affected ecosystems and communities can be avoided wherever possible or if it is unavoidable then that, can be reduced to a certain extent and then mitigation and compensation can be appropriately extended.

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The image displays a grid of six IFC guidance documents with their respective URLs. The first document, 'Handbook for Preparing a Resettlement Action Plan', is highlighted with a red border. The slide number '51' is in the bottom right corner.

- Handbook for Preparing a Resettlement Action Plan**
https://www.ifc.org/wps/wcm/connect/ee19f150-1505-41db-891f-b6f5557195b9/ResettlementHandbook_PDF?MOD=AJPERES&CACHEID=ROOTWORKSPACE-ee19f150-1505-41db-891f-b6f5557195b9-jd0CRL
- Sustainable Engagement**
https://www.ifc.org/wps/wcm/connect/afbc005-2569-4658-9962-280c483baa12/IFC_StakeholderEngagement.pdf?MOD=AJPERES&CID=jd013-p
- Project to Land Issues**
https://www.ifc.org/wps/wcm/connect/7bb5464e-61aa-4919-bae6-d5589a959a68/Influx_Full.pdf?MOD=AJPERES&CID=rr01WCH
- A guide to getting started on local assessment**
https://www.ifc.org/wps/wcm/connect/65550eb7-2bec-47db-96a1-8001f4b90706/IFC_LPPGuide_PDF20110708.pdf?MOD=AJPERES&CID=rzmKX1
- Good Practice Handbook: Cumulative Impact Assessment**
https://www.ifc.org/wps/wcm/connect/58b524c-3862-462b-918f-0aa1af133334/IFC_GoodPracticeHandbook_CumulativeImpactAssessment.pdf?MOD=AJPERES&CID=4kmYg5
- Strategic Community Engagement**
<https://www.ifc.org/wps/wcm/connect/95c9b4b5-2097-4447-9518-7a21b8518c1a/12014complete-web.pdf?MOD=AJPERES&CACHEID=ROOTWORKSPACE-95c9b4b5-2097-4447-9518-7a21b8518c1a-jd15-5>

So, we further, see that, the IFC provides guidance and how the resettlement action plan has to be prepared, so you find all this guidance here, so you find the handbook for preparing resettlement.

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The key objectives of best-practice resettlement

- To avoid, and when avoidance is not possible, minimize displacement by exploring alternative project designs.
- To avoid forced eviction.
- To anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from land acquisition or restrictions on land use
 - i. providing compensation for loss of assets at replacement cost.
 - ii. ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- To improve, or restore, the livelihoods and standards of living of displaced persons.
- To improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.

(Therivel & Wood, 2018;Pg 549)



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So, the key purpose of this includes that, it is desirable to avoid resettlement in the first place, it should not happen and when resettlement is unavoidable then it is required that the displaced, displacement will take place by exploring alternative project designs, so the proponents would look at alternative project designs and forced evictions have to be avoided here.

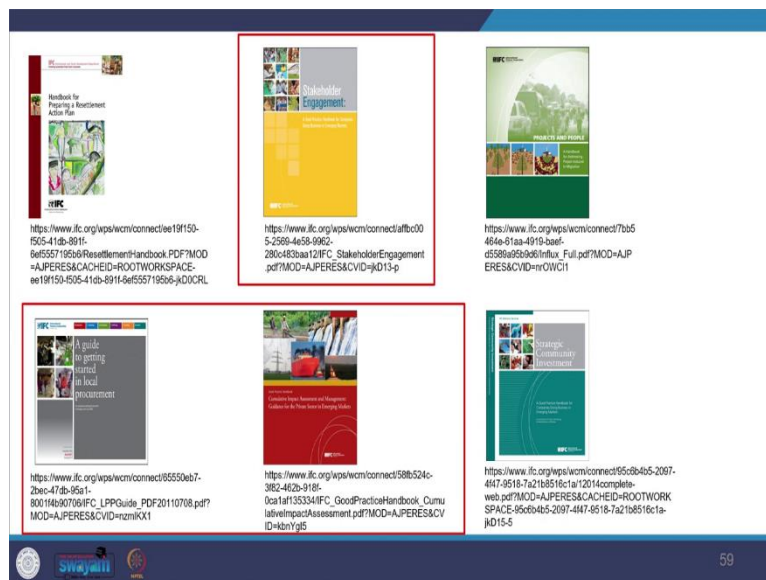
And then we also see that adverse social and economic impacts of land acquisition or restrictions on land use are to be avoided, if that, is not possible then it has to be minimized, and how one can minimize it by providing compensation for the loss. And, or by ensuring the resettlement activities are implemented with appropriate disclosure of information people are properly consulted and all the information is given to the people who are affected by the project.

And, also, it should be considered that not only reduce the negative impact but should also improve or restore the livelihoods and standards of, the standard of living of the displaced people. Further, there is also a need to improve the living conditions among physically displaced persons through the provision of adequate housing with security of tenure at the resettlement site, so land protections and all other things should also be provided here.

So, in performance standard five of IFC, we see that it requires any compensation should be paid in full replacement cost which is defined as the market value of the assets plus what they would be spending in terms of transaction cost. The major impact on resettlement people relates to the valuation of their assets and the extent of compensation they receive. So, PS5 requires that people not make, are not made worse off, and that, they are fairly compensated, so one needs to see that, they are fairly compensated, so their situation does not worsen here.

Further, we also see that the IFC standard requires that, the project not only compensate for the lost asset but also go the extra step to ensure that, impacted households can re-establish a livelihood and ideally that, their livelihoods are improved.

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Then we also see that, in IFC, IFC provides guidance on how the stakeholder's engagement has to be undertaken how different project proponents have to be involved during planning and monitoring, how participatory monitoring has to be taken care of, how people are involved in the entire not only in the planning part, but they are also involved in monitoring of the project.

And it is this guidance also provides information on how to address project-induced migration, so because of the project lot of people are going to come in, which would also change a lot of dynamics and there will be another impact as well, so how one would take care of that, that, is also addressed here. And how to address any project-affected grievances if there are problems, or complaints, how that, has to be taken care of how to undertake cumulative impact, and then how to undertake local procurement. So, those guidelines are provided.

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Local Procurement

- Refers to the purchase of goods and services from local businesses.
- Occurs in emerging markets and in developed markets where local communities have expectations about participating in new opportunities (such as Australia and Canada).
- Local Procurement is increasingly favored as a strategic business tool by international companies in the extractive industries.
- Strategic community investment (IFC 2010b).

And slightly we will try to understand what this local procurement means. Local procurement refers to the purchase of goods and services from local businesses, typically this occurs in, this occurs in emerging markets and in developing markets, where local communities have expectations, so whenever the projects

come, they expect to participate in the upcoming opportunities, so you can see it in many of the newly developing areas.

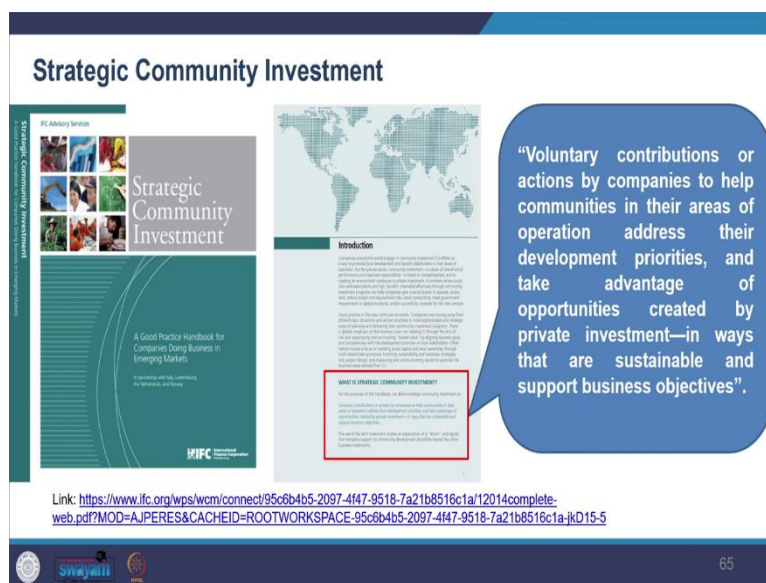
And then local procurement is also called business linkages, local supplier development local content, or local sourcing. Local procurement, so you also call use this term and this has been increasingly used as a strategic business tool.

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So, you also see that it guides strategy community investments, so also that, how that, investment can be done. You can see the handbook guides on how business development can support community investment programs that, are successful, sustainable, and consistent with their own business objectives, so that, can also be done here.

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Further, see the IFC defined strategy community investment, looking into what is strategy community investment, as the voluntary contribution or actions by companies to help communities in their areas of

operation to address their development priorities and take advantage of opportunities created by private investment in ways that, are sustainable and support business objectives.

So, like there are many of the high-income countries they have, they may not follow IFC guidelines because they have very strong environmental and social regulations and institutions and bills, but we see that, IFC guidelines are usually followed by many countries and many agencies you see that. So, that was about the international level of guidance which has been provided.

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Resettlement Framework and Resettlement Action Plan

As per the IFC PS5 Resettlement Framework, Documents to be prepared -

- **Resettlement Action Plan (RAP)**
- **Livelihood Restoration Framework**
- **Livelihood Restoration Plan**

Now looking at the resettlement framework and the kind of documents that have to be prepared. So, as per IFC, performance standard 5, a resettlement framework is required to be prepared, this document indicates, how the project proponent will approach national legislation and also address any gap, as per the IFC performance standard. So, how the proponent is going to address all these problems, how they are identifying and how are they aligning them with the national legislation, and what laws are there in place?

So, accordingly, they are supposed to prepare a resettlement action plan, which this resettlement action plan provides complete details of the project, resettlement process and why likely impacts will occur and what mitigation measures will be taken as per the impact, what will happen and then also they have to prepare livelihood restoration framework this document may be also prepared and then livelihood restoration plan can also be prepared as per the impact.

So, whatever impact would have happened based on this framework, they would identify how they are going to mitigate that, and they would prepare within the livelihood restoration plan. So, this resettlement action plan is an umbrella document and it is a very powerful document in the process of resettlement.

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So, that, was about the required documents now we will look at the framework of the social impacts of the projects. So, over in the domain of resettlement, we will look at that. So, as you can already understand, this process is very very complex and what kind of impact it has, so there is a social framework for project development given by Smith and Van Clay which provides a conceptual and practical model for identification and assessment and communication of all impacts to all stakeholders. So, in this social framework eight categories are seen, so you can see these categories.

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So, the categories, one talks about people's capacity, abilities, and freedom, so this particular category is like where we look at how capable they are, how capable the community is to achieve their goal and these goals can be basic as like human rights goal, where how much they, how capable are they are to the, how capable are they to address to their family health, address to minim nutrition which is required and then how capable are they to work inside and outside the household and attain education and skill and then if any kind of change happens.

Further, you can also, within this, you can also see, how much workforce they have, the household might have children, they might have elderly and sick, which might limit their capacity in terms of the availability of labor and then you might also see that there might be women who may not be, not have the freedom to fully engage in livelihoods and likewise, you can see that, in this even the people's aspiration and fear could also come and create stress when such kind of things happen.

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So, another category we see is the community social support and political context, so it is important to understand when we are looking at such kind of rehabilitation, then it is important to understand how different this group works and what kind of change would happen and what kind of social support is already there and what kind of change it would lead to.

These changes usually happen because of in-migration and out-migration, which might happen, which might disrupt social support and bring in different interest groups. So, a meaningful consultation process must be applied during the process.

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Another important category we see is culture and religion which is one of the most important aspects to understand from the community's perspective as we see that, there are a lot of attachments which is there to certain religious structure and shrines that needs to be considered in project planning, so there can be a lot of problems later, if it is ignored at the initial stage.

You also need to understand the tangible and intangible cultural heritage, you also need to take care of the indigenous people especially since they have particularly attachment, strong attachment to their culture which needs to be protected in accordance with what they aspire for.

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Another category that we see is livelihood assets and activities, so it is important to understand the wide range of resources on which our household is dependent there can be primary and supplementary livelihood support. For example, one could be working as well as must be doing, some must be also earning through rental or pension and so on. And then there can be a lot of formal and informal activities also including there can be a lot of legal as well as illegal activities, so you need to understand those aspects.

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You also see that there is also vast dependency on the infrastructure and services and this infrastructure and services could be both physical infrastructures as well as human resource dependency, so that network, those access have to be understood and there is a need to be maintained.

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We also see a housing and business structure which like, which is like a basic constitution, you may have to look into informal housing as well, informal housing, when we say that, when people build structures on land they do not own or situations in which people are squatting they have certain challenges, so all those things have to be also taken care of.

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You also need to take care of land and natural resources, access to land, water bodies, forests, and other natural resources, necessary for conducting many livelihood activities. So, you see that those are not blocked and many of those are all, you might also notice that they are governed by community or traditional or political institutions as well. And further, you also need to have a good understanding of land tenure which is required for this purpose.

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And then also the living environments, the quality-of-life access to clean water, air and all those are a desirable condition which has to be addressed. So, this was about how the complex processes and how the social impact part also becomes a project within a project when you deal with land acquisition and resettlement.

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Summary

- 1 Define Concepts
- 2 Identify International Financial Institutions & Equator Principles.
- 3 Discuss key approach and documents within Land Acquisition.
- 4 Review Social Impact.



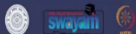
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So, summarizing, what we have covered today, we looked at the key concepts and definitions, then we looked at international finance institutions and we also tried to understand what are the equator principles and then we looked at the resettlement framework and resettlement action plan and what kind of document requirements are there. Then we looked at how within this domain what kind of social impact assessment and categories one looks into.

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References

- 1 Therivel, R., & Wood, G. (2018). Methods of Environmental and Social Impact Assessment. <https://lcn.loc.gov/2017010184>
- 2 Detailed analysis of Land Acquisition Act, Verma, 2019; <https://www.jatinverma.org/detailed-analysis-of-land-acquisition-act>



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Suggested Watch and Read



https://www.youtube.com/watch?v=ZnCnFdbLHo&ab_channel=ITRoorkeeJuly2018



https://www.youtube.com/watch?v=dGICHGPYZHA&ab_channel=iaiachannel



https://www.youtube.com/watch?v=D4Ewz4JcVE&ab_channel=TheWorldBankInspectionPanel



Please feel free to ask Questions.



Let us know about any Concerns you have .

Do share your Opinions, Experiences and Suggestions.



Looking forward to Interacting and Co-learning with you while exploring EIA.



So, that was all for today and these were the references and these are the suggested reads and watch. Please feel free to ask questions let us know about any concerns you have, do share your opinions, experiences, and suggestions. Looking forward to interacting and co-learning with you while exploring EIA. So, thank you.