



Technical Assistance Consultant's Report

Project Number: 44140
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TA 7566-REG: Strengthening and Use of Country Safeguard Systems

Subproject: Training and Knowledge Sharing for
CSS Strengthening in the Pacific (Regional)

ACCESSING LAND FOR DEVELOPMENT: INTERNATIONAL BEST PRACTICES AND COUNTRY SYSTEMS TRAINING PROJECT READING MATERIAL V

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Asian Development Bank

Accessing Land for Development

International Best Practices and Country Systems

Screening and Categorization of Project Impacts (v)

Each proposed project requires an early and accurate screening of its potential involuntary resettlement impacts. Such screening is done the borrower, and if a donor is involved, screening will be done by both. Once initial screening is completed, based on the significance and scale of potential project impacts, LAR impacts can be categorized. The categorization can range from highly complex and sensitive to no LAR impacts. A project could be considered as highly complex and sensitive if it is likely to involve serious, multi-dimensional and generally interrelated potential impacts.

Project impact classification is an on-going process, and can be revised at any time during the project life, and if ADB is involved in the project, with its concurrence. Tentative categorization proposed at the initial screening of anticipated impacts and risks and the classification can be revisited at the end of project processing and revised, if necessary.

Screening and Categorization of Resettlement Impacts

Help:

- ✓ Identify early the scale and scope of potential project impacts
- ✓ Determine the significance of potential impacts or risks
- ✓ Decide appropriate project modality and safeguard process
- ✓ Estimate borrower's capacity to apply safeguards requirements
- ✓ Assess institutional resources needed to address safeguard issues
- ✓ Determine information disclosure and consultation requirements.
- ✓ Identify special requirements of affected persons – FPIC, negotiated settlement, community agreement

After the initial screening, each project is assigned a category of significance from four involuntary resettlement impact categories. A project's involuntary resettlement category is determined by the category of its most sensitive component in terms of involuntary resettlement impacts. (A checklist for initial screening and categorization is in annex--). The level of detail and comprehensiveness of the LARP reflects the significance of the potential resettlement impacts and risks identified in the screening stage.

If the proposed project is likely to have involuntary resettlement impacts on indigenous peoples, the project will be categorized according to indigenous peoples initial screening and categorization checklist. If any potential positive or adverse impacts are identified, additional planning instruments will be prepared to address their specific customary and legal rights

affected by the proposed project. Projects that require physical relocation of indigenous peoples; or restrict their access to traditional land and resources; or seek to impose changes to their traditional institutions are classified as category A.

Check whether the project would triggers involuntary resettlement safeguard policy by asking the following questions

1. Have all physical works under the project been specified?
2. Does the project involve physical works that require any change in land use?
3. If any physical works are sited on public land, do any persons use or occupy this land?
4. Will any physical works be sited on communal or collective lands? If yes,
 - a. Do any individuals use the land for their livelihood or residence?
 - b. Does the project plan to acquire the land through means other than market-based lease or purchase, or through voluntary donation?
5. Are any physical works sited on private land? If so, does the project plan to acquire the land through means other than market-based lease or purchase, or through voluntary donation?
6. Will the project physically displace persons? How many?
6. Will any physical works otherwise restrict access to, or use of, land or natural resources?
7. Will any physical works require acquisition of more than 10 percent of a private land plot?
8. Will any physical works require demolition of any residential or commercial structure?

Answers to the above questions will facilitate the screening and categorization of a proposed project's impacts and identifying of required safeguard documents.

Involuntary Resettlement Impact Categories (ADB)

Category	Potential Impacts	Required Safeguard Documents
A (Significant impacts)	<ul style="list-style-type: none"> ■ 200 or more persons experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive (income generating) assets. 	<ul style="list-style-type: none"> ✓ Social impact assessment (SIA) and a resettlement plan ✓ May also require a resettlement framework to guide the formulation of resettlement plans of subprojects
B (Not Significant impacts)	<ul style="list-style-type: none"> ■ Involuntary resettlement impacts are deemed not significant – above impacts in a lesser scale 	<ul style="list-style-type: none"> ✓ SIA and resettlement plan ✓ May also require a resettlement framework to guide the formulation of resettlement plans of subprojects
C (No Involuntary Resettlement)	<ul style="list-style-type: none"> ■ No potential involuntary resettlement impacts are identified 	<ul style="list-style-type: none"> ✓ No further action is needed. ✓ If the project has some history of involuntary resettlement or minimal resettlement impacts, a due diligence report may be required
FI (Financial Intermediary)	<ul style="list-style-type: none"> ■ Project involves the investment funds to, or through, a financial intermediary. May have potential resettlement impacts which are to be determined 	<ul style="list-style-type: none"> ✓ Environmental and social management system/Framework