



National Building Research Organisation  
Ministry of Irrigation and Water Resources & Disaster  
Management



## LANDSLIDE MITIGATION PROJECT (LMP)



# SOCIAL MANAGEMENT AND

# RESETTLEMENT PLANNING FRAMEWORK

Financial Assistance



ASIAN INFRASTRUCTURE  
INVESTMENT BANK

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## LIST OF ABBREVIATIONS

AIIB	Asian Infrastructure Investment Bank
APs	Affected Persons
ACLG	Assistant Commissioner of Local Government
CBO	Community Based Organizations
DGRC	District Grievance Redress Committee
DM	Disaster Management
DMC	Disaster Management Centre
GoSL	Government of Sri Lanka
GN	Grama Niladari
GRC	Grievance Redress Committee
LAA	Land Acquisition Act
LAR	Land Acquisition Regulation
LGRC	Local Grievance Redress Committee
NBRO	National Building Research Organisation
NIRP	National Involuntary Resettlement Policy
NPPD	National Physical Planning Department
PD	Project Director
PPAs	Project Partner Agencies
PIB	Public Information Booklet
PMU	Project Management Unit
RDA	Road Development Authority
RDO	Rural Development Officer
SMRPF	Social Management and Resettlement Planning Framework
SMP	Social Management Plan
SDO	Social Development Officer
SIA	Social Impact Assessment
SLR	Sri Lanka Railways
UDA	Urban Development Authority



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## EXECUTIVE SUMMARY

**Project Description:** The project will execute landslide mitigation measures to protect key infrastructure, such as the railway network, highways, roads, water supply and electricity network and communication system. There are three main categories of mitigation measures broadly identified. Category - 1 deals with improvement of drainage to drain away the water from slide area. Category - 2 is related to slope modifications to increase the stability of the slope. Category - 3 aims at landslide control measures for long term stabilization of the slope.

**Potential Social Impacts:** Key social impacts are expected to emerge as the result of possible loss or damages to; buildings, lands, structures, income, productive infrastructure and crops due to project related activities as the result of mitigation works and temporary relocation of households living in areas identified for the landslide mitigation.

**Social Management and Resettlement Planning Framework:** The Social Management and Resettlement Planning Framework (SMRPF) sets out principles and procedures for identifying social impacts, execution of social safeguard measures, institutional arrangements for implementing social action plans including grievance redress, consultation, participation, disclosure, monitoring and evaluation for ensuring efficient and effective implementation of the social safeguard program. The SMRPF includes supplementary guidelines for a more participatory approach through strengthening social inclusion and accountability. Based on the SMRPF, social impact assessment will be carried out with site specific action plan for execution.

**Mitigation Measures for Social Impacts:** The SMRPF is meant to enable the NBRO to adequately incorporate social safeguard considerations in the planning, execution and management of project activities. The SMRPF will apply to planning and implementation of social impacts mitigation measures to be undertaken by NBRO. Landslide mitigation project aims at minimizing resettlement cause by the project, however there can be temporary relocation of people cause by the project. Thus, at the initial stage of the project, MoU should be signed with land owners; whose lands will be used for landslide mitigation and with the families who will be temporarily relocated due to project implementation. Any person suffers loss or damages to; buildings, lands, structures, income, productive infrastructure and crops due to project related activities will be paid compensation as per prevailing market values. Eligibility criteria and the benefits intend to provide to families inhabit in project implementation areas are described in the entitlement matrix.

**Grievance Redress Mechanism (GRM):** Three layers of Grievance Redress Instruments will be in place to encounter grievances. a) Local grievance redress committee – In the first instance, the AP should bring the grievance to the notice of the CDO of the PMU. CDO will submit the grievance to the Local Grievance Redress Committee (LGRC). LGRC will settle the grievance within a week with the help of the GN. b) District grievance redress committee - If a grievance cannot be resolved at the LGRC level, it should be submitted to the DGRC by the CDO of the PMU for adjudication with all related documents. DGRC will take a decision in consultation with the PPAs concerned within 2 weeks. c) Independent grievance panel - If DGRC's decision too is not acceptable to the AP, he or she can appeal to the Independent Grievance Panel (IGP). IGP will take a decision in consultation within 2 weeks. If the decision given by Independent Grievance Panel is not acceptable to the AP, the AP can have recourse to courts of law.

**Monitoring and Evaluation:** A Monitoring and Evaluation mechanism will be established to perform the monitoring and reporting function involving independent safeguards monitoring and review consultants. The monitoring system will involve: guidelines and terms and reference, monitoring indicators, mechanisms and methodologies, frequency, documentation and reporting arrangements.

## 1. Scope of the Social Management and Resettlement Planning Framework

The SMRPF has been prepared to set out the principles and guidelines to identify impacts, and to guide the execution of social safeguard measures, institutional arrangements for implementing social action plans including grievance redress, consultation, participation, disclosure, and monitoring and evaluation for ensuring the efficient and effective implementation of the social safeguard programs in the proposed 147 landslide mitigation project sites.

The scope of the SMRPF cover compensation for any person that suffers loss or damages to; buildings, lands, structures, income, productive infrastructure and crops cause by project related activities. Compensation will be paid at prevailing market rates as determined under the Land Acquisition Act (LAA). Eligibility criteria and the compensation or to other benefits for the families inhabit in project implementation areas are described in the entitlement matrix in Table 07.

It is important to emphasize that the SMRPF does not cover housing assistance / financial assistance programmes for those families that have been affected by landslides or who are identified as needing relocation since they are residing in areas at high risk from landslides. A housing assistance program is being implemented by the Ministry of Disaster Management for families affected by past landslides and families identified as requiring relocation because they are residing in areas at high risk from landslides. The housing assistance program adheres to the Resettlement Implementation Framework approved by the Ministry of Disaster Management that aims to ensure that people are not negatively affected and are able to restore their living standards and integrate into their new environments The Resettlement Implementation Framework is attached as Annex I. Under this program, a housing reconstruction grant of LKR 1,200,000 per house affected, and LKR 400,000 land-grant or alternative land for relocation as per the existing government policy will be adopted. The program can include self-relocation, community programs or can be implemented by the military, as appropriate. The purchase of a house and land up to a value of LKR 1,600,000 in a safe location is also permitted. Under this housing assistance program 1980 housing units were constructed in Kegalle district in 2016. Further, 14,860 housing units have been identified as needing relocation in safer areas due to the high risk from landslides. The details are as follows:

Table 01: Housing units to be relocated, by district

Districts	Housing units identified for relocation	Districts	Housing units identified for relocation
Kalutara	929	Kegalle	824
Badulla	6418	Ratnapura	757
Nuwara Eliya	3496	Matara	591
Kandy	1296	Hambantota	343
Matale	210	<b>Total</b>	<b>14,860</b>

Currently the housing assistance program is ongoing in Kalutara, Ratnapura, Galle, Matara and Hambantota Districts. Following are the details of the ongoing 2017 housing assistance program:

Table 02: Housing units constructed, by district

Districts	Housing units constructed	Districts	Housing units constructed
Kalutara	1325	Matara	525
Ratnapura	1618	Hambantota	81
Galle	338	<b>Total</b>	<b>3887</b>

The Landslide mitigation project will not compensate those housing units identified for relocation under the housing assistance programme.

## 2. Background

The Government of Sri Lanka (GoSL) has planned an investment of US\$104million over three years (January 1, 2019 - December 31, 2022) with a budget for US\$97million for civil works and associated designs and construction supervision/management for landslide mitigation. The Government is seeking financial support for the project from the Asian Infrastructure Investment Bank (AIIB). The project objective is to improve the landslide risk management effort of the country by introducing required mitigation measures and thereby, to redress the present situation of high risk imposed on vulnerable communities and infrastructure. The project will benefit a population of about 12,000 people currently living at risk from landslides in identified project locations in 10 districts and 60 Divisional Secretariat Divisions. However, there may be social impacts related to the project, especially during project implementation and, it is the responsibility of the project implementing agency to assess, manage and monitor the social risks and impacts associated with each stage of the landslide mitigation project, in order to achieve social outcomes consistent with the AIIB's Environmental and Social Framework (ESF) and Environmental and Social Standards (ESS). The purpose of the present social management framework is to facilitate the smooth implementation of landslide mitigation measures, involving the community and ensuring effective community partnership in planning, designing and execution in order to minimize the potential social impacts caused by the project execution.

Table 03: Direct benefits of the proposed landslide mitigation project

Indicators	Benefits
Families safeguarded	3000 Families
Housing units safeguarded	2700 Housing units
Number of community facilities protected	2 Hospitals 5 Schools 2 Religious places
Extent of lands liberate from landslides threat	4,499,100 m <sup>2</sup>
Length of transport network protected	15 Kms
Length of railway network protected	150 Kms

Source: Primary data collected from site

## 3. Project Description

The occurrence of landslides, slope failures and rock falls and their reactivation have become a frequent natural phenomenon in Sri Lanka attracting more and more attention due to its impact on human and economic loss. Many of the natural hill slopes that were considered as safe in the past are now recording landslides due to human interventions. According to the available records, nearly 1000 human lives were lost while over 300,000 people were made homeless and many infrastructure facilities including highways, dams, railway track, hospitals, schools and other public & private building were damaged. In May 2017, 35 major landslides occurred caused 176 deaths, out of the 219 deaths caused by disasters during the same period. In this background, National Building Research Organisation (NBRO) has requested funding from the AIIB for the mitigation/rectification of unstable slopes in high risk areas in 11 districts of 6 provinces of Sri Lanka. The project will execute mitigation measures to protect key infrastructure, such as the railway network, highways, roads, water supply and electricity network and communication system. The intention of these mitigation measures is to ensure the safety of communities from catastrophes cause by landslides. There are three main categories of mitigation measures broadly identified.

- Category-1: Deals with improvement of drainage to drain away the water from slide area.
- Category-2: Related to slope modifications to increase the stability of the slope.
- Category-3: Landslide control measures for long term stabilization of the slope.

### 3.1 Aims and of Objectives of the Project

The proposed project aims to improve the landslide risk management effort of the country by introducing required mitigation measures thereby, reducing the present situation of high risk imposed on vulnerable communities and infrastructure. This project targets are (i) Mitigate selected landslides and unstable slopes (ii) enhance the capacity of NBRO to effectively deal with landslide mitigation efforts, (iii) introduce and regularize the best land use practices and construction / development guidelines for landslide prone areas, and (iv) enhance public awareness on landslide mitigation.

### 3.2 Brief Overview of the Affected Areas and Population

Landslides have greater adverse economic impact in urban centers in the hill country given the higher density of human settlements and infrastructure facilities. Poor land utilization practices such as unplanned development and settlements together with the expansion of extensive agriculture significantly enhances the potential for landslides. In 2016 landslides resulted in the loss of at least 50 lives and affected almost 4000 families. Landslides also destroyed over 110 houses in 2016 and led to loss in income for over a million people that are dependent on agriculture, trade and industries. In May 2017, 35 major landslides occurred causing the largest number of deaths from the disaster events, 176 out of 219. The people affected by landslides are substantially poorer, with an average poverty rate of 11.6 percent. In May 2017 disasters, 2,131 houses located in areas at high risk from landslide damage were identified by NBRO based on landslide susceptibility maps as being need for relocation. In total over 15,000 households are proposed to be relocated from other high-risk areas in the country. The following table shows the number of people affected, lives lost and houses damaged & destroyed from 2000 to 2010.

Table 04: Impacts of landslides 2000 - 2010

Year	Number of people affected	Number of live lost	Houses damaged and destroyed
2000-2005	30,140	245	4450
2006-2010	59,778	106	5018

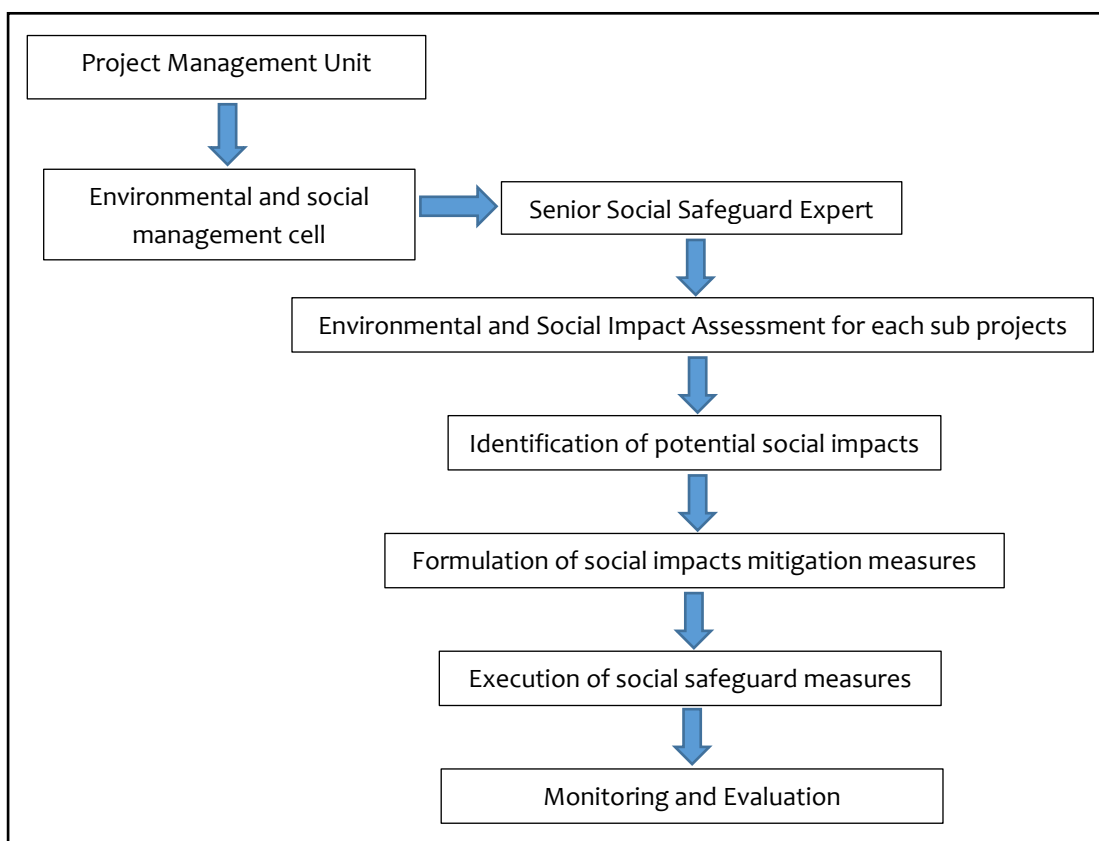
Settlements in Sri Lanka are classified as urban, rural and estate by the Department of Census and Statistics based on their social, economic, and political characteristics. This classification is important in order to understand the characteristics of the housing stock, land use, and settlement conditions. In Sri Lanka, areas governed by either a Municipal Council (MC) or an Urban Council (UC) are considered as urban. Plantation areas, of more than 20 acres of extent and having no less than 10 residential laborers, are considered as estate sector. Residential areas, which do not belong to the urban or estate sectors described above, are considered as rural. The number of persons, including boarders and servants usually live in a household are included in the definition given for household size. According to the Department of Census and Statistics the mean household size in Sri Lanka is 3.8 persons per household in 2016.



#### 4. Purpose of Social Management and Resettlement Planning Framework

The Social Management and Resettlement Planning Framework (SMRPF) formulated in this document aims to guide the implementing agency (NBRO) in the planning and execution of social safeguard measures during project implementation. The SMRPF includes guidelines for implementing social safeguard measures and a generic Social Management Plan (SMP). The framework provides guidance for conducting the Social Impact Assessment (SIA) and the preparation of an Environmental and Social Management Plan (ESMP) for each site. The requirements of the ESMPs will be applied during project implementation to facilitate compliance with the requirements of AIB Policy and GoSL rules and regulations. This SMRPF is intended to assist NBRO in the identification, assessment and management of environmental and social concerns at all stages of the project. The SMRPF sets out measures to ensure project activities do not lead to adverse social impacts. Besides, the SMRPF provides a macro level guidance on social safeguard issues which are unforeseen, but may be relevant if the project encounters such eventualities. In addition, it will attempt to link relevant agencies for necessary land use planning and land management.

Proposed social management framework



The Environmental and Social Impact Assessment (SIA) of subprojects will be carried out in order to understand the potential environmental, socio-economic, cultural and physical impacts that the project affected persons will have to undergo as a result of implementation of the landslide mitigation measures. The ESIA of subprojects will be carried out by the social safeguard expert of the PMU. The ESIA must be carried out prior to the preparation and preliminary works stage of the project and necessary social management and mitigation measures must be executed prior to commence construction activities.

## 5. Probable Adverse Social Impacts of the Project

There are three main categories of mitigation measures broadly identified. Category - 1 deals with improvement of drainage to drain away the water from slide area. Category - 2 is related to slope modifications to increase the stability of the slope. Category - 3 aims at landslide control measures for long term stabilization of the slope. Key social impacts are expected to emerge as the result of possible loss or damages to; buildings, lands, structures, income, productive infrastructure and crops due to project related activities as the result of mitigation works and temporary relocation of households living in areas identified for the landslide mitigation.

Table 05: Categories of probable losses and impacts

Category	Type of losses
Losses by individuals / households	<ul style="list-style-type: none"> <li>▪ Properties possess by households</li> </ul>
Land	<ul style="list-style-type: none"> <li>▪ Agricultural or horticultural land</li> <li>▪ House plots</li> <li>▪ Business entities</li> <li>▪ Vacant land</li> </ul>
Structure	<ul style="list-style-type: none"> <li>▪ Complete loss of houses and/or commercial buildings</li> <li>▪ Partial loss of housing and/or commercial buildings</li> <li>▪ Displacement from rented or other occupied residential units</li> <li>▪ Displacement from rented or other occupied commercial buildings</li> </ul>
Income and livelihood	<ul style="list-style-type: none"> <li>▪ Income from agriculture (annual and perennial crops and/or livestock)</li> <li>▪ Income from renting of houses</li> <li>▪ Income from renting of other structures</li> <li>▪ Income from wage earning</li> <li>▪ Available income/ employment opportunities</li> </ul>
Loss of access	<ul style="list-style-type: none"> <li>▪ Access to religious places, schools, hospitals</li> <li>▪ Access to mobile vendors</li> <li>▪ Access to water, electricity</li> </ul>
Community and cultural site	<ul style="list-style-type: none"> <li>▪ Schools, community centers, religious symbols</li> <li>▪ Places of worship – church, temple, mosque</li> <li>▪ Cemeteries</li> <li>▪ Dislocation from the neighborhoods</li> <li>▪ Dislocation from social / ethnic groups</li> <li>▪ Community living</li> </ul>

## 6. Principles and Guidelines for Mitigation of Social Impacts

The SMRPF is meant to enable the project implementing agencies to adequately incorporate social safeguard considerations in the planning, execution and management of project activities. Guidelines for mitigation of social impacts will begin with an Environmental Social Impact Assessment (SIA) and preparation of an Environmental and Social Management Plan for each subproject. The total cost of the mitigation of social impacts will be included in the overall cost of the subproject. The principles which will guide for the formulation and execution of social impacts mitigation measures proposed in the SMRPF are summarized in below table.

Table 06: Proposed principles and guidelines for mitigation of social impacts

Principles	Guidelines
<p><b>Principle 01:</b> Avoid temporary or permanent and full or partial human displacement cause by the project.</p>	<ul style="list-style-type: none"> <li>▪ Conduct relocation / resettlement needs assessment.</li> <li>▪ Engineering design of landslide mitigation to avoid or minimize impacts on productive lands, economic assets, and cultural properties.</li> </ul>
<p><b>Principle 02:</b> Emergency evacuation and preparedness planning.</p>	<ul style="list-style-type: none"> <li>▪ Conduct site specific risk assessment and identify elements at risk.</li> <li>▪ Formulate emergency evacuation plan and disaster preparedness plan with the assistance of Disaster Management Centre (DMC).</li> <li>▪ Conduct community awareness on emergency evacuation and disaster preparedness.</li> </ul>
<p><b>Principle 03:</b> Manage and monitor damages and losses.</p>	<ul style="list-style-type: none"> <li>▪ A spatial database of all project impacted families to be developed, which will include information on the following:               <ul style="list-style-type: none"> <li>• Land tenure; non-retrievable loss of land, buildings and structures to determine compensation at replacement value and mitigation measures; and</li> <li>• Current income streams and livelihood of the families.</li> </ul> </li> <li>▪ All information will be entered into the database to facilitate planning, implementation, and monitoring and evaluation.</li> </ul>

<p><b>Principle 04:</b> Public consultation and community participation.</p>	<ul style="list-style-type: none"> <li>▪ Disclose and disseminate information on project activities at feasibility stage;</li> <li>▪ Disseminate social impact assessment results prior to preparing resettlement action plan.</li> <li>▪ Disclose and disseminate entitlements, compensation, payment schedules, and grievance procedures prior to implementation.</li> </ul> <p>Special attention will be given to the following:</p> <ul style="list-style-type: none"> <li>• Informing people about project tasks and implementation schedules;</li> <li>• Consulting people on measures to restore their shelter, and livelihoods, and ensure their participation in design and implementation; and</li> <li>• Inform affected families about relocation and land acquisition dates sufficiently in advance of actual implementation.</li> <li>• Display information board at project sites, NBRO District Offices and local authorities.</li> <li>• Seek assistance of registered civil societies in implementation of relocation.</li> </ul>
<p><b>Principle 05:</b> Ensure social inclusiveness</p>	<ul style="list-style-type: none"> <li>▪ Encouraging women participation in the process.</li> <li>▪ Identify any vulnerable groups and households, with special attention to adverse impacts on elderly and physically disabled, or female-headed households that may be vulnerable to changes brought about by project activities or excluded from its benefits.</li> </ul>
<p><b>Principle 06:</b> Assist the affected families to restore, and ultimately to improve, their livelihoods to conditions equal or better than their earlier status.</p>	<ul style="list-style-type: none"> <li>▪ Provide compensation at replacement rates for all loss and damage caused to land and assets;</li> <li>▪ Support to re-establish lost or damaged shelter/shop any other structure through cash and/or, alternative site and/or, building at replacement cost.</li> <li>▪ Support for livelihood restoration and community development.</li> </ul>
<p><b>Principle 07:</b> Mitigation measures for social impacts will comply with the legal and policy provisions of the Sri Lanka and the AIIB social safeguard policies.</p>	<p>Resettlement planning and implementation will comply with project policies and the provisions of relevant national legislation and AIIB social safeguard policies relate to:</p> <ul style="list-style-type: none"> <li>• Social management;</li> <li>• Public participation and disclosure;</li> <li>• Land tenure, occupation, acquisition and compensation; and</li> <li>• Local government, development and service provision.</li> </ul>

<p><b>Principle 08:</b> Establish mechanisms to ensure sustainable self-management of the resettlement sites.</p>	<ul style="list-style-type: none"> <li>▪ Adopt participatory planning of relocation process to ensure that the social networks of affected groups are not adversely affected; registered civil societies and community based organizations will be consulted to minimize adverse impacts</li> <li>▪ Provide capacity building support to the management committees of the resettled households;</li> <li>▪ Provide the basic amenities and services including day care center for children, community hall; open space, storm drainage, sanitation facilities, etc.</li> </ul>
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## 7. Compensation for People Affected by Landslide Mitigation

Landslide mitigation project aims at minimizing resettlement cause by the project, however there may be some temporary relocation of people due to the project. Thus, at the initial stage of the project, a Memorandum of Understanding (MoU) as set out in Annex II, should be signed with land owners, whose lands will be used for landslide mitigation and with the families that will be temporarily relocated due to project implementation. Any person that suffers loss or damages to: buildings, lands, structures, income, productive infrastructure and crops due to project related activities will be paid compensation at prevailing market values in accordance with the LAA. Compensation value will be determined by the chief valuer or his nominee attached to Government Valuation Department. Compensation committee will be set up as the body to decide compensation value of loss or damages to: buildings, lands, structures, income, productive infrastructure and crops due to project related activities.

Members of the Compensation Committee;

- Additional District Secretary (Land) as chairperson
- Divisional Secretary or Assistant Divisional Secretary
- Survey General or his/her nominee
- Chief Valuer or his/her nominee
- Project Director
- Senior Social Safeguard Expert of the PMU

Eligibility criteria and the benefits intend to provide to families inhabit in project implementation areas are described in the entitlement matrix given below;

Table 07: Entitlement matrix for compensation of people affected by the project

Serial No.	Type of Loss/Disturbance	Definition of Affected Persons	Entitlement	Details
<b>1. Private land without structure (that has to be acquired for the project)</b>				
1.1	Loss of land due to project related activities	Legal title holders/ affected parties with land use rights recognized under the law	Compensation at replacement cost	1.1.1 Compensation for affected land cost as per prevailing market values. 1.1.2 Three months advance notification for harvesting standing crops, or compensation for crop damage. 1.1.3 Compensation for trees affected at current market values. 1.1.4 Compensation for the remaining portion of the land which is economically non-viable.

1.2	Loss of tenancy/ profitable occupancy	Registered tenants and leaseholders and non-title holders	Compensation for standing crops, or income losses	<p>1.2.1 No compensation for the land.</p> <p>1.2.2 Three months advance notice to salvage standing crops or cash payment for loss of standing crops at market value, if cultivated by the tenant or lessee lease.</p> <p>1.2.3 Cash payment for six months of rental income loss for the affected portion of land.</p>
<b>2. Commercial land and structures</b>				
2.1	Permanent and full loss of commercial property	<p>Owner-Operator of registered business with title or sale deed in his/her favor</p> <p>Employees losing employment</p>	Compensation as per the market value	<p>3.1.1. Compensation for the affected land as per prevailing market values.</p> <p>3.1.3 Transportation allowance as per Land Acquisition Regulations, 2008.</p> <p>3.1.4 In case of shifting, cash allowance for alternative rental accommodation for six months as per Land Acquisition Regulations, 2008.</p> <p>3.1.5 Cash assistance to enable re-establishment of business calculated as net profit for six months on the basis of average net annual profit for preceding three years as recorded in income/sales tax returns filed, OR as per Land Acquisition Regulations, 2008, whichever is higher.</p> <p>3.1.7 Employees losing employment are entitled to six months take home salary.</p>
<b>3. Loss of livelihood</b>				
3.1	Loss of Livelihood due to temporary relocation	Any families, including vulnerable and women headed families losing income due to temporary relocation	Rehabilitation Assistance	4.1.5 Cash assistance to enable re-establishment of income calculated as net income for six months on the basis of average net annual incomes for preceding three years as recorded in income/ sales tax returns filed, OR as per Land Acquisition Regulations, 2008, whichever is higher.
<b>4. Temporary impacts</b>				
4.1	Temporary adverse impacts of civil Works (such as loss of access, damage to property or land, safety hazards, impact	Households/ Businesses	Mitigation measures	<p>5.1.1 Public notice at the site informing the people about: work schedule, likely temporary impacts, signage, safety advice and mitigation measures, contact details of officer in charge and GRM.</p> <p>5.1.2 Necessary traffic management measures for facilitating mobility</p>



	of mobility)			<p>5.1.3 Special measures to provide access for continuing trade/business.</p> <p>5.1.4 In case of complete loss of vehicular access leading to loss of business for over a week, financial assistance as agreed by both AP and GRC until ease of access has been restored by the contractor. In the case of loss of pedestrian access alternative temporary access should be provided by the contractor</p> <p>5.1.5 The contractor shall bear the compensation cost of any impact on structure or land due to negligent movement of machinery during construction or establishment of construction plant, as per standard contract provision.</p> <p>5.1.6 All temporary use of lands outside proposed Right of Way (ROW) to be through written approval of the landowner and contractor. Location of construction camps will set up by contractors in consultation with the implementing agencies.</p> <p>5.1.7 Necessary Health and Safety measures to be undertaken as a part of Environment Management Plans including measures for sound, dust pollution, minimize hazard risks through signage and safety barricades, first aid facilities at work sites/camps, etc.</p> <p>5.1.8 Steps to minimize and mitigate adverse impacts on human and vehicular mobility including through traffic diversions and management; phased construction strategy; minimizing work during peak hours.</p> <p>5.1.9 Legal provision ensuring fair wages for men and women working at project construction sites and preventing child labor.</p> <p>5.1.10 Measures as necessary to deal with any other emergent impacts.</p>
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Source: Land Acquisition Act No 9 of 1950

## **8. Legal Framework**

All activities under the proposed project must comply with the laws, regulations and notifications of the GoSL. It is the responsibility of the PMU and the PPAs to ensure that project activities are consistent with the legal/regulatory framework. This section discusses the applicable national policies, regulation and planning principles.

### **a) Sri Lanka Disaster Management Act, No.13 of 2005**

Sri Lanka Disaster Management Act, No.13 of 2005 was enacted which provides legal basis for instituting disaster risk management system in the country. This establishes a body called the National Council for Disaster Management (NCDM). The DM Act authorizes the president on the advice of the council to declare a 'State of Disaster' in the event of an existing or an impending disaster which cannot be counteracted with resources normally available to the administration. The DM Act mandates the NCDM to; (i) initiate programs relating to prevention and mitigation of disaster and the provision of relief, rehabilitation and reconstruction (ii) facilitate liaison with organizations and persons pursuing hazard, vulnerability and risk reduction studies and implementing action programmes and commissioning such studies and action programmes. Further, the National Policy on Disaster Management is a core component of Sri Lanka's national regime for disaster management and emphasizes that land use, involuntary resettlement and rehabilitation criteria should reduce disaster risk in line with the government policies and guidelines on physical planning and local governance. As stipulated in DM Act No.13 of 2005 NCDM chaired by the president shall declare the project locations as state of disaster exist and direct the council to appoint appropriate organization to liaise with relevant organizations to implement the project.

### **b) Land Acquisition Act No 9 of 1950 (LAA) and Land Acquisition Regulation of 2008 (LAR)**

LAA applies to acquisition of private lands for public purposes, including government projects and development programs. The latest amendment of the LAA is Act No 13 of 1986. The LAR 2008 provides a framework for land acquisition; It guarantees that no person is deprived of land unless under the provisions of LAA. The law discourages unnecessary land acquisition. Landslide mitigation project aims at avoiding of land acquisition and minimizing resettlement caused by the project.

### **c) National Involuntary Resettlement Policy (NIRP)**

The prime objective of the policy is to guide planning and implementation of development induced involuntary resettlement programs in order to ensure that people will not be impoverished as a result of resettlement. Previous resettlement programs have failed due to inability to adequately address the socioeconomic needs of people (NIRP, 2001). Accordingly, the NIRP (2001) contains thirteen policy principles that should address in the implementation of development induced involuntary resettlement programs.

- 1) The need for involuntary resettlements should be avoided or minimized as much as possible before identifying suitable alternatives.
- 2) People who were selected for the resettlements should be assisted adequately to restore and improve their quality of life.
- 3) Gender equality and equity should be ensured throughout the process.
- 4) People selected for the resettlement should be involved throughout the process since its inception, and key decisions such as; site selection, livelihood development and compensation options, should be taken with their participation.
- 5) Replacement land or cash payment could be a compensation option for a land that was acquired.
- 6) Compensation should be a fully replacement cost for loss of land, buildings, any other assets and livelihood activities if any.
- 7) Provincial and local authorities should participate in the planning and implementation process.

- 8) Necessary assistance should be provided to integrate people that have been resettled into the host community socially and economically.
- 9) Necessary social and physical infrastructures should be provided for people that are being resettled.
- 10) Resettlement programs should be considered as a development activity to ensure the socioeconomic development of the people being resettled.
- 11) People who do not possess a legal right to acquired land should receive reasonable compensation to restore their living conditions.
- 12) Vulnerable community among the people being resettled should be identified and given special attention to uplift their living standard.
- 13) The total cost of compensation and resettlement should be borne by the respective project executing agencies.

#### **d) Urban Development Authority Law No. 41 of 1978**

The Urban Development Authority Act No 41 of 1978 was passed by the parliament of Sri Lanka to promote integrated urban development and promoting investment in the country. The specific objectives of this act includes, “To promote integrated planning and implementation of economic, social and physical development of certain areas as may be declared by the minister to be urban development areas and for matters connected therewith or incidental thereto”. It is the responsibility of the UDA to formulate development plans for such designated areas under the UDA Act. Along with the preparation of development plans for any area designated under the UDA act, it will undertake to develop necessary regulations to protect the natural resources and promoting the environmental quality in such areas. Further, it formulates and implements urban land use policies and development of environmental standards and implementation of such schemes.

The Urban Development Authority Amendment Act No. 04 of 1982 makes UDA the governing body for any development activity within a declared urban development area and thereby requires approval from UDA under the provisions given under Development Authority Act No. 41 of 1978. Subsequently UDA delegated the authority of giving approvals for development activities to the respective local authorities under the direction, supervision & control of UDA. It has established the planning committee system in all the designated local authorities through which planning applications for all the new development activities including modifications and alterations of existing structures are to be scrutinized by the planning committee for granting planning approval. Subsequently, landslide mitigation projects that are executed within the urban development areas should comply with the proposed urban development plan of the respective urban development areas.

#### **e) Municipal Council Ordinance No.29 of 1947 and Urban Council Ordinance No.61 of 1939**

Local authorities derive their powers from the respective ordinances. Local Governments are “charged with the regulation, control and administration of all matters relating to public health, public utility services and public thoroughfares and generally with the protection and promotion of the comfort, convenience and welfare of the people and all amenities” within their areas of jurisdiction (Municipal Councils Ordinance, Section 4; Urban Councils Ordinance, Section 4; Pradeshiya Sabhas Act, Section 3). Under these laws, new constructions and modifications to current buildings require the approval of the Municipal or Urban Council or Pradeshiya Sabha. All the Municipal Councils and Urban Councils of Sri Lanka are declared under the UDA Act and require any developer to get the approval from the Mayor or Chairman of the respective local authority to construct houses or undertake any development activity within the jurisdiction of the Local Authority. The powers to control the development has been delegated to the Mayor and or Chairman of relevant Local Authorities by the UDA. The UDA has declared Urban Centers in Pradeshiya Saba (PS) areas under UDA act and approval from the Chairmen of PS is required to construct houses or to undertake any development activities within such declared areas has become compulsory.

National Policy on Local Government ensures partnership of the local authority in divisional development planning and in creating a common environment for well-coordinated integrated rural and divisional planning. The policy ensure proper implementation of the National Physical Planning Law under which the local authority is given the status of the planning authority of the area under its jurisdiction. Through this policy, scope of local authority is expanded to enable it assume the role of planning authority for both physical planning as well as equitable human development of the assigned area. Obtaining approval from the planning committee in Municipal Councils and Urban Councils is a requirement prior to commence landslide mitigation project.

In order to minimize the risk from landslides and to enhance the safety of life and property from future slope instabilities, certain restrictions are imposed on construction activities on slopes. Accordingly, it is made mandatory to obtain concurrence of NBRO for implementation of construction activities on slopes, particularly in the ten districts of Badulla, Galle, Hambantota, Kalutara, Kandy, Kegalle, Matale, Matara, Nuwara Eliya and Ratnapura having large extents of identified landslide prone areas.

## **9. Consultation and Stakeholder Engagement**

Consultation with the affected parties should be the beginning of a participatory process for designing and implementing projects. Providing accurate information about the project to people from the planning stage prevents misconception and builds trust between the affected population and the project and enhances transparency. Consultation has several objectives which include: sharing information, listening to feedback, engaging in decision making discussions, and involving people in participation in the implementation process. Consultation can be in different forms, such as organizing public meetings, holding focus group discussions, or carrying out household surveys or even having direct one to one consultations.

### **9.1 Stakeholder Analysis**

Stakeholders are those who have direct interest in the project and who will be participating in the consultative process. As the initial step it is necessary to identify the primary and secondary stakeholders.

Primary stakeholders include; Affected Persons, the beneficiaries of the project, the host population, the Project Partner Agencies (PPAs) such as Road Development Authority (RDA), Sri Lanka Railways (SLR), District and Divisional Secretaries, religious leaders, Zonal Education Office and more importantly the Ministry of Irrigation Water Resources and Disaster Management and Ministry of Finance.

The secondary stakeholders are those who have an interest in the project such as the provincial and local government authorities, Urban Development Authority (UDA), the political authority, policy-makers, advocacy groups, registered civil societies and other private and public sectors which have indirect involvements with the project.

The next step in this process will be to prepare a description of all stakeholders who will participate in the consultative process including the registered civil societies and others who have potential to act effectively and efficiently in achieving positive results in the project. A carefully planned consultation and participation process need to be formed with the stakeholders thereafter, agreeing on an information dissemination strategy.

### **9.2 Stakeholder Consultation and Participation**

Affected Persons (APs) should be fully informed of their rights and responsibilities from the very beginning of the process to achieve transparency and understanding between the APs and the NBRO. In order to achieve this, the information should be made accessible and understandable and where necessary, information must be translated into the mother languages of the affected population. Information also can be disseminated by public media and public notice boards and newspapers, leaflets and flyers, door to door visits.

A Public Information Booklet (PIB) will also be used as a consultation technique. It will be delivered to each household in the sub-project areas and sets out all relevant information regarding the rights of the Affected Persons (APs). The PIB will be published in Sinhalese and in Tamil and distributed to the APs in the project areas, in order to fully understand the details of the project including the compensation and rehabilitation measures which can be applied to the project APs.

The PIB will include the following information:

- Brief description of the project;
- Potential impacts which can be expected during the project;
- Compensation policy and entitlements for the people affected by the project;
- An outline of livelihood restoration measures;
- Consultation and participation of APs and communities including the host;
- Implementation schedule with name and designation of key officers in charge; and
- Contact details of key project staff in district project office for further information.

Table o8: Stakeholder consultation and participation activities to be carried out at various project stages

Project stage	Consultation activities
Preparation and preliminary works	<ul style="list-style-type: none"> <li>▪ Develop database on project stakeholders (primary and secondary);</li> <li>▪ Organize information material and plans for dissemination;</li> <li>▪ Discuss key matters such as land requirement, land issues, alternative lands, entitlement and compensation with Director Planning of District Secretariat, Divisional Secretary and Colonization Officer</li> <li>▪ Discuss the impacts of the landslide mitigation to local area and management of the mitigated sites with Assistant Commissioner of Local Government (ACLG), Divisional Secretaries and commissioner/secretary of the local authorities.</li> <li>▪ Discuss emergency evacuation procedure, early warning, community preparedness plans with Disaster Management Centre and other relevant stakeholders.</li> </ul>
Project planning and design	<ul style="list-style-type: none"> <li>▪ Convene and record meetings with potential displaced persons and or potential host population;</li> <li>▪ Consultations with APs on relocation alternatives and income restoration options ;</li> <li>▪ Involve APs in assessing project impacts;</li> <li>▪ Institutionalize participatory framework for compensation, income restoration and resettlement;</li> <li>▪ Obtain inputs from potential displaced persons, hosts, CBOs on selection and development of resettlement sites;</li> <li>▪ Establish Grievance Redress Committee (GRC) procedures, with the representatives of APs;</li> <li>▪ Signing of Memorandum of Understanding with the GRC and dissemination of Terms of Reference.</li> </ul>

Implementation	<ul style="list-style-type: none"> <li>▪ Organize participation of the potential displaced persons in implementation of the resettlement plan;</li> <li>▪ Involve CBOs and other suitable institutions in resettlement efforts;</li> <li>▪ Obtain support from CBOs and stakeholders in livelihood and income restoration efforts;</li> <li>▪ Involve APs in decision-making committees;</li> <li>▪ Ensure that GRC procedure is functional; and</li> <li>▪ Involve APs in monitoring and evaluation.</li> </ul>
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## 10. Management of Remediated Sites

The National Policy on Local Government, formulated in 2009, specifies the Local Government Authority as being responsible for the preservation and improvement of physical environment within its jurisdiction. Through this policy, government pays special attention to bring the Divisional Administration and the local authority to a common platform of planning and coordination by developing appropriate institutional space and mechanisms for harmonious co-existence between the two. The policy also ensures that, as the planning authority of the area of jurisdiction, the local authority shall be pro-actively involved in disaster preparation, mitigation and management within the overall District Framework for disaster management. NBRO has no legal authority over land acquisition. Divisional Secretariats of the respective DS Division has ownership over public lands. Given these circumstances, a tri-party agreement would have to be signed between NBRO, the respective local authorities and the Divisional Secretariats of the respective DS Divisions to preserve/maintain and utilize the remediated sites as per the technical guidelines issue by NBRO. The local authorities shall grant approval to utilize those remediated sites, providing they adhere to the draft / gazette development plans formulated by the UDA and execute development activities as per the technical guidelines issue by the NBRO.



## 11. Conflict Resolution and Grievance Procedures

Grievance Redress Mechanisms (GRMs) are institutions, instruments, methods and processes by which resolution to a grievance is sought and provided. Adequate care should be taken to prevent grievances through careful design and implementation of projects. However, grievances are inevitable when complex projects are implemented, and Affected Persons (APs) or groups should be provided with an institutionalized GRM that allows them to submit their grievances and obtain redress to achieve their aspirations and satisfaction of needs or to be satisfied that justice has been dealt with in an equitable manner. Timely redress through such mechanism creates trust and confidence in the minds of the APs and is vital to the satisfactory implementation of the project and ensuring it is carried out on schedule. It is important that the GRM should be easily accessible to APs and should be transparent, cost effective, and efficient and provide quick response for resolution of grievances.

Three levels of Grievance Redress will be put in place to receive and resolve grievances:

- a) Local Grievance Redress Committee (LGRC)
- b) District Grievance Redress Committee (DGRC)
- c) Independent Grievance Panel (IGP)

**Local Grievance Redress Committee (LGRC):** In the first instance, the AP should bring the grievance to the notice of the Social Development Officer (SDO) of the PMU. The SDO will submit the grievance to the LGRC under the guidance of Senior Social Safeguard Expert of the PMU. All submitted complaints will be channeled through a fully computerized database which will be set up prior to the commencement of the project that will be maintained by the PMU under the purview of the Project Director. Issues related to disputed assessments, entitlements, disputes between APs could be solved with the assistance of the Grama Niladhari (GN), who is very knowledgeable about the people and the area. Resolution of grievances will be handled through negotiations aiming to achieve consensus between the PPAs and the APs. All endeavors should be made by the LGRC to settle the grievance with the help of the GN. A decision should be given within a week.

### **Members of the Local Grievance Redress Committee;**

- Grama Niladhari of the respective Grama Niladhari Divisions
- Representative from Affected Persons
- Local government representative
- Divisional Social Development Officer
- Divisional Disaster Relief Officer
- Social Development Officer (SDO) of the PMU

**District Grievance Redress Committee (DGRC):** If a grievance cannot be resolved at the LGRC level, it should be submitted to the DGRC by the SDO of the PMU for adjudication with all related documents. DGRC will take a decision in consultation with the PPAs concerned within 2 weeks. The DGRC will have a well-defined structure coupled with grievance redress resolution procedure. Wide publicity will be given about the composition of members, the procedure adopted to receive complaints and grievances, holding inquiries and arriving at transparent decisions. The Rural Development Officer (RDO) of the Divisional Secretariat, registered civil societies and CBOs will be used for this purpose. In this project, grievances may arise due to dissatisfaction over rates of compensation, eligibility criteria, locations of resettlement sites, quality of services at resettlement sites etc., and in application of the guidelines adopted in the SMRPF for assessment and mitigation of adverse social impacts.

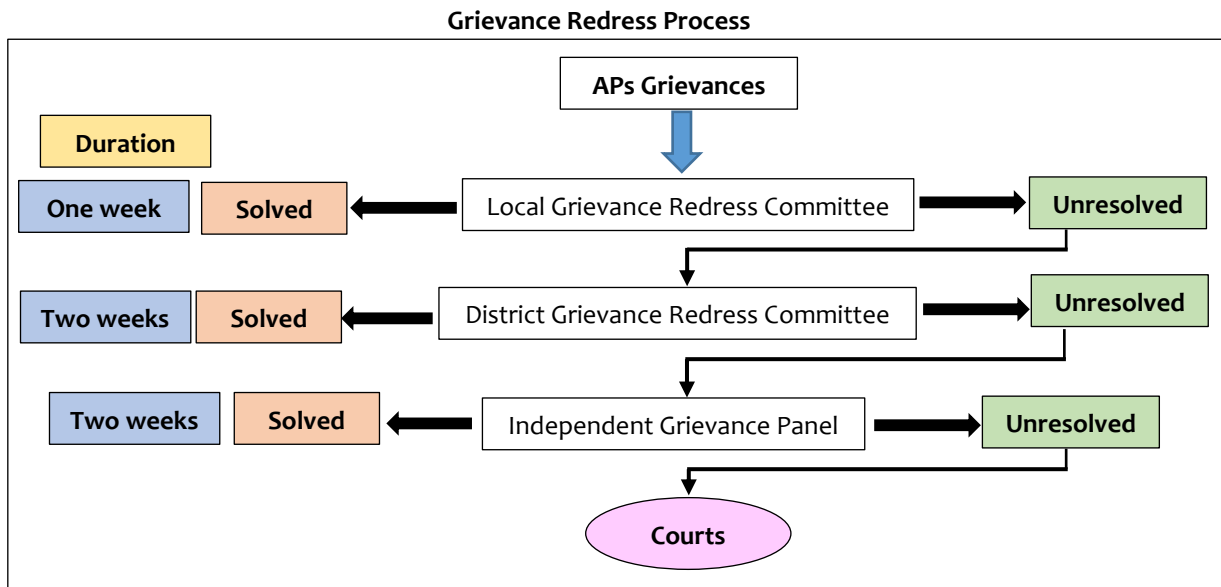
The procedure for District Grievance Redress Committee includes provisions for;

- a) A prescribed form for APs to report grievances; (see Annex-III for sample application form for grievance redress);
- b) Recording of the proceeding of the hearings, registering and sorting grievances by SDO of the PMU;

- c) Record the reasons that led to the acceptance or rejection of the particular cases and the decision agreed with the complainants;
- d) Implementing decisions; and
- e) Tracking, monitoring, documentation

- Members of the District Grievance Redress Committee;**
- Additional District Secretary (Land) as chairperson
  - Divisional Secretary or Assistant Divisional Secretary
  - Survey General or his/her nominee
  - Chief Valuer or his/her nominee
  - Representative from Road Development Authority
  - Representative from Sri Lanka Railways
  - Senior Social Safeguard Expert of the PMU
  - Social Development Officer (SDO) of the PMU

**Independent Grievance Panel (IGP):** If DGRC's decision too is not acceptable to the AP, he or she can appeal to the IGP. The IGP will comprise Additional Secretary (Development) Ministry of Irrigation Water Resources and Disaster Management, Department of Valuation a lawyer, a retired class – I SLAS officer. Additional Secretary (Development) Ministry of Irrigation Water Resources and Disaster Management will act as chairperson of the panel. IGP will take a decision in consultation within 2 weeks. IGP will inform PD of the decision, who in turn will communicate the decision to the APs in writing. If the decision given by IGP is not acceptable to the AP, the AP can have recourse to courts of law.



## **12. Monitoring and Evaluation**

The project management system will establish a monitoring and reporting system which will be organized in the PMUs. The monitoring and reporting system will be integral to social safeguards and the project will establish a monitoring and reporting system for ensuring the efficient and effective implementation of the project social safeguard program. A monitoring mechanism will be established to perform the monitoring and reporting function involving independent safeguards monitoring.

The monitoring and reporting system will be responsible for the systematic collection of information on the progress of the application of the social safeguards program and reporting the findings to the stakeholders through the PMUs. Overall the objective of monitoring and reporting will be to ensure that the proposed mitigation measures are producing the intended results. The monitoring system will involve: guidelines and terms and reference, monitoring indicators, mechanisms and methodologies, frequency, documentation and reporting arrangements.

### **Monitoring Roles and Responsibilities**

There will be several monitoring roles and responsibilities in the delivery of the social safeguard program. The monitoring roles and responsibilities will follow the overall project management system and be organized as a two-way reporting to the implementing partnership and the affected households and communities.

#### **a) Stakeholder Forum**

In order to establish a partnership in social management a stakeholder forum will be constituted to bring together all stakeholders including representatives of affected settlement communities. The Forum would meet bi-annually. The Social Management Unit will prepare a bi-annual Report on the status of the social safeguards program incorporating the program for the next reporting period and submit the same to the Stakeholder Forum. The monitoring role of the Stakeholder Forum will be to review the report, identify gaps and propose remedial measures and consider partnership linkages.

#### **b) Project Management Unit (PMU)**

The PMU will function as the overall review body and receive monthly monitoring reports from the Monitoring and Evaluation Cell that will be submitted to the monthly meetings of the Project Steering Committee. Database will be set up in PMU to monitor the situation of the settlements reside within the catchment of landslide mitigation sites. Database on buildings locate within the landslide mitigation area will be developed by giving reference number to each building. Database will consist; (i) general information (ii) demographic profile of the households (iii) land use and of characteristics of housing units (iv) disaster impacts (v) disaster risk reduction measures taken. Database will be able to generate descriptive statistics including percentage and frequency on by housing units and by sub-projects. Changes experience by the household cause by each stage of the project will be updated regularly. The Social Safeguard Expert will be responsible for database management and analysis.

#### **c) Monitoring and Evaluation Cell**

The environmental and social management cell will function as a monitoring cell. The responsibility of the cell would include the following.

- Provide program communications and technical support to the PMU;
- Establish and maintain the data base and reporting system on the social safeguard program;
- Prepare and submit reports as per monitoring design; and
- Arrange for external monitoring especially for reporting to the stakeholder forum.

Monitoring will be carried out in respect of above social safeguard activities. It will follow a framework of process, output and outcome indicators as described in below table.

Table 09: Indicators and variables for monitoring and evaluation of social safeguard activities

Indicators	Variables
a) Participation and consultations	<ul style="list-style-type: none"> <li>▪ Participation at stakeholders meetings and consultations; and</li> <li>▪ Field visits by stakeholder organizations.</li> <li>▪ Number of participations and consultations by purpose, venue, attendance; and</li> </ul>
b) Capacity building and training	<ul style="list-style-type: none"> <li>▪ Training programs conducted for staff and other officers and number of participants; and</li> <li>▪ Systems and procedures designed and introduced.</li> </ul>
c) Grievance Redress	<ul style="list-style-type: none"> <li>▪ Number of grievances received and resolved by GRC by type; redresses provided, timeliness of response.</li> </ul>
d) Entitlements and payment of compensation	<ul style="list-style-type: none"> <li>▪ Number of APs received compensations by type of loss,</li> <li>▪ Number of APs received resettlement assistance</li> </ul>
e) Restoration of cultural and community property resources	<ul style="list-style-type: none"> <li>▪ Number of cultural and community resources that requires relocation / restoration</li> <li>▪ Number of such community resources relocated/restored.</li> </ul>
f) Vulnerable households, groups and persons	<ul style="list-style-type: none"> <li>▪ Number of vulnerable (poor, women, children and disabled) requiring assistance</li> <li>▪ Number of Vulnerable Group APs received assistance,</li> <li>▪ Number of such APs productively utilizing assistance provided.</li> </ul>
g) Benefits of landslide mitigation	<ul style="list-style-type: none"> <li>▪ Number of houses protected</li> <li>▪ Number of lives protected</li> <li>▪ Number of commercial establishments protected</li> <li>▪ Number of families protected</li> <li>▪ Value of road network protected</li> </ul>

### 13. Capacity Building and Training

Current capacity of NBRO for the implementation of social safeguards measures to meet the requirements of the SMRPF is not sufficient due to lack of knowledge, capacity and regular practice. Social and environmental safeguards have to be strengthened through the recruitment of one or more social safeguard specialist/s. Further, training and awareness is required to enhance the knowledge base especially on effective implementation of Grievance Redress Mechanisms. Hence, awareness raising and capacity building programs on social management framework for project officials at various levels ranging from Project Director to Social Development Officers will be part of the capacity building during the implementation of landslide mitigation. Awareness programs on safeguard requirements by the contractors and monitoring officers during the implementation of construction activities also to be conducted as part of the capacity building program.

**Implementation Framework for Resettlement of Landslide Victims**

## Sample Agreement with Land Owners

### Landslide Mitigation Project Funded by Asian Infrastructure Investment Bank

#### Temporary Taking over Lands for Landslide Mitigation

#### Agreement

Herewith the First Party being the National Building Research Organisation with Head Office at 99/1, Jawatta Road Colombo - 05 and ....., ..... situated at ....., ..... will be the Second Party. Following hereunder are included in the agreement signed by both parties.

The First Party needs to enter into the land and do the land protection activities in which details are attached in the following annexes; to implement the counter measures intended to protect the land from landslide disaster, slope failure and/or rock falls. Herewith the two parties agree to implement the rehabilitation activities on the land at which details are attached to in the following annexes are adhered to under agreed terms and conditions.

#### **The Following are the agreed terms and conditions as stipulated in the annexes**

1. Considering the social and economic benefits from the implementation of counter-measures to prevent landslide disaster at the particular land detailed in the annexes which belong to ..... should be temporarily entrusted to the Director General of National Building Research Organisation to implement and maintain the counter-measures for preventing the landslide disaster of the particular land.
2. In the event there are persons, and/or non-movable assets found within this particular project site, needs to be removed before construction of the mitigation measures will start; the First Party will pay compensation and other benefits to the Second Party for the temporary relocation impact prior to their displacement following the provisions of the Land Acquisition Regulations Act. The Second Party will voluntarily clear the project site of such persons and non-movable assets before the construction of mitigation measures commence.
3. The contractor will compensate Second Party for any impact on structure or land due to negligent movement of machinery during construction.
4. The Second Party will allow the First Party to install an information display board at the site providing details on the countermeasures implemented, for all people to see.
5. After completion of rehabilitation activities by the First Party on the land whose details are found in the annexes, the land will be handed back to the Second Party including the “As-built” drawings.
6. The Second Party should give access to the First Party to inspect/monitor, maintain or improve the counter measures and to implement preventive actions on land slide disaster/slope failure/rock falls at the particular land from time to time.
7. The Second Party or his/her representative will agree not to disturb the First Party or its representative, when the First Party conducts its annual inspection, maintenance,



improvement of counter measures, and implementing relevant slope failure protection actions at the particular land.

8. Two parties agree that this land is temporarily used for above purpose by us/ institute, and has entered to this agreement with our own free will.
9. The Second Party agree not to willfully damage, remove or replace in part or as a whole, the land slide disaster counter measures, or not to willfully disturb maintenance activities conducted for these measures after handing over the land where the land slide/slope failure/rock fall counter measures have been installed by the First Party. If the Second Party or his representative willfully damage these counter measures, the Second Party agree to repair those constructed counter measures under the supervision of the First Party. However, if such damage is caused by a Third Party unknown to the Second Party, the liability would not fall with the Second Party. The Second Party shall promptly inform the First Party of the damage, and allow the First Party maintenance team to carryout appropriate repair work on the damaged counter measure.
10. If the Second Party willfully and continuously violates provisions of this agreement despite notices issued by the First Party to comply with the agreement, the First Party can exercise its prerogative to permanently acquire the land on which the mitigation measure is installed following existing laws of the country.
11. This agreement takes effect upon signing by both Parties and witnesses. This agreement will remain enforced until the end of project life or upon termination of the First Party, whichever comes first.

In addition, herewith two parties promise to fulfill the above agreements correctly for themselves and on behalf of their subordinates.

Annexes

1. Location map, satellite view and site photo of the catchment area of landslide mitigation location and its surrounding.
2. Survey Plan of the land.
3. Details of the land which will be temporarily released to the Project for the implementation of the counter measures.

Lot No.	Extent (Ha)	Details of Boundaries			
		North	East	South	West

4. Designed plan prepared for Site.

For witness of this, both parties have signed herewith and have agreed upon for First Party to get this land/land section mentioned in the annexes and Second Party to temporarily donate the land /land section mentioned in the annexes on this. .... Day of ..... Month of Year 2018.

.....  
Director General  
National Building Research Organisation

.....  
Name of the land tenure

First Party:

Second Party:

Witness:

.....  
Project Director  
Landslide Mitigation Project

.....  
Divisional Secretary  
..... Divisional Secretariat

.....  
Grama Niladhari  
..... GN Division

Application for Grievance Redress

Date:.....

APPLICATION FOR GRIEVANCE REDRESS

District:.....

National Identity card Number:.....

Household number:

Original place of residence: .....

Divisional Secretariat Division .....

Name of the chief occupant:

Relocated place of residence:.....

Divisional Secretariat Division .....

Name of Spouse: .....

Original place of residence:.....

Address of Applicant: Grama Niladhari Division & Number:

.....

Number of Family members: b. Relocated place of residence:.....

Grama Niladhari Division & Number:

Occupation:

A) Chief occupant:

B) Spouse

C) Any other member of the family: .....

A. GRIEVANCES

1 .....

2 .....

B. EXPECTED REDRESS

1 .....

2 .....

SIGNATURE OF APPLICANTS

1 .....

2 .....

NOTE: Both spouses should sign the application

## Qualifications and Experience of Key Staff

Position and Qualification Tasks	Position and Qualification Tasks
<p><b>Project Director:</b> A senior administrative officer with a higher degree in engineering and management</p>	<p>Overall responsibility to provide leadership to the project; convene stakeholder forum and steering committee meetings; respond to all emerging issues and problems, lead the social management unit with guidance and monitoring, hire consultants, allocate staff and resources for social management, report to the AIB regarding safeguards compliance.</p>
<p><b>Senior Social Safeguard Expert:</b> Master's degree or membership in professional institute in the field of sociology with at least 8 years' experience in the sector.</p>	<ul style="list-style-type: none"> <li>▪ Carrying out social impact assessment;</li> <li>▪ Efficient and effective implementation of the safeguard program</li> <li>▪ Internal monitoring and documentation;</li> <li>▪ Planning remedial social protection plan for vulnerable households as per SMF, before the commencement of relocations;</li> <li>▪ Addressing gender issues;</li> <li>▪ Developing materials for awareness raising activities;</li> <li>▪ Document grievance resolution at PMU level;</li> <li>▪ Conducting awareness programs for people, CBOs and other agencies supporting safeguard programs;</li> <li>▪ Arranging for the delivery of entitlements;</li> <li>▪ Review progress on the delivery of social safeguard program;</li> <li>▪ Review status of the partnership arrangements for the delivery of the safeguard program</li> </ul>
<p><b>Social Development Officer:</b> BSc Degree in the field of sociology with 5 years' experience in the sector.</p>	<ul style="list-style-type: none"> <li>▪ Assist with social impact assessment;</li> <li>▪ Assist with resolution of grievances of APs;</li> <li>▪ Document grievance resolution at district grievance redress committee;</li> <li>▪ Establish and maintain database of project impacted families</li> <li>▪ Disseminating information regarding social safeguards among all stakeholders;</li> <li>▪ Resolving the grievances of the APs;</li> <li>▪ Functioning as liaison officer of the local grievance redress committee;</li> </ul>