

# General Instructions

## THE PROJECT:

This exercise is part of a sustainability assessment is being undertaken of the proposed Whitewater Hydropower Project, being developed by Hydropower Ltd. The section of the Draft Protocol being used for this assessment is Section II: Project Preparation. The aspect being assessed is Resettlement & Land Acquisition.

## THE EXERCISE:

1. Everyone in the room forms groups of at least four people, and in each group, nominates:
  - a. An assessor
  - b. A company representative
  - c. A government representative
  - d. A community representative

If there are additional people in the group, they can team up with others, or be observers.

2. Read the material that is handed out. Assessors should think about questions to ask and the evidence one would want to see in order to determine scores. Company, government and community representatives should become familiar with the information on hand to answer questions, and think about what evidence they can produce to support their answers.
3. The assessor asks questions to the company representative, then to the government representative, and then to the community representative to try to determine scores. The assessor needs to know what evidence exists to support the scores.
4. Once all interviews have taken place, the assessor decides what scores he/she would give the project and why, and discusses this with the group.
5. The different groups share their observations from this practical exercise.

# Information for the ASSESSOR

This aspect addresses involuntary resettlement from either physical displacement (relocation or loss of shelter) or economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) caused by land acquisition arising from a hydropower project development.

<i>Process Attributes</i>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>
<b>Assessment</b>	<ul style="list-style-type: none"> <li>Quality of the process leading to an understanding of the socio-economic baseline for persons potentially physically or economically displaced by land acquisition</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
	<ul style="list-style-type: none"> <li>Socio-economic impact analysis for persons potentially physically or economically displaced by land acquisition</li> </ul>				
	Excellent, good analysis of trends, options and uncertainties	Very Good, includes analysis of trends, options and uncertainties	Good, some options analysis	Poor, no options assessment	Very Poor
<b>Management</b>	<ul style="list-style-type: none"> <li>Quality of the process leading to an understanding of government policies and legislation and international standards relating to resettlement, land acquisition, compensation and the role of the developer</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
	<ul style="list-style-type: none"> <li>Quality of the resettlement management planning process, including the Resettlement Action Plan</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
<b>Consultation</b>	<ul style="list-style-type: none"> <li>Quality of the land acquisition management planning process</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
	<ul style="list-style-type: none"> <li>Degree to which consultation and decision-making processes are respectful of rights, culturally sensitive, supportive to those requiring assistance, free, prior and informed</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
<b>Performance Attributes</b>	<ul style="list-style-type: none"> <li>Degree to which persons potentially physically or economically displaced by land acquisition and host communities are involved in the design of the consultation processes and the decision-making about issues of relevance to them</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
	<ul style="list-style-type: none"> <li>Quality of the grievance mechanisms</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
<b>Stakeholder Support</b>	<ul style="list-style-type: none"> <li>Level of support from persons potentially physically or economically displaced by land acquisition and host communities</li> </ul>				
	Full consent with legally binding agreements	Wide reaching agreement with almost all groups and no major opposition	General agreement with most groups and no major opposition	Partial agreement with some groups and opposition from some groups	Absence of agreement and opposition from many groups
<b>Compliance</b>	<ul style="list-style-type: none"> <li>Compliance with any relevant legal requirements or publicly stated business commitments, including entitlements for persons potentially physically or economically displaced by land acquisition</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
<b>Conformance with Plans</b>	<ul style="list-style-type: none"> <li>Conformance with management plans or planned arrangements with respect to resettlement and land acquisition</li> </ul>				
	Excellent	Very Good	Good	Poor	Very Poor
<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>Efforts through siting and design optimisation to avoid or minimise physical or economic displacement due to land acquisition</li> </ul>				
	Good evidence to show final design significantly minimises	Good evidence to show final design minimises	Some evidence to show final design minimises	Little evidence to show minimisation	No evidence to show minimisation
	<ul style="list-style-type: none"> <li>Likelihood of timely improvement in living standards for persons potentially physically or economically displaced by land acquisition</li> </ul>				
	Very High	High	Good	Minimal	None
<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>Likelihood of timely improvement in livelihoods for persons potentially physically or economically displaced by land acquisition</li> </ul>				
	Very High	High	Good	Minimal	None

# Information for the COMPANY REPRESENTATIVE

You are managing the social impact assessment process for the proposed Whitewater hydropower project on behalf of the developer, Hydropower Ltd. In response to the questions asked, you provide the following information to the assessor:

## 1. ASSESSMENTS

Hydropower Ltd has completed the social impact assessment process for the Whitewater Hydropower Project, and tabled the Social Impact Assessment (the SIA) report three months ago. The SIA identified that 11 families (60 individuals) are likely to be affected by land acquisition. A detailed socio-economic study was undertaken for these families by an independent expert, and impacts due to land acquisition were identified. 8 of the families require relocation, and the other 3 families will be economically impacted because parts of their farms will be inundated by the new reservoir. You table the SIA and show the section and appendices addressing the impacts to these 11 families. You also show a report that you had commissioned which identifies the government policies and legislation relating to resettlement, land acquisition and resettlement.

## 2. MANAGEMENT PLANNING

You advise that there is no particular management planning process for the land acquisition. You acquire the land, the dam is built, the land will start flooding and the land will be inundated. A Resettlement Action Plan for the relocation of the 8 families is under development, and you show a confidential draft to the assessor. This plan outlines the compensation framework, resettlement assistance and livelihood arrangements, the budget and implementation schedule, organisational responsibilities, and monitoring and evaluation processes.

## 3. CONSULTATION

You advise that Hydropower Ltd went to great lengths to consult about the proposed project with those potentially affected by it. Several public meetings were held at the initial stages, open to anyone who was interested. Once the company had a better idea of who would be directly affected by land acquisition, the company assigned community liaison officers to work directly with the families involved. Information was provided in forms easily understandable to the families, and discussions explored all of their options and aimed to work out the best arrangements for each family. Those directly impacted by land acquisition could contact the community liaison officers at any time about any concern or issue, and the officers kept a record of these engagements and the outcomes to demonstrate that this was a useful liaison mechanism.

## 4. STAKEHOLDER SUPPORT

You advise that agreements on compensation and relocation arrangements are still being negotiated, so it is not possible to comment definitively on this. Whilst there was an initial opposition to the project, and there have been many concerns, there is no major opposition from those directly affected by the land acquisition issues.

## 5. COMPLIANCE

You show the report commissioned during the assessment process of all the government's policies and legislation relating to land acquisition, resettlement and compensation, and assure the assessor that all outcomes will be compliant with these requirements.

## 6. CONFORMANCE WITH PLANS

You believe that this attribute is irrelevant at this stage.

## 7. EFFECTIVENESS

You show in the EIA/SIA documents that there were several options for siting and design, and these were considered against financial, technical, social and environmental considerations. The final siting and design did not result in the least amount of land acquisition and resettlement, but it was geologically the most suitable for dam construction. You advise that you can show the geotechnical reports. You show in the Draft Resettlement Action Plan that it sets out targets relating to the living standards and livelihoods of those who would be physically and economically displaced by land acquisition. These targets aim to have living standards and livelihoods at a level consistent with pre-project levels within six months of the displacement occurring, and within 12 months to exceed these pre-project levels. You show the commitments to monitoring and follow up that are built into the Draft Plan.

# Information for the GOVERNMENT REPRESENTATIVE

You are an assessment officer for the State Government. You developed the guidelines for the Social Impact Assessment (SIA) for the proposed Whitewater hydropower project, and reviewed the SIA that was submitted. In response to the questions asked, you provide the following information to the assessor:

## 1. ASSESSMENTS

You advise that the SIA submitted by Hydropower Ltd met the guidelines required by the State Government. You had an independent verification undertaken of the socio-economic baseline for those persons who would be displaced, and there were no major issues with Hydropower Ltd's work. You advise that the company considered some options, but did not do much analysis of trends and uncertainties with the socio-economic impact analysis. You believe that the developer has a good understanding of the government policies and legislation, but could not comment on whether they understand international standards relating to resettlement, land acquisition and compensation.

## 2. MANAGEMENT PLANNING

You are aware that the company is working on the Resettlement Action Plan, but have not seen this yet.

## 3. CONSULTATION

You know that Hydropower Ltd held several public meetings about the project, and assigned a community liaison officer to work with the families. The government had representatives at the meetings, and is in touch with the community liaison officer.

## 4. STAKEHOLDER SUPPORT

You know that there has been a lot of anxiety amongst those directly affected, but you are not aware of any outright opposition from them individually. However there has been a lot of concern raised by international NGOs, who object to the project because they think there is already too much hydropower development in the river basin.

## 5. COMPLIANCE

You know the company has a good compliance record, and believe it is taking its compliance obligations very seriously.

## 6. CONFORMANCE WITH PLANS

The Resettlement Action Plan is delayed, and is likely to be tabled to the government 3 months past the date the company had said they would have it.

## 7. EFFECTIVENESS

You believe that the final siting and design took into account many considerations including social. It does not avoid social impacts, but is not the worst case scenario for social impacts either.

You are not aware what is in the Draft Resettlement Action Plan and so can not comment on likelihood of improvement in living standards or livelihoods of those displaced.

# Information for the COMMUNITY REPRESENTATIVE

You are a farmer who is going to lose part of your farm due to inundation of land by the proposed Whitewater hydropower project. In response to the questions asked, you provide the following information to the assessor:

## 1. ASSESSMENTS

You have some objections to the assessment of socio-economic impacts that was done, because you were about to make an investment into developing that part of your farm for new crops and now that opportunity is lost.

## 2. MANAGEMENT PLANNING

You think all the attention has gone into those families who will be physically displaced, and the Resettlement Action Plan. You know you will get some sort of calculated compensation for your loss of land, but do not know when or how this will be delivered, nor what follow up there will be with respect to your living standards and livelihoods.

## 3. CONSULTATION

You went to the public meetings, and were surveyed by consultants when they were developing the SIA. You never did see the SIA document yourself, because you do not have internet access. You have been trying to get in touch with the community liaison officer but he is always busy and has not yet responded.

## 4. STAKEHOLDER SUPPORT

You are not against the project, but want to be sure you are compensated properly. You do not just want a pay-out, but want new land so that you can pursue your plans to develop your farming business.

## 5. COMPLIANCE

You do not feel that you can comment on this, but hope that the government will require the company to give you new land.

## 6. CONFORMANCE WITH PLANS

You do not feel that you can comment on this.

## 7. EFFECTIVENESS

The siting option that was selected is the only one of the options considered that impacts on you personally. You would prefer that they did not take your farm land.

You have heard the company say that the project will be good for everyone, but do not believe this until you see a concrete proposal for land-for-land compensation in front of you.