

January 2008

ADB Consults South Asia on Safeguard Policy Update (SPU)

South Asia Consultation, New Delhi, 16-17 January 2008

A consultation workshop on ADB's Safeguard Policy Update (SPU) took place in New Delhi on 16-17 January 2008. Participants who were mostly government officials and members of civil society organizations from south Asian region attended the workshop. Inaugurating the workshop, Tadashi Kondo, Country Director, ADB India Resident Mission, delivered the welcome address. The Workshop ended with Closing Remarks by

Nessim Ahmad, Director, RSES, ADB.

The Asian Development Bank is updating all three of its safeguard policies on involuntary resettlement, indigenous peoples, and the environment to improve their effectiveness and ensure they remain relevant to the changing needs of its developing member countries. The update began in 2005 with independent evaluation studies of the safeguard policies completed in early 2007. The update process is

expected to culminate in late 2008 with policies updated through extensive consultations.

In addition to the south Asian consultation workshop, ADB planned a special 'Meeting with Civil Society Organizations' on 18 January 2008. The purpose was to discuss ADB's Safeguard Policy Update. But the Meeting could not take place, due to its boycott by several civil society groups.

India adopts a New Policy on Involuntary Resettlement

Until recently, India had no national policy on involuntary resettlement. In 2004, India issued its much awaited policy. It however failed to meet the expectations of civil society groups that had been actively campaigning for a national policy on involuntary resettlement. Taking note of such concerns, the government decided to examine the issue afresh and as a result a new policy 'The National Rehabilitation and Resettlement Policy, 2007' was announced on 31 October 2007, replacing 'The National Policy on Resettlement and Rehabilitation for Project Affected Families 2004'. The Government has also announced that legislation on the lines of the new Rehabilitation and Resettlement Policy will be brought out, to suitably amend the existing Land Acquisition Act, 1894.

The new Policy aims at striking a balance between the need for land for developmental activities and, at the same

time, protecting the interests of the land owners, and others, such as the tenants, the landless, the agricultural and non-agricultural labourers, artisans, and others whose livelihood depends on the land involved. The benefits under the new Policy shall be available to all affected persons and families whose land, property or livelihood is adversely affected by land acquisition or by involuntary displacement of a permanent nature due to any other reason, such as natural calamities, etc. The Policy will be applicable to all these cases irrespective of the number of people involved.

A special provision has been made for providing life-time monthly pension to the vulnerable persons, such as the disabled, destitute, orphans, widows, unmarried girls, abandoned women, or persons above 50 years of age (who are not provided or cannot immediately be provided with

alternative livelihood).

Special provision for the STs and SCs include preference in land-for-land for STs followed by SCs; a Tribal Development Plan which will also include a programme for development for alternate fuel which will also include a programme for development for alternate fuel and non-timber forest produce resources, consultations with Gram Sabhas and Tribal Advisory Councils, protection of fishing rights, land free-of-cost for community and religious gatherings, continuation of reservation benefits in resettlement areas, etc.

The Policy has been formulated after wide-ranging consultations with the concerned Ministries/Departments, the States and the Union Territories, the industry groups, persons/groups actively engaged in the field of R&R, and the public at large.

Supporting the Unsupportable

Displacement of Farmers in West Bengal, India

In his long interview (1682 words) published in *The Telegraph* (a Kolkata based English daily) on 23 July, Nobel Laureate economist Amartya Sen unequivocally supported the acquisition of fertile agricultural land for industries in West Bengal. It is quite shocking to find that nowhere in his interview the Nobel

Laureate, who is known as a welfare economist, did utter a single sentence on the need for resettlement and rehabilitation of the peasants who are disposed from their only source of livelihood. Professor Sen, like the bureaucrats and ruling party politicians, but unlike resettlement researchers,

confined himself only within the the domain of monetary compensation, which is awarded to the landlosers by following a 112 years old colonial law - The Land Acquisition Act, 1894. He also seemed to be totally oblivious about the various categories of the peasantry, viz. landless agricultural workers, unrecorded

bargadars, artisans and small traders who though badly affected, are not paid any compensation (according to the law) against land takeover for modern technologically sophisticated and capital-intensive industries which do not have the capacity to absorb even a small portion of the population engaged in labour intensive

agriculture. Undoubtedly, Sen's blatant support to the acquisition of fertile land at the cost of the sufferings of thousands of poor peasants in a widely circulated newspaper would not only strengthen the hands of the bureaucrats and ruling party politicians who want to keep the colonial law intact, but it would also spread

confusion among the ordinary people who search for a balanced view on this very important issue....

Source: See the full article, 'How the Argumentative Indian Failed' by Abhijit Guha in *Frontier*, Vol 40, No 19 November 25 –December 1, 2007

Recent Conferences

Involuntary Population Displacement and the Evolving Policy Response

Workshop held at the Metropolitan International Conference, Melbourne, 9-10 October 2007

Organized by Susanna Price, the Melbourne Workshop on Involuntary Population Displacement and the Evolving Policy Response, held on 9-10 October 2007, brought together academic researchers, NGOs, policy makers, and practitioners to review recent developments in policy frameworks and research findings for involuntary population displacement mainly from Asia.

Participants examined the links between recent policy initiatives at the UN, in the private sector, among development banks, and in developing country frameworks and the impacts on the lives of those people displaced. Papers were presented on aspects of evolving resettlement policy frameworks at the country level for India, Bangladesh, Pakistan, China and Cambodia. Given increasing pressure from global investment flows, speakers addressed the continuing challenge of achieving good international standards on resettlement for both public and private sector projects. The Workshop

agreed on some recommendations for future action to explore the possibility of a development displacement journal, with several good possibilities for substantial papers emerging through the Workshop.

The highlight of the Workshop was presentation of Michael Cernea's paper in his absence by Susanna Price. The presentation of the paper 'Compensation Flaws and Benefit Sharing: Why Reforming Resettlement is indispensable' was followed by a lively discussion. There was general agreement with the paper's contention that there are current weaknesses in asset valuation methods and flaws in compensation as specified in most policy/legal frameworks, and as put into practice. However, there was concern about some of the practicalities of implementing benefit sharing strategies for different types of projects, e.g. beyond the hydropower sector, and these practicalities may need further exploration.

Discussions centred around other issues as well. It was noted that land

acquisition and involuntary resettlement is a global political problem, with governments increasingly having to manage public opposition and fallout. Concern was also expressed over the continuing use of eminent domain, as basically a 19th century concept of state power which is out of tune with both current forms of governance and with the increasing importance of the notion of free, prior, and informed consent (eg as set out in the recent UN Declaration on Indigenous Peoples).

A notable feature of the Workshop was the strong participation of the relatively small pool of people dealing with development displacement issues in Australia, including Brooke McDonald, Graeme Hugo/Yan Tan, Sally Sargeson and Tulsi Bisht who contributed strong academic papers with new research findings on development displacement. This was a well organized Workshop and will be remembered for its contribution in putting development displacement on the map in Australia.

Managing the Social and Environmental Consequences of Coal Mining in India

First International Conference held in New Delhi, 19-21 November 2007

A three-day first international conference on 'Social and Environmental Consequences of Coal Mining in India' took place at the India International Centre, New Delhi, 19-21 November 2007. It was organized mainly by ISM Dhanbad, University of New South Wales and Australian National University. About 250 participants from India, USA, UK, Australia, France, Turkey, Iran and other places representing industry, academia, research institutes, regulators, and NGOs attended the Conference.

Social issues including policy issues were high on the agenda. Several technical sessions were devoted to discussion of the

impact of coal mining on local communities. Mining leads to urbanization in remote areas and has the potential to improve the quality of life and promote inclusive growth. The Conference emphasized the urgent need to develop resettlement policies that lead to living conditions for all affected people that are better than they were before.

On the concluding day, the Conference adopted the New Delhi Declaration. The highlights of the Declaration are summarized as follows:

- That India possesses world-class coal resources which should be developed, but in a sustainable manner

- That there is potential to reduce the social and environmental costs and maximize the benefits of coal mining to the community in the future
- That social impact needs to be integrated with environmental impact in planning and operating mines
- That the environmental and social consequences of mining are taken into account before mining commences as well as during and after operations cease.
- That engagement with all stakeholders through dialogue is a road map to solutions to the current impacts that currently exist.

A Critical Analysis of India's New Rehabilitation Policy

Meeting of the National Forum on Policy Dialogue, New Delhi, 19 November 2007

The Nehru Memorial Museum & Library along with the Jawaharlal Nehru Institute of Advanced Studies, Jawaharlal Nehru University, hosted the meeting of the National Forum on Policy Dialogue at its campus in New Delhi on 19 November 2007. The Meeting brought together representatives of government, experts

from academia, representatives of civil society organizations as well as other stakeholders to discuss the new resettlement policy which the government of India has recently issued. This was inaugurated by the Government of India's Minister for Rural Development. At the outset, a critical analysis of the National

Rehabilitation and Resettlement Policy, 2007 was presented by Shekhar Singh, which was followed by discussion. The Forum expressed its disappointment with the policy and decided that its views be conveyed to the Prime Minister for corrective action.

Forthcoming Meetings

Displacement and Resettlement Research

At SfAA Meetings, Memphis, Tennessee, USA, 25-28 March 2008

The theme selected for the 2008 Society for Applied Anthropology meetings to be held in Memphis, Tennessee, USA, 25-28 March 2008 is 'The Public Sphere and Engaged Scholarship: Opportunities and Challenges for Applied Anthropology'

It is perfectly suited to examining the current "hot issues," growing in importance worldwide, in the anthropology of displacement and resettlement. In consultation with

Satish Kedia, the Programme Chair of the 2008 SfAA meeting, Michael M Cernea and Ted Downing, as members of the

Organizing Committee for SfAA 2008, have planned to hold a set of sessions on Involuntary Resettlement and Displacement, jointly sponsored by The International Network on Displacement and Resettlement (INDR) and The Society for Applied Anthropology. A special Plenary Session of the SfAA meetings will be devoted to resettlement research and to the contribution and historical public role of anthropological research in this area. The organizers welcome researchers of population displacement caused not only by development but by other factors as well

(e.g. conflicts, wars, conservation parks, natural disasters, politically motivated population transfers, the environment, etc). It is hoped that these sessions will be able to accomplish a key "energizing process" for research in this area, which, arguably, is the area in which anthropology has made the single most influential impact on crafting formally adopted policies worldwide and changing many entrenched practices. See the Preliminary Program at www.displacement.net. For details on the SfAA meeting, hotels, arrangements see www.sfaa.net under annual meeting.

Sustainable Development and Involuntary Resettlement

Kunming, China, 15-23 July 2008

Professor Guoqing Shi and Professor Michael M Cernea have planned a panel 'Sustainable Development and Involuntary Resettlement' at the 16th International Congress of Anthropological and Ethnological Sciences (IAUES) which is scheduled to take place in Kunming, China, 15-23 July 2008. There will be four main sessions, as follows:

- Involuntary Resettlement Policy and Practice
- Ethnic Minority and Anthology

applied in Involuntary Resettlement

- Ecological Migration
- Resettlement Risks and Mitigating Measures

This panel will use this conference as a platform to discuss the new ideas and views on involuntary resettlement, contribute to research relevant to developmental uses, help promote better resettlement policies that lead to harmonious relationships between mankind and nature and respect for

cultural diversities.

All those wishing to attend this Panel are requested to submit abstracts of their papers related to the theme of the above sessions. The last date for submission of completed papers is 31 March 2008. The abstracts, the papers, and the registration forms should be submitted to the panel secretary Dr Qingnian Yu (gingnian.yu@yahoo.com.cn) For further details, please visit the conference website: <http://www.icaes2008.org>.

New Publications

Resettlement in the Three Gorges Project

by Yan Tan, Hong Kong: Hong Kong University Press, 2008

The construction of the Three Gorges dam in China involves the relocation of more than 1.2 million people over 17 years. This resettlement project has special demographic, social, economic and

political characteristics, and has profound influence on urban and rural life.

This book examines the factors influencing the sustainability of the Three Gorges rural resettlement, and the

problems and coping strategies of the relocation programme implemented over the period 2000-6. The author employs a multi-method approach - using geographical information systems,

interviews, social surveys and documentary analysis – to analyse the different dimensions of the resettlement. There are insightful evaluations of the impacts on the

displaced families and on the host communities, of government reactions to resettlement-related problems, and of the current status of the relocation programme

in meeting the original objectives. New findings in this book will contribute to the understanding of resettlement issues and associated transformations in China.

Can Compensation Prevent Impoverishment? Reforming Resettlement through Investments and Benefit-Sharing

Edited by Michael M Cernea and Hari Mohan Mathur, New Delhi: Oxford University Press, 2008

The international public debate on development-caused displacement and resettlement is intensifying. Social science research is feeding into these debates new empirical findings and recommendations for reforming the economic foundations and legal norms of resettlement policies.

Critical of government as well as private sector projects that impoverish those forcibly relocated, this volume rejects the long-held key thesis that compensation is in itself enough to restore and improve the livelihoods disrupted by displacement.

Instead, the authors of this volume, a group of the world's best known resettlement scholars – sociologists, anthropologists, economists, ecologists and legal experts – recommend changing displacement policies, laws and practices, by adding investment financing and ex-post benefit-sharing to full compensation. They argue for avoiding or reducing displacements, and provide a risks-informed theoretical model to analyze and guide resettlement. Good and bad experiences from several countries are discussed.

This book comes at a time when those displaced are increasingly opposing the pathologies of impoverishment by forced displacement. Their voices, argue the authors, speak of basic needs and human rights, and must be heard.

A major contribution to social science and development studies literature, this volume is a sourcebook for policy makers, state officials, development practitioners, displaced populations, industry managers, civil society groups, planners, social scientists, academics and students.

Interrogating Development: State, Displacement and Popular Resistance in North East India

by Monirul Hussain, New Delhi: Sage Publications 2008

This book focuses on development-induced displacement of population in the North-East region in the post-colonial period. Despite state-sponsored development initiatives, the North East still remains highly underdeveloped and politically disturbed. Various development

projects initiated by the state led to massive displacement of population within the region, which has virtually gone unnoticed. The author has made use of extensive empirical data to document this massive displacement.

Submergence of Justice: A Survey of Displacement and Rehabilitation in Madhya Pradesh due to the Sardar Sarovar Project

by Denzil Fernandes, Prodipto Roy, Dillip K Sebak, Joya Roy and Archana Sinha, New Delhi: Indian Social Institute and The Asoka Foundation 2007

This study of rehabilitation, conducted over a period of six months, was a joint effort of researchers from the Indian Social Institute and the Asoka Foundation. It found the already marginalized people becoming further marginalized in the name of development. The finding is supported by

meticulously collected information from the people being resettled in the Narmada valley. This survey confirms one major conclusion of the World Bank's Independent Review of the Sardar Sarovar dam that 'R&R for those displaced by this project is not possible'.

Theoretical Perspectives in R&R

Published by the School of Social Sciences, IGNOU, New Delhi 2007

This publication on resettlement and rehabilitation (R&R) has been prepared by IGNOU's School of Social Sciences for a correspondence course 'Post Graduate Diploma in Participatory Management of Resettlement and Rehabilitation'

(PGDMRR). The IGNOU conducts this correspondence course with World Bank support and is currently coordinated by Dr Madhu Bala. Participants in PGDMRR will find this training material useful.

RESETTLEMENT News published twice a year in January and July reports on current operational, research and capacity building work in resettlement from around the world. The aim is to disseminate practical experience, information and ideas among those working for resettlement agencies, development research centres, and management training institutes. It is published by the Resettlement News Network- an informal network of individuals with a concern for the fate of people who are forced to relocate due to development projects.

The submission of material relating to any aspect of development-induced resettlement is welcomed, and should be addressed to:

Hari Mohan Mathur
Resettlement Information Network
C95 Jagan Path, Sardar Patel Marg
Jaipur 302001, India
Tel/Fax: 91(141)2364982
E-mail: hmmathur@datainfosys.net
Website: www.displacement.net