

# **The Bank's un-civil engagements: experiences of Chashma affectees<sup>1</sup>**

**By**

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The Asian Development Bank (ADB) makes frequent assertions to better the governance aspects of its own funded development projects. Participation, transparency and accountability are considered major instruments in improving the overall project management and addressing adverse social and environmental concerns. A number of policies, albeit very formal, legalistic and procedural in character, prescribe these elements as pre-requisites for attaining the goal of good governance in terms of project planning and implementation, programming and strategy development.

However, there is now the significant accumulated evidence available which demonstrates that the Bank's claims don't match with the realities. The written words seldom translate into the deeds. Mostly, the Bank's staff finds it politically difficult to even ensure the compliance with its already weak and contested policies in the preparation of project planning, implementation and monitoring. The Bank has to negotiate decisions within power-structured institutional context. The Bank itself needs to increase its political leverage and make strategic power alliances to protect its own institutional interests. Unfortunately, the project-affected communities who lack the voice in decision-making remain marginalized in this process.

The fact of non-compliance with policies causes the Bank's staff to indulge into a set of standard informal practices to deal with this obvious contradiction. Access to information is tactfully denied. The decisions and agreements that are considered pragmatic are kept secret to avoid unpleasant and odd consequences. Meeting with the affectees and representative of civil society organizations are not generally minuted or misrepresented. Participation is operationalized in such a way that reduces it to merely token representation. Prolonged, intriguing and laborious engagements without giving any indication or assurance about the outcome are kept intact to create thoughtful deterrence against the risk of vehement opposition, resistance and ultimately the insult. The success of such engagements mostly depends on the methods of seductive speech and imagination. Promises, complaint about the lack of leverage, persistent criticism on the incapacitated national policies and laws, show of sympathy with the human suffering of affectees comprise some of the general features of such methods of engagement. On the

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<sup>1</sup> The project in this reference is the third stage of the Chashma Right Bank Irrigation Project (CRBIP) started in 1992. An additional funding from the ADB was provided in 1999. Major concerns of affectees are project induced flooding and subsequent displacement of more than thirty thousand people, irreparable disruptions in local livelihoods and massive loss of productive assets including land, trees, houses and other structures and adverse environmental impacts. The focus in this paper will remain only on the governance related aspects of this project.

other hand, the Bank's staff always shows uneasiness and seems reluctant whenever the issues of rights and compliance with the institutional policies are raised with them.

These policy violations based on informal practices coupled with the lack of effective internal accountability mechanisms yield into a variety of un-civil engagements of Bank's staff with the project affectees. Though such un-civil engagements are not recorded but these overwhelmingly determine the relationship of the Bank's staff with project affectees. It is the notion of game that ultimately prevails in such engagements instead of the recognition of fundamental rights and responsibilities.

The experiences of affectees and civil society organizations involved in the campaign of Chashma Right Bank Irrigation Projects (CRBIP) are nothing else than the mere testimony of such un-civil engagements.

### **1. Information maneuvering**

The formal engagement of Chashma affectees with the Bank was started in the February 2001. The first demand from the Chashma affectees and NGOs was made to allow the full access to project related information and particularly the report on resettlement survey and environmental management plan. However, the Bank's staff refused to share any information and pleaded that the Bank's new policy on information disclosure does not apply in the case of CRBIP as the project was approved in 1992. Similar answer was given with regard to the compliance with the Bank's Policy on Involuntary Resettlement.

Surprisingly, almost after two years, the project management consultants handed over the report on resettlement survey and action plan to the representatives of affectees during the Chashma Stakeholders' Workshop held in March 2002. After going through the report, the surprise was replaced with utter shock. The document was revealing in many ways. We came to know that the resettlement survey and plan was prepared in accordance with the guidelines for incorporation of social dimensions in Bank's operation<sup>2</sup>. These guidelines make it compulsory to consult with the affectees and concerned NGOs. Moreover, the consultation with the affectees and NGOs was also part of the terms of reference for resettlement survey and plan. It was also revealed to us that the ADB asked the consultants that the Bank's Policy on Involuntary Resettlement should be taken into account while preparing the resettlement plan for Chashma affectees. For the guidelines make it essential that the irrigation projects which cause involuntary displacement should include resettlement component and be given high ranking in terms of environmental impacts. Most shamefully, the report on resettlement survey and plan was prepared in the same month when the engagement of Chashma affectees was started with the Bank. They were kept uninformed and denied their right to know which was even admitted in the Bank's own guidelines. It was the clear violation of the Bank's own policies. However, this violation of affectees' right to know was unavoidable in order to conceal the series of policy violations in other areas. In fact, the Bank was not fully prepared to follow its own guidelines and policies. It was therefore thought better to

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<sup>2</sup> Guidelines for the incorporation of social dimensions in Bank's operations were approved in 1991 and hence applicable in this project.

conceal the information until the consensus between the Bank and WAPDA is not reached. The consensus was negotiated and agreed three months later when the WAPDA refused to implement the resettlement plan. With this regard, a second document was prepared in May 2001 which stated clearly that the affectees should either accept nominal cash compensation or construction of flood protection embankment. As usually, the second document was also not shared with the affectees.

## **2. Consultation: choose between the forced eviction or life imprisonment**

*“Flood protection bund is a sub-jail for us. Our women, children and elderly people face problem for toilet. In our village, we are 170 persons at present; naturally we will grow and be in need of more houses soon; but the premises is too small to build a single room; imagine living within 18-20 feet high embankments at 50 degree temperature. The protection bund could be breached any time and we would be buried inside the bund. You people would be responsible for our death”.*

### **Views of an affectee expressed during the Chashma Stakeholders’ Workshop.**

*“ We can not do anything to solve your problem. We don’t have the funds for resettlement. Moreover, the law does not permit us to provide resettlement for affectees. It is up to you whether you want to live there or migrate to the other areas.”*

*“ We admit that there is a severe problem of flooding in the riverine belt caused by the project. We are also ready to extend the distributaries and flood carrier channels up to the Indus River. However, the local community will have to cooperate with the WAPDA and should provide the land to the government free of cost”.*

### **Views of the project director expressed during the Chashma Stakeholders’ Workshop**

The life of more than thirty thousand people living in the west side of Chashma Right Bank Irrigation Canal is under the severe threat of project induced flooding. A number of mighty hill-torrents from the west side hit the canal and creat flooding because of the failure in getting safe and timely passage.

The first social survey and resettlment plan for the villages facing the threat of project induced flooding was prepared in February 2001. The resettlement survey and plan was meant to consult with the affectees about the option of resettlement or construction of flood protection embankments around the endangered villages. All villages except one opted for resettlment in the east side of the canal. The survey report indicates that the opinion in the villages that opted for flood protection embankment was also even divided. However, this consultation with the affectees proved only symbolic and views of the affected communities were totally disregarded in the decision-making process. The consultation with the affectees was only one sided and there was no institutional mechanism to involve the affectees in decision-making process.

In May 2001, the decision was made against the implementation of resettlement plan. It was agreed between the WAPDA and Bank to either pay the nominal cash compensation or provide flood protection embankments to these villages. This was the same month when the Bank showed readiness to send a special review mission followed by stakeholders' workshop in response to the concerns of Chashma affectees and NGOs. During the negotiation, the Chashma affectees and NGOs demanded again the access to resettlement survey and other project related document. The demand was rejected on the basis of policy restrictions. In fact, it was considered politically incorrect to share the information before making final decision.

It was actually two pronged strategy jointly formulated by the Bank and WAPDA. On the one hand, the Bank's staff continued to engage the affectees and NGOs without sharing vital information and decisions which were already made and agreed. It was pretended that the Bank was serious to follow its own policies and guidelines. While, on the other hand, the WAPDA carried on the coercive operations against the affectees to compel them to choose between the forced eviction and the construction of flood protection embankment. The strategy was indeed the fine combination of tactical thinking and use of force.

Last year, the implementing agencies and local police tried to forcefully evict the affected villagers. They were asked to accept the payment for only houses. It was said that the compensation for land would be paid later on after the completion of legal process. However, the villagers are still living in their ancestral places despite the fact that they would be under the threat of flooding during the monsoon in the current year.

The people in the village that opted for the flood protection embankments feel now living in the jail for the rest of life. Imprisoned in the high embankments they can only now view the sky or stars. There is no facility for the drainage of rainwater that is enough to flood the entire village. New construction in the village is impossible because of the closed embankment. Mobility has been seriously constrained. It is particularly difficult for the old people to walk up and cross the embankment. Most importantly, these earthen embankments provide minimum protection. They can be breached any time against the force of floodwater.

### **3. Making the impossible happened: inaccurate data, changes in the project design, flooding and displacement**

When the project was started in 1992 it was claimed that no displacement would be involved in this project. Four years later, it revealed that nine villages would be displaced due to the project induced flooding. The figure went up to the twelve when the resettlement survey and plan was prepared in February 2002. However, the figure on displacement continued to rise. In a recent document, the WAPDA indicated that about twenty-three villages would be under the threat of flooding. However, the affectees are convinced that this recent assessment is still not realistic. Rather, the number will continue to increase because of deliberately ignoring fundamental structural flaws in the project design.

The question why the Bank, WAPDA and foreign engineering consultants failed to assess the flooding and subsequent displacement accurately is very interesting. However, its answer is very plain and simple. The project was in fact an impossible endeavor that was made happened with hyper scientific and engineering imagination using the inaccurate data about peak flood flows and rate of silt deposition. In addition to the divergent local views, the figures of some other national and international agencies are also contrary to the estimates made by the project-engineering consultants.

Most interestingly, one of the major aims of this project is to protect the local communities from the risk of seasonal floodwater of the various hill-torrents. Almost half of the project budget was allocated to construct flood protection structures. Indeed, this objective was wrong. Local communities have never considered the water of these hill-torrents as floodwater. Rather, they have been using this water for irrigation purposes for the last many centuries. A very sophisticated hydraulic system was developed by the local communities to control and use this seasonal water for irrigation purposes. The project failed to achieve this objective and rather produced contrary situation in which a large number of local population is facing the severe threat of project induced flooding.

The Bank's and its consultants have not only used wrong data but also set wrong objectives to justify the project. It was actually the **will to profit** that prevailed in the planning and preparation of this project.

#### **4. Multi-stakeholders' dialogue: free and informed consent or imposing the consensus**

Multi-stakeholders dialogue, and consensus building are two preferential terms in the Bank's discourse on engagement. The Bank benefits from this discourse in many ways. Compliance with the policies is made conditional with the consensus building among stakeholders. The so called efforts for multi-stakeholders' dialogue and consensus building give the opportunity to the Bank to buy time in order to speed up the process of project completion. Most importantly, the rules of stakeholders' dialogue and process of consensus building are purposefully structured to impose the already made decisions on powerless and vulnerable affectees.

Our experiences of a recently held Chashma Stakeholders' Dialogue are ample proof of the excellent manipulative skills and methodical tactics of Bank's staff in imposing already made decisions on weak and powerless affectees. In response to the affectees' demand for independent project review, the ADB agreed to send an internal special review mission. After the concerns of affectees about the independence of review process, the Bank suggested involving external consultants for the documentation of stakeholders' concerns and facilitation for the dialogue on conflictual issues. The process took almost seven months to culminate into the stakeholders' workshop. During the stakeholders' workshop, the WAPDA refused to agree with all major demands from the affectees concerning with resettlement, just compensation for livelihood loss and disruption, full access to information, etc. The delegation from the ADB refused to comment on the issue of compliance with Bank's policies with regard to these issues. The

affectees came to know that the consensus was already made and agreed between two powerful stakeholders on concerning issues. This situation led the affectees to boycott the workshop. The process proved food for thought to the affectees who trusted the Bank and entered into the stakeholders' dialogue with the hope to achieve something from the promised win-win solutions.

### **5. Report on the Chashma Stakeholders' Workshop: secondary displacement**

It was further shocking to the affectees when they received the report on stakeholders' workshop. There was no reporting on the areas of major disagreement. The views and opinion of affectees on concerning issues were not considered worth to be documented in the report. The report on one-day field visit was totally missing. The Chashma affectees considered this technique a kind of secondary displacement in which the views and opinion of affectees were systemically displaced from the discourse and text. Despite several protest letters against this attitude, the consultants hired by the ADB refused to report the area of disagreement and include the views of affectees in the main report. In fact, the way knowledge and written word got importance in the business of development; it becomes essential for the powerful institutions like IFIs to ensure the displacement of affected voices from the mainstream discourse.

### **5. Conclusion: rethinking engagement**

Civil society organizations and peoples' movements have serious concerns about the approach and practices of IFIs on governance and rights. They are becoming increasingly convinced that the policies of these institutions on information disclosure and structures of decision-making are not able to ensure the compliance with the universally recognized fundamental human rights. On the other hand, these institutions claim to evolve constructive engagements with key stakeholders in order to create an enabling environment for the resolution of problems and addressing the concerns of affectees.

Like many other cases, the experiences of Chashma affectees show that the rhetoric of constructive engagement has never applied in practice. Rather, a set of standard informal practices and strategies are devised to impose the consensus on the weak and marginalized groups of local affectees. Instead of constructive engagements, a variety of un-civil engagements are developed to use them instrumentally for the achievement of their own institutional objectives.

There is a serious need within the civil society to debate about the issue of engagement with these institutions with respect to good governance and rights. There is also a need to document the experiences of such engagements to facilitate this dialogue as well.