

# ADVOCACY FOR THE PEOPLE'S TRIBUNAL ON THE ADB'S GENDER IMPACTS ON PROJECT-AFFECTED COMMUNITY

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With Thanks

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

ADB	: Asian Development Bank
BWDB	: Bangladesh Water Development Board
FAP	: Flood Action Plan
FCD	: Flood Control Drainage
FGD	: Focus Group Discussion
KJDRP	: Khulna Jessore Drainage Rehabilitation Project
PSP	: Private Sector Participation
WB	: World Bank
IFIs	: International Financial Institutions
IMF	: International Monetary Fund
WMA	: Water Management Association
WMG	: Water Management Group
GEF	: Global Environment Fund

## INTRODUCTION

Bangladesh is a developing country. A great portion of its economy depends on the foreign aid. So development initiatives of the country always influenced by the donor and International Financial Institutions such as ADB, World Bank, and IMF. ADB and other donor agencies have for the past few decades, provided Bangladesh with loans and grants in the name of such lofty objectives as poverty reduction and international development. However, these loans inevitably come tied with conditionality's. The determinate effects these conditions have had on Bangladesh are immeasurable, putting the country under increasing pressure to abide by prescription imposed by the donors

For the development of the country eco-friendly project and resource management system should be developed. But the natural resources of the country have either been over-exploited or remain underutilized. Many plans in the past projects may have enjoyed temporary success but they have long-term negative impacts. The above perspective may generally hold for Bangladesh, but it is especially applicable in reviewing the development activities and formulating plans of action for the southwest coastal region of the country.

In the beginning of the 1960s, the Coastal Embankment Project was an attempt to convert the natural coastal wetlands into a part of the main land. Such high-handed interference into the extremely sensitive ecosystem was sure to incur long-lasting adverse effect. The land in the catchment area has settled down due to subsidence and has become water logging.

Water-related projects have been raising questions conserving the capacity for achieving the success, effectiveness, and aims of the designed, accepted and continuing projects. Most important criticism regarding ADB's water-related projects is its technical perspective. There has not only in most cases ignored the people and traditional system but also unfavorable steps. For this reasons, some project design has been changed by the criticism of general people of the country.

Like Khulna Jessore Drainage Rehabilitation Project (KJDRP) in Bangladesh. The project implemented during 1993-2004. Objectives of the project were to eliminate water logging, improve livelihood and thereby poverty reduction of the project area. Three agencies that are ADB, the Dutch government and the GEF (Global Environment Fund) financed \$62 million for project implementation, where \$32.6 million as the loan from ADB and rest as the grant from two other donors. Since the beginning of the project, there were allegations on the project. Although the project design changed four times there were little pro-poor implications, and still, the area suffers from water logging.

Due to ignoring the local people's especially the women's traditional knowledge the local problem was not solved. In spite of that, it increases the problem. Lots of people living inhumane life by homeless and jobless. Among them, most vulnerable are women and child.

Bangladesh requires financial support for human resource and infrastructure development but the financial support should be in the line of our national development plan and should not go against the sovereignty of the country.

So it is necessary to cancel ADB immunity, involve the community of this region in promoting ecologically sound development ideas and in deciding plans of action. This will require coordinating realistic demands on the environment and the experience of the people and the development objectives.

### **1.1.1 Study Purpose**

The intention is to gather evidence for the People's Tribunal to challenge the privilege of immunity of the Asian Development Bank (ADB) that will consequently have impacts in the development of legal discussions on accountabilities of other multilateral development banks (MDBs). The study helped to provide information for the Tribunal which intends to invalidate the immunity of the ADB and propose alternatives for governance mechanisms and accountabilities of ADB.

The specific objective of the Study -

- To gather evidence from communities, validate the findings and facilitate their learning's towards a grassroots movement for an accountable MDB
- To question the immunity of the ADB and kick-off a strategic campaign of lifting the Bank's privilege of immunity
- Assist and build capacities of CSOs and movements (including local communities) in women's rights and environmental justice movements to work for equitable social and environmental justice, democratic governance, and effective safeguards. Consequently, build knowledge and discourse around changing trends in development finance.

### 1.1.1 Location

The study has been conducted in ADB funded KJDRP areas -

Sl.no	Name of district	Name of Sub-district	Name of areas
1	Khulna district (Beel Dakatia of Polder 25)	Phultala	Beel Dakatia
2	Jessore district (Beel Kedaria of Polder 24)	Abhaynagar	sundali union
Keshabpur	Panjia		
	aridashkathi		
Manirampur	Monoharpur.		

### 1.1.2 Study Questions

In order to meet the peruse of the study, following questions were applied

1. What was the pre-project situation?
2. What is the present situation?
3. What are the different impacts on women of the project (Income, employment, household activities)?
4. How many members of your family displaced,
5. How much this project has been affected your environment and ecology,
6. Who is responsible for water-logging?
7. Which initiative has been taken by Government,
8. Did the affected community get any compensation?
9. What is the solution?
10. What is your opinion about the movement against water-logging?

### 1.1.3 Constraints of the Study

No specific researches on gender impact of KJDRP were found. Women are the most vulnerable during any kind of disaster they are not given due importance. They are less aware of anything of outside. As a result of the discussion, their participation was not so vibrant. They lack confidence. They depend on the male for decision-making. They are very reluctant to share their own opinion. Sometimes it is very difficult to make them able to participate in the discussion.

In that time ADB has no Safeguard policy. During the KJDRP time, ADB has no Gender Action Plan (GAP) for the project. As a result, issues were not considered. So it was very difficult to collect information systematically on gender discrimination of project or women rights violation. KJDRP did not ensure active participation of women. Women of the KJDRP areas know nothing about it. They know about the water-logging very well.

## **2. Methodology & Study Design**

This study was aimed at to create evidence against ADB landed KJDRP projects impact on women. The study approach was designed accordingly. It's followed the qualitative approach. In the case study design, the main purpose is to generate a holistic view of the studied case, thus recognizing the case in its entirety. Selecting the case is commonly based on theoretical assumptions or on certain inherent conditions and characteristics of specific interest to the researcher. The case in this matter was to investigate women's impact of KJDRP project with the main focus on the micro (community) level. Within the case study design, various data collection methods were applied. Here following methods were carried out:

### **2.1 Secondary Documents Review**

#### **2.1.1 Secondary Documents Collection & Review**

An in-depth literature review was carried out in order to seize secondary data from reports, books and other publications on KJDRP water logging, livelihood loss, sufferings of women and gender issues, the sociological approach to water management related gender issues. Besides that other documents related to ADB Gender Policy, ADB Water Policy, Gender Action Plan, Community participation strategies, ADB Country Policy in Bangladesh, different water and environment-related project in Bangladesh has been reviewed.

The intention of ADB water policy is for water privatization. ADB ignored the opinions of local community and were implemented in the southwest coastal region. ADB prevent democratic ownership by applying their strategies as conditional tool over the country. Furthermore people are kept away from the whole process of the project formulation and implementation and there is no accountability. No democratic space is practiced either in policy formulation.

ADB should acknowledge that indigenous populations commonly live and derive their livelihoods from watershed and wetland areas, and recognize and respect existing indigenous use of these areas within their watershed conservation plans. Flood protection and control in the formation of policies and programs aimed at improved management of floods appropriate consideration should be given to flood dependent communities and where suitable, alternative project designs considered, based on local experience.



Participation must be bottom up making clear different development alternatives and their implication for loan conditions and the debt burden. Projects coming from this model will ensure co-responsibilities and require participatory monitoring and evaluation schemes. ADB water policy should acknowledge and promote water governance at the local government level.

## **2.2. Primary Data Collection**

The following methods were used for primary data collection.

### **2.2.1 Focus Group Discussion (FGD)**

Eight Focus Group Discussions were conducted with small groups of women from affected communities from the selected areas. Two FGD organized at Phultala, two at Abhaynagar, two at Keshabpur and two at Manirampur sub-district.

The participants were similar backgrounds and have been suffering from water logging problem created by ADB lent KJDRP project. The groups of participants were guided by a moderator (or group facilitator) who introduces topics for discussion and helps the group participants to have a lively and natural discussion amongst them. (see Annexure).

### **2.2.2. Direct Observation and Discussions**

The selected areas were visited and conduct the discussion with the locality to understand the present situation. Most of the participants of the discussion shared that their demand is not relief but the permanent solution of water-logging.

The heavy load of silt carried by the tides deposited into the floodplains. Began to be deposited on the river Beds. Many Rivers are drying up due to the increasing levels of silt on their bed. Hundreds of thousands of poor farmers, sharecroppers, landless agricultural wage laborers, petty traders, boatmen and others in the carrying trade became unemployed and were constrained to change their normal occupations. The water logging rooted the roots of trees, salinity killed off all vegetation. Fruit trees died off. Agriculture was drastically reduced, even homestead vegetable gardening and cattle rearing became impossible.

### **2.2.3. Interviews**

As a part of research 50 interviews were conducted with Journalist, women farmers, affected women, representative of CSOs, teacher, and expert. In this study, the interviews were conducted based on a semi-structured individual interview procedure. Semi-structured interview procedure implies a dialogue between the interviewer and the respondent where



questions and answers were previously determined. Rather the interview is structured according to an interview guide of in advance identified themes designed to enable a discussion.

The respectable and influential personalities, expert, affected women farmers of the project areas were interviewed to comprehend the reality of

the ground. NGO personnel, leader of different committee and forums, individuals and journalists were also included in this process. The local elected bodies (LEBs) of affected areas were also interviewed to comprehend the reality of the ground.

### **2.3. Consultation Meeting**

On April 16, 2017, at Royal Hotel, Khulna a Consultation Meeting was organized and the study findings were shared and disseminated among the participants. Through the consultation, the recommendation has collected and finalized it for case work advocacy. In the meeting, the participants demanded



that ADB should compensate the loss for waterlogging. Bangladesh government should end the immunity of ADB. ADB should ensure effective participation of women in every step of the project.

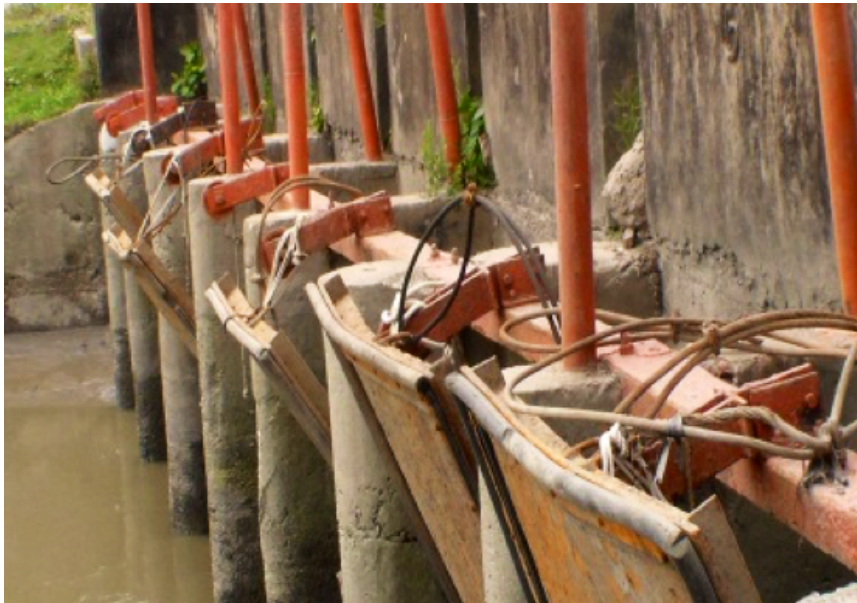
### **3. Background**

#### **3.1. Country Profile**

Bangladesh is rich in water resources. It is said those in ancient times. People used to build houses on lands raised artificially. Bangladesh is a land of innumerable rivers canals, creeks, lakes and estuaries. It is also immensely rich in natural resources. The water, which is our best resource, creates disasters for lack of appropriate perspective and management. People have to suffer the consequences.

Southwest Coastal Region is waterlogged and salinity is increasing. But all these are happening not by natural causes. These long-term disasters are caused by lack of integrated planning.

#### **3.1.1. Water Management**



With changes in people's practices, the role of people in water management has changed over time. Historical reflections reveal that early management of water resources in the area remained in the hands of local people, facilitated by the Zamindars. This was the case until the middle of the 20th century. Subsequently, water management was dictated by local

government bodies (Union Parishads).

A major shift took place in the early 1960s when the then EPWAPDA constructed a series of polders throughout the coastal belt including the project area. Local people perceived this as a change in the old system and started considering the polders as the property of EPWAPDA. (Later WAPDA and after that BWDB) to the extent that they felt it be the responsibility of EPWAPDA to maintain and operate the polders.

All the water-related projects have been implemented by BWDB like FAP, IWRM, and other irrigation related project. KJDRP was one of them and ADB funded this project failed to reach its desired destination.

All the projects follow the top-down approach and always ignored the community participation, as a result, the projects have an immediate result but in long run, it crests long-term negative impacts.

So water-related project should be implemented in a bottom up approach with effective participation of the community.

### **3.1.2 IFIs in Water Management**

Bangladesh is a developing country. A great portion of its economy depends on the foreign aid. So development initiatives of the county are always influenced by International Financial Institutions (IFIs) such as Asian Development Bank (ADB), World Bank (WB) and International Monetary Fund (IMF). In order to conserve the environment and to element poverty, it was necessary to design environment-friendly projects in a participatory manner. On the other hand, the IFIs have designed projects in the name of development, but none of such project has so far been able to achieve their declared objectives. In addition, after a short spell of positive effects, the projects have generated long-term negative impacts.

As for example in the 1960s to take advantage of the “Green Revolution” inspired by the development of High Yielding Verities(HYV) of wheat and rice, The East Pakistan Water and Power Development Authority (EPWAPDA) implemented the Coastal Embankment Project(CEP) funded by USAID.

ADB entered into the water resource management of Bangladesh, already paved by the WB policy interventions and projects as an investment heaven. ADB started investing the components of flood control and drainage/irrigation (FCD/I) schemes already spelled out in master plans and National Water Management Plan. The national water policy of Bangladesh and ADB has many similarities. Both policies intend to introduce cost recovery and facilitate private sector participation. The scope of the Bangladesh National Water policy to further supplement with laws, legislation and institutional change clearly allows ADB to intervene in reforming it. Almost all the current lending and project preparation technical assistance (PPTA) spells out intention to further reform the policy framework of water resource management in Bangladesh.

In recent years ADB funded various projects in water sector of Bangladesh. ADB agreed on the KJDRP project. The project was intended to clean up the mess created by CEP. ADBs Operation Evaluation Department in 2007 rated the KJDRP unsuccessful.

The KJDRP has been highly controversial in Bangladesh. According to the ADB’s project Completion report (PVR, 2004), project outputs were satisfactory. This claim is heavily disputed by local and national civil society organizations. They fault the ADB for creating an ecological disaster by funding a project which, on the one hand, inundated several hundred

hectares of land and on the other hand, caused rivers to dry up. They believe the project has deprived local people of their livelihood and forced them to live in inhuman conditions.

All these projects were undertaken by IFIs ignoring the local scientific knowledge and traditional wisdom. The community rejected the projects and demanded incorporation of their alternative proposal. Due to the wrong design, water logging in the Southwest coastal region sufferings became permanent as well. Affected people became frustrated and started a movement.

All most all the water and biodiversity-related projects which were undertaken by the IFIs especially USAID, WB and ADB in the southwest coastal region failed to reach its desired goal. Among the projects CEP was funded by USAID, Sundarbans Biodiversity Conservation Project (SBCP) and KJDRP were funded by ADB. The lack of consideration of local community resulted in projects with disastrous consequences for the environment and community livelihood.

Though the projects were not successful as admitted by the authority there was no accountability for the cause of people's safeguards. Even the affected community has not been compensated.

### **3.1.3 ADB's Immunity**

In 1973 Bangladesh got the membership of Asia Development Bank (ADB) and has 1.12% voting power in the Bank. The ADB has been playing a leading role in formulating policies and monitoring implementation of its agenda. In different ways, it has been working to influence the direction of the economy of Bangladesh.

Soon after the membership, Bangladesh freed from all forms of liabilities by the Asia Development Bank Order 1973. As a result, ADB shall enjoy immunity from every form of legal process, As a result of Immunity, ADB is thus not legally liable to communities, governments or individuals for any wrongdoing, harm or violation of rights. It is therefore exempted from any jurisdiction, taxes, or executions. Thus the immunity will lead to further erosion of national sovereignty and democratic control over local economic process and resources, while it would strengthen Bank's dominance on domestic policy decisions which conclusively affect economic, social and cultural rights of the people in Bangladesh.

Last 15 years Government has spent 4 thousand 107 core taka for solving the water-logging problem of the three districts Khulna Jessore and Satkhira. The amount spent for solving water logging in these three districts are equivalent 15% of national ADP for the two districts. On the other hand since 1993-2004 for implementing the KJDRP project was spent 229 cores 50 thousand taka. The problem of water logging remains in spite of spending lot of money.



All the money has been taken from IFIs will be paid back with interest. Instead of solving problems these projects have created the long lasting problem of the community. So the lender should pay the compensation and their immunity will be ended.

#### **4. Results, Analysis and Discussion**

The shortcomings of the CEP in southwest Bangladesh worsened drainage congestion and caused prolonged inundation of farmlands, household lots, and the internal communication networks. The results were declining agricultural production, fewer employment opportunities, and deteriorating salinity conditions. The adverse environmental impacts of

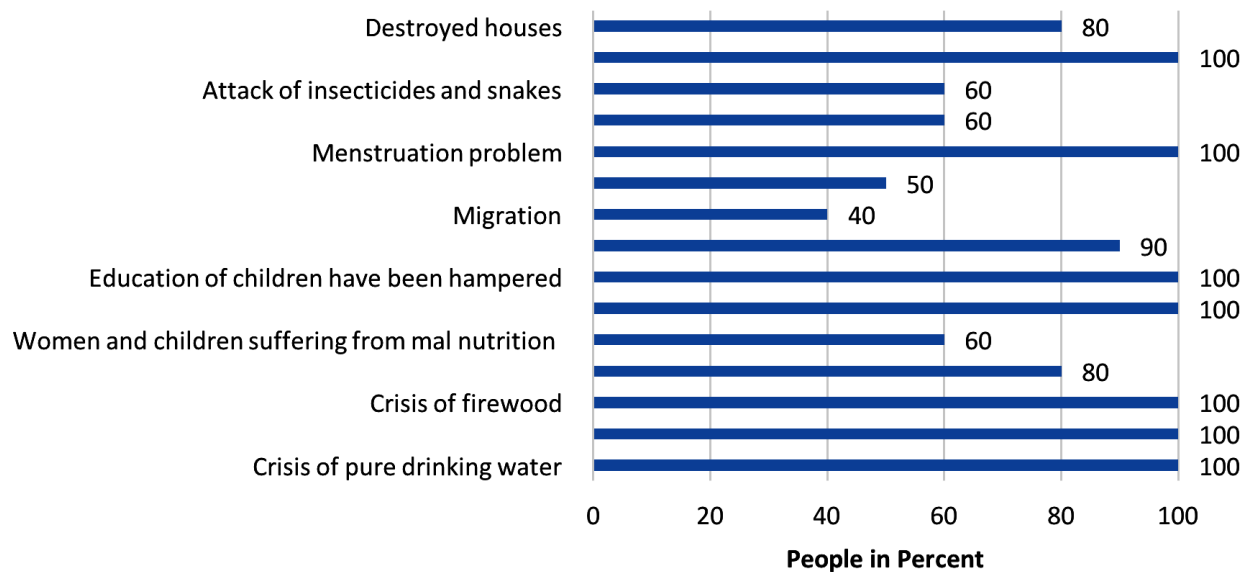


CEP have been enhancing siltation in the river, leading to drainage congestion, water logging. The sediments carried by the tides performed two functions. One was land development (compensating for the subsidence of the loose delta soil), which is natural for all delta regions in the world. As a result, the riverbeds gradually rose to levels higher than the level of the land within the folders and also blocked the exits of the sluice gates on the embankments. This created drainage congestion, which gradually built up to permanent water-logging in the early 1980's and the water-logging spread to over 40,600 hectares by 1990.

KJDRP project is poorly designed implemented and managed. ADB does not facilitate public participation in planning designing, and access to information while weakening local and national government through undemocratic, non-transparent and non-consultative methods of project implementation. Project document claimed that women participation was ensured in water management related groups. But in reality their participation was ornamental and they have no decision-making authority.

ADB is not gendered focus from project design, implementation, monitoring and evaluation with clearly disaggregated indicators. ADB always support high-risk projects in countries that have a bad track record of human rights violations. Many ADB's water-related projects have been implemented, but there have many questions regarding its effectiveness. The

management of water is very necessary, but it is the pricing that is under fire. The written ADB policy-making process is good, but in practice, the process is not genuine.



gradually decreased their force; the bed has been sitting up and finally at presents some of the main rivers bed become shallow. Meanwhile, the land in the catchment area has settled down due to subsidence and has become waterlogged. Water-logging has encouraged the introduction of ecologically destructive large scale shrimp farming which is also anti people in nature.

Embankment constructed in the wetlands created an environmental problem. As a result of that tidal flow stopped permanently. Silt deposited on the river bed reduced the navigability. The river bed became higher than wetlands. The water of wetlands cannot run through the river which creates water-logging. More than 30 years these areas have been suffering from water logging problem. In April May during the rainy season water reached to the houses of the community. The same thing happened in May June and July of 2016. Water-logging increased drastically. During that time community leaving their house took shelter on roadside building temporary house.

Before the project the total situation was different. The people live in peace. They lived prosperous and hormonal life. Now the total situation has changed. Water everywhere but not a drop to drink. In past Aus, Aman, horticulture and produced here. But now the verities of rice and horticulture reduced. Water-logging has encouraged the introduction of ecologically destructive large scale shrimp farming. There were many fruits and the wood tree before the water logging but due to inundation of water all are died.

Women face the misery when everything went underwater. During the rainy season for water-logging dwelling places, kitchen, poultry, cattle, and latrine goes underwater. In that time people lost their dwelling places. Where will they keep their goat, cow, and hen? The cooking responsibility remains on women.



But water also entered into the kitchen and needed higher places for cooking. It is very difficult to collect dry firewood for cooking. Take the lot of pains women prepare food for their families. They have to fetch water for drinking and cooking. Drinking water has become very precious for the locality as most of the tube wells were under water. Women have to drink water walking more than 4/5 kilometers. Roads are under water. The

communication system breaks down. All day long women have to live and work in water. Taking a lot of hardship they do everything in the water.

Continued exposure to dirty water causes skin and another kind of disease. They have to take care of both children and elder one. These also increase their workload and pressure. Both women and men have no work during this time. They are facing the economic crisis. They have to live from hand to mouth this time. As a result women and children suffer from malnutrition.

They want increase their family disturbance. In search of employment, males often leave their families back home leaving the responsibility to take care of the family members on the shoulder of women, thereby adding to their social insecurity and vulnerability. Women had to use the same place for bathroom, washing, taking bath and other daily activities. The pregnant women are sending to another place. It is difficult to move them in water-logging. The water logging has increased their health problem. The women have to face the gynecological problem.

In that time they have no privacy. No hygienic health initiative has been taken for them in that time. Latrine crisis is one of the sufferings of the women. There is no proper arrangement of the latrine for the women in that time. They took less food for avoiding this crisis.

Water-logging disrupts land-based productive system which in turn aggravates women's malnutrition in affected areas. Women cannot send their children to schools during water



logging. The incidence of acute poverty, women often are forced to go for anti-social works just to feed their child and their family as a desperate effort.

Most of the houses which are made of mud and straw destroyed. To escape from the attack of snakes and other insects some people use mosquito net around their bed when they go to sleep.

Various diseases especially water-borne diseases like diarrhea, dysentery, skin diseases spreader everywhere. Drinking water has become very precious for the locality as most of the tube wells are under water. The situation is very critical for children, old people, and patients. Always there exists a fear among the parents that their children can fall in the water. In majority of water-logged people had to use the same place for bathroom, washing, taking bath and other daily activities

People have been suffering from acute firewood crisis. The scarcity of fodder is very common in the entire region, which has drastically reduced the number of livestock and poultry. These reduced the source of protein. To have a source of income become has become extremely tough. They want a job for surviving. What the nature of job would be not a matter to them at the moment. They want to feed their unfed children and



belongings. To escape from the attack of snakes and other insects some people use fishing net around their bed when they go to sleep.

The land ownership pattern has been changed. Marginal farmers became landless, small farmers became marginal and in some cases landless. Some migrated to other places in the country. This disintegrated the family life. Environmental degradation has taken place. Many trees are dying due to the long period of water logging.

### **CONCLUDING REMARKS**

ADB has not learned any lesson from the KJDRP project. In the KJDRP project area waterlogging, erosion and sedimentation are the common negative phenomenon. After the

KJDRP project reminds the ADB's responsibility, unplanned and inability to see or predict the future impact of the project work.

Not only had plenty of money being wasted on these projects but also people of Bangladesh are now paying for installments back to ADB along with the interest. We are requesting the government to ask ADB to take responsibilities for all these failed projects and end the immunity of ADB. As ADB has been given immunity in 1973 by Bangladesh, it is not possible to bring them under the law even if any of their projects cause harm to the recipients. This anti-people immunity order should be canceled.

#### **DEMAND**

- Cancel immunity of ADB
- No loan payment of destructive project to ADB
- ADB should ensure effective community participation especially women in planning, designing, implementation, monitoring, and evaluation process
- Ensure meaningful participation of local people besides protecting local agro ecological environment, gender, and improvement of life and livelihoods quality of natural resource dependent people and smallholders
- Ensure detail information of each and every project and policies in locally understandable language and must make them public and accessible by communities

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**ATTACHMENTS**

Interview Questions

Initiative for Right View (IRV)  
**Advocacy for the People’s Tribunal on the ADB’s Gender Impacts on Project Affected  
Community**  
*The Case Study of the Bangladesh*

**Interview Questionnaires**

Village.....Union.....Upazilla.....District.....

....

Name..... Father’s Name.....Mother’s  
Name.....

Past Profession.....Present Profession.....Monthly  
Income.....Taka

1. What was the pre project situation?

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2. What is the present situation?

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3. What are the different impacts on women of the project (Income, employment,  
household activities)?

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4. How many member of your family displaced? Where they went?

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5. How much this project has been affected your environment and ecology?

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6. Who is responsible for waterlogging?

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7. Which initiative have been taken by Government?

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8. Did the affected community get any compensation?

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9. What is the  
solution.....

10. What is your opinion about the movement against water logging?

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Signature of Interviewer

Signature of Interviewee



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