

## *Jamuna Bridge*

An excerpt from *Displaced by Development: Ethics and Responsibilities*,  
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The Jamuna bridge project is particularly memorable in that it displaced people by literally sweeping the land from under their feet. The Jamuna River divides Bangladesh along a North-South axis. Prior to the completion in 1998 of what is now called the “Bangabhandu Bridge” there were no crossings except by a ferry service that not only was dangerous but had become overwhelmed by demand. Delays of several days had been reported; the bridge reduced a typical travel time of 12-36 hours from Dhaka to the northwestern town of Bogra to 4 hours (Ahmad, Azhar, and Ahmed 2003, 177). In addition to removing this bottleneck, the bridge was designed to support a railway line, electrical power and telecommunications lines, and a gas pipeline (Dulu 2003, 93). It is thought to have had a broader economic impact by reducing the cost of shipping between central and northwestern regions and thereby increasing demand for agricultural products in the northwest; consumption of electrical power in the northwest also increased (Luppino et al. 2004).

“Resettling and compensating people whose homes or livelihoods would be negatively affected by construction of the bridge ... did not go smoothly,” admits the World Bank website (World Bank). Initial difficulties in identifying households that would be affected and entitled to compensation led the Jamuna Multi-Purpose Bridge Authority (JMBA) to contract out its social impact survey to the Bangladesh Rural Advancement Committee (BRAC), a large and established NGO – according to one observer “the largest independent NGO in the developing world” (Rahman n.d. 8). Based on this survey, JMBA prepared a “Revised Resettlement Action Plan” that recognized the entitlement of 15,000 households to compensation (Jamuna Multi-Purpose Bridge Authority).

However, these plans ignored more than 75,000 inhabitants of the sandy islands known as “*chars*.” At the best of times the *chars* were subject to erosion, causing some *chars* to disappear altogether, and making displacement by erosion a way of life. One researcher found it “not unusual for adults in the Jamuna region to have moved six to ten times in their lives” (Sarker, Huque, and Alam 2003, 76). Even against this background, the rate and extent of erosion and displacement caused by the bridge project was extraordinary. In order to shorten the span of the bridge and stabilize the riverbed beneath it, the river was channelized, beginning in 1994, by reinforcing its banks. The effect was to shift and quicken river currents, which in turn made downstream erosion more rapid and less predictable. *Chars* that had been stable for decades were washed away in a matter of days and some families had to make multiple moves as their new homes met the same fate as their old one (Schmuck 2000, 14).

The *char* dwellers’ cause was taken up by an NGO that had been working in the area, the Jamuna Char Integrated Development Project (JCDP), which first tried to raise the issue with the developer, Jamuna Multi-Purpose Bridge Authority (JMBA), and with

the World Bank as one of its financiers. When these attempts at dialogue failed, JCDP filed a claim with the Inspection Panel of the World Bank. This claim presented evidence of *char* erosion and displacement that had already been caused by the channelized river and a grim projection of displacement yet to come:

The bridge would leave the river narrower, with the 4.8-kilometer bridge being approached by a road coming well into the river, thus obstructing the flow. The current would have its speed strengthened by 3-4 times and the *chars* on the southern side of the bridge would just perish under the water. The *char* in the east would also confront the current and might face the similar fate. Already, these *chars* are burdened with extra population from *chars* at the midpoint which got dissolved into the river.

The area stretching 10-12 miles towards the north and 5-7 miles towards the south is the most vulnerable. Excess water would cause flooding in the north, while people in south would be forced to shift to other places in the face of the devastating erosion. There would be acute unemployment as their land had already gone under water. An estimated 4-5 thousand families would be homeless and without any source of earning (JCDP (Jamuna Char Integrated Development Project) 1996, 16).

The Inspection Panel process was established in 1994, in response to the controversy over the Sardar Sarovar (Narmada Dam) project, among others. It enables persons to file claims if they have been harmed by Bank-financed projects because those projects violated Bank policies. A successful request for inspection must establish both points – that policy has been violated and that the claimants have been harmed as a result. If these and other details of eligibility are borne out by preliminary investigation, the claim is registered, and the three-person Panel may seek Board approval to conduct a full investigation, the results of which would be reported to Bank management and Board (Udall 2000, 1-2). In more than a few cases, the Board has been reluctant to approve investigations, which management has been able to avert by proposing management action plans instead (Clark 2003 11-14). In the case of the Jamuna claim, similar evasive maneuvering was facilitated by the developer, JMBA. The management response announced that JMBA had adopted a “generous and simple” Erosion Flood Policy as the third and final phase of its Revised Resettlement Action Plan: “The Policy provides that all persons, both owners and occupiers, on the riverbank and *chars* in the affected area who experience erosion for any reason will be compensated, and those affected by increased flooding due to the bridge will also be compensated (World Bank September 20, 1996).

The Inspection Panel does not have the powers of an enforcement mechanism, though within limits it can hold the Bank management and clients accountable, which according to some observers has increased compliance with the Bank policies (Udall 2000, 5). According to others it has at least “weakened impunity” (Fox and Treacle 2003, 285). Further events in the Jamuna case illustrate that where enforcement mechanisms are weak, promises of equitable (much less, “generous”) outcomes are unreliable. The leader of the JCDP has argued that JMBA and BRAC (the NGO employed to implement the EFP) evaded much of their responsibility for compensation by entrapping claimants in “a bureaucratic tangle.” They did so in part by imposing an

egregiously “high documentation burden,” including original land records, and “in situations where those records were lost or destroyed by floods, BRAC did not accept government-certified copies or testimonials.” He adds: compensation was limited to erosion, not flooding (as initially promised); rigid deadlines combined with lack of instruction on claim procedures resulted in few applications for 1998, 1999, and 2000; no compensation was provided for community facilities such as schools or mosques; widows were not paid. To address these problems, no further recourse was available to the *char* dwellers. When JCDP inquired, they were informed: “the Panel is no longer involved in the process” (Dulu 2003, 106-108).

What lessons can be drawn? Clearly the *char* people never did achieve sufficient influence to share equitably in the benefits of the bridge project. Even after their entitlement to compensation was recognized in principle under the EFP, their capability to resettle and restore their livelihoods by these means was diminished by two factors, first, that compensation was poorly administered, and second, that they lacked means of recourse by which they could rectify this, to ensure that their entitlements were honored. Looking at the chronological end of the process, then, we can see that they were disempowered by lack of effective compliance mechanisms. However, looking at the middle stages of the project, we can see that the *char* people might not have needed to seek recourse, had they been better represented within project decision-making, better situated to call, sooner, for corrective measures. Finally, what disadvantaged them at the very beginning of the project was the fact that they were not recognized as stakeholders at all.

*(Dis)empowering processes*

More closely examined, the case illustrates seven processes that may contribute to empowerment by their presence or disempowerment by their absence. It should be understood that these processes are empowering *factors* that will not cause empowerment on their own but will nevertheless contribute to it as one factor among many.

(1) *Early identification of stakeholders.* People who are invisible to a development project cannot influence it, and so any delays in recognition are disempowering factors, and early identification is an empowering factor in that it leaves more time for stakeholders to organize and represent themselves. In this case, the survey to identify *char* dwellers affected by the project was not conducted until project preparations were well underway. People to be displaced from the mainland (for access roads, embankment works, and the bridge itself) had been identified earlier, though initially many of them had been ignored as well. Two preliminary feasibility studies had been conducted in 1964 and 1971; these were replaced by a later two-phase feasibility study which in Phase I (1986) recommended the present location for the bridge and technical requirements for a bridge in that location, and which in Phase II (1987) turned to cost-benefit analysis and related matters. The latter called for but did not conduct an environmental impact assessment including social impacts; data collection began in 1988 and eventually included a household survey. However, this survey was designed to identify only those people who would be entitled to compensation according to the 1982 and 1989 land acquisition laws of Bangladesh: titled owners of property. This excluded sharecroppers, farm and nonfarm workers, landless laborers, squatters and *uthulis* – poorer relatives residing with landowning families (Asian Development Bank 2000, 40).

This process was disempowering to mainlanders in two ways. First, since they were not identified until well after effective site selection, they were effectively excluded from deliberation about location. Second, the survey's narrow focus on titleholders denied other stakeholders the sorts of standing and influence they would need in order to keep any control over the shape of their lives, in the face of imminent displacement. The second fault was remedied by the Revised Resettlement Action Plan of 1993, based on a wider survey conducted by BRAC in 1992 (Asian Development Bank 2000; Rahman 2001, 257). However, the decisive influence leading to this change was clearly held and exerted not by the stakeholders but by the Bank, whose support for the project was contingent on satisfying its policy on involuntary resettlement, OP 4.30. Yet, while the RRAP marshaled a significant effort to identify mainlanders who would be affected, it failed to do so for *char* dwellers. The case of the *char* dwellers is unique in that they would be affected not by land acquisition for purposes of building the bridge, but by erosion caused by new embankments. In the terminology we introduced in Chapter 3, what the *char* dwellers encountered is not displacement for development, but displacement by development. Project planners argued that people affected by erosion could not be identified before these effects took place, after construction; they also believed that "erosion is a natural phenomenon, and that it would be impossible to assess the degree to which future erosion was caused by the impacts of the bridge" (Dulu 2003, 93-113). Erosion was not acknowledged as a cause of displacement until the EFAP program was introduced as a response by JMBA and Bank management to the Inspection Panel request by JCDP.

In this light, processes of two kinds are critical:

(1a) *Recognition of groups facing displacement.* As long as these groups remain invisible to project planners, projects will be studied, selected, approved, planned and implemented without their voice or influence. In this case, before a site was selected, it could not be known which households would be affected. Nevertheless, recognition of the broader groups who may be affected is critical so that ways can be found for their interests and knowledge to be represented from the earliest phases of a project onward.

(1b) *Identification of households and individuals facing displacement.* Failure to identify the particular households and individuals who may be affected is disempowering in a different way, namely, it deprives them of standing to make official claims for compensation and other project-related benefits. It could also exclude them from groups formed to negotiate terms of compensation and resettlement or to participate in the management of resettlement.

(2) *Timely dissemination of project information.* Had the *char* dwellers been informed earlier about the bridge, channelization, and possible erosion effects, they could have sought recognition as stakeholders more readily. According to a JCDP survey, "a sweeping 73 per cent of respondents said that there had been no official attempt to inform them of the plan undertaken by the authority having direct impact on their lives and livelihood. They came to know about the issues only through hearsay" (JCDP (Jamuna Char Integrated Development Project) 1996c, 11). On the mainland, by contrast, the BRAC survey leading to the RRAP and the subsequent information campaign regarding claim entitlements and procedures was far more effective, in part because 60% of the staff for this campaign were recruited from the affected localities (Rahman 2001, 264).

Later, when the *char* dwellers finally gained recognition as a stakeholder group, they were still poorly informed about claims procedures. Claims procedures can offer powerful means by which people can exercise their influence to share more equitably in project benefits. Inasmuch as poor dissemination of information and administrative ineffectiveness reduce this influence, they are disempowering.

(3) *Facilitation* can be a factor in empowerment or disempowerment both for individuals and for groups. (a) *For individuals* and their families it is in many cases a claims process that offers the most direct line of influence over displacement outcomes, and much depends therefore on whether they are assisted or obstructed in making their claims. In a follow-up survey, 60% of east-bank respondents (though only 34% of west-bank respondents) reported having the information booklet explained to them at their homes, and overall only 5% reported that they were hindered in making claims due to lack of knowledge about required procedures (Rahman 2001, 287-88). According to a parallel study of *char* dwellers, “field interviews revealed that BRAC/JMBA did not assist the EFAPs in collecting the documents and instead held them responsible for the delays (Schmuck 2000, 28). Claim procedures applied under the program for erosion and flood affected persons (EFAP) were impossibly strict: this program was “the first and only one in Bangladesh” that required original land purchase documents and refused to accept certified copies. To make things worse, second original copies, normally held in government offices, became unavailable for land transfers between 1960 and 1972, due to a shortage of forms in one office during those years and destruction by fire at another (Schmuck 2000, 27). (b) *For group action*, there may or may not be community organizations capable of advocating for oustees. Though informal organizations will tend to arise sooner or later, without facilitation their emergence may be late and ineffective. Even among mainlanders, “community participation was not a factor in the planning stages” (Rahman 2001, 264). While BRAC designed some aspects of its information campaign to promote participation, it was in response to grievances about compensation, bribery (“speed money”), fraudulent claims and other issues that “PAPs organized themselves in groups under the leadership of local important persons,” according to Rahman’s follow-up study (Rahman 2001, 299), which found that these “informal groups had very limited success,” although they did help to resist and change some mistakes made by JMBA, including poor selection of resettlement sites. Under the erosion and flood action project, EFAP committees were established in some villages (Schmuck 2000:10), but of course this took place only after the EFAP project mounted in response to the Inspection Panel request by JCDP. It is not clear even from JCDP whether it simply advocated for people or also mobilized them and held itself accountable to them.

(4) *Negotiation/arbitration of compensation, resettlement, and benefit-sharing*. In the final analysis even a well facilitated claims procedure is not very empowering if the support and compensation one can claim are too meager to restore and enhance peoples’ livelihoods after being displaced. So empowerment must also involve influence over the terms of compensation, resettlement and benefit-sharing. In the land acquisition and resettlement processes for Jamuna Bridge, stakeholders were able to exert such influence only on an *ad hoc* and informal basis (Rahman 2001, 264, 299). Concerning the EFAP guidelines there was not prior consultation, much less negotiation, with the *char* dwellers (Schmuck 2000, 39). While absence of negotiation is disempowering, some limitations on negotiations are not. For instance, legislation setting lower limits on compensation

may enhance the oustees' influence; timely binding arbitration could also enhance their influence, while harmonizing it equitably with the interests of the public and other stakeholders.

(5) *Resettlement management accountable to resettler and host communities.* Greater influence over outcomes to resettlers is also afforded by a management structure that is participatory and accountable. In the Jamuna Bridge case, most of the oustees with recognized claims chose to relocate themselves (Asian Development Bank 2000, 43; Rahman 2001, 305). Planned resettlement to the east and west bank sites was managed by a Resettlement Unit of JMBA, which also managed and monitored claims and payments to self-relocators. However, much of the implementation work seems to have been conducted by an NGO (RDM) which opened two field offices (one on each bank) and hired people from the affected villages as village resettlement workers. The process seems to have been somewhat participatory, yet not accountable to the resettler or host communities: "Representatives of those affected participated in the relocation and rehabilitation process, including decisions related to the compensation rate (by providing information during the market survey and as members of the Grievances Redress Committee), selection of resettlement sites, and community infrastructures" (Asian Development Bank 2000, 43).

(6) *Good governance.* Absence of other elements of good governance can also weaken people's influence over the outcomes of displacement and resettlement. The benchmark UNDP policy paper *Good Governance for Sustainable Human Development* listed eight elements of good governance: participation, rule of law, transparency of information, responsiveness, consensus orientation, equity, effectiveness and efficiency, accountability, and strategic vision. (UNDP (United Nations Development Program) 1997) We have discussed many of these already; here we draw attention to the importance of responsiveness, consensus orientation, effectiveness, and one particular aspect of rule of law, namely incorruptness. (a) *Corruption.* One form of corruption was endemic: having to pay "speed money" was a complaint of 90% of respondents to Rahman's survey of mainland resettlers. According to Schmuck, this could arise in obtaining records, obtaining official stamps, and in cashing cheques. Illiterate people were especially vulnerable to "middlemen" (Rahman 2001, 278; Schmuck 2000, 26). On the *chars*, "it is well-known that the Chairman, Member as well as the teacher [members of the Grievance Redressal Committees] are usually easy to bribe and represent rather the interests of the powerful elites on the chars," according to Schmuck, and "they are usually indebted to the government and thus do not speak out in favour of the common people, but rather protect the interests of the Government" (Schmuck 2000, 34). (b) *Leadership.* Two other aspects of good governance, the responsiveness and consensus orientation of local leadership, were quite uneven. According to Rahman, "one striking feature which emerges from the field reports is the relatively successful role of the informal leadership of the east bank in managing the conflicting demands and opportunities of the implementation process. In contrast, the informal leadership on the west bank proved far less capable of producing mutually beneficial outcomes" (Rahman 2001, 252). (c) *Compliance protection.* One further aspect of rule of law was also unavailable to the Jamuna oustees: compliance protection. No legal recourse was available on the basis of the land acquisition legislation, since benefits provided by the RRAP and the EFAP program were far superior to those provided by the law. Recourse

to the Inspection Panel was no longer available when the Bank's lending period for this project came to an end.

(7) *Agreement or dispute resolution prior to decision points.* Development projects have deadlines, and accordingly they have a certain momentum to reach completion. The *char* dwellers encountered an enormous gap between this project momentum and the momentum they could achieve in putting forward their claims and having them resolved. Soon after the project finished, so were their chances of recourse finished, both with EFAPP and the Inspection Panel. They were particularly disadvantaged in that they found themselves on the wrong side of the highest project watershed: contracts had been signed and construction was underway. Empowerment is a function of the influence people can exert to shape their own lives, and the most striking lesson to emerge from this case is that such influence must be timely, or it may not happen at all. If, before this time the people affected by a project cannot raise issues and either achieve agreement with the developer or else have disagreements fairly resolved, then their chances of ever achieving resolution are reduced by project momentum every day.

The World Commission on Dams has distinguished between five project phases, surrounding four key decision points: (I) needs assessment; (II) options assessment, culminating in site selection; (III) project preparation, culminating in completion of contracts; (IV) implementation; (V) operation. Jamuna stakeholders played no role in the information-gathering or decision-making of phases I and II. Consultation and dispute resolution were not extended to mainlanders until Phase III (Rahman 2001, 264) and not to *char* dwellers until several years after construction (Phase IV) had begun (Dulu 2003, 3). A mainland Grievance Redressal Committee conducted a survey identifying further stakeholders during and after construction (Rahman 2001, 258). What the mainlander case shows is that *post facto* grievance resolution can be successful; what the *char* dweller case shows is that people are in a weaker position to *make* it successful, when other factors are causing it to fail. Thus *post facto* dispute resolution tends to be disempowering, compared with dispute resolution that must be completed before a project proceeds to its next phase.

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