

Inclusion of People with Disabilities in AIIB-Funded Infrastructure Projects: An Analysis of Due Diligence Documentation for AIIB Stand-Alone Projects

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Part 1: Best Practices for Disability Inclusion in Infrastructure Projects

The new World Bank Environmental and Social Framework (ESF), which was adopted in 2016, made important new commitments to address the risks and impacts of projects on people with disabilities, and to ensure that people with disabilities share in the benefits generated by projects. Over the past two years, the World Bank has identified a number of good practices in ensuring disability inclusion in projects through publications such as [the Good Practice Note on Non-Discrimination and Disability](#) (June 2018) and the [Guidance Note on Including Persons with Disabilities in Water Sector Operations](#) (2017). These good practices include:

- ***Stakeholder identification, risk assessment, and mitigation measures:*** Environmental and social impact assessments (ESIAs) should identify people with disabilities among people who will be affected by a project, and include disaggregated data about the presence of people with disabilities in the project area. ESIAs should also assess potentially differentiated impacts, and identify how those impacts will be mitigated.ⁱ
- ***Use of universal design in new construction:*** “Where technically and financially feasible the Borrower will apply the concept of universal access to the design and construction of such new buildings and structures.”ⁱⁱ BIC recommends that all changes to the built environment be planned and executed using principles of universal design to maximize benefit and minimize harm for all. Universal design both ensures social inclusion for persons with disabilities and helps to ensure access for a wide range of people, including the elderly and those caring for children.
- ***Accessible information disclosure:*** Information disclosure processes should be designed to reach people with disabilities. “For example, if there are a significant number of persons with vision disability in the project area, the Borrower may consider printing some project information in large print or Braille, or having someone meet with a group to discuss the project, impacts, and mitigation. At the same time, a school for the deaf that is located along the project transport route may need written information about transport schedules, and contractors/drivers may provide warning lights on their vehicles.”ⁱⁱⁱ BIC recommends that information about environmental and social impacts be disclosed in a universally accessible manner. Universal access includes physical access to facilities where the information is provided, as well as distribution of information in accessible forms, including Braille, tactile communication, large print, audio, plain language, human-reader, and usable electronic media technology. Easy-to-read formats also ensure that information is understandable to all stakeholders, particularly those with low levels of education and the elderly.
- ***Accessible consultations:*** Stakeholder engagement plans should include “specific measures and/or assistance to facilitate the meaningful participation of stakeholders with disabilities in consultations (for example, means of participation, information in accessible formats prior to discussion or consultation events, accessibility of venues).”^{iv} In BIC’s view, critical information to be disclosed in advance of the consultation includes a description of the

differentiated measures that have been/will be employed to allow the effective participation of people with disabilities. For example, people with disabilities may require additional compensation for transportation costs to attend consultations. Documents should also clearly identify the number of people with disabilities who participated in consultations.

- **Construction and community health and safety:** In order to minimize risks to people with disabilities, environmental and social impact assessments should “recognize differentiated health and security hazards for persons with disabilities, in each project phase,” and develop specific mitigation measures to address these risks.^v In addition, emergency response and preparedness plans should include differentiated measures to address issues facing people with disabilities.^{vi} BIC also recommends an audit of the accessibility and safety of any physical environment involved in the construction phase of the project.
- **Accessible grievance redress:** “Addressing grievances of stakeholders with disabilities means taking into account the possible need for reasonable accommodations.”^{vii} Accessibility considerations for project-level grievance mechanisms include the accessibility of information about the mechanism and its procedures, the various channels for submitting a grievance, the physical location of the mechanism, and the mode and format of the mechanism’s response.^{viii}
- **Resettlement:** People with disabilities should be identified in the baseline surveys of affected households. “The determination of the compensation and assistance measures need to take into consideration that restoring their livelihoods might be harder for persons with disabilities in terms of access to goods and services, proximity to medical treatment, and so forth. This should be taken into account in designing the resettlement process and may include additional support for the transition period and moving allowance and consideration of their situation in the design of housing or prioritization of location.”^{ix} BIC recommends that resettlement housing be designed using principles of universal access; ensuring that services (such as health, education, water) in resettlement sites are accessible to people with disabilities; and ensuring that access to employment opportunities is, at a minimum, restored.
- **Sharing in project benefits:** Environmental and social assessment documents should identify measures to ensure that people with disabilities have full access to project benefits.^x Benefits include “employment [in project activities] where skill sets are appropriate and reasonable accommodation can be provided.”^{xi}

Part 2: Review of AIIB Stand-Alone Investments and Disability Inclusion

AIIB’s Environmental and Social Framework (ESF) recognizes the importance of social development and inclusion, which “encompasses policies to promote equity of opportunity and non-discrimination, by improving the access of poor, disadvantaged and disabled people to ... infrastructure.”^{xii} The ESF requires clients to address the risks and impacts of projects on vulnerable groups, including people with disabilities;^{xiii} to consult with people with disabilities in a meaningful and accessible manner, providing additional assistance where it is needed;^{xiv} to provide information in an understandable and readily accessible form to those affected by the project;^{xv} to use the principles of universal access in construction of new buildings and structures;^{xvi} and to design grievance redress mechanisms that are accessible to all.^{xvii}

A review of due diligence documents for AIIB stand-alone projects, however, demonstrates that while AIIB has been continuously improving integration of measures to promote social inclusion, there are significant gaps and a lack of consistency in ensuring that best practices for disability inclusion are integrated into the implementation plans included in project documents. In conducting this review, BIC examined the environmental and social assessment documentation for the nine AIIB stand-alone projects that have been approved as of January 2019 (financial intermediary projects were excluded from this review). Our key findings are:

- ***Stakeholder identification, risk assessment, and mitigation measures:*** People with disabilities are clearly identified as among the “vulnerable groups” impacted by the project in documents for only five out of nine projects. No project documents contain clear and comprehensive assessments of potential project risks and impacts on people with disabilities.
- ***Use of principles of universal access in construction:*** Not mentioned in any project documents.
- ***Accessible information disclosure:*** No project documents included specific provisions related to modes, forms, or formats of information disclosure to target people with disabilities.
- ***Accessible consultations:*** Documents for only four out of nine projects mentioned the need to include “vulnerable groups,” which include people with disabilities, in project consultations. Documents for only two projects identify the need for targeted and tailored consultations for “vulnerable groups,” and the need to collect disaggregated data on consultation participants. Only one project provided additional information about consulting with people with disabilities specifically.
- ***Construction and community health and safety:*** No project documents mention specific measures related to people with disabilities in the context of community health and safety measures.
- ***Accessible grievance redress:*** No project documents mention additional measures to ensure responsiveness of grievance redress mechanisms to people with disabilities. Two projects require inclusion of members of “vulnerable groups” on grievance redress committees, but neither requires representation of people with disabilities specifically.
- ***Resettlement:*** In the four projects that are anticipated to involve resettlement, people with disabilities are specifically mentioned as among the “vulnerable” households in documents for one project. Project documents focus on vulnerable groups’ need for increased financial assistance during resettlement and access to additional livelihood restoration programs, but other unique impacts of resettlement on people with disabilities are not mentioned.
- ***Sharing in project benefits:*** Documents for three projects mention extending the benefits of employment opportunities generated by projects to “vulnerable groups.” Documents for only one project mention people with disabilities specifically as one of the “vulnerable” groups, and no specific measures are described that are tailored to people with disabilities specifically. In addition, extension of other benefits of projects—such as access to water supplies, gas supplies, and broadband infrastructure—to people with disabilities is not considered in documents for any projects.

Annex: Detailed Findings for Each AIIB Stand-Alone Project

Stakeholder identification, risk assessment, and mitigation measures:

- *India: Andhra Pradesh Urban Water Supply and Septage Management Improvement Project:* The ESMF identifies The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995; The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996 as applicable to the project. The ESMF stakeholder engagement plan section identifies “vulnerables” as key project stakeholders. The ESMF also has a “Gender and vulnerable peoples” action plan, which states that “gender and vulnerable guidelines are developed to mitigate any potentially adverse gender specific impacts of the Project and to enhance the design of the Project to promote equality of opportunity and women’s socioeconomic empowerment, particularly with respect to provision of services and employment. ... The vulnerable groups include ... Differently Abled Persons”. The “Gender Strategy through the Project Cycle” includes a requirement in the project planning phase on “collecting data on the socio- economic characteristic of the women and marginalized social groups,” “analyzing data (secondary and primary) to identify key gender and social group concerns and ways of tackling them.” It also includes a requirement during the implementation phase to “ensure that women and marginalized groups are provided identify cards, helped in opening accounts in the bank, receiving compensation amounts through cheques in their name.”
- *Indonesia: Mandalika Urban and Tourism Infrastructure Project:* People with disabilities are mentioned as among the vulnerable groups identified in the ESIA. The ESIA identifies that the project has the potential positive impacts of “increased employment opportunities for women, elderly, disabled, and disadvantaged local residents.” The negative risk identified is that “Disabled individuals reside in all local villages, and finding employment for these persons and elderly persons will present challenges.” The proposed mitigation measures are “Promoting equality of opportunity and nondiscrimination by improving employment opportunities to poor, disadvantaged, and disabled people;” and “Removing any potential employment barriers to vulnerable groups, including women and indigenous peoples.”
- *India: Andhra Pradesh Rural Roads Project:* The ESMF has the same language as the Andhra Pradesh Urban Water Supply Project.
- *Bangladesh: Bangladesh Bhola IPP:* ESIA includes “differentially abled people” among the “vulnerable groups.” The primary concerns of these stakeholders pertain to the formulation of community development and mitigation measures in such a manner while keeping in mind their specific needs and vulnerabilities attached to economic and social capital. Expectations from the project are: Formulation of mitigation measures (in terms Community Development Activities) which would cater to the specific requirements of each of these groups Timely and complete disclosure of information pertaining to the project by NBBL. Despite the fact that these groups may not be able to exert much influence on the project & project activities, these are an important and most significant section of PAPs and their needs have to be understood in order to design specific measures to improve their vulnerability status.” In addition, "The mid-term impact evaluation should engage with the identified vulnerable groups and assess the implementation of safeguards developed for vulnerable households.”

- *China: Beijing Air Quality Improvement and Coal Replacement Project:* No inclusion efforts described.
- *Oman: Broadband Infrastructure Project:* The ESMF includes the UNCRPD as a guiding document. It also states that contractors must “Ensure that employment and HR policies and practices embody the objectives of the CRPD and do not allow for discrimination against disabled persons.” No additional inclusion efforts described.
- *India: Gujarat Rural Roads (MMGSY) Project:* ESMP indicates that will collect information about whether a PAP is vulnerable, including whether has a disability. “The categories of vulnerable PAPs established by the census will form a basis for assessing the vulnerable persons eligible for entitlements provisioned in this SMF.”
- *Oman: Duqm Port Commercial Terminal and Operational Zone Development Project:* No inclusion efforts described.
- *Bangladesh: Distribution System Upgrade and Expansion Project:* No inclusion efforts described.

Use of universal design:

- *Andhra Pradesh Urban Water Supply Project:* No specific information provided.
- *Mandalika Urban and Tourism Infrastructure Project:* No specific information provided.
- *Andhra Pradesh Rural Roads Project:* No specific information provided.
- *Bangladesh Bhola IPP:* No specific information provided.
- *Beijing Gas Project:* No specific information provided.
- *Oman: Broadband Infrastructure Project:* No specific information provided (note that universal design may not be relevant to the project).
- *Gujarat Rural Roads Project:* No specific information provided.
- *Duqm Port Project:* No specific information provided.
- *Bangladesh: Distribution System Project:* No specific information provided. (note that universal design may not be relevant to the project).

Accessible information disclosure:

- *Andhra Pradesh Urban Water Supply Project:* No inclusion efforts described.
- *Mandalika Urban and Tourism Infrastructure Project:* No inclusion efforts described.
- *Andhra Pradesh Rural Roads Project:* No inclusion efforts described.
- *Bangladesh Bhola IPP:* No inclusion efforts described.
- *Beijing Gas Project:* No inclusion efforts described.
- *Oman: Broadband Infrastructure Project:* No inclusion efforts described.
- *Gujarat Rural Roads Project:* No inclusion efforts described.
- *Duqm Port Project:* No inclusion efforts described.
- *Bangladesh: Distribution System Project:* No inclusion efforts described.

Accessible consultations:

- *Andhra Pradesh Urban Water Supply Project:* The ESMPF states that “Members of vulnerable groups such as women, youth, disabled are included in the FGDs and interviews.” The “Citizens’ engagement strategy” states that “In such exercises, inclusion and involvement of all social groups at all stages of planning, implementation and monitoring would be made mandatory. For this purpose, meetings will be conducted to

ensure representation of all such groups besides recording their attendance by category/group. Continuous process monitoring would lay emphasis on quality of interactions during such meetings”.

- *Mandalika Urban and Tourism Infrastructure Project*: The ESIA summary states that: “public consultation meetings, including vulnerable groups, such as women, elderly, diffable... A series of intensive consultations were also conducted within August and September 2018, as part of this ESIA process, and involved meetings with community members including with ... group representatives (leaders, women, elderly, disabled, youth) from Kuta, Sengkol, Sukadana, and Mertak Villages.” The ESIA states that “separate consultation for women and vulnerable groups is normally held to accommodate the special needs of those groups and to voice hear their questions, concerns, opinions, and suggestions that normally are not unheard of. The consultation for these groups can be effective using participatory techniques. Stakeholders that are considered to be most vulnerable are listed below and might need special attention for implementation of IPDP,” including “handicapped” people.
- *Andhra Pradesh Rural Roads Project*: The ESMF states that the implementer will “Devise ways to make other vulnerable to participate in the project activities.” The “citizen’s engagement strategy” uses the same language as the AP Urban Water Supply project.
- *Bangladesh Bhola IPP*: While the borrower will “tailor the consultation process to ... the needs of disadvantaged and vulnerable groups,” and “Relevant information about any major changes to project scope will be shared with beneficiaries, affected persons, vulnerable groups, and other stakeholders,” no mention is made of specific measures to consult with people with disabilities. (ESIA Annexure X).
- *Beijing Gas Project*: No inclusion measures described.
- *Oman: Broadband Infrastructure Project*: No inclusion efforts described.
- *Gujarat Rural Roads Project*: No inclusion efforts described.
- *Duqm Port Project*: No inclusion efforts described.
- *Bangladesh: Distribution System Project*: No inclusion efforts described.

Construction and community health and safety:

- *Andhra Pradesh Urban Water Supply Project*: The EMP for Contractors states that “[c]are should be taken to ensure that disabled persons/persons with medical needs are not denied access or disadvantaged due to construction activities” in the context of “planning of temporary traffic arrangements.”
- *Mandalika Urban and Tourism Infrastructure Project*: No specific information provided.
- *Andhra Pradesh Rural Roads Project*: No specific information provided.
- *Bangladesh Bhola IPP*: No specific information provided.
- *Beijing Gas Project*: No specific information provided.
- *Oman: Broadband Infrastructure Project*: No specific information provided.
- *Gujarat Rural Roads Project*: No specific information provided.
- *Duqm Port Project*: No specific information provided.
- *Bangladesh: Distribution System Project*: No specific information provided.

Accessible grievance redress:

- *Andhra Pradesh Urban Water Supply Project*: The ESMPF states that “the Grievance Redress committees have at least one third women members and adequate vulnerables as members.”
- *Mandalika Urban and Tourism Infrastructure Project*: No inclusion efforts described.
- *Andhra Pradesh Rural Roads Project*: Same language as the AP Urban water supply project.
- *Bangladesh Bhola IPP*: No inclusion efforts described.
- *Beijing Gas Project*: No inclusion measures described.
- *Oman: Broadband Infrastructure Project*: No inclusion efforts described.
- *Gujarat Rural Roads Project*: An NGO/social sector representative will serve on the Grievance Redress Committee. No other inclusion efforts described.
- *Duqm Port Project*: No inclusion efforts described.
- *Bangladesh: Distribution System Project*: No inclusion efforts described.

Resettlement:

- *Andhra Pradesh Urban Water Supply Project*: In the RPF, people with disabilities are mentioned as one of the vulnerable groups, and as a type of vulnerable family that is eligible for increased compensation for loss of land and structures, and eligible for a vocational training stipend. The project implementer also “will conduct a Training Needs Assessment through consultants in consultation with the displaced families so as to develop appropriate training programs suitable to the skills, market and the region.”
- *Mandalika Urban and Tourism Infrastructure Project*: The RPF does not specifically mention measures to address the unique needs of people with disabilities. People with disabilities are mentioned among the vulnerable groups whose standards of living should be improved to at least national minimum standards, but are not mentioned in other sections that discuss specific examples of vulnerable groups (e.g., on consultations and identification of project-affected people).
- *Andhra Pradesh Rural Roads Project*: Same language as AP Urban Water Supply Project.
- *Bangladesh Bhola IPP*: ESIA Annex states that “vulnerable displaced persons/ households will qualify for additional assistance to facilitate the relocation and restoration of their livelihoods.” For economic displacement, “Affected households, especially vulnerable HHs are eligible to participate in livelihood improvement trainings along with seed grants as outlined in resettlement plan.” “For vulnerable households, their living standards will be improved to national levels, including the provision of access to basic utilities and public services.”
- *Beijing Gas Project*: Not applicable.
- *Oman: Broadband Infrastructure Project*: Not applicable.
- *Gujarat Rural Roads Project*: Not applicable.
- *Duqm Port Project*: Not applicable.
- *Bangladesh: Distribution System Project*: Not applicable.

Sharing in project benefits:

- *Andhra Pradesh Urban Water Supply Project*: The ESMPF includes provisions on “incorporating gender and social group focus provision into the design of the project

which includes creating opportunities for job creation; better access to services ... Encourage women and vulnerables to be employed in operation and maintenance activities. Train women and vulnerables to match the skills required for O&M activities. Train women and vulnerable in suitable livelihoods activities to enhance their skills and income. ... Build capacity of women and vulnerable organizations/ institutions to take up O&M functions.” The Project Completion Report will also include “an exclusive chapter on Gender and Social Inclusion.” The aim of the broader national policy is to provide safe drinking water for all people.

- *Mandalika Urban and Tourism Infrastructure Project*: The ESIA summary states that “ESIA summary: Social development and inclusion will be promoted by the following measures: o Promoting equality of opportunity and nondiscrimination by improving employment opportunities to poor, disadvantaged, and disabled people; o Removing any potential employment barriers to vulnerable groups, including women and indigenous peoples.”
- *Andhra Pradesh Rural Roads Project*: Same language on job creation as AP Urban Water Supply Project.
- *Bangladesh Bhola IPP*: No inclusion measures described.
- *Beijing Gas Project*: No inclusion measures described.
- *Oman: Broadband Infrastructure Project*: No inclusion efforts described.
- *Gujarat Rural Roads Project*: No inclusion efforts described.
- *Duqm Port Project*: No inclusion efforts described.
- *Bangladesh: Distribution System Project*: No inclusion efforts described.

ⁱ The World Bank, *Good Practice Note on Non-Discrimination and Disability* (June 2018), p. 8, available at <http://pubdocs.worldbank.org/en/573841530208492785/ESF-GPN-Disability-June-2018.pdf>

ⁱⁱ The World Bank, *Environmental and Social Framework* (2016), available at <http://pubdocs.worldbank.org/en/837721522762050108/Environmental-and-Social-Framework.pdf>

ⁱⁱⁱ Note i at p. 4.

^{iv} Note i at P. 11.

^v Note i at P. 9

^{vi} Note i at P. 9

^{vii} Note i at p. 20.

^{viii} Note i at p. 20.

^{ix} Note i at p. 10

^x Note i at p. 4.

^{xi} Note i at p. 2.

^{xii} The Asian Infrastructure Investment Bank, *Environmental and Social Framework* (2016), Vision para. 8, available at https://www.aiib.org/en/policies-strategies/_download/environment-framework/20160226043633542.pdf

^{xiii} Note xii at ESS 1, section C.

^{xiv} Note xii at ESS 1, section A.

^{xv} Note xii at ESS 1, section A.

^{xvi} Note xii at ESS 1, section C, building safety.

^{xvii} Note xii at para. 63.