RESETTLEMENT POLICY FRAMEWORK (RPF)

FOR

Nigeria: Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS)

FINAL REPORT
October 11, 2018
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<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
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<tr>
<td>ESA</td>
<td>Environmental and Social Assessment</td>
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<tr>
<td>ESFP</td>
<td>Environment and Social Focal Point</td>
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<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>EMP</td>
<td>Environmental Management Plan</td>
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<td>ESSC</td>
<td>Environmental and Social Screening Checklist</td>
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<td>ESMF</td>
<td>Environmental and Social Management Framework</td>
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<tr>
<td>FME</td>
<td>Federal Ministry of Education</td>
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<tr>
<td>FMEnv</td>
<td>Federal Ministry of Environment</td>
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<tr>
<td>FMOA</td>
<td>Federal Ministry of Agriculture</td>
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<td>GPE</td>
<td>Global Partnership for Education</td>
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<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<tr>
<td>ICT</td>
<td>Information Communication Technology</td>
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<td>IDA</td>
<td>International Development Association</td>
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<td>IDEAS</td>
<td>Innovation Development and Effectiveness in the Acquisition of Skills</td>
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<tr>
<td>JSS</td>
<td>Junior Secondary School</td>
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<tr>
<td>LUA</td>
<td>Land Use Act</td>
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<tr>
<td>NGO</td>
<td>Non-Government Organization</td>
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<td>OP</td>
<td>Operational Policy</td>
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<td>PAPs</td>
<td>Project Affected Persons</td>
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<td>PCU</td>
<td>Projects Coordination Unit</td>
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<td>RAP</td>
<td>Resettlement Action Plan</td>
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<td>READ</td>
<td>Results for Education Achievement and Development Project</td>
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<td>RPF</td>
<td>Resettlement Policy Framework</td>
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<td>SMoE</td>
<td>State Ministry of Education</td>
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<tr>
<td>SSS</td>
<td>Senior Secondary School</td>
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<tr>
<td>TAC</td>
<td>Technical Advisory Committee</td>
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<td>Technical Colleges</td>
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<td>TOR</td>
<td>Terms of Reference</td>
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<tr>
<td>VAW</td>
<td>Violence Against Women</td>
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<td>WB</td>
<td>World Bank</td>
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DEFINITIONS OF TERMS USED IN THE REPORT

Unless the context dictates otherwise, the following terms shall have the following meanings:

“Environmental Impact Assessment (EIA)”: An environmental assessment instrument to identify and assess major potential environmental impact of proposed sub projects, evaluate alternatives and design appropriate mitigation, management and monitoring measure.

“Census” means a field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs). The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures emanating from consultations with affected communities.

“Compensation” means the payment in kind, cash or other assets given in exchange for the (1) acquisition of land, including structures and fixed assets thereon or (2) use of that land.

“Cut-off date” is the date of the census of PAPs or DPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation.

“Displaced Persons” mean persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets (or the use thereof) under the project, result in direct economic and or social adverse impacts, regardless of whether the said Displaced Persons are physically relocated. These people will have their: standard of living adversely affected, the Displaced Person must move to another location; lose right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

“Land” refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.

“Land acquisition” means the repossession of or alienation of land, buildings or other assets thereon for purposes of the Project.

“Local Authority” includes the council and the District Authority

“Local Government Authority” means a council established under the Local Government Act 2002

“Market Value” means the most probable selling price or the value most often sought by buyers and sellers.

“Project Affected Person(s) (PAPs)” are persons affected by land use or acquisition needs of the IDEAS Project. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets, lose shelter, income sources, or means of livelihood. These persons are affected whether they must move to another location.

“Rehabilitation Assistance” means the provision of development assistance in addition to Compensation such as land preparation, credit facilities, training, or job opportunities, needed to
enable Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels.

“Replacement cost” means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on Market rate (commercial rate) according to Nigerian law for sale of land or property. In terms of land, this may be categorized as follows; (a) “Replacement cost for agricultural land” means the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes;

“Replacement cost for houses and other structures” means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs shall include: (a) transporting building materials to the construction site; (b) any labour and contractors’ fees; and (c) any registration or transaction costs.

“Resettlement Assistance” means the measures to ensure that Displaced Persons who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement.

“The Resettlement Policy Framework (RPF)” has been prepared as an instrument to be used throughout the IDEAS Project implementation. The RPF will set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the program. The Resettlement Action Plans (“RAPs”) for the IDEAS Project will be prepared in conformity with the provisions of this RPF.
EXECUTIVE SUMMARY

This Resettlement Policy Framework (RPF) provides guidelines to the Government Agencies (Federal and State Ministries of Education) and local communities for the development of Resettlement Action Plans under the Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project.

Where a sub-project involves land acquisition or the restriction of access to natural resources then a Resettlement Action Plan must be prepared as provided for in the agreement with the World Bank. This RPF will define the situation of the persons affected by the acquisition and provide guidelines for suggested remedial and compensatory measures for project affected persons.

The IDEAS Project is being developed with the assistance of the World Bank to strengthen the labour market fit of the broader skills development space in Nigeria. It will help unlock essential drivers of quality and relevance by increasing involvement of industry and strengthening critical system functions. Tailoring interventions to the specific skills needs and learning environments in the diverse labour markets the planned interventions address skills needed in the formal and informal sectors and increase female participation in skills programs. The project proposes to operate at both the federal level (NSQF, policy development, technical teachers and instructor training, improving federal TCs) and the state level (state TCs, improving informal apprenticeship training, strengthening state-level skills development management). Participating states will be selected based on clearly-defined criteria including economic characteristics, reform-mindedness of state government, ongoing and previous support to skills development, representation of regions, and others.

ES 1 Introduction

The objective of the proposed project is to enhance the quality and relevance of skills development in Nigeria.


This component proposes to boldly address skills gaps in the labour market by improving teaching and learning quality and relevance in technical colleges. The key lever will be to bring industry onto the campus. The project would provide grant funding for the rehabilitation and upgrading of selected TCs that are transforming their business model into public-private partnerships with industry partners assuming a critical role in governance, management, planning, training and service delivery. Partnership models would be built on successful practices in Nigeria (e.g. Lagos Eko Project, SEPIP) and internationally (e.g. VTIP and STRIVE in India, QIF in Palestine) with the aim to test and set
standards for sustainable and institutionalized public-private partnership in different economic environments in Nigeria. Rehabilitation of TCs would be geared towards creating comprehensive skills development hubs offering, in conjunction with surrounding industries, formal TVET alongside needs-based short duration skilling and workers upgrading training

**Component 2: Improved Skills Formation for the Informal Sector**

This component aims at breaking the vicious cycle of low skills formation and low productivity in selected informal sector clusters. Building on good practices in informal apprenticeship training in Nigeria and other African countries, including Ghana, Benin, Cameroon, or Tanzania, IDEAS would support scaling up successful approaches for modernizing and improving the quality of apprenticeship training provided by master craftsperson. Under the overall supervision of government, interventions in various locations would be driven by private sector stakeholders. Interventions would include capacity development and pedagogical training of master craftsperson, supplementary theory classes for apprentices, as well as business development support to both master craftsperson and apprenticeship completers. The latter may entail, depending on circumstances, supporting master craftsperson and former apprentices to access finance and addressing other market entry barriers.

**Component 3: Capacity Building for Enhanced Quality and Effectiveness in Skills Development**

This component aims to address capacity constraints in selected regulatory and support functions of the Nigerian skills system that impact on quality of training delivery and management effectiveness in the system, namely technical teachers and instructors training, the National Skills Qualifications Framework (NSQF), coordination and management capacities in public agencies in charge of TVET. The component aims at:

(i) improving the availability of appropriately skilled and competent technical teachers and instructors in the skills development space. This would entail supporting a policy dialogue on working conditions, training and structures for technical teachers and instructors, and potential implementation steps;

(ii) supporting the roll-out of the Nigerian NSQF for improved labour market relevance and increased transparency in the skills space. Funding would be used to strengthen and capacitate sector skills councils, the formulation of needed National Occupational Standards (NOS) and development of related curricula, as well as initiatives to train assessors;

(iii) building management and monitoring capacities in key institutions involved in the implementation of IDEAS, including capacity development for state-level TVET management. The component would support initiatives to improve the national M&E framework, including the institutionalization of tracer studies as a key monitoring tool in skills development and building up research capacities for skills in close cooperation with universities and think tanks.

(iv) supporting policy research and national dialogue processes to further reform initiatives in key areas such as TVET funding and institutional coordination.

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1These are likely to include clusters in the automotive, electrical, metalwork, woodwork, hairdressing and tailoring trades, and others.
According to the World Bank project classification the IDEAS Project is a Category B project with respect to potential environmental and social impacts. A Resettlement Policy Framework (RPF) is therefore necessary to guide the land acquisition process and the development of future Resettlement Action Plans (RAP) in terms of the principles and procedures that will govern land acquisition, compensation and economic assistance to project-affected persons (PAPs).

An RPF is being prepared because at this stage of project preparation, the scope, scale, locations and number of sub-projects have not been fully defined so it is not possible to determine what the land requirements and the real social impacts are, in terms of loss of livelihoods and economic activities and who the Project Affected Persons (PAP) are. As designed, no land acquisition is envisaged during the implementation phase of the IDEAS Project as it is expected to be within the confines of existing State owned Technical Colleges.

The RPF requires that all sub-project infrastructure development should be screened to determine, whether or not, a particular sub-project(s) requires land, the size, location and availability. It will also consider alternative sites to avoid involuntary resettlement.

This screening exercise must be carried out on a case-by-case basis for all infrastructure investments to determine: i) whether land that is occupied or used will be required and ii) whether associated mitigating measures that will be necessary before the construction phase have been defined in sufficient detail that they can be readily implemented.

**ES 2 Objectives and Justification of Resettlement Policy Framework**

Where involuntary resettlement and land acquisition is unavoidable, a Resettlement Action Plan will be prepared. The activities to be undertaken shall include: communication between the Project and the affected community; conducting a baseline survey to determine their socio-economic status; identifying the impacts of the resettlement on assets and livelihoods; identifying affected groups/individuals; conducting a valuation exercise; preparing resettlement costs and submitting to appropriate authorities in the Government for funding; and compensating the affected persons.

Compensation can be in kind, in cash or both in accordance with the Laws of Nigeria and the World Bank Safeguard Policy OP 4.12. Buildings and other structures, where affected, are to be compensated in cash using replacement cost. Other valuation methods have been presented for trees and crops. Resettlement and compensation shall be the responsibility of the participating State Government.

**ES 3 Policy and Regulatory Framework for Land Acquisition and Involuntary Resettlement**

Land acquisition and involuntary resettlement programs are governed by national laws and policies as well the World Bank safeguard policy OP 4.12.
Construction activities under the ideas project are land based. To this end, various interests and titles to pieces of land may be impacted. Therefore, an analysis of the legal framework for the project will be carried out in the RAP / ARAP to be developed and this will consider the various land holding arrangements in the assessment of entitlements and compensations for the various interests for involuntary resettlement.

Thus, the legal frameworks of the IDEAS Project are: The Land Use Act of 1978 and the WB OP 4.12 on involuntary resettlement. As WB OP 4.12 on Involuntary Resettlement Instruments specifies the borrower’s obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

However, where there are conflicts between the national law (Land Use Act) and the WB policy (OP 4.12), the OP 4.12 will prevail for all sub-projects under the IDEAS Project.

- Land Use Act of 1978
- World Bank Safeguard Policy, OP 4.12 (Involuntary Resettlement)
- National Gender Policy 2014
- National Guidelines and Referral Standards on Gender Based Violence

**ES 4 Institutional Framework**

There are various institutions that will participate in the implementation of resettlement process of the IDEAS Project. They include:

- Federal Ministry of Education (FME)
- State Ministry of Education
- State Ministry of Physical Planning and Urban Development
- State Ministry of Environment
- State Lands Bureau
- Local Government Authority

The Safeguard Unit of the IDEAS Project should have qualified personnel on Resettlement Implementation and Management. In the absence of this, adequate training will be provided as contained in the capacity building section of this RPF. It is the responsibility of this unit to ensure that all identified members of the implementation team are trained prior to implementation of resettlement and compensation training will also be given to them.

**ES 5 Eligibility Criteria**

To be eligible for resettlement, the primary requirement for eligibility is that PAPs are enumerated at their place of work or residence within the Project / sub-project location during the RAP census. Where PAPs are not, for one reason or the other, enumerated during the census, or in cases of disputed eligibility, PAPs will be expected to provide proof of their presence in the project area during the census period to be eligible for compensation.
Proof can include registered land titles, certificates of occupancy, proof of customary ownership, tenancy agreements, rent receipts or development permits. Where PAPs have none of the above, testimony from neighbors, employers, Village Heads will be allowed.

A cut-off date for eligibility will be set as the date when the RAP consultant completes the census of people occupying the land to be acquired and the inventory of their assets (land, built structures, and other infrastructure such as wells and fences) and the affected groups have been duly informed of their dues. The cut-off date will also be displayed at the offices of the State Governors, State Ministry of Education, and the Local Government Councils.

However, persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

ES 6 Evaluation of Assets and Compensation

This category covers the following:

(i) Loss of Income from Rent and Expenditure Incurred for Alternative Accommodation during reinstatement period;

(ii) Loss of Business Income and Loss of Business Goodwill;

(iii) Loss of Wages, Loss of Fees from Apprentice, Loss of Job Training.

For category (i) the comparative method is used based on the average monthly net profit. For category (ii) the method used is the comparative sales method and compensation is based on the comparable rent past and rent advance paid. Finally, for category (iii) the comparative method is used, and compensation is based on going fees and wages.

Valuation of assets affected by the IDEAS Projects / sub-projects will be conducted by a qualified Valuer.

The valuation will estimate building/structure compensation rates based on full replacement cost without depreciation. Key points which the valuation will take care of are as follows:

I. Collection of all relevant primary and secondary data on the affected property during final detailed valuation inspection and referencing to serve as basis for assessment of loss;

II. A comprehensive primary database for monitoring, evaluation and audit

ES 7 Support to Vulnerability and Gender Consideration

Gender issues in resettlement cannot be adequately addressed unless rights and equity concerns are identified, confronted and tackled. Annex 7 provides a detailed Checklist for guidance to RAP / ARAP Consultants to ensure Gender and Vulnerability issues are addressed adequately. Provision is also made for training on Gender and Vulnerability issues in Resettlement.
ES 8 Linking Resettlement Implementation to civil works and RPF Implementation schedule
During implementation of IDEAS Project and sub-projects, PAPs will need to be compensated, in accordance with this RPF and subsequent RAPs, before commencement of civil works.
When approving recommendations for resettlement by the PIU during screening, PAPs must confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works, in compliance with this policy.
Proper timing and coordination of the civil works shall ensure that no affected persons will be displaced (economically or physically) due to civil works activity, before compensation is paid and before any project activity can begin.

ES 9 Stakeholder Engagement, Consultation and Disclosure Procedure
Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project’s environmental and social risks.
Public consultation is an on-going activity taking place in all phases of the IDEAS Project. Project Affected Persons will be consulted and involved in all resettlement activities: planning, implementation and monitoring. Their involvement provides them with greater understanding of the project, the resettlement issues and gives them opportunities to voice out their concern– about the project, and they may offer alternatives and compromises that tend to promote implementation.
The Federal Ministry of Education will disclose this Resettlement Policy Framework by making copies available at its Head Office, participating State’s Ministry of Education, relevant Local Government Council, the State Ministry of Environment and other stakeholders of the State Education Sector.
Each participating State Government and its State Ministry of Education will also notify the Federal Ministry of Environment of the Public Disclosure to enable it formally to inform the public through Advertisements in 2 National Newspapers popular in the locality as required by extant regulations. Also, the RAPs will be disclosed in the affected Technical Colleges.

ES 10 Institutional Responsibilities for the Implementation of RPF
The Project Coordinating Unit (PCU) It will be responsible for the oversight of implementation of the RPF and provide an enabling environment for the same.
The Ministry Education (the FMOE / SMOE) shall have oversight role and overall responsibility.
Office of the State Education Directorate - The State Directorate form an important link between the Ministry and the local communities and are responsible for implementing on the ground the policies and programs of the Ministry.
Federal Ministry of Environment - The FMEnv will have a monitoring supervisory role and shall be responsible for confirming the results of the screening process, reviewing and clearing subproject-specific safeguard instruments and conducting compliance monitoring, with national laws and regulations, as well as World Bank Safeguards policies and procedures.

Capacity Building is also a pertinent aspect of this project. In the implementation of RPF it will be necessary for various institutional actors and other implementing of the RPF and the resettlement plans to have training sessions on the World Bank Safeguard instruments particularly OP 4.12 and on the tools, procedures and content of resettlement programs (RPF, RAP, etc) to enhance their capacities. This will require the organization of training workshops / seminars particularly on Grievance Redress Mechanism, Gender and Vulnerability issues in Resettlement and Resettlement Implementation and Management among others for which a Budget of USD 175,000 is proposed.

ES 11  Mechanisms for Conflict Prevention and Resolution of Conflict

Different complaints may arise during the IDEAS project which may include;

- Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development,
- Where affected individual(s) opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them).
- Inventory mistakes made during census survey as well as inadequate valuation of properties etc.

Grievances and conflicts need to be addressed immediately at the community level. When grievances, occur, they can be resolved using traditional and administrative mechanisms or the law courts at national, regional and community levels.

ES 12  Monitoring and Evaluation

Evaluation and monitoring are important components of the Resettlement Action Plan, and shall be carried out throughout the project cycle for feedback and the institution of corrective measures where necessary. At the State level the Construction monitors in the State offices shall be responsible and they shall send their reports to the PCU in the Federal Ministry of Education which shall prepare a consolidated report at national level for the attention of Federal Ministry of Environment which will have overall supervisory role for monitoring. Training workshops will be organised at both the National and State levels to build capacity of the PCU staff and the implementing partners in each participating State.

Monitoring will take place on a continuous basis during the implementation of the resettlement policy framework and will consist of both internal and external monitoring.

An evaluation will also be done to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed.

The monitoring indicators will include but are not limited to:
• Issues brought to the notice of the PCU handling the resettlement process by PAPs and the mode of settlement used.
• number, type, and value of cash and in-kind compensation payments made;
• number of statutory acquisition notices delivered and those outstanding;

An audit will also be carried out to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed. For this to be effective, the completion audit will take place after all RAP activities have been completed, but before the completion of financial commitments to the programme. This will aid flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

Thorough consultations with affected groups / individuals shall be undertaken through public meetings, notification, involvement in resettlement committees and monitoring teams, during documentation of holdings and assets. They shall also be consulted in discussing agreements on compensation, preparation of contracts and compensation payments.
CHAPTER 1: INTRODUCTION

1.1 Background

The Government of Nigeria in collaboration with The World Bank is developing a project to support the Education Sector. The Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project is building on the successes at all training levels to address skills and youth employment issues in different programs emphasizing mainly on supporting employability of vulnerable youth (YESSO), promoting private-public partnerships in skills development (Lagos EKO Project, SEPIP, Ogun State Development Project), and training for MSMEs and start-ups (SEEFOR, GEMS).

According to the World Bank project environmental classification IDEAS Project is a Category B project with respect to potential environmental and social impacts. Although no major resettlement issues are expected to arise during implementing the IDEAS Project, the World Bank OP 4.12 Safeguard policy is triggered based on the fact that the construction aspect of the program will require land within the existing State-owned Technical Colleges which may presently be used for farming or other commercial activities.

However, at this stage of project preparation, the scope, scale and the locations of the sub-projects have not been fully defined so it is not possible to determine what the land requirements are, what the real social impacts would be and who the Project Affected Persons (PAPs) are. Against this background, the Resettlement Policy Framework (RPF) is being prepared to define the principles and procedures that will govern any resettlement activity and clearly indicate the measures to be taken to mitigate the adverse social and economic impacts likely to result from the IDEAS Project during implementation and after.

This RPF reflects a commitment of the Project to comply with the Government’s social policies, laws and regulations and the World Bank’s social safeguard policies.

1.2 Project Objectives

The Project Development Objective is to enhance the quality and relevance of skills development in Nigeria.

IDEAS aims to strengthen the labour market fit of the broader skills development space in Nigeria. It will help unlock essential drivers of quality and relevance by increasing involvement of industry and strengthening critical system functions. Tailoring interventions to the specific skills needs and learning environments in the diverse labour markets the planned interventions address skills needed in the formal and informal sectors and increase female participation in skills programs.

1.3 Project Components

The Project comprises three main components: i) Component 1: Incentivizing Public-Private Partnerships for Enhanced Labour-Market Orientation and Improved Quality and Relevance of Skills

**Component 1: Incentivizing Public-Private Partnerships for Enhanced Labour-Market Orientation and Improved Quality and Relevance of Skills Development in Public Technical Colleges**

This component proposes to boldly address skills gaps in the labour market by improving teaching and learning quality and relevance in technical colleges. The key lever will be to bring industry onto the campus. The project would provide grant funding for the rehabilitation and upgrading of selected TCs that are transforming their business model into public-private partnerships with industry partners assuming a critical role in governance, management, planning, training and service delivery. Rehabilitation of TCs would be geared towards creating comprehensive skills development hubs offering, in conjunction with surrounding industries, formal TVET alongside needs-based short duration skilling and workers upgrading training.

**Component 2: Improved Skills Formation for the Informal Sector**

This component aims at breaking the vicious cycle of low skills formation and low productivity in selected informal sector clusters. Building on good practices in informal apprenticeship training in Nigeria and other African countries, including Ghana, Benin, Cameroon, or Tanzania, IDEAS would support scaling up successful approaches for modernizing and improving the quality of apprenticeship training provided by master craftsperson. Under the overall supervision of government, interventions in various locations would be driven by private sector stakeholders. Interventions would include capacity development and pedagogical training of master craftsperson, supplementary theory classes for apprentices, as well as business development support to both master craftsperson and apprenticeship completers.

**Component 3: Capacity Building for Enhanced Quality and Effectiveness in Skills Development**

This component aims to address capacity constraints in selected regulatory and support functions of the Nigerian skills system that impact on quality of training delivery and management effectiveness in the system, namely technical teachers and instructors training, the National Skills Qualifications Framework (NSQF), coordination and management capacities in public agencies in charge of TVET. The component aims at:
(i) improving the availability of appropriately skilled and competent technical teachers and instructors in the skills development space.

(ii) supporting the roll-out of the Nigerian NSQF for improved labour market relevance and increased transparency in the skills space. building management and monitoring capacities in key institutions involved in the implementation of IDEAS, including capacity development for state-level TVET management. supporting policy research and national dialogue processes to further reform initiatives in key areas such as TVET funding and institutional coordination.

1.3.1 Project Sub-components likely to trigger negative Environmental and Social Impact
Component 1 titled: “Enhanced quality and relevance of skills development in public Technical Colleges by incentivizing public-private partnerships” involves the financing of rehabilitation and upgrading to selected Technical Colleges thus triggering OP/BP 4.01 - Environmental Assessment. The anticipated potential environmental and social impacts on human populations or environmentally important areas are expected to be site specific, moderate, few if any of them are irreversible and relatively easier to mitigate. The proposed project is accordingly classified as Category B. However, at this point, the exact number project intervention sites and locations are unknown.

1.4 Scope
Component 1 titled: “Enhanced quality and relevance of skills development in public Technical Colleges by incentivizing public-private partnerships” involves the financing of rehabilitation and upgrading to selected Technical Colleges. The RPF will outline the resettlement process in terms of procedures for preparing and approving Resettlement Action Plans (RAPs), institutional arrangements, likely categories of affected people, eligibility criteria and categories, compensation rates, methods of valuing affected assets, community participation and information dissemination, Grievance Redress Mechanism and effective monitoring and evaluation, in the event that an infrastructural investment involves impacts and losses associated with its implementation.

These arrangements are to ensure that there is a systematic process (as against an ad hoc one) for the different stages of implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements. This is to ensure that no individuals, households and communities in the targeted areas are worse off due to future development. This process will be inclusive, to encompass vulnerable social groups and guarantee that they receive equitable treatment. The terms of reference for the study are attached as Annex 8.

1.5 Methodology
In developing the RPF the following approach was adopted:
➢ **Desktop Review**

This consisted of the review of relevant documentation (both print and electronic) made available and they include the Concept Project Information Document / Integrated Safeguards Data Sheet (PID/ISDS), reports and documents relevant national legislations, as well as World Bank’s OP 4.12. These reviews provided information on the national legislations that regulate land related issues in the country, with reference to compulsory land acquisition and highlighted the Bank policy on involuntary resettlement.

➢ **Field visits and consultations with potential PAPs**

The visits and the consultations provided the opportunity to:

- See some of the potential project intervention sites and to discuss with the local communities about the project and its requirements for land and any social issues the potential beneficiaries may wish to raise;
- Identify specific interests and discuss potential roles and responsibilities of stakeholders that would facilitate their participation, ownership and sustainability of the project.

The consultations took the form of interviews with representatives of relevant government agencies and focus group discussions with potential project beneficiaries at the community level. The list of persons interviewed (Attendance list) and the summary of community consultations are attached as Annex 5.

➢ **Stakeholder Workshop**

A Stakeholder Workshop is proposed to be convened to discuss the Draft Report with the representatives of the various stakeholders. The comments / observations coming out of the workshop and those that may subsequently come from the World Bank will be incorporated in the Final Report to improve the quality.
CHAPTER 2: OBJECTIVES AND JUSTIFICATION OF RESETTLEMENT POLICY FRAMEWORK

2.1 Objectives of the RPF

The main objective of the Resettlement Policy Framework is to clarify the project’s principles and procedures that will govern the mitigation of adverse social impacts induced by the IDEAS project operations. Specifically, the RPF is designed to ensure that:

- Avoid and minimize involuntary resettlement resulting from infrastructure development projects as much as it is feasible;
- In the unlikely event that people are adversely affected by involuntary resettlement arising from sub-projects, ensure that they are fully compensated for the loss of assets, livelihoods, access rights, etc. and successfully relocated, the livelihoods of displaced people are re-established and the standard of living improved;
- Ensure that no impoverishment of people shall result because of involuntary land acquisition or acquisition of assets, for purposes of implementing sub-projects;
- Ensure no impacted person is worse off because of the project;
- Assist adversely affected persons in dealing with the psychological, cultural, social and other stresses caused by compulsory land acquisition;
- Make all affected persons aware of processes available for the redress of grievances that are easily accessible and immediately responsive;
- Have in place a consultative, transparent and accountable process all types of losses are identified, clearly defined and properly categorized to reflect the nature of the loss.
- A standard or measure for defining eligibility and entitlement in orders a fair basis for assessing compensation for the loss or impact suffered.
- Displaced persons will be compensated for their losses at full replacement cost and provide assistance for disturbance prior to the beginning of works.
- A comprehensive database, based on which values will be assessed and validated in the event of disputes and more importantly serve as a database for monitoring and evaluation of the resettlement instrument.
- The project affected persons would be consulted and given the opportunity to participate in the design, implementation and monitoring of the resettlement.

In compliance with the World Banks OP 4.12, the Federal Ministry of Education will ensure that participating States will compensate PAPs for lost assets at replacement cost, and restore their livelihood, based on existing incomes.
2.2 Justification for the RPF

The World Bank’s Involuntary Resettlement Operational Policy 4.12 has been triggered by the project’s resulting from proposed subproject activities under component one which involves the financing of rehabilitation and upgrading of selected Technical Colleges. When this policy is triggered but the zone of impact and precise alignments cannot yet be determined at the time of project’s appraisal by the World Bank and therefore it is not yet possible to prepare a RAP by that time, an RPF is required to guide any subsequent RAPs.

This RPF sets out a framework and process for the application of the World Bank’s Resettlement Policy through the life of the project. In any case, a separate Resettlement Action Plan (RAP) satisfactory to the World Bank must be prepared for each case where land is permanently or temporarily acquired, or persons are displaced from the homes, lands or restricted access to businesses and livelihood opportunities.

This RPF sets out the policies, principles, institutional arrangements, schedules and budget arrangements that will take care of any anticipated resettlements. These arrangements shall also ensure that there is a systematic process during implementation that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons.

Based on the proposed activities under the project, the IDEAS project is not expected to result in the relocation of people. The loss of land and access to economic resources are, however, distinct possibilities given the prevailing customary land tenure system.

The guiding principle for land acquisition shall be that where land is required for implementation of the investment program of the education sector, appropriate safeguards due diligence process shall be observed to avoid or reduce the negative impacts of land acquisition on the affected community members.

This framework shall be used on all IDEAS Project sites with built-in mechanisms for resolving any forms of disputes on land acquisition. The framework shall also be used for all education sector projects irrespective of the funding agency. The RPF is presented in a much more comprehensive manner so as to guide and ensure that all conditions of population dislocation or loss of socio-economic benefits are taken into account during formulation of the Resettlement Action Plans (RAP).

2.3 Impact of the Project on Peoples, Assets and Livelihoods

As the actual site and size of land requirement for the various sub-components is not known it is not possible to give an estimate of the persons to be affected and this is why a RPF is being prepared now to cater for any eventuality. Table 2.1 below shows likely Environmental and social impacts associated with the project.
Table 2.1: Potential Risk and Impact that could results from the Project activities

<table>
<thead>
<tr>
<th>Activity</th>
<th>Nature of Impact</th>
<th>Probability Risk of Occurring</th>
</tr>
</thead>
</table>
| Building Rehabilitation / Construction  | • Temporary or permanent land take (even though there is prior land acquisition in place in the TC) for Small- Large plots (20m x 20m) if Plot is on public footpath / right of way / way leave  
  • Loss of structure or business for property owners or tenants  
  • Loss of assets  
  • Loss of income  
  • Loss of access to natural resource (farm land, pasture, or grazing land or the obstruction of access to natural resources on which affected populations rely for livelihoods (for example, forest products, wildlife, and fisheries) where there is no fencing of the prior acquisition. | Almost Certain. |
| Skill Workshop facilities / Laboratories| Temporary or permanent Land take for Small - Large plot (10m x 10 m or 20m x 20m)                                                                                                                                                                                                 | Almost certain |
| ICT Transmission lines/Network Cabling expansion | • Temporary land take  
  • Temporary Loss of access to assets  
  • Temporary Loss of business (due to delayed backfilling of trenches after excavation)  
  • Temporary Income loss                                                                                                                                                                                                 | Possible |
| Utilities (Energy / Water supply / waste treatment) | • Temporary land take  
  • Temporary Loss of access to assets  
  • Temporary Loss of business (due to delayed backfilling of trenches after excavation)  
  • Temporary Income loss                                                                                                                                                                                                 | Possible |

The Resettlement Policy Framework (RPF) covers the following themes:

- Operational Procedures
- Legal Framework
- Institutional Framework
- Assessment of Project Affected Persons
- Eligibility Criteria and Establishing of entitlements
- Valuation Procedures
- Sources of Funding
- Consultation and Participation
- Monitoring and Evaluation and
- Disclosure of Social Safeguards Instruments
CHAPTER 3: POLICY AND REGULATORY FRAMEWORK FOR LAND ACQUISITION AND INVOLUNTARY RESSETLEMENT

Land acquisition and involuntary resettlement programs are governed by national laws and policies as well the World Bank safeguard policy OP 4.12 which are presented below.

**Land Administration in Nigeria**

**Legal Frameworks**

Construction activities under the IDEAS Project are land based. To this end, various interests and titles to pieces of land may be impacted. Therefore, an analysis of the legal framework for the project will be carried out in the RAP and this will consider the various land holding arrangements in the assessment of entitlements and compensations for the various interests for lands acquired.

Land ownership in Nigeria is subject to a range of diverse cultural and traditional practices and customs. Land can be classified according to the following broad categories:

- **Community land**: or land commonly referred to as ancestral land, is owned by all the people.
- **Communal land**: consists mostly of under-developed forests and is owned by nobody. Those who clear it first claim ownership.
- **Clan or family land**: is owned by clans and families, as the name suggests.
- **Institutional land**: land allocated to traditional institutions such as traditional authorities and chiefs.
- **Individual land**: land acquired by an individual, which may be inherited by the immediate family, depending on customary practices

The legal framework for land acquisition and resettlement in Nigeria is the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990. The differences between the Land Use Act and the Bank's OP 4.12, mostly concern rehabilitation measures, which are neither proscribed nor mandated in the Act. The Federal Ministry of Education and the various participating State Governments through their respective State Ministry of Education will bridge the gaps between National Legislations and the requirements of Donor Agencies / Lending Institutions on Involuntary Resettlement.

### 3.1 Land Use Act of 1978 and Resettlement Procedures

The Land Use Act Cap 202, 1990 Laws of the Federation of Nigeria is the key legislation that has direct relevance to resettlement and compensation in Nigeria. Relevant Sections of these laws with respect to land ownership and property rights, resettlement and compensation are summarised in this section.

The Land Use Act is the applicable law regarding ownership, transfer, acquisition of such dealings on Land. The provisions of the Act vest every Parcel of Land in every state of the Federation in the Executive Governor of the State. He holds such parcel of land and trust for the people and government of the State. The Act categorized the lands in the state to urban and non-urban or local areas. The
administration of the urban local areas is vested in the Governor, while the latter is vested in the Local Government Council. At any rate, all lands irrespective of the category belongs to the State while individuals enjoy a right of occupancy as contained in the certificate of occupancy, or where grants are "deemed".

The concept of ownership of land as known in the western context is varied by the Act. The Governor administers the land for the common good and benefits of all Nigerians. The law makes it lawful for the Governor to grant statutory rights of occupancy for all purposes; grant easements appurtenant to statutory rights of occupancy and to demand rent. The Statutory Rights of Occupancy are for a definite time (the limit is 99 years) and be granted subject to the terms of any contract made between the state Governor and the Holder.

The Local Government Councils may grant customary Rights of Occupancy for agricultural (including grazing and ancillary activities), residential and other purposes. But the limit of such grant is 500 hectares for agricultural purpose and 5,000 for grazing except with the consent of the Governor. The Local Government, under the Act can enter, use and occupy for public purposes any land within its jurisdiction that does not fall within an area compulsorily acquired by the Government of the Federation or relevant State; or subject to any laws relating to minerals or mineral oils.

The State is required to establish an administrative system for the revocation of the rights of occupancy, and payment of compensation for the affected parties. So, the Land Use Act provides for the establishment of a Land Use and Allocation Committee in each State that determines disputes as to compensation payable for improvements on the land. (Section 2 (2) (c).

In addition, each State is required to set up a Land Allocation Advisory Committee, to advise the Local Government on matters related to the management of land. The holder or occupier of such revoked land is to be entitled to the value of the unexhausted development as at the date of revocation. (Section 6) (5). Where land subject to customary right of occupancy and used for agricultural purposes is revoked under the Land Use Act, the local government can allocate alternative land for the same purpose (Section 6) (6).

If Local Government refuses or neglects within a reasonable time to pay compensation to a holder or occupier, the Governor may proceed to effect assessment under section 29 and direct the Local Government to pay the amount of such compensation to the holder or occupier. (Section 6) (7). Where a right of occupancy is revoked on the ground either that the land is required by the Local, State or Federal Government for public purpose or for the extraction of building materials, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements. Unexhausted improvement has been defined by the Act as:
Anything of any quality permanently attached to the land directly resulting from the expenditure of capital or labour by any occupier or any person acting on his behalf, and increasing the productive capacity the utility or the amenity thereof and includes buildings plantations of long-lived crops or trees, fencing walls, roads and irrigation or reclamation works, but does not include the result of ordinary cultivation other than growing produce.

**Developed Land** is also defined in the generous manner under **Section 50 (1)** as follows: *Land where there exists any physical improvement in the nature of road development services, water, electricity, drainage, building, structure or such improvements that may enhance the value of the land for industrial, agricultural or residential purposes.*

It follows from the foregoing that compensation is not payable on vacant land on which there exist no physical improvements resulting from the expenditure of capital or labour. The compensation payable is the estimated value of the unexhausted improvements at the date of revocation.

Payment of such compensation to the holder and the occupier as suggested by the Act is confusing. Does it refer to holder in physical occupation of the land or two different persons entitled to compensation perhaps in equal shares? The correct view appears to follow from the general tenor of the Act. First, the presumption is more likely to be the owner of such unexhausted improvements. Secondly, the provision of **Section 6 (5)** of the Act, which makes compensation payable to the holder and the occupier according to their respective interests, gives a pre-emptory directive as to who shall be entitled to what.

Again, the Act provides in **Section 30** that where there arises any dispute as to the amount of compensation calculated in accordance with the provisions of **Section 29**, such dispute shall be referred to the appropriate Land Use and Allocation Committee. It is clear from **Section 47 (2)** of the Act that no further appeal will lie from the decision of such a committee. If this is so, then the provision is not only retrospective also conflicts with the fundamental principle of natural justice, which requires that a person shall not be a judge in his own cause. The Act must, in making this provision, have proceeded on the basis that the committee is a distinct body quite different from the Governor or the Local Government.

It is submitted, however, that it will be difficult to persuade the public that this is so since the members of the committee are all appointees of the Governor.

Where a right of occupancy is revoked for public purposes within the state of the Federation; or on the ground of requirement of the land for the extraction of building materials, the quantum of compensation shall be as follows:

- *In respect of the land, and amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked.*
• **In respect of the building, installation or improvements therein, for the amount of the replacement cost of the building, installation or improvements to be assessed on the basis of prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interests at the bank rate for delayed payment of compensation.** With regards to reclamation works, the *quantum of compensation is such cost as may be substantiated by documentary evidence and proof to the satisfaction of the appropriate officer.*

• **In respect of crops on land, the quantum of compensation is an amount equal to the value as prescribed and determined by the appropriate officer.**

Where the right of occupancy revoked is in respect of a part of a larger portion of land, compensation shall be computed in respect of the whole land for an amount equal in rent, if any, paid by the occupier during the year in which the right of occupancy was revoked less a proportionate amount calculated in relation to the area not affected by the revocation; and any interest payable shall be assessed and computed in the like manner. Where there is any building installation as outlined above and any interest payable shall be computed in like manner.

### 3.2 World Bank Safeguard Policy, OP 4.12

#### 3.2.1 OP 4.12: Involuntary Resettlement

The World Bank policy on involuntary resettlement O P4.12, which was revised in 2013, indicates the processes and procedures required to be followed where people must lose property, means of livelihood or where they experience a change in their standard of living because of the implementation of a Bank financed project. Thus, this policy provides the guidelines for the manner and timelines for payment of all compensations. It also recommends that due consultations be undertaken with all stakeholders of the project before, during and after project implementation with special attention to disadvantaged groups (women, children and the disabled) within the population.

Consistent with World Bank policies and guidelines the preparation of a Resettlement Action Plan (RAP) requires taking the following into consideration:

i) Involuntary resettlement should be avoided, or minimized, as much as possible, by considering all feasible options including viable alternative project designs. Where involuntary resettlement is unavoidable, all people affected by it should be compensated fully and fairly for lost assets.

ii) Involuntary resettlement should be seen and undertaken accordingly as an opportunity for improving the livelihoods of the affected people.
iii) All people affected by involuntary resettlement should be consulted and involved in resettlement planning to ensure that the mitigation of adverse effects as well as the benefits of resettlement are appropriate and sustainable.

The Bank’s Policies require that the RPF be;

a) prepared before project appraisal;

b) made widely available and circulated in Nigeria before project appraisal, at publicly accessible locations and in a form that the potentially affected people can understand; and

c) also made available at the Bank’s website.

The RPF can be revised as necessary during the entire life of the project but all revisions must be approved by the Bank.

3.3 Comparison of the Land Use Act (LUA) with the WB OP 4.12

The World Banks OP 4.12 explicitly makes adequate provision for project affected persons who are either displaced or suffer other losses, because of projects, to be adequately catered for. Livelihoods of persons to be affected must be preserved, but in cases when this is inevitable, minimal displacements should occur. In instances where displacement is unavoidable, compensation should be paid to PAPs to help them to restore their social, economic and environmental livelihoods.

The Land Use Act makes provision for compensation to be paid to only persons who have suffered any loss and can produce any form of title that is legal in the form of deeds, leaseholds, or legally binding tenancy agreement to the land in question. However, the Operational Directive expects all forms of losses without exception to be catered for.

The Environmental and Social Safeguards Policy advice that project affected persons be assisted during their transition period in the resettlement site and efforts made to restore their livelihoods whereas the Land Use Act is silent on that. The Federal Ministry of Education will adopt the more stringent of these policies. Table 3.1 highlights some comparison between the Land Use Act, 1978 and the WB policy on involuntary resettlement.

To operate within the directives of the WB, the RPF is being developed in line with the OP 4.12, with the involvement of affected persons through consultations and compensation paid based on full replacement cost, disturbance and restoration of livelihood. Table 3.1 shows Comparison of Land Use Act with WB Policies
<table>
<thead>
<tr>
<th>Topic</th>
<th>Land Use Act</th>
<th>WB Policy Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Timing of compensation payment</strong></td>
<td>Within reasonable time</td>
<td>Prior to displacement and relocation. Surely before commencement of civil works</td>
</tr>
<tr>
<td><strong>Calculation of compensation</strong></td>
<td>Cash compensation based upon market value</td>
<td>Recommends land-for-land compensation. Other compensation is at replacement cost</td>
</tr>
<tr>
<td>&lt; 50% of agricultural land lost</td>
<td></td>
<td>Cash compensation equivalent to market value</td>
</tr>
<tr>
<td>&gt; 50% of land holding lost</td>
<td></td>
<td>Cash compensation for the entire landholding + Relocation Assistance + Income Support + Job Training</td>
</tr>
<tr>
<td>Trees and Standing crops</td>
<td></td>
<td>Cash compensation</td>
</tr>
<tr>
<td><strong>Squatters</strong></td>
<td>Not eligible for any form of compensation</td>
<td>No compensation for land</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Are to be provided supplementary assistance in form of Undepreciated value of building (where it exists) in cash + Right to salvage materials + costs of shifting + job placement, skills training</td>
</tr>
<tr>
<td><strong>Resettlement</strong></td>
<td>Where a right of occupancy of any developed land on which a residential building has been erected is revoked, the Governor or the Local Government, may in his or its discretion offer in lieu of compensation payable in accordance with the provisions of this Act resettlement in any other</td>
<td>Affected persons who are physically displaced are to be provided with residential housing, or housing sites, or as required, agricultural sites…at least equivalent to old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land based.</td>
</tr>
</tbody>
</table>
place or area by way of a reasonable alternative accommodation (if appropriate in the circumstances)

**Resettlement Assistance**
- No specific provision with respect to additional assistance and monitoring
- Affected persons are to be offered support after displacement for a transitional period

**Information and Consultation**
- No formal notification. The Governor or any public officer duly authorized by the Governor in that behalf shall have the power to enter upon and inspect the land in the day time and the occupier shall permit and give free access to the Governor or any such officer so to enter and inspect
- Displaced persons and their communities…are provided timely and relevant information, consulted on resettlement options and offered opportunities to participate in planning, implementation and monitoring of resettlement

**Grievances**
- Formal and informal mechanisms and formal access to court of law
- Appropriate and accessible grievance redress mechanisms to be established

The above highlights constitute the basis for the compensation procedures established by the Federal Ministry of Education and are likewise, the national legal framework for the present resettlement and rehabilitation policy framework.

Furthermore, by signing the credit agreements for the IDEAS project with the Federal Ministry of Education, the Federal Government of Nigeria will commit itself to abide by the involuntary resettlement policy of the World Bank. Thus, the legal frameworks of the IDEAS Project are: The Land Use Act of 1978 and the WB OP 4.12 on involuntary resettlement. As WB OP 4.12 on Involuntary Resettlement Instruments specifies the borrower’s obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

However, where there are conflicts between the national law (Land Use Act) and the WB policy (OP 4.12), the OP 4.12 will prevail for all sub-projects under the IDEAS Project.
Nigeria is a signatory to several international and regional conventions which promote the development and well-being of all citizens. These are complimented by a national law and policy regime which recognizes gender inequality across different sectors and thematic areas. The latter includes the 1999 Constitution; the National Gender Policy and the National Action Plan on United Nations Security Council Resolution (UNSCR) 1325. These mechanisms are aimed at ensuring that all citizens can live an existence free of physical, sexual and emotional abuse, with access to property rights, and to all the medical, educational and judicial systems that are in place in the society.

Gender based violence (GBV) affects different demographic groups including women, children, the youth, the elderly and the physically challenged. It has devastating consequences at social, economic, and personal levels because of the physical injuries, psychosocial harm and general loss of productivity across different spheres. Despite a robust law and policy regime on gender-based violence in Nigeria, it is important to note that such acts are deeply rooted in cultural as well as social norms and the belief systems which emerge from them. Therefore, they can only be renegotiated through ongoing advocacy, coordination and monitoring in addition to the implementation of existing frameworks.

The National Guidelines and Referral Standards on Gender Based Violence’, build on the 2008 National guidelines and intervention strategies on Gender Based Violence”, which were jointly produced by the World Health Organization (WHO) and the Federal Ministry of Health. The current policy guidelines expand the scope of policy intervention on gender-based violence (GBV) to include the political and religious insurgency context, which has become a part of the narrative in some parts of Northern Nigeria. The principles and directives outlined in the National Guidelines and Referral Standards on Gender Based Violence derive from the following:

- The National Gender Policy 2014
- The Violence against Persons Prohibition Bill (VAPP), 2013
- The United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) 1979 and the Optional Protocol to the Convention

It aims to accomplish three key tasks. On the one hand, it aims to provide a holistic overview of the varying levels of gender specific action, considerations and approaches required within the post – violence intervention value chain at community or domestic levels. On the other, it provides a set of referral standards, which are expected to serve as a step by step guide for action in cases where GBV has
taken place. As a compliment to these, the guidelines also aim to promote multi-sector complementarity of action by highlighting different stakeholder roles and levels of responsibility.

**Ekiti State Gender-Based Violence (Prohibition) Law, 2011 No. 21 of 2011**

The various laws on Violence against Women (VAW) permit complaints to be made by persons other than the victim/survivor e.g. a family member, a concerned third party, police, health professional, etc as referenced in Section 6 of the Ekiti State Gender-based Violence (Prohibition) Law; Section 2(3) Protection Against Domestic Violence Law 2007; Section 30, Violence Against Person (Prohibition) Bill).

This provision helps eliminate concerns such as a victim withdrawing her application because of intimidation from family members and firmly places the issue of VAW in the public sphere. An interested party may in the states where VAW laws exist make a complaint to the police and apply for a protection order against the perpetrator.

The Gender-based Violence Support Fund is a fund created under the Ekiti State Gender-based Violence (Prohibition) Law to provide material support to victims/survivors, their dependants, contribute to their rehabilitation, and for construction of shelters and training. A similar trust fund is planned for the Violence Against Persons (Prohibition) Bill.

Victims Care and Counselling is also a benefit under the laws. Victims have access to counsellors to help them prepare for next steps.

**Child Rights Act (2003)**

The act gives full protection to privacy, honour, reputation, health and prevention from indecent and inhuman treatment through sexual exploitation, drug abuse, child labour, torture, maltreatment and neglect to a Nigerian Child. It also declares that every child has a right to life, to be allowed to survive and develop.
CHAPTER FOUR: INSTITUTIONAL FRAMEWORK

4.1 Introduction
There are various institutions that will participate in the implementation of resettlement process of the IDEAS Project. Such institutions include the Federal Ministry of Environment, Federal Ministry of Education, participating State’s Ministry of Education, Local Government Councils and the Education Sector Stakeholders. The institutions including the participating State Ministry of Land, State Ministry of Housing, Physical Planning and Urban Development, State Ministry of Environment, have been identified as some of the institutions for resettlement. Most of the institutions are related in function and some other cases have overlapping functions but are duly recognised by law or customary norms of each participating State. While most of them do not have direct links with resettlement, some of them, by operation or functions, have related responsibilities with resettlement. However, the ultimate responsibility rests with the State Ministry of Education and its implementing agencies ((Ministry of Finance, Ministry of Justice, Ministry of Women Affairs and Poverty Alleviation, Lands/Assets Valuation Committee). For this RPF, the activities of the major institutions are highlighted below.

4.2 Federal Ministry of Education (FME)
The Federal Ministry of Education is a part of the Federal Ministries of Nigeria that directs education in Nigeria.
Its functions include:
- Formulating a National Policy on Education.
- Collecting and collating data for purposes of Educational Planning and Financing.
- Maintaining uniform standards of education throughout the country.
- Controlling the quality of education in the country through the supervisory role of the Inspectorate Services Department within the Ministry.
- Harmonizing educational policies and procedures of all the states of the federation through the instrumentality of the National Council on Education.
- Effecting co-operation in educational matters on an international scale.
- Developing curricula and syllabuses at the national level in conjunction with other bodies.

As the Implementing Agency, responsibilities for the commitments made in this RPF are those of the Federal Ministry of Education for use in the participating Pilot States. The responsibilities are delegated internally to specific units within the Agency as well as other Government Agencies. Specific units and staff are assigned clearly defined roles associated with the RAP implementation, including impact minimization, inventory preparation and confirmation, consultation and feedback, compensations, as well as monitoring and Reporting.
All the identified agencies (Figure 4.1) that will be involved in any resettlement, under the overall direction of the Project Director (shaded green) who Reports directly to the Resettlement Advisory Group (RAG). RAG which is headed by the Hon. Minister of Education or his Designee, and at the State Level by the Commissioner for Education. A special unit referred to as the Resettlement Implementation Committee will work with the Project Director to ensure effective Resettlement implementation and monitoring. The core responsibilities for the resettlement implementation will rest with the Social Safeguard Unit of the Federal Ministry of Education IDEAS Project (Project Director) who will also launch the Tendering Process for the ESIAs and RAPs with specific responsibilities for supervision of the Consultant for ESIAs and RAPs production and RAP Review and Implementation. (S)he coordinates the Grievance Mechanism and reports on this to the Minister of Education or his Designee on a regular basis. At the State Level, the IDEAS Project Coordinator will handle these responsibilities and perform the functions of the IDEAS Project Director. Specific roles of the implementing units in the IDEAS Project Office will include:

- **Environmental and Safeguard Unit** – This unit shall be responsible for facilitating liaison with communities as well as government agencies and local government department to facilitate stakeholder consultations. The unit Reports directly to the Minister of Education or his Designee (Commissioner of Education at the State Level) on the process of resettlement of affected people. The unit shall also liaise with the trade and market women unions in ensuring that members of the union are appropriately informed on the resettlement plan. It is the responsibility of the unit to adequately implement the resettlement and provide all information to the WB as and when required. The unit is also responsible for the identification of environmentally sensitive areas that are likely to be affected by the project.

- **Monitoring Unit** – is responsible for supervising the contractors engaged in construction of facilities and ensure strict adherence to project design specifications and land acquisition. They also identify alternative project sites that will have minimal impacts on socio-economic variables in affected project areas.

- **Legal Unit** – oversee all legal functions including resolution of grievances. It also provides advice to the Resettlement implementation manager, including verification of compensation and drafting of legal agreements with affected parties, local government authorities etc.

- **Accounts** – processes payments to the affected people and ensure proper accountability throughout the project life circle.

Figure 4.1 presents the resettlement implementation structure for the project.
Figure 4.1: Resettlement Implementation Structure
4.3 Federal Ministry of Environment

The Federal Ministry of Environment (FMEnv) formerly Federal Environmental Protection Agency (FEPA) is the Federal Regulatory Ministry responsible for the formulation and implementation of environmental policies in Nigeria. As contained in Act 58 of 1988 and Decree 59 of 1992, FMEnv, from inception had put in place statutory documents to include monitoring, control and abatement of all environmental wastes including the indiscriminate pollution of the environment.

FMEnv has the mandate to implement all statutory national regulations on the protection of the environment, ranging from water / air, land, etc. Among the implementation strategies used to check unwarranted pollution of the environment in Nigeria is the constant monitoring of wastes and other pollutants discharged into the environment. Apart from the mandatory Environmental Impact Assessment for new projects. It is equally mandatory for all industries in the country to carry out Environmental Audit monitoring of their facilities and processes within stipulated periods as prescribed by the regulators. This is to ensure that stipulated limits are not exceeded by the industries and therefore prevent avoidable pollutions of the environment.

FMEnv itemized the following types of environmental studies.

- Environmental Impact Assessment.
- Impact Mitigation Monitoring.
- Environmental Baseline Study.
- Environmental Audit etc.

The scope of these studies varies. But for Impact Mitigation monitoring which applies to the resettlement, it is expected to be carried out periodically throughout the construction phase and the early part of the operation phase. Relevant documents within the scheme that apply to the IDEAS Project and sub-projects include:

   II. S.I.9 - National Environmental Protection (Pollution Abatement in Industries and Facilities Generating Wastes).

These statutory documents spell out clearly the restrictions imposed on the release of toxic substances into the environment and the responsibilities of likely polluters. Such responsibilities include provision of anti-pollution equipment, adequate treatment of effluent before being discharged into the environment,
etc. (S.I.8 & 9). For example, paragraph 15(2) of S.I.9 states that "no oil in any form shall be discharged into public drain, rivers, lakes, seas, atmosphere or underground injection without the permit issued by FMEnv or any organization designated by the Ministry". Also paragraph 17 states that "an industry or a facility which is likely to release gaseous, particulate, liquid or solid untreated discharges shall install into its system, appropriate abatement equipment in such a manner as may be determined by the Ministry".

Specifically, S.I.15 provides a comprehensive list of wastes that are classified as being dangerous to the environment. It also gives detail on the contingency planning and emergency procedure to be followed in case of sudden release of any of these hazardous wastes into the environment.

Section 20 (1) of FMEnv Act states that the discharge of any quantities of hazardous substance into the air or upon land and the waters of Nigeria or the adjoining shorelines without due permission will attract a fine of =N=1,000,000.00k or 10 years imprisonment or both.

4.4 State Ministry of Physical Planning and Urban Development

The activities and responsibilities of the Ministry of Physical Planning and Urban Development, include:

- Initiation, formulation and implementation of physical planning, Urban Development and Urban renewal policies and programmes
- Preparation of Regional, Master, Model City Plans, Action and Development Plans for Excised Villages
- Granting of approval and Monitoring of Layouts and Development Schemes for both Government and Private Estates
- Evaluation, Relocation and Regulation of Urban based Developments and activities-Filling stations, Banks, eateries, Markets, Institutions and Informal Sectors
- Electronic Document Management and Geographic Information System (EDEMS & GIS)
- Site selection for Government Agencies and other Institutions
- Supervision of State Physical Planning Permit Authority

The State Ministry of Physical Planning and Urban Development provides for the administration of Physical Planning, Urban and Regional Development Agencies and for connected purposes. The Ministry of Physical Planning and Urban Development is given the ministerial responsibility for initiation, formulation and implementation of policies and coordination of programmes on all aspects of physical planning and urban development in the State. It coordinates other agencies e.g. Urban Renewal Authority.

The Ministry has the power to acquire any land in connection with planned urban or rural development, and any right of occupancy on such land can be revoked in accordance with the provisions of the Land Use Act. Payment of compensation generally under this law shall be in accordance with the provisions of the Land Use Act - (Sections 80-81).
The roles of this ministry in resettlement will among others include:

- Verification of selected sites for resettlement and ensuring that such sites are ideally suitable for affected people.
- Invoke the physical planning and urban development law at the project area
- Ensuring that State Ministry of Education meets with the requirements of resettlement.
- Make appropriate recommendation and input in the resettlement process
- Ensuring that affected people are adequately compensated and
- Carry out functions as may be directed by the Honourable Commissioner for Physical Planning and Urban Development.

4.5 **State Ministry of Education**

The Ministry formulates policies and oversees other agencies. It also sees to the implementation of policy decisions and coordinates various Education laws and policies. Statutorily, the ministry is mandated to:

- provide road infrastructures, enforce traffic regulations, carry out public education and enlightenment.

4.6 **State Ministry of Environment**

The Ministry of Environment has a primary mandate to ‘secure a clean, healthier and sustainable environment which will be conducive for tourism, economic growth and well-being of its citizenry’.

The Ministry is responsible for the overall environmental policy of the State. Pursuant to the fulfilment of its responsibilities, the government enacted the Environmental Sanitation Law. The law provide for environmental sanitation in the State, and establishment of / Environmental Sanitation Corps and for connected purposes. It imposes responsibility on all facets of environmental media, and prohibition of certain acts and conducts.

It prohibits,

- People or person from constructing or putting any structure on roads, rail
- People or persons from using any road, street or other setback as a mechanic workshop
- People or person from display, selling or buying goods on roads, rail tracks, bridges and road setbacks.

The law further empowers the Ministry to create Environmental Sanitation Corps, which has, as part of its functions, the mandate to enforce state sanitation laws and street trading. It is also to assist the State Ministry of Physical Planning, Local Governments, State Waste Management Authority and Law Enforcement Agencies in monitoring matters affecting environmental sanitation.

The roles and responsibilities of the ministry is to direct the Health, Safety and Environment (HSE) Department to work with the Project Director to implement HSE plan for contractors engaged in
construction. In the same vein, the environmental sanitation corps shall assist the Project Director in the resettlement of affected persons to allocated areas and enforce sanitations policy of the government in those locations. During the implementation phase, it is its responsibility to ensure that people whom have been relocated do not return to their previous locations. The HSE and Sanitation Corps will Report directly to the Project Director.

The State Ministry of Environment has the following functions in relation to the IDEAS Project:

- Enforcement of all environmental legislations and policies;
- Coordination and supervision of environmental assessment studies;
- Minimization of impacts of physical development on the ecosystem;
- Preservation, conservation and restoration to pre-impact status of all ecological processes essential to the preservation of biological diversity;
- Protection of air, water, land, forest and wildlife within the states;
- Pollution control and environmental health in the states;
- Perform periodic and random inspection of ambient water, air and noise quality in the construction areas, and will review the environmental monitoring that is conducted by the institute pursuant to the environmental monitoring plan
- Co-operate with FMEnv and other agencies to achieve effective prevention of abatement of trans-boundary movement of waste

4.7 State Lands Bureau

The Bureau has the responsibility for the formulation of policies and implementation pursuant to the provisions of the Land Use Act, 1978 as amended under the 1990 Laws of the Federation of Federal Republic of Nigeria. It also has the primary responsibility for land management in the state. Part of its agencies includes the Land Use Advisory and Allocation Committee. Its functions and power includes payment of compensation for the revocation of a right of occupancy.

Although the State Ministry of Education is not acquiring new lands for the IDEAS projects, since the ministry is statutorily mandated to implement compensation for acquired lands, the Advisory and Allocation Committee shall work with the Project Director to ensure that affected people are compensated as stated in the RAP. They will also ensure State Ministry of Education's compensation and assistance programme are in conformity with the provisions of the Land Use Act.

As the government department with the responsibility for lands and planning activities in the State, collaboration with it is essential in relation to the development and implementation of Resettlement Action Plans for IDEAS Project. The functions of the Bureau in relation to the successful execution of the projects will include the following:
• Assists with the valuation of assets and land belonging to Project Affected Persons.
• Advises Government as well as manage Lands and all other landed properties belonging to the State Government situated within and outside the State.
• Responsible for the acquisition of Land for projects.
• Recommend to the Governor on the allocation of States (Acquired) lands to individuals and organizations as well as the management of all State Lands.
• Responsible for the preparation of Certificates of Occupancy which evidence the grant of State lands and the transfer of interest by the customary land holders. The Land Use and Allocation Committee is also an organ of this Bureau.
• Undertake research and carries out inspections and valuation of landed properties for all purposes with a view to advising the various Ministries/Establishments e.g. Compensation Valuation for acquisitions of Right of Ways, general acquisition of Land, Valuation for Insurance purposes, Valuations for Asset sharing, Valuation of Share Equities in Joint Ventures and Memorandum of Agreements, etc.
• Provide Survey services for all Government lands.

4.8 Local Government Authority
The Constitution of the Federal Republic of Nigeria approves the creation of Local Government Councils in each of the 36 States of the federation. Local Governments Council were created by the Federal Government to carry out their functions as stated in the Constitution. The Local Governments take responsibility for implementing state-controlled policy regarding public education and state schools. It is imperative that they are part of the resettlement plan. Therefore, the roles and responsibilities of the local authorities (Environmental Department, Physical Planning or Works Department) in the resettlement plan shall not be limited to the following:

1. Liaising with the project director to verify adequacy of resettlement location and provide approval for such sites.
2. Providing additional resettlement area if the designated locations are not adequate.
3. Ensure that traders on setbacks and who have approved shops are requested to move back to their respective shops previously allocated to them by the local government.
4. Ensure all facility areas are not encroached by the traders after relocation.
5. Provide necessary infrastructures in relocated areas.
6. Implement policies developed by State Ministry of Education for project sustainability.
7. Liaise with State Ministry of Education and participate in consultations with Stakeholders.
These agencies at the appropriate times disconnect and reconnect PAPs to their power and water supply services before and after relocation as the case may be.

Table 4.1 presents the various resettlement activities and its corresponding responsible party while Figure 4.2 shows the flowchart of a resettlement implementation.

**Table 4.1: Resettlement Activities and Responsible Party**

<table>
<thead>
<tr>
<th>NO</th>
<th>ACTIVITY</th>
<th>RESPONSIBILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Liaising with WB</td>
<td>IDEAS Project Office</td>
</tr>
<tr>
<td>2</td>
<td>Coordination of Activities</td>
<td>IDEAS Project Office</td>
</tr>
<tr>
<td>3</td>
<td>Preparation and Disclosure of RPF</td>
<td>IDEAS Project Office / WB</td>
</tr>
<tr>
<td>4</td>
<td>Vetting of request for compulsory acquisition of land</td>
<td>Lands Bureau, Ministry of Physical Planning and Urban Development/Ministry of Environment</td>
</tr>
<tr>
<td>5</td>
<td>Social impact studies (conduct social impact assessment and property impact studies)</td>
<td>IDEAS Project Office through Consultants</td>
</tr>
<tr>
<td>6</td>
<td>Internal Monitoring</td>
<td>IDEAS Project Office</td>
</tr>
<tr>
<td>7</td>
<td>Consultations, planning and Preparation of RAP</td>
<td>IDEAS Project Office / WB</td>
</tr>
<tr>
<td>8</td>
<td>Disclosure of RAP</td>
<td>IDEAS Project Office / WB</td>
</tr>
<tr>
<td>9</td>
<td>External Monitoring and approval</td>
<td>FMEnv, SMOE, NGO, WB</td>
</tr>
<tr>
<td>10</td>
<td>Marking of affected properties</td>
<td>IDEAS Project Office and Local Government Authority</td>
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<tr>
<td></td>
<td>− Inventory of affected properties</td>
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<td></td>
<td>− Notifications</td>
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<td></td>
<td>− Request for proof of eligibility</td>
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<tr>
<td></td>
<td>− Consultations</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Valuation of Affected Properties</td>
<td>Ministry of Physical Planning and Urban Development / IDEAS Project Office</td>
</tr>
<tr>
<td>12</td>
<td>Establishing of Committees</td>
<td>IDEAS Project Office, PHCN, SWC</td>
</tr>
<tr>
<td></td>
<td>− Utilities Committee to conduct an inventory of properties with utility services</td>
<td>IDEAS Project Office / Ministry of Physical Planning and Urban Development/Land and Allocation Committee</td>
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<tr>
<td></td>
<td>− Grievance Committee establish procedures for dispute resolutions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>− Payment Committee establish payment</td>
<td>IDEAS Project Office / Ministry of Physical</td>
</tr>
<tr>
<td></td>
<td>modalities</td>
<td>Planning and Urban Development/Ministry of Women Affairs and Poverty Alleviation</td>
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<tr>
<td>13</td>
<td>Disclosure of values.</td>
<td>IDEAS Project Office / Ministry of Education / Ministry of Finance</td>
</tr>
<tr>
<td></td>
<td>Making of offers</td>
<td></td>
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<td></td>
<td>Processing for payments</td>
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<tr>
<td>14</td>
<td>Release of funds for payment</td>
<td>Ministry of Finance and Economic Planning / IDEAS Project Office</td>
</tr>
<tr>
<td>15</td>
<td>Payments</td>
<td>Payment Committee (IDEAS Project Office / Ministry of Education and Ministry of Women Affairs and Poverty Alleviation)</td>
</tr>
<tr>
<td>16</td>
<td>Grievance and dispute resolutions</td>
<td>Grievance Committee</td>
</tr>
<tr>
<td>17</td>
<td>Taking possession of site</td>
<td>IDEAS Project Office</td>
</tr>
<tr>
<td>18</td>
<td>Disconnect and Reconnection of utilities</td>
<td>PHCN, SWC</td>
</tr>
<tr>
<td>19</td>
<td>Representing government for any law court redress cases</td>
<td>IDEAS Project Office, State Attorney General’s Office</td>
</tr>
<tr>
<td>20</td>
<td>Preparation of Monitoring and Evaluation Report of RAP and Disclosure</td>
<td>IDEAS Project Office</td>
</tr>
</tbody>
</table>

Furthermore, Figure 4.2 below presents the flowchart of RPF and RAP Implementation.
Figure 4.2: Flowchart of RPF and RAP Implementation
4.9 Procedures for Land Acquisition and Resettlement for the IDEAS Project Infrastructural Investment

The proposed activities under Components 1 of the Project will require land which may result in involuntary acquisition and this can lead to loss of land, denial of people’s access or restriction of access to land resources, services and social amenities. In this case, the resettlement action plans, consistent with OP 4.12 and the resettlement policy framework, must be prepared.

4.9.1 The Screening Process

Once an infrastructure sub-project of the IDEAS Project is known, the State Directorate in the State where the investment is to take place shall screen the subproject investment. The Construction monitor attached to the Office shall complete an Involuntary Resettlement Screening and Categorization Form (Annex 1) to determine, whether, a sub-project(s) requires land and the size, location and availability in particular to answer the following questions (12 and 13 in the IRSCF):

- Will the infrastructure result in displacement, loss of assets, or access to assets (Yes or No)?
- Will the infrastructure result in the permanent or temporary loss of crops, fruit trees, and household infrastructure (such as granaries, outside toilets and kitchens, etc) (Yes/No)?

If the answers are ‘No,’ the construction poses no resettlement concern. If one or more of the answers are ‘Yes,’ then a Resettlement Action Plan (RAP) is required. The findings are forwarded to the for field verification of the assessment results. Where the construction poses no concerns or only minor ones which could be addressed by simple measures the construction work should be allowed to proceed. These simple measures should be included in the bidding documents and the contractors be made to fully implement those clauses.

However, where resettlement is involved, the assessment should be forwarded by the PCU to the FMEnv for further scrutiny and approval for the preparation of the RAP. The PCU shall recruit consultant(s) to prepare a RAP which will entail amongst others a baseline survey to be followed by the preparation of the plan. The completed plan is to be submitted to the FMEnv for review and appraisal.

Upon completion of review and appraisal the FMEnv will advise the PCU about the outcome based on the option which may include acceptance or resubmission or rejection of the RAP. The PCU will then proceed accordingly. Once approved, the PCU can proceed with implementation which commands priority over the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before the necessary measures for resettlement are in place. The PCU will ensure that compensation is effected in line with the national laws and World Bank Safeguard Policy on Involuntary Resettlement.
The screening of project components must be carried out on a case-by-case basis to determine: i) whether land that is occupied or used will be required and ii) whether associated mitigating measures that will be necessary before the construction phase have been defined in sufficient detail that they can be readily implemented.

The Environmental and Social Screening Form (ESSF) is designed to inform the PCU about critical issues and to make available to reviewers’ key information so that mitigation measures, if any, can be identified and/or that requirements for further analysis can be determined at an early stage of the project cycle for compliance with national legislations and Bank safeguards.

4.10 Preparation, Review and Approval of the Resettlement Action Plan

4.10.1 Preparation

The Bank’s policy requires a RAP for any investment that involuntarily displaces people from land or productive resources, and the displacement results in: relocation, the loss of shelter, the loss of assets or access to assets important to production; the loss of income sources or means of livelihood; or the loss of access to natural resources. When this is found to be the case the PCU will develop a RAP which will entail: first identification or screening stage to be followed by a baseline survey and finally the development of the plan.

Where the adverse impacts on the displaced population are minor (i.e. if affected people are not physically displaced and less than 10% of their productive assets are lost) or fewer than 200 people are displaced per state, then the Bank may approve the preparation of an Abbreviated Resettlement Action Plan (ARAP).

4.10.2 Identification Stage

During the identification and preparation stage, an Involuntary Resettlement Screening and Categorization Form (Annex I) will be completed to determine, whether, a particular component requires land and the size, location and availability. The checklist is designed to inform the about critical issues and to make available to reviewers’ key information so that mitigation measures, if any, can be identified and/or that requirements for further analysis can be determined at an early stage of the project cycle for compliance with national legislations and Bank safeguards.

4.10.3 Consultations

During the entire process of preparing the RAP consultations with the public is essential as it offers the affected persons an opportunity to participate and contribute to both design and implementation of the project activities. Public participatory consultation will be done through stakeholders’ meetings and workshop at suitable locations. The information will be made to each household on entitlement eligibility criteria, modes of compensation, complaints and grievances resolution procedures.
4.10.4 Baseline Survey
Preparation of the resettlement plan will entail undertaking a baseline survey consisting of a census of all affected persons and assets and a socio-economic survey of the conditions of the affected persons. The census would identify potentially affected individuals, households and vulnerable groups (children, the elderly, female headed households, widows, widowers, etc.). The socio-economic study will collect baseline socio-economic data of the potentially affected populations / communities within the project targeted areas. The socio-economic assessment would focus on identification of stakeholders (demographic data), the participation process, identification of affected people, impact on their property, their production systems, the institutional analysis and the system for monitoring and evaluation. Detailed calculation of household economies and identification of all impacts will be necessary in the socio-economic assessment and be determinant in the potential compensation process.

4.10.5 Development of a Resettlement Action Plan
The content of a Resettlement Action Plan depends upon whether a full RAP where a major resettlement involving 200 or more persons is to be prepared. Less than this number an Abbreviated RAP (ARAP) is prepared. The content of both a full RAP and an Abbreviated RAP are attached as Annex 2 and Annex 3 respectively.

4.10.6 Screening and Appraisal of the RAP
The completed RAP will be submitted by the PCU to the Federal Ministry of Environment for screening and appraisal by the relevant government agencies. The screening process will:

i. Identify and assess potential impacts for the proposed Project Component and determine whether land is required and whether displacement or loss of access and/or property may occur;

ii. Examine whether the involuntary resettlement policy will be triggered;

iii. Examine whether the RAP is adequate and feasible; and

iv. Review the environmental and social impact assessment.

Upon completion of screening, the FMEnv will advise the PCU about the outcome of the screening based on the option which may include acceptance or resubmission or rejection of the RAP. The PCU will then proceed accordingly.

4.10.7 Relocation and Compensation
The PCU will oversee the implementation of the RAP once it is completed and approved. The implementation of the RAP commands priority over the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before the necessary measures for resettlement are in place.

The PCU will ensure that compensation is effected in line with the national laws and the World Bank Safeguard Policy on Involuntary Resettlement.
CHAPTER 5: ELIGIBILITY CRITERIA FOR AFFECTED GROUPS / INDIVIDUALS

5.1 Eligibility Criteria for Compensation

For an effective involuntary resettlement programme, a description of the categories of the affected groups and the potential type of impacts need to be established. Based on these, entitlements for each type and category of impact, the detailed requirements for determining the value of affected assets and outlining the process by which valuation will be undertaken will be set out.

Once involuntary resettlement is identified necessary for a Project, a census in the context of preparing the RAP will be carried out to identify the persons who will be affected by the project and who will therefore be eligible for assistance. The potential PAPs can be classified in one of the following three groups:

i) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of Nigeria);

ii) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;

iii) Those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under categories i) and ii) are provided compensation for the land they lose, and other assistance/compensation in accordance with OP 4.12. Persons covered under iii) are provided resettlement assistance instead of compensation for the land they occupy, if they occupy same within the project area prior to the established cut-off date and other assistance/compensation, as necessary, to achieve the objectives set out in OP 4.12.

Project Affected Persons (PAPs) under categories ii) and iii) above include residential and business tenants, tenant farmers, squatters, petty traders, and businesses operated out of make-shift structures (such as shipping containers and other informal structures).

To be eligible for resettlement, the primary requirement for eligibility is that PAPs are enumerated at their place of work or residence located within the IDEAS Project or sub-project area during the RAP census. Where PAPs are not, for one reason or the other, enumerated during the census, or in cases of disputed eligibility, PAPs will be expected to provide proof of their presence in the project area during the census period in order to be eligible for compensation. Proof can include registered land titles, certificates of occupancy, proof of customary ownership, tenancy agreements, rent receipts or development permits. Where PAPs have none of the above, testimony from neighbors, employers, Village Heads will be allowed.
5.2 Cut-off Date

For each investment the cut-off date for eligibility will be set as the date when the PCU completes the census of people occupying the land to be acquired and the inventory of their assets (land, built structures, and other infrastructure such as wells and fences) and the affected groups have been duly informed of their dues. The same information should be made public in a meeting attended by the persons affected by the proposed sub project. The cut-off date must be chosen in close collaboration with community leaders, PAPs and representatives of PAPs social groups and shall be announced / made public through appropriate means of reach-out in the local area and/or via radio advertisement and fliers during the community awareness campaigns. The cut-off date will also be displayed at the offices of the State Governors, State Ministry of Education, and the Local Government Councils.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

5.3 Categorisation of Persons Likely to be affected

To facilitate the process of determining compensations, PAPs will be categorized according to their level and manner of losses. Thus, potential persons likely to be displaced (economically or physically) will be categorized into the following groups:

a. Project affected persons (PAPs) are individuals whose assets may be lost and/or affected, including land, property, other assets, livelihoods, and/or access to natural and/or economic resources because of activities of this Project.

b. Project affected households are groups of PAPs in one household and where one or more of its members are directly affected by the Project. These include members of the household, dependent relatives and tenants.

c. Vulnerable groups who could be members of affected households. They include vulnerable members, such as those who are too old or too ill; children; those stricken with HIV/AIDS; women; unemployed youth, and orphans; households headed by women that depend on sons, brothers, and others needing support and are especially vulnerable. The vulnerable groups will be eligible for additional assistance. This category runs the risk of seeing their vulnerability increase because of the resettlement unless supplementary assistance is provided.

d. Affected local communities – A community will be affected if project activities affect its socio-economic and/or social-cultural relationships or cohesion. For example, project activities could lead to loss of welfare or cultural cohesion etc.
Table 5.1: Entitlement Matrix

<table>
<thead>
<tr>
<th>Category of PAP</th>
<th>Type of loss</th>
<th>Compensation for loss of structures</th>
<th>Compensation for loss of land and other assets</th>
<th>Compensation for Loss of Income</th>
<th>Moving Allowance</th>
<th>Other Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Tenants / Business Users</td>
<td>Loss of structure or business</td>
<td>Compensation at Full replacement value not depreciated taking into account market prices for structures and materials N/A</td>
<td>Lump sum payment of 6 months’ rent per tenant / business user</td>
<td>For lost rental income, lump sum cash payment of 3 months’ rent Per tenant.</td>
<td>Free moving if notification before deadline</td>
<td>Disturbance allowance to be determined by PMU</td>
</tr>
<tr>
<td></td>
<td>Loss of rental accommodation</td>
<td>Where possible assistance in securing other access to land for Crops growing subject to approval of local authorities/communities</td>
<td>Crops at market Rates, For street vendors on right of ways possible access to other sites/location where they can legally work.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Loss of business premise</td>
<td>Compensation at full replacement value for structure, relocation to resettlement site</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Encroachers using land for farming etc</td>
<td>Loss of land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Squatters living on site</td>
<td>Loss of shelter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Socio-economic studies to be undertaken in the preparation of the RAP will clearly define for each project component the specific category of people likely to be affected. During these studies special attention will be paid to these groups by identifying their needs so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the project activities, (ii) that their resettlement and compensation is designed to improve their pre-project livelihood (iii) special attention is paid to monitor them to ensure that their pre-project livelihood is indeed improved upon (iv) they are given technical and financial assistance if they wish to make use of the grievance mechanisms of the project and (v) decisions concerning them are made in the shortest possible time.

5.4 Assistance to Vulnerable Persons

Vulnerable groups are usually disadvantaged in processes involving land transactions especially when a lot of paperwork is involved. As a result, this resettlement process will extend recognition and support to
all vulnerable groups including orphans, female-headed households, small scale female farmers, elderly persons, people living with disabilities and people living with HIV/AIDS. Compensation for permanently lost parcels of land will be derived from the open market value of similar land in the immediate locality and base on prices previously paid, but which are adjusted to allow for changes and other circumstances affecting the land. Thus, in this case, additional information will be sought from land brokers and/or field surveys involving the collection of the values of plots of land from the general area of the affected sites and comparing them with current physical characteristics of the land to be acquired.
CHAPTER 6: VALUATION OF ASSETS AND COMPENSATION

6.1 Compensation for loss of revenue derived from both Formal and Informal Activities

This category covers the following:

(iv) Loss of Income from Rent and Expenditure Incurred for Alternative Accommodation during reinstatement period;

(v) Loss of Business Income and Loss of Business Goodwill;

(vi) Loss of Wages, Loss of Fees from Apprentice, Loss of Job Training.

For category (i) the comparative method is used based on the average monthly net profit. For category (ii) the method used is the comparative sales method and compensation is based on the comparable rent past and rent advance paid. Finally, for category (iii) the comparative method is used and compensation is based on going fees and wages.

A description of the proposed types and levels of compensation under local law, and such supplementary measures as are necessary to achieve replacement cost for lost assets, will be in each RAP.

Once individual sub-project impacts are identified, and valuation of individual structures is completed, detailed compensation rates for different structures will be included in the resettlement plan, and the plan will be submitted to the World Bank or its designated representative for review and no-objection.

Table 6.1: Matrix of compensation packages by type of asset lost and ownership right

<table>
<thead>
<tr>
<th>Compensation Category</th>
<th>Types</th>
<th>Compensation Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation for houses/infrastructure irrespective of legality of occupation rights of structure</td>
<td>All immovable structures and physical assets including buildings, concrete floors, perimeter walls, wells, outbuildings, etc.</td>
<td>Replacement value equivalent to the cost of constructing a new structure of similar construction standard and size at prevailing prices without depreciation. Costs for replacement of walls and fences will be calculated by unit length, whilst costs for wells will take account their depth and lining. PAPs will be allowed to remove salvageable construction materials and this will not affect compensation. Transportation costs will be based on truck hire costs commensurate with volume of salvageable materials and possessions.</td>
</tr>
<tr>
<td>Temporary structures including kiosks, shacks, converted shipping containers</td>
<td>Full costs of removal and transfer to a location selected by the owner</td>
<td></td>
</tr>
<tr>
<td>For tenants only: compensation</td>
<td>Replacement value</td>
<td></td>
</tr>
<tr>
<td>Temporary loss of revenues during construction</td>
<td>for cost of any improvements made</td>
<td>Include residential tenants, business operators (whether owners or renters of their premises) and squatters</td>
</tr>
</tbody>
</table>

### 6.2 Valuation Procedures

#### 6.2.1 Identification and Categorization of Loss and Impact

Project Affected Persons will be identified by the types of losses they suffer or the impact of the project on them. Project personnel will:

I. Ensure that identification and categorization of the likely loss or impact is undertaken during the planning and design stages of each sub-project;

II. Establish the magnitude and coverage of impacts early in the project planning in order to justify the resettlement instrument to adopt. General categorization of losses will be done to reflect extent of loss in terms of the following:
   - Permanent or Temporary Loss;
   - Full or Partial Loss;
   - Minimal or Significant Loss.

III Determine specific losses or impacts to reflect the exact nature of loss whether visible and tangible or intangible and categorize into the following losses:
   - Physical loss of assets which will be determined by assessing the interest or right to ownership, occupation and possession;
   - Loss of income, loss of livelihood and opportunities to employment;
   - Impacts arising from disturbance/disruptions.

Categories of losses will be as indicated in Tables 6.2 and 6.3, while categories of impacts arising from disturbance/disruptions will be as indicated in Table 6.4 below:

#### Table 6.2: Physical Loss of Assets

<table>
<thead>
<tr>
<th>Category</th>
<th>Type of Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>– Loss of land for residential, commercial or industrial use</td>
</tr>
<tr>
<td>Structures</td>
<td>– Main Buildings</td>
</tr>
<tr>
<td></td>
<td>– Ancillary Buildings</td>
</tr>
<tr>
<td></td>
<td>– Fence Walls</td>
</tr>
<tr>
<td></td>
<td>– Shops, kiosks etc</td>
</tr>
</tbody>
</table>
– Other Civil works – pavements, concrete kerbs, concrete wells or reservoirs

Source: Resettlement Handbook

Table 6.3: Loss of Income and Livelihood

<table>
<thead>
<tr>
<th>Category</th>
<th>Type of Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business</td>
<td>– Loss of Business Income</td>
</tr>
<tr>
<td></td>
<td>– Loss of Business goodwill</td>
</tr>
<tr>
<td></td>
<td>– Loss of rented income</td>
</tr>
<tr>
<td></td>
<td>– Loss of wage income</td>
</tr>
<tr>
<td></td>
<td>– Loss of fees from trainees or apprentices</td>
</tr>
<tr>
<td>Impact on accommodation</td>
<td>– Loss of Business, Residential or Industrial Accommodation or Room</td>
</tr>
<tr>
<td>Opportunity to Livelihood</td>
<td>– Loss of training or apprenticeship</td>
</tr>
</tbody>
</table>

Source: Resettlement Handbook

Table 6.4: Impacts arising from Disturbance/Disruptions

<table>
<thead>
<tr>
<th>Category</th>
<th>Type of Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary structures</td>
<td>– Loss of location and expense for moving structure</td>
</tr>
<tr>
<td>Impact on Access to Utilities</td>
<td>– Disconnection of utility services</td>
</tr>
<tr>
<td>Disturbance</td>
<td>– Movable assets – incurring removal expenses</td>
</tr>
<tr>
<td></td>
<td>– Loss of peaceful enjoyment of property</td>
</tr>
<tr>
<td></td>
<td>– Loss of customers and companions</td>
</tr>
</tbody>
</table>

Source: Resettlement Handbook

6.3 Method of Valuation

This involves the methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under law and such supplementary measures as are necessary to achieve replacement cost for the assets. Valuation of assets affected by the IDEAS projects will be conducted by a qualified surveyor.

In Nigeria, the Land Use Act establishes the general principle for the calculation of the value of assets to be taken when occupancy rights are revoked. Compensation is paid for future rents paid, crops, and buildings and installations. The appropriate officials refund rents already paid for use after revocation of, the occupancy certificate. For structural improvements on the land, the amount of the replacement cost of the building” installation or improvement that is to say, such cost as may be assessed on the basis of the
prescribed method of assessment as determined by the appropriate officer less any depreciation" together with interest at the bank rate for delayed payment of compensation. (Section 29 4(b)).

These principles are complemented by implementation regulations that provide detailed compensation rates determined by the State Government. Such rates are adjusted periodically by the State to reflect changing construction costs.

A general principle that will be adopted in the formulation of the compensation valuation is that lost income and assets will be valued at their full replacement cost such that the project affected populations will experience no net loss. This is in accordance with the FMOE Resettlement principles and WB Environmental and Social Standards on involuntary resettlement, OP. 4.12. In line with the above principle, FMOE will conduct an all-encompassing survey and valuation of the assets and loss of income by the Project Affected Persons (PAPs).

6.4 Basis of Valuation

To ensure that during the project implementation any person displaced by land acquisition will be provided full replacement cost of lost structures and are able to rebuild or replace their structures without difficulties. The valuation will estimate building/structure compensation rates based on full replacement cost without depreciation. Key points which the valuation will take care of are as follows:

III. Collection of all relevant primary and secondary data on the affected property during final detailed valuation inspection and referencing to serve as basis for assessment of loss;

IV. A comprehensive primary database for monitoring, evaluation and audit

Some relevant data to be captured by the Valuers will be:

1. Land
   - Capture location details of the land
   - Identify the boundaries of the area/section of the land to be affected
   - Take detailed measurement of the land area to be affected along the affected boundaries.

2. Buildings (Immovable Structures)
   - Photograph all affected immovable properties – Detailed internal measurement of buildings, shops and structures will be done.
   - Collate property details which will include noting accommodation details, constructional details of affected parts and external works (fence walls, gates, pavements) affected owner’s details etc

3. Temporary Structures (Movable Properties)
   Collate data on temporary structures by categorizing temporary structures based on constructional details (wall materials, affixed to concrete slabs or not), size of structure and use of structure (business/residential) and type of business.
4. **Intangible Assets (loss/impact arising from disturbance)**

Obtain relevant data on households affected (tenants, owners, relatives), apprentices/trainees and determine intangible loss on households, business and livelihoods.

The basis of valuation would comply with the stated legal provisions and this necessitates that the basis of valuation must assess the “Open Market Capital Value”. The methods for valuation for the various losses are presented in Table 6.5

**Table 6.5: Method of Valuation**

<table>
<thead>
<tr>
<th>Type of Loss</th>
<th>Method of Valuation</th>
<th>Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of Land</td>
<td>Comparative Sales Method</td>
<td>Based on the open market value of comparable recent land transactions</td>
</tr>
<tr>
<td>Loss of Buildings, structures and other civil works</td>
<td>Replacement Cost Method or Comparative sales Method (Which ever gives a commensurate value)</td>
<td>Full replacement cost value as if new – recent construction cost rates</td>
</tr>
<tr>
<td>Loss of Business Income and Loss of Business Goodwill</td>
<td>Comparative Method</td>
<td>Based on the average monthly net profit</td>
</tr>
<tr>
<td>Loss of Income from Rent and Expenditure Incurred for Alternative Accommodation during reinstatement period</td>
<td>Comparative Sales Method</td>
<td>Based on the comparable rent passing, rent advance paid</td>
</tr>
<tr>
<td>Expenditure incurred for Transfer of movable properties and temporary structures</td>
<td>Comparative Method</td>
<td>Based on truck/transport hiring charges</td>
</tr>
<tr>
<td>– Loss of Wages</td>
<td>Comparative Method</td>
<td>Based on Current Fees and Wages</td>
</tr>
<tr>
<td>– Loss of Fees from Apprentice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Loss of Job Training</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6.5 Mechanism for Voluntary Donation of Land (VLD): Procedure and Records

Experience from other projects suggest that Voluntary Land Donation\(^2\) (VLD) is open to abuse and coercion, as such, it would not be encouraged on this project except in instances where the donation meets the requirements set out in the VLD guidelines below.

VLD carried out by local communities do not trigger the Bank’s policy on Involuntary Resettlement, however, they may be based upon administrative or social coercion and may lead to unanticipated social impacts, particularly when they are not properly documented, or when they involve vulnerable or disadvantaged community groups.

Consequently, VLD should only be authorized on this project if it can (a) clearly document Informed Consent; (b) clearly document Power of Choice; and (c) meet the VLD principle set out in this RPF. The principles have been put into place to ensure that donations are indeed voluntary, that the donor is the legitimate owner of such lands, and that the donor is fully informed of the purpose of the donation and of the implications of donating the property.

If the land is donated on a conditional basis, the terms and conditions for the temporary use of the property must be clearly documented. Each instance of VLD in a sub-project must be documented. This requires written notification indicating the location and amount of land that is donated and its intended use and a formal statement of donation, establishing informed consent and signed by each owner or user involved. Taxes to be paid by the land donor for registration of the land transfer, if applicable, should be covered in full by the project proponent.

The project proponent will in all instance of VLD compile a report of the of the process as well as associated records and documents and forward a copy to the World Bank prior to commencement of civil works.

**Voluntary Land Donation principles**

1. The infrastructure must not be site specific;
2. The impacts must be minor, that is, involve no more than 10 percent of the area of any holding and require no physical relocation;

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\(^2\) Voluntary land donation is strictly defined in international practice as the ceding of a property by an owner who is: a) fully informed; and b) can exercise free will, i.e., can refuse to sell or to donate. “Fully informed” means that the owner has complete information regarding the proposed activity and its impacts, its land requirements and its alternate activity sites, as well as his or her rights to compensation. The owner has also been provided with sufficient time to consider his or her disposition of the property, and the owner has knowingly rejected the right to renege on his or her initial decision. “Free will” means that the owner can reject the possibility of giving up his or her land
3. The land required to meet technical project criteria must be identified by the affected community, not by line agencies or project authorities (nonetheless, technical authorities can help ensure that the land is appropriate for project purposes and that the project will produce no health or environmental safety hazards);

4. Verification (for example, notarized or witnessed statements) of the voluntary nature of land donations must be obtained from each person donating land;

5. If any loss of income or physical displacement is envisaged, verification of voluntary acceptance of community-devised mitigatory measures must be obtained from those expected to be adversely affected;

6. Any portion of donated land that is not used for its agreed purpose is returned to the donor;

7. Impacts of proposed activities on donated land must be fully explained to the donor;

8. The potential donor is aware that refusal is an option, and that right of refusal is specified in the donation document the donor will sign;

9. The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of the developer, the public or traditional authorities;

10. The land in question must be free of squatters, encroachers, or other claims or encumbrances;

11. Land to be donated is free from any dispute on ownership, squatters, encroachers; and

12. Grievance mechanisms must be available.

6.6 Procedures for Delivery of Entitlements

The procedure for delivery of entitlements will be detailed in each RAP. FMO will follow approved procedures ensuring that:

I. Full payment of compensation is carried out before possession of acquired sites;

II. Land/Asset Valuation Committee communicates the amount to be paid to the acquiring agency and the Lands Bureau will ensure that the amounts are fair and adequate.

III. The IDEAS Project formally makes an offer to affected persons and allow persons to accept or reject offer, offer a counter claim and seek redress under the grievance procedures established;

IV. Payments are made to the affected person personally by the FMOE / SMOE in the presence of Land/Asset Valuation Committee and an independent witness of the affected person/opinion leader. It is advisable that in the case of Households, the identified Breadwinner should receive the compensation. This will ensure that Women, who are the Breadwinners in majority of Households due to their vocation as Traders, are not marginalized and / or discriminated against based on their gender.
V. Cheques shall be the preferred and first mode of payment; however, payment may be by banker’s
draft where the amounts involved are “minimal”. The acquiring agency shall decide with nearest
bank to effect payments by banker’s draft;

VI. Proper receipts are issued and copies given to the affected person, the Accounts Department of
the IDEAS Project Office and the Land/Asset Valuation committee

VII. Comprehensive Reports on payment made are submitted for review by Management of the
IDEAS Project and the Land/Asset Valuation committee.

VIII. In-kind compensation will be provided in the form of materials required to re-erect affected
structures at no less than the existing standard of the asset being displaced by the project. Such in-
kind compensation will be made prior to the destruction of the pre-project assets, such that no
loss of shelter and/or income-generating activities occurs as result of the project.

6.7  Relationship with the World Bank’s Gender Strategy

The World Bank’s new Gender Strategy with its emphasis on gender equality and poverty reduction will
help to inform the project’s gender analysis to increase the potential benefits of a strong education sector
equally accessible to all, irrespective of gender. Based on the Bank's Gender Strategy, this RPF ensures
gender equity in entitlements and project benefits throughout the resettlement process. The Resettlement
Action Plans must incorporate measures to ensure that women and men receive equitable compensation
for assets and share equitably in the related livelihood support programs.

6.8  Sources of Fund

Any compensation for resettlement or loss of assets from the IDEA project will be funded by the State
Government of the participating states and will comply with the financial arrangements agreed upon at
project appraisal. Responsibility for establishing and maintaining acceptable FM arrangements for the
project will be handled by the Federal Ministry of Education to be incorporated into the Memorandum of
Understanding to be signed with the participating Pilot States.
CHAPTER 7: SUPPORT TO VULNERABILITY AND GENDER CONSIDERATION

7.0 Introduction

Development projects that change patterns of use of land, water, and other natural resources cause a range of resettlement effects. Resettlement losses arise due to land acquisition, through expropriation, and use of “eminent domain” or other regulatory measures to obtain land and assets. This may result in loss of livelihoods and resources and breakdown of community networks and social services. Loss of resources for subsistence and income may lead to hardship, social tensions, and impoverishment. The affected persons have no option but to rebuild their lives, incomes, and asset base.

This process of economic and social dislocation could, and often does, exacerbate existing gender disparities and inequalities. In many societies, women do not enjoy land and property rights, have lower levels of education than do men, work in the informal sector, experience restricted mobility, and carry responsibilities for meeting basic needs such as water, fuel, and fodder. Hence, economic and social disruption may result in greater hardships for women than for men. In all situations of change, affected persons - individually and as a community - are differentially impacted. Gender is an important factor in determining differential impact.

Typically, the focus of resettlement planning is at the household level. Failure to understand intra-household dynamics is more likely to adversely affect women than men. At the policy and institutional level, inherent societal biases may preclude women from benefiting from opportunities provided through the project.

Gender issues in resettlement cannot be adequately addressed unless rights and equity concerns are identified, confronted, and tackled.

7.1 Gender Issues in Resettlement

- **Lack of landownership and property rights denies women equal access to compensation.**

In most projects, compensation, resettlement, and rehabilitation are based on legal ownership of land and property. In many societies, women may not have legal rights to land and property, even though they may have enjoyed usufructuary rights or been dependent on them. Hence, they are not eligible for compensation and other benefits that may be available.

- **Restoration of livelihood and income is equally important to women and men.**

Women are largely engaged in the informal sector—gathering forest produce, working in the fields, or selling produce. Women’s economic activities can be an important source of income for households. Dislocation can result in loss of livelihood, adding to women’s economic hardships. Therefore, it is important to enumerate women’s economic activities in planning and executing resettlement programs. Low levels of training and education among women limit the choice of alternatives. Rehabilitation
packages may include compensation opportunities for alternative occupations. Choices for exploring alternatives and livelihood options for women are limited because of their low levels of skills, education, and exposure. Planning for occupational and livelihood options for women is crucial.

- **Existing intra-household gender disparities may become aggravated.**
  Gender disparities that already exist in society and within the family tend to become aggravated in situations of involuntary displacement, rendering women and children, especially female children, vulnerable. This may manifest itself in greater morbidity or violence or fall in nutritional status. Equity in intra-household distribution of resources should not be assumed.

- **Involuntary dislocation could increase the burden on women.**
  Generally, women are responsible for food, fuel, and fodder in the family. Often, fuel and fodder can become scarce because of negative environmental effects on natural resources like forest, water, and land. This can have direct impact on women, because they are responsible for gathering fuel and fodder. Unless this impact is addressed in resettlement planning and execution, it could result in women spending more time and resources accessing these basic needs. Also, loss of grazing areas could result in sale of livestock.

- **Restricted mobility and limited exposure affect women’s ability to adjust.**
  Being less mobile than men, women’s universe is more restricted. Hence, they have limited ability to cope with and adjust to new situations and environments.

- **Social impact of dislocation tends to affect women more than men.**
  Breakdown of community and other social networks as a direct result of dislocation can affect women more than men because women rely and depend on community and other social networks for emotional and practical support, such as taking care of children. Dislocation can be traumatic if these networks break down.

- **Increase of social evils and violence against women could increase because of displacement.**
  Alcoholism, prostitution, and gambling resulting from displacement affect the lives and status of women. Women are sometimes forced to face new forms of violence, such as sexual abuse and prostitution. Gender disparities embedded in social practice and tradition render women vulnerable to sexual and physical violence.

### 7.2 Ensuring Participation of Women and Vulnerable Group

- Ensure representation and presence of women from different socio-economic groups in all meetings.
- Ensure that meetings/consultations are organized at a time when women find it convenient to attend, so that maximum participation can be ensured.
▪ Take care to ensure that the venue for meetings is based on discussions with the women so they can feel free and uninhibited in their discussions.
▪ Consider female facilitators or work through women’s groups or networks - formal or informal.
▪ Involve women in the indemnification of affected persons.
▪ Consider separate meetings for women.
▪ Ensure women’s involvement in preparation and review of resettlement plans.
▪ It is important that women’s associations are vested with authority, both within their communities and within wider regional and state processes. This will pre-empt situations where women are mere tokens in decision-making processes.
▪ Ensure women’s involvement and participation in implementation and monitoring.
▪ Ensure documentation of the participatory exercise.
CHAPTER 8: LINKING RESETTLEMENT IMPLEMENTATION TO CIVIL WORKS AND RPF IMPLEMENTATION SCHEDULE

8.0 Introduction

During implementation of IDEAS Project and sub-projects, PAPs will need to be compensated, in accordance with this RPF and subsequent RAPs, before commencement of civil works. When approving recommendations for resettlement by the PIU during screening, PAPs must confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works, in compliance with this policy. Proper timing and coordination of the civil works shall ensure that no affected persons will be displaced (economically or physically) due to civil works activity, before compensation is paid and before any project activity can begin.
CHAPTER 9: STAKEHOLDER ENGAGEMENT, CONSULTATION AND DISCLOSURE PROCEDURE

9.0 Introduction

Public consultation and participation are essential because they afford potential displaced persons the opportunity to contribute to both the design and implementation of the activities and reduce possibility of conflict between FMOE / SMOE IDEAS Project contractors and the communities.

WB’s OP 4.12 recognizes the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project’s environmental and social risks. Stakeholder engagement is most effective when initiated at an early stage of the project development process, and is an integral part of early project decisions and the assessment, management and monitoring of the project’s environmental and social risks and impacts.

The WB is specific as to who a Stakeholder is. For this RPF, “stakeholder” refers to individuals or groups who:

(a) are affected or likely to be affected by the project (project-affected parties); and

(b) may have an interest in the project (other interested parties).

Public consultation will take place at the inception of the planning stages of the Resettlement Action Plan. The participation strategy would evolve around the provision the opportunity for involvement. This process would not be an isolated one because of the nature of the project, which through its implementation and design ensures consultation, public participation and involvement at the local level. Therefore, as a matter of fact, public consultation is an on-going activity taking place in all projects under the IDEAS Project, Project Affected Persons will be consulted and involved in all resettlement activities: planning, implementation and monitoring. Their involvement provides them with greater understanding of the project, the resettlement issues and gives them opportunities to voice out their concern about the project, and they may offer alternatives and compromises that tend to promote implementation.

Mechanism for community entry, consultation and participation of PAPs will be addressed in the RAPs for the sub-projects and will be defined by cultural prescriptions which will be carefully studied and adhered to in each affected community. The mechanisms will include public meetings, participation in
site preparation, resettlement committees for PAPs and communities and inter-agency committees for participating stakeholders.

**Public meetings**: meetings with Community Leaders, Trade Union Leaders, Representatives of Market Men and Women, and PAPS as individuals (as during the survey) and in their groups.

FMOE / SMOE IDEAS Project Office shall develop a Stakeholder’s Management Plan which was used during the IDEAS projects. The Media and Communication, and Safeguards Units of FMOE / SMOE IDEAS Project Office will oversee ensuring this plan is implemented.

There will be Community Forums attended by local leaders (Baales/Chiefs), Market Leaders, Community Leaders. Another tool to be used by the FMOE / SMOE IDEAS Project Office to keep in constant close touch with stakeholders and to disseminate information is their website. The FMOE / SMOE IDEAS Project Office shall use social media platforms such as Instagram, WhatsApp, telephone texts, Facebook tool to interface the public and engage with its Stakeholders.

At the meeting with the Project Affected Persons, the resettlement team will explain the various options of resettlement so that they can choose what they want; for instance, cash compensations, alternative land or building, or group resettlement.

Group resettlement ensures that social networks and community institutions are not disintegrated and is appropriate for projects affecting whole settlements or sites. Usually, transport projects such as highways, railways, canals etc often involve linear resettlement throughout the project. For example, public consultation would also occur during the preparation of RAP as the FMOE / SMOE IDEAS Project works components.

Consultations with the communities are a key component of any resettlement exercise as they give an opportunity to the community, particularly the PAPs, to participate in the project. It is important for the consultation process to be documented.

9.1 **Consultation at the Preparatory Processes**

The documents on the resettlement process will be extensively discussed at the preparatory stage for the views of the stakeholders and once the documents are finalized they will be made available to the public to ensure as wide publicity as possible.

9.2 **Consultations on the Resettlement Policy Framework**

As provided under World Bank policy OP. 4.12 information and consultation on the IDEAS Project Resettlement Policy Framework shall be organized as follows:

(i) Organize Resettlement Policy Framework validation workshop for all relevant stakeholders for comments
(ii) Share with the World Bank for comments

(iii) Incorporation of stakeholders and World Bank comments

(iv) Discuss and sensitize local communities on the content of the RPF to facilitate their active participation in its implementation.

9.3 Consultation on the Resettlement Action Plan (RAP)

Consultation with the public on the entire process of resettlement is essential as it offers the affected persons an opportunity to participate and contribute to both design and implementation of the project activities.

Public participatory consultation will be done through stakeholders’ meetings and workshop at suitable locations such as the Assembly Hall of the Technical College, and the official residence or offices of the local leaders. The information will be made to each household on entitlement eligibility criteria, modes of compensation complaints and grievances resolution procedures.

PAPs will also be briefed on the compensation/resettlement process and each affected person will be given the opportunity to air their views.

a) Involvement in site preparation: Participation will also be fostered through use of local know-how and materials; the contractor will be encouraged to use local people to supply materials and goods needed for the sub-project implementation.

b) Group formation: using existing groups or assisting PAPs to form groups provides institutional framework for participatory resettlement.

c) Involvement in resettlement committees and monitoring teams: participation in committees would be one of the key mechanisms for involvement of PAPs in the planning, implementation and monitoring of the RAPs.

9.4 Disclosure

The Federal Ministry of Education will disclose this Resettlement Policy Framework by making copies available at its Head Office, participating State’s Ministry of Education, relevant Local Government Council, the State Ministry of Environment and other stakeholders of the State Education Sector. The participating State Government through the State Ministry of Education will also submit it to the Federal Ministry of Environment who will formally announce through Newspaper Advertisement, the Public Disclosure in the above-mentioned locations and also in its Offices in Abuja and the participating States.

Likewise, all RAPs to be prepared under the IDEAS Project, when completed, will be disclosed by the Federal Ministry of Education in conjunction with the participating States Ministries of Education, which will make copies available at its office, relevant Local Government Councils, the State Ministry of Environment and other stakeholders of the State Education Sector. Each participating State Government
and its State Ministry of Education will also notify the Federal Ministry of Environment of the Public Disclosure to enable it formally to inform the general public through Advertisements in 2 National Newspapers popular in the locality as required by extant regulations.

Further to this, the RAPs will be disclosed in the affected Technical Colleges, conducting meetings to discuss the plan. The meetings will be conducted at the places where the resettlement will take place. Also, the Executive Summary of the RPF and of any RAP prepared under the IDEAS Project / sub-projects will be made available in the local languages and disclosed in locations accessible to all the stakeholders to give it as wide publicity as is possible.
CHAPTER 10: INSTITUTIONAL RESPONSIBILITIES FOR THE IMPLEMENTATION OF RPF

To ensure the success of the resettlement plan requires an appropriate institutional framework both at agency and field levels. It is therefore important to identify as early as possible in project preparation the appropriate agencies to be mandated to carry out the various activities set out in the RPF.

10.1 The Project Coordinating Unit (PCU)

The most important agency to be involved in the implementation of the whole resettlement planning and implementation process will be the PCU. It will be responsible for the oversight of implementation of the RPF and provide an enabling environment for the same. The Ministry Education (the FMOE / SMOE) shall have oversight role and overall responsibility.

The tasks and responsibilities of the PCU shall include:

- Designation of an environmental and social focal point within the PCU to be responsible for all the social aspects of the Project including the implementation of the RPF and the project grievance mechanism/resettlement;
- Ensuring that the concept of minimal relocation and resettlement is taken into account in developing sub-projects;
- Systematic screening of all subprojects to determine whether further environmental and/or social assessment is needed;
- Ensure that bidding documents contain environmental and social clauses and that contractors fully implement those clauses;
- Ensure that compliance monitoring with Bank safeguard policies and national environmental laws and regulations is periodically carried out.
- Ensure that compulsory acquisition process is initiated where it is required (preparation of plans, preparation of the necessary legal instruments for acquisition)
- Supervise the implementation of monitoring and evaluation program.

10.2 Office of the State Education Directorate

The State Directorate form an important link between the Ministry and the local communities and are responsible for implementing on the ground the policies and programs of the Ministry. They work with the community elders in the identification of building sites for the schools. The Directorate also houses the Construction Monitors who regularly monitor work at the construction sites.
In the implementation of the RPF the Office of the State Directorate shall have the following responsibilities:

- Identification of subproject sites in consultation with the local community;
- Conduct the screening of all infrastructural investments to determine whether resettlement is involved. The screening results, as mentioned above, should be sent to the PCU;
- Conduct regular compliance monitoring of the implementation of the mitigation measures designed to reduce or minimize the negative social and economic impacts generated by project activities;
- Work with the local community particularly the elders to prevent disputes and when they occur use the traditional mechanisms to resolve them.

10.3 Federal Ministry of Environment

The FMEnv will have a monitoring supervisory role and shall be responsible for confirming the results of the screening process, reviewing and clearing subproject-specific safeguard instruments and conducting compliance monitoring, with national laws and regulations, as well as World Bank safeguards policies and procedures. In addition, the Agency shall:

- Conduct bi-annual nationwide supervisory visits to IDEAS Project sites and provide technical advice and support in project implementation;
- At regional level conduct quarterly visits to project sites and provide support to the Regional Directorate in the screening and categorisation of infrastructural investments;
- Participate in the training and sensitization of beneficiaries to enhance understanding of the national laws on social safeguards and World Bank Safeguard instruments, particularly OP 4.12.

10.4 Capacity Building

In the implementation of RPF it will be necessary for various institutional actors and other implementing of the RPF and the resettlement plans to have training sessions on the World Bank Safeguard instruments particularly OP 4.12 and on the tools, procedures and content of resettlement programs (RPF, RAP, etc) in order to enhance their capacities. This will require the organization of training workshops which could be attended by representatives of various institutions involved in the implementation of RPFs or RAPs at the central as well as at the decentralized levels. Such training shall be conducted in the in the framework of the overall capacity building programme for the implementation of the ESMF. Table 10.1 below shows a typical training program on Capacity building.
Table 10.1: Typical training program on Capacity building for the IDEAS project

<table>
<thead>
<tr>
<th>Programme / Description</th>
<th>Participants</th>
<th>Form of Training</th>
<th>Duration</th>
<th>When</th>
<th>Training Conducting Agency</th>
<th>Training Costs USD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholder Consultation for Resettlement Management</td>
<td>IDEAS PROJECT OFFICE, Ministry of Environment, Project Affiliated MDAs</td>
<td>Workshop</td>
<td>2 Working days</td>
<td>During project preparatory stage</td>
<td>To be discussed with WB</td>
<td>15,000</td>
</tr>
<tr>
<td>Grievance Redress Mechanism</td>
<td>IDEAS PROJECT OFFICE, Ministry of Women Affairs and Poverty reduction, Project affiliated MDAs RICs and PAPs</td>
<td>Workshop</td>
<td>2 Working days</td>
<td>During project preparatory stage</td>
<td>To be discussed with WB</td>
<td>15,000</td>
</tr>
<tr>
<td>Resettlement and Rehabilitation Management for Policy Makers.</td>
<td>IDEAS PROJECT OFFICE, Ministry of Environment, project affiliated MDAs</td>
<td>Workshop</td>
<td>3 Working days</td>
<td>During project preparatory stage</td>
<td>Qualified Consultant</td>
<td>20,000</td>
</tr>
<tr>
<td>Resettlement and Rehabilitation Implementation Management for Practitioners.</td>
<td>IDEAS PROJECT OFFICE, Ministry of Environment, project affiliated MDAs</td>
<td>Workshop</td>
<td>15 Working days</td>
<td>During project preparatory stage</td>
<td>Qualified Consultant</td>
<td>50,000</td>
</tr>
<tr>
<td>GBV / SEA and Gender Issues in Resettlement Management</td>
<td>IDEAS PROJECT OFFICE, Ministry of Environment, project affiliated MDAs, PAPs</td>
<td>Training of Trainers</td>
<td>5 Working days</td>
<td>During project preparatory stage</td>
<td>Qualified Consultant</td>
<td>75,000</td>
</tr>
</tbody>
</table>

**TOTAL** 175,000
CHAPTER 11: THE MECHANISMS FOR PREVENTION AND RESOLUTION OF CONFLICTS

11.1 Types of Complaints and Conflicts to Resolve

Where compulsory acquisition is to take place and a resettlement and compensation programme has to be implemented the potential sources of conflicts include the following:

(i) Inventory mistakes made during census survey as well as inadequate valuation of properties.

(ii) Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development.

(iii) Disagreements on plot/asset valuation.

(iv) Disputed ownership of a given asset (two or more affected individual(s) claim on the same).

(v) Where affected individual(s) opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them).

11.2 Mechanisms for Conflict Prevention and Dispute Resolution

The above-mentioned grievances, when they occur, can be resolved using traditional and administrative mechanisms or the law courts at national, regional and community levels.

Grievances and conflicts need to be addressed immediately at the community level. The PCU is to be notified of any disputes in the project area. The staff of the State Directorate should work closely with the communities particularly the community leaders to clarify and resolve any misunderstanding that could give rise to conflicts.

Where the dispute cannot be resolved at the community level, the PCU should bring the matter to the attention of the Permanent Secretary of the Ministry who shall immediately conduct consultations with the Office of the State Governor and the Ministry for Local Government & Lands to find an agreement acceptable to the aggrieved. A sample of a complaint reporting form is provided in Annex 4. The completed form should be submitted to the Construction Monitor for onward transmission to the PCU. A case file should be opened for each complaint which should record how the matter was resolved or otherwise.

Where these traditional and administrative procedures fail to resolve the dispute, the aggrieved party has the right to take the matter to the courts with the possibility of reaching the Supreme Court which constitutes the last resort for solving these disputes. The 1999 Constitution, the Land Use Act 1976 all allow for the right of access to the Supreme Court by any person holding or claiming any estate or interest in the land.
11.3 Grievance Redress Mechanism

The IDEAS Project Office will undertake a consultative process for the project that will provide ample opportunity to redress complaints informally, in addition to the existing, administrative and legal procedures.

The Land Use Act provides two formal mechanisms for grievance redress, one administrative and one legal. In the first instance, a displaced person with an occupancy certificate can lodge a complaint over valuation with the Department of Land Services. The interested party may even engage an independent Valuer to appraise his or her property, and provide the independent valuation as part of the dossier submitted for administrative departmental review. If the individual remains dissatisfied with the administrative review, he or she has legal recourse to the Courts as a last option for resolution of the matter.

The FMOE recognizes that formal legal mechanisms for grievance redress tend to be lengthy and acrimonious procedures, and will establish an informal grievance redress mechanism through its Safeguard Unit. The social section of the Safeguard Unit will be charged with coordinating with NGOs, local government and community groups, as well as with informal committees of market vendors and transporters, to determine the design and the implementation time-table of sub-projects. Such local coordination and consultation serves various purposes.

In the first instance, it helps inform the community of possible improvements in the transport network in their local area. These consultations also provide a forum to ascertain general opinions about the initiatives and to solicit both local concerns and their suggestions for alternative solutions, including how to avoid or reduce to a minimum all displacement. In the instance of vendors and transporters, such consultations help enlist their collaboration and cooperation, and contribute importantly to subproject planning and implementation.

In addition, where displacement is unavoidable and displaced people are dissatisfied with the compensation and rehabilitation, the FMOE / SMOE will establish an informal forum for the presentation and consideration of individual complaints. The informal forum will include local government, the transport agency, and other concerned responsible parties, as deemed appropriate by the FMOE / SMOE. The existence, location, purpose and composition of this forum will be publicized, so that displaced persons are knowledgeable about the availability of this forum for resolving any grievance. If a grievance cannot be resolved in these informal venues, the complainant may take recourse to the administrative and legal systems for satisfaction.
The Social Section of the FMOE / SMOE Safeguard Unit will be charged with coordinating with local government and community groups, as well as with informal committees of market vendors and transporters, to determine the design and the implementation timetable of subprojects. Such local coordination and consultation serves various purposes. In the first instance, it helps inform the community of possible improvements in the transport network in their local area. These consultations also provide a forum to ascertain general opinions about the initiatives and to solicit both local concerns and their suggestions for alternative solutions, including how to avoid or reduce to a minimum all displacement. In the instance of vendors and transporters, such consultations help enlist their collaboration and cooperation, and contribute importantly to subproject planning and implementation.

In addition, where displacement is unavoidable and displaced people are dissatisfied with the compensation and rehabilitation, the FMOE / SMOE will establish an informal forum for the presentation and consideration of individual complaints. The informal forum will include local government, the Education agency, and other concerned responsible parties, as deemed appropriate by the FMOE / SMOE. The existence, location, purpose and composition of this forum will be publicized, so that displaced persons are aware about the availability of this forum for resolving any grievance. If a grievance cannot be resolved in these informal venues, the complainant may take recourse to the administrative and legal systems for satisfaction.

**Table 11.1: Grievance Redress Procedure proposed for the IDEAS Project**

<table>
<thead>
<tr>
<th>Step</th>
<th>Category</th>
<th>Activities</th>
</tr>
</thead>
</table>
| 1    | Reception and registration| • PAP files complaints or grievances about any aspect of the resettlement project verbally, in writing or through a representative in English or local language.  
• The PAP first instance where to complaint is the “ward level”. If the ward cannot resolve the complaint, then the ward will bring it up to the local government. If the grievance can be solved at “local government level”, then it stops at that level. If the grievance is not resolved at the “local government level”, then it is escalated to the state level (SMOE). If still unresolved, then a notification to the State Government (Ministry of Justice / Ministry of Land will be made.  
• Complaint recorded by the FMOE / SMOE with the name of the complainant, address and location information, the nature of the grievance and the resolution desired.  
• Grievance made acknowledged within 48 hours of receipt by an official authorized to receive grievances |
| 2    | Resolution                | • All grievances referred to the appropriate party for resolution  
• Resolution made within 15 days after receipt of grievance. |
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
|   | • If additional information is needed, project management can authorize additional 15 days for resolution.  
|   | • Results of grievances disclosed to the griever in writing with an explanation of the basis of the decision.  
|   | • The resolution of the grievances will be handled by the “Social and Environmental Specialist” with the support of the Local Authorities and the Social Safeguards IDEAS Project.  
|   | • Complainants dissatisfied with the response to their grievance may file an appeal.  
|   | • In such cases, the responsible authority assembles “The IDEAS PMU (Project Coordinator” to hear cases including at least one disinterested party from outside the agency responsible for the resettlement project.  
|   | • There will be no further redress available outside the resettlement project. In such cases, grievances would need to be pursued through the State Mediation Centre / Citizen’s Rights Protection Organisation or the Public Ombudsman / Public Complaints Commission  
|   | During project implementation and for at least 3 months following the conclusion of the project, monthly reports will be prepared by the scheme safeguards officer regarding the number and nature of grievances filed and made available to project management.  

### 11.4 Management of Reported Grievances

The procedure for managing grievances should be as follows:

a. Each person responsible at its own level (community, local government and the FMOE / SMOE) should disseminate their phone number for SMS complaints.

b. The IDEAS Project’s safeguard officer/s will be the direct liaison with PAPs in collaboration with the local government representative to ensure objectivity in the grievance process.

c. Where the affected person is unable to write, the scheme level safeguards officer will write the note on the aggrieved person’s behalf and duly thumb printed by the complainant.

d. Any informal grievances will also be documented

### 11.5 Grievance Log and Response Time

The process of grievance redress will start with registration of the grievance/s to be addressed, for reference purposes and to enable progress updates of the cases. Thus, a Grievance Form will be completed with the “Environmental and Social Officer” by the person affected by the project. The Form/Log (Table 10.3) should contain a record of the person responsible for an individual complaint, and records dates for the date the complaint was reported; date the Grievance Log was uploaded onto the project database; date information on proposed corrective action sent to complainant (if appropriate), the
date the complaint was closed out and the date response was sent to complainant. The Project scheme level “Social Safeguard Officer” in recording all grievances will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. In the case of a PAP not being satisfied by the “social and environmental officer” resolution, the PAP can appeal to the PMU (Project Coordinator) that would be the last instance to take decision.

Table 11.2: Format for Grievance Redress proposed for the IDEAS Project

<table>
<thead>
<tr>
<th>Community project &amp; Name of Complainant</th>
<th>Type of Grievance</th>
<th>Grievance Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Affected, but not informed about impacts and options</td>
<td>Compensation awarded is inadequate</td>
</tr>
<tr>
<td>1. Complainant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Complainant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Complainant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER 12: MONITORING AND EVALUATION

Monitoring and evaluation are fundamental components of the Resettlement Policy Framework and they will be carried out on a continuous basis.

12.1 Monitoring

Monitoring will take place during the implementation of the resettlement policy framework and will consist of both internal and external monitoring.

- Internal Monitoring
First the Construction monitors will be required to provide monthly reports on progress on the identification and acquisition of land, progress in the compensation of PAPs and the level of their participation in project activities. These reports will be submitted to the PCU for transmission to the Project Steering Committee and the Federal Ministry of Environment.

Second, the PCU will compile the monthly resettlement reports and make an integrated resettlement report in the annual M&E report to the Project Steering Committee and the World Bank and the FMEnv.

- External Monitoring
External monitoring will be done by the FMEnv and/or a qualified NGOs working in the area. The frequency and scope of this monitoring will be determined in the Memorandum of Understanding to be signed between the PCU and FMEnv.

The monitoring system will:

a) alert PCU and the Project Steering Committee on the necessity for land acquisition in any sub-project proposal;
b) provide timely information about the valuation and negotiation process;
c) report any grievances that require resolution; and
d) document timely completion of the sub-project resettlement obligations for all permanent and temporary loses, as well as unanticipated, additional construction damages.

e) Community Monitoring
f) As part of promoting greater community participation and involvement in the project and also to promote a sense of ownership, the community will be involved in the monitoring of the implementation of the RPF. For this purpose they need to be adequately sensitized land issues and transfer procedures and conditions governing such transfers. This will create a better understanding of the land issues as they relate to the project.
12.2 Evaluation

An evaluation will be done to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed.

The following are the objectives of the evaluation:

(i) General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set in this document;

(ii) Assessment of the compliance of the implementation of the Resettlement Action Plan with laws, regulations and safeguard policies;

(iii) Assessment of the consultation procedures that took place at individual and community level, together with the Central Government and Local Government levels;

(iv) Assessment of fair, adequate and prompt compensation as they have been implemented;

(v) Evaluation of the impact of the compensation on income and standard of living;

(vi) Identification of actions, as part of the on-going monitoring, to improve the positive impact of the program and mitigate its possible negative impact if any.

Preferably the evaluation should take place after all RPF activities have been completed including development initiatives, but before the financial commitments to the program are finished. This will allow the flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

12.3 Indicators for Monitoring and Evaluation

12.3.1 Monitoring Indicators

Indicators are set of targets prepared at project design against which project progress or otherwise can be measured. The monitoring indicators can be summarized as follows:

- number of statutory acquisition notices delivered and those outstanding;
- number of PAPs who have left the area by type by category comprising owners who have lost land or structures as well as tenants and employees who have lost their place of work, and the number remaining;
- number, type, and value of cash and in-kind compensation payments made;
- number and type of grievances redress applications, type of grievance made, and manner of resolution; and
- Issues brought to the notice of the PCU handling the resettlement process by PAPs and the mode of settlement used.

12.3.2 Evaluation Indicators

Similarly, the evaluation indicators are also summarized below:
the number of population that would be affected, number of stakeholder engagement conducted and duration;

- The numbers of PAPs relocated and numbers un-relocated based on initial estimates.
- the number of compensation disbursed by type/ category of PAP, including the ability to comply with the terms of compensation contained in the RAP;
- % or number of grievance received, number resolved and number left unresolved and why?
- % or number of potential adverse impacts identified, number resolved, when
- % or number of PAPs compensated and % or number that have regained their incomes activities

12.4 Completion Audit

An audit will be carried out to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed. This completion audit will verify that all physical inputs earmarked in the RAP have been delivered and all services provided. The audit will also evaluate if the mitigation actions prescribed in' the RAP have had the desired effect. The baseline conditions of the affected parties before the relocation will be used as a measure against their socio-economic status after the resettlement.

To be effective, the completion audit will take place after all RAP activities have been completed including development initiatives, but before the completion of financial commitments to the programme. This will allow for flexibility to undertake any corrective action that the auditors may recommend before the project is completed.
### ANNEXES

**Annex 1: Involuntary Resettlement Screening and Categorization Form**

<table>
<thead>
<tr>
<th>Impact</th>
<th>Not Known</th>
<th>Yes</th>
<th>No</th>
<th>Indication of Scope</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the proposed sub-project undertaking likely to involve land acquisition?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the land in question have to be compulsorily acquired?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are the sites for land acquisition known?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>What is the ownership status of the land?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are non-titled persons present?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will tenants, lessees, share farmers, or other third party users be affected?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will there be loss of housing?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will there be loss of crops, trees, and other fixed assets?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will there be loss of incomes and livelihoods?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will access to facilities, services, or resources be lost?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will there be loss of businesses or enterprises?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will any social or economic activities be affected by land use related changes?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will the involuntary resettlement be conducted in accordance with World Bank Safeguard Policy?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the government executing agency have sufficient skilled resources for resettlement planning and implementation?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are training and capacity-building required prior to resettlement planning and implementation?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Annex 2: Main Content of a Resettlement Action Plan

- Description of the project sub-component
- Potential impact (including those identified during the census and the socio-economic survey)
- Relevant findings of the socio-economic study and the census
- Legal framework
- Institutional framework
- Eligibility
- Valuation of and compensation of losses indicating whether compensation is in-kind for each loss or, for those assets whose indemnification is in cash, the unit compensation rates and overall cost for monetary compensation, including transport, administrative and other (e.g., contractor hiring) costs
- Resettlement measures
- Community participation
- Grievance procedures
- Organizational responsibilities
- Present any economic rehabilitation measures required
- Implementation schedule
- Costs, budget and the sources of funds
- Monitoring and evaluation
- A timetable for resettlement and sub-project activities


Annex 3: **Content for Abbreviated Resettlement Action Plan**

The content for an ARAP includes the following:

- Census of displaced persons and valuation of assets.
- Description of compensation and other resettlement assistance to be provided.
- Consultations with displaced people about acceptable alternatives.
- Institutional responsibility for implementation and procedures for grievance redress.
- Arrangements for monitoring and implementation and,
- A timetable and budget.
Annex 4: Complaint Reporting Form (to be submitted to the CM for onward transmission)

Date: __________

Region __________ District __________ Village _________________

File N° __________

COMPLAINT

Name of Complainant: ________________________________

Address: ________________________________

Phone Nos & email address: ________________________________

Name of Technical College: ________________________________

Type of assets affected: ________________________________

DESCRIPTION OF COMPLAINT:

…………………………………………………………………………………………………

…………………………………………………………………………………………………

…………………………………………………………………………………………………

At ……………………, Date………………

________________________________

Signature Complainant

OBSERVATIONS OF THE TECHNICAL COLLEGE HEAD:

…………………………………………………………………………………………………

…………………………………………………………………………………………………

…………………………………………………………………………………………………

At ……………………, Date………………

____________________________

(Signature )

OBSERVATIONS OF THE STATE DIRECTOR

…………………………………………………………………………………………………

…………………………………………………………………………………………………

…………………………………………………………………………………………………

At ……………………, Date………………

____________________________

(Signature of the Director)
Annex 5: Attendance List and Summary of Consultations

1. EKITI STATE

Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project Consultative Meeting at the Ekiti State Ministry of Education and Technology on Wednesday 15th August, 2018

<table>
<thead>
<tr>
<th>S/N</th>
<th>NAMES</th>
<th>DESIGNATION</th>
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<tbody>
<tr>
<td>1</td>
<td>Dr (Mrs) Ayeleso Folu</td>
<td>Director (STM)/AGPS</td>
<td>08033521264</td>
<td><a href="mailto:lesofolu@gmail.com">lesofolu@gmail.com</a></td>
</tr>
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<tr>
<td>6</td>
<td>Kayode A. Oluwagbuyi</td>
<td>Environmental &amp; Social Safeguards Consultant</td>
<td>08033026092</td>
<td><a href="mailto:kayoluagbuyi@gmail.com">kayoluagbuyi@gmail.com</a></td>
</tr>
<tr>
<td>7</td>
<td>Olatunde Adesua S.</td>
<td>Environmental Consultant</td>
<td>09050625278</td>
<td><a href="mailto:samsua2002@yahoo.com">samsua2002@yahoo.com</a></td>
</tr>
</tbody>
</table>

In the absence of the Honourable Commissioner and the Permanent Secretary, both of whom were on Official Engagements outside the State, Dr. Mrs. Folu Ayeleso met with the IDEAS Project, a Team of Environmental and Social Safeguards Consultant with other senior members of the Ministry of Education, Science and Technology.

They listened to the visiting Consultants and agreed to reschedule the visit to a suitable time when both the Honourable Commissioner and Permanent Secretary would be available.
2. EDO STATE

Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project Consultative Meeting at the Edo State Ministry of Education on Monday 27th August, 2018

<table>
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<tr>
<th>S/N</th>
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<tr>
<td>1.</td>
<td>Mrs. Obahiagbon</td>
<td>Permanent Secretary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>S.A Omoruyi</td>
<td>Director (Ministry of Education)</td>
<td>08039568526</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Ugiagbe Edos Osifo</td>
<td>H.O.D Mechanical Engineering (Benin Technical College)</td>
<td>08058840979</td>
<td><a href="mailto:ugiabeedososifo@gmail.com">ugiabeedososifo@gmail.com</a></td>
</tr>
<tr>
<td>4.</td>
<td>Obanor Osato Chioma</td>
<td>Environmental Consultant</td>
<td>08063495809</td>
<td><a href="mailto:chiomaobanor01@gmail.com">chiomaobanor01@gmail.com</a></td>
</tr>
</tbody>
</table>

Met with Mrs. Obahiagbon, the Permanent Secretary Edo State Ministry of Education who excused as herself as she had an urgent meeting to attend to with the commissioner and referred me to the Director (Mr S.A Omoruyi) who explained that the Ministry of Education was no longer in charge of Technical Colleges in Edo State as they had been transferred to the Ministry of Science and Technology. He called the Hon. Commissioner Ministry of Education to tell him about my visit and gave me his contact.

Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project Consultative Meeting at the Edo State Ministry of Science & Technology on Tuesday 28th August, 2018

<table>
<thead>
<tr>
<th>S/N</th>
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<tr>
<td>1.</td>
<td>Dr. Christopher I. Adesotu</td>
<td>Hon. Commissioner</td>
<td>08065524388</td>
<td><a href="mailto:adesotuchristopher@gmail.com">adesotuchristopher@gmail.com</a></td>
</tr>
<tr>
<td>2.</td>
<td>Dare .I. Dania</td>
<td>Permanent Secretary</td>
<td>08034744571</td>
<td><a href="mailto:daredania25@gmail.com">daredania25@gmail.com</a></td>
</tr>
<tr>
<td>3.</td>
<td>Barr. Ikilo A.O</td>
<td>Director of Admin</td>
<td>08052530357</td>
<td><a href="mailto:osayamenikilo@yahoo.com">osayamenikilo@yahoo.com</a></td>
</tr>
<tr>
<td>4.</td>
<td>Obanor Osato Chioma</td>
<td>Environmental Consultant</td>
<td>08063495809</td>
<td><a href="mailto:chiomaobanor01@gmail.com">chiomaobanor01@gmail.com</a></td>
</tr>
</tbody>
</table>
Met with the Hon. Commissioner for Science and Technology, Dr. Christopher I. Adesotu, in company of the Permanent Secretary, Mr. Dare Dania and Director of Administration, Barrister A. O. Ikilo. They were delighted that Edo State was being considered as a Pilot for IDEAS Project which will dove-tail with the SEEFOR Project under which Technical Colleges were being renovated. The SEEFOR project is supporting TVET (technical and vocational education and training) to youths with secondary level education in four (4) states (Rivers, Bayelsa, Delta, Edo). The Benin Technical College, Edo state is a beneficiary of this project.

He said of the seven (7) Technical Colleges in Edo State namely:

a. Afuze Technical College (Afuze)
b. Igara Technical College (Igara)
c. Benin Technical College (Ugbowo)
d. Government Science Technical College (Irrua)
e. Federal Science Technical College (Uromi)
f. Government Science Technical College (Urhonigbe)
g. Government Science Technical College (Agbede)

The first four (4) are the functional State Technical Schools in Edo State, but the Benin Technical School is larger than the other three Technical Colleges. There is one (1) functional Federal Technical College at Uromi, and two (2) non-functional technical colleges which have been temporarily shut down because of community dispute. However, the dispute has been resolved but the schools had not been reopened yet.

He was happy with the objective of the proposed IDEAS project which is to enhance the quality and relevance of skills development in Nigeria, as it is in consonance with the Edo State Government’s vision for Technical Education and promised to inform the Edo State Executive Governor of the IDEAS Project to ensure maximum support. He did not envisage any problem in the Project Implementation as the Government is set to embark on Fencing of the Technical Colleges to protect its assets and thus avoid the communal problems of land encroachment which was experienced at Uronigbe and Agbede. Each of the State-owned Technical Colleges had enough land to accommodate any construction envisaged under the IDEAS Project.

The porous nature or absence of perimeter fence is a major problem that needs urgent attention to deter trespassers who disturb proper academic learning especially in Afuze where sand and laterite miners have easy access to the school compound.

The Head of Mechanical Engineering Department at Benin Technical College, Mr. Ugiagbe Edos Osifo, conducted the IDEAS Project Consultant around the school grounds.
Consultation (The Permanent Secretary and Commissioner of the Ministry of Science and Technology)
3. BENUE STATE

Consultative Meeting at the Benue State Ministry of Education, Science and Technology,
Makurdi 28th August, 2018

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<tr>
<th>S/N</th>
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<tbody>
<tr>
<td>1.</td>
<td>Amee Andrew A.</td>
<td>Permanent Secretary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Ogbaje A. Patrick</td>
<td>Director Science and Technology Education Department</td>
<td>08037616504</td>
<td><a href="mailto:ogbaje.ap@gmail.com">ogbaje.ap@gmail.com</a></td>
</tr>
<tr>
<td>3.</td>
<td>Kayode A. Oluwagbuyi</td>
<td>Environmental &amp; Social Safeguards Consultant</td>
<td>08033026092</td>
<td><a href="mailto:kayoluwagbuyi@gmail.com">kayoluwagbuyi@gmail.com</a></td>
</tr>
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</table>

The Permanent Secretary, Mr. Andrew A. Amee had a pre-scheduled meeting outside his Office and delegated to Mr. Patrick Ogbaje, Director; Science and Technology Education Department in the Benue State Ministry of Education, Science and Technology to discuss the IDEAS Project and Benue State’s willingness to partner with the Federal Ministry of Education and the World Bank for successful implementation.

The IDEAS Project Objective resonated well with the aspirations of Benue State and will help to provide the funds, equipment and skills to modernize its TVET programme while also equipping the students with entrepreneurial skills that will help to reduce youth employment in the State.

He thereafter gave a list of the existing Science and Technical Colleges in Benue State. He did not envisage any resettlement issues as the Technical Colleges had adequate land to accommodate any construction under the IDEAS Project and sub-projects.
4. ABIA STATE
Consultative Meeting at the Abia State Ministry of Education, Umuahia on 28th August, 2018

<table>
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<tr>
<th>S/N</th>
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<tr>
<td>1.</td>
<td>Dr. E. U. Asuoha</td>
<td>Director Science and Technology Education Department</td>
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<td><a href="mailto:asuohauba@gmail.com">asuohauba@gmail.com</a></td>
</tr>
<tr>
<td>2.</td>
<td>Eziechile Ijeoma S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Afolabi Taiwo</td>
<td>Environmental Safeguards Consultant</td>
<td>08051700577</td>
<td><a href="mailto:taiwoafolabi@sustainabiliti.com">taiwoafolabi@sustainabiliti.com</a></td>
</tr>
</tbody>
</table>

Dr. E. U. Asuoha, the Director; Science and Technology Education Department in the Abia State Ministry of Education, Science and Technology and Mrs. S. Ijeoma Eziechile met with the IDEAS Project Environmental Consultant to discuss the IDEAS Project and Abia State’s willingness to partner with the Federal Ministry of Education and the World Bank for successful implementation. They suggested that the Team should re-visit Abia State in October 2018 to enable more meaningful discussions with the Technical Colleges Stakeholders who will be resuming Academic Session later in September.
5. GOMBE STATE
Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project Consultative Meeting at the Gombe State Ministry of Education, State Secretariat, Gombe on Thursday 30th August, 2018

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<tr>
<td>1.</td>
<td>Abdulkadir Usman A.</td>
<td>Permanent Secretary</td>
<td>08026910687</td>
<td><a href="mailto:abdulkadirusman53@gmail.com">abdulkadirusman53@gmail.com</a></td>
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<tr>
<td>2.</td>
<td>Burga Hassan Likka</td>
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<td><a href="mailto:hassanburgalikka@gmail.com">hassanburgalikka@gmail.com</a></td>
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<tr>
<td>3.</td>
<td>Umar Dahiru</td>
<td>Principal</td>
<td>08039538890</td>
<td><a href="mailto:umardahiru@gmail.com">umardahiru@gmail.com</a></td>
</tr>
<tr>
<td>4.</td>
<td><strong>Mohammed Musa</strong></td>
<td>Principal</td>
<td>08032904524</td>
<td><a href="mailto:mrmmoh011@gmail.com">mrmmoh011@gmail.com</a></td>
</tr>
<tr>
<td>5.</td>
<td>Aminu Shohu</td>
<td>Principal</td>
<td>07039040081</td>
<td><a href="mailto:muqaddas877@gmail.com">muqaddas877@gmail.com</a></td>
</tr>
<tr>
<td>6.</td>
<td>Olatunde Adesua .S.</td>
<td>Environmental Consultant</td>
<td>09050625278</td>
<td><a href="mailto:samsua2002@yahoo.com">samsua2002@yahoo.com</a></td>
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</table>

Newly renovated class at Government Science and Technical College, Deba
Government Science Technical College, Barunde

Government Science Technical College, Gombe
6. EKITI STATE

Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project Consultative Meeting at the Ekiti State Ministry of Education, Science and Technology on Monday 3rd September, 2018

<table>
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<tr>
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<tr>
<td>1.</td>
<td>H.S.C Jide Egunjobi</td>
<td>HSC</td>
<td>08033238261</td>
<td><a href="mailto:jidegun@ymail.com">jidegun@ymail.com</a></td>
</tr>
<tr>
<td>2.</td>
<td>Dr. (Mrs) Obaisi F. A</td>
<td>Permanent Secretary</td>
<td>08039198740</td>
<td><a href="mailto:obasiadekunbi@gmail.com">obasiadekunbi@gmail.com</a></td>
</tr>
<tr>
<td>3.</td>
<td>Mrs. A. I. Akeredolu</td>
<td>Executive Secretary (BTVE)</td>
<td>08033525190</td>
<td><a href="mailto:akeredolubimbo@gmail.com">akeredolubimbo@gmail.com</a></td>
</tr>
<tr>
<td>4.</td>
<td>Dr (Mrs) Ayeleso Folu</td>
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The Hon. Commissioner of Ekiti State Ministry of Education, Science and Technology, Hon. Jide Egunjobi, welcomed the IDEAS Project Consultant and apologized for his inability and that of the Permanent Secretary, Dr. Mrs F. A Obaisi, to meet the Team at the first visit.
Rehabilitation of Government Technical College, Ado Ekiti under the auspices of the Transformation of Ekiti State Government Technical Colleges into World Class Standard Entrepreneurial Skills Acquisition Centres

After an introduction of his Senior Officials present, he expressed appreciation that Ekiti State was being considered for the Pilot Implementation of IDEAS Project. He stated that the IDEAS Project conforms with the Rehabilitation of Government Technical Colleges in Ekiti State under the auspices of the Transformation of Ekiti State Government Technical Colleges into World Class Standard Entrepreneurial Skills Acquisition Centres which has commenced with the Pilot nearing completion at the Government Technical College, Ado Ekiti.

The Ekiti State Ministry of Education, Science and Technology Team were happy that this will provide the needed funds and expertise to bring the vision of the Ekiti State Government under the Transformation of Ekiti State Government Technical Colleges into World Class Standard Entrepreneurial Skills Acquisition Centres into reality as the remaining Government Technical Colleges in the State will be rehabilitated on schedule and the Teachers and Students will benefit from the capacity building components of the IDEAS Project.
7. **KANO STATE**

**Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) Project**

Consultative Meeting at the Kano State Ministry of Education, Science and Technology on Wednesday 12th September, 2018

<table>
<thead>
<tr>
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<tr>
<td>1</td>
<td>Danlami Garba</td>
<td>Permanent Secretary</td>
<td>08037881377</td>
<td><a href="mailto:danlamigrb@gmail.com">danlamigrb@gmail.com</a></td>
</tr>
<tr>
<td>2</td>
<td>Tijjani A. Abba</td>
<td>Director Admin &amp; General Services (DAGS)</td>
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<td>3</td>
<td>Falalu Sani</td>
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<tr>
<td>4</td>
<td>Abdusshakur A. Nuhu</td>
<td>Director Global Partnership for Education &amp; Nigeria Partnership for Education Program (GPE/NIPEP)</td>
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<tr>
<td>5</td>
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<tr>
<td>6</td>
<td>Miss Faith Lawal</td>
<td>Environmental Consultant</td>
<td>08136358023</td>
<td><a href="mailto:faithfolayemi@gmail.com">faithfolayemi@gmail.com</a></td>
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The IDEAS Project Consultant met with the Permanent Secretary, Kano State Ministry of Education, Science and Technology and his team of Senior Officials from the Ministry to apprise him of the IDEAS Project and the likelihood of Kano being a Pilot State in the Project Implementation. The Team welcomed the idea and stated that the Project Objective is in tandem with the vision of Kano State Government on TVET adding that the funds from the WB / FMOE will help to modernize the TVET Scheme in Kano State.

He did not envisage any social issues of involuntary resettlement as the Technical Colleges are Government – owned and fenced. He promised to discuss this further with the Director, Science & Technical School Board who was presently in Kaduna for a one week Teachers training program. Being a WB funded programme, he was sure that adequate skills training and capacity strengthening which will be beneficial to indigenes of Kano State will come with the project.
<table>
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<th>Key remarks /observations by the community</th>
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<td>1</td>
<td>Government Technical College, Ado Ekiti</td>
<td>The College has been renovated Transformation of Ekiti State Government Technical Colleges into World Class Standard Entrepreneurial Skills Acquisition Centres</td>
</tr>
<tr>
<td>2</td>
<td>Benin Technical College</td>
<td>The College is not fenced and porous. Some buildings are dilapidated while new ones are being constructed under the SEEFOR Project</td>
</tr>
<tr>
<td>3</td>
<td>Government Science Technical College, Gombe</td>
<td>Some buildings have been renovated while some are falling apart</td>
</tr>
<tr>
<td>4</td>
<td>Government Science and Technical College, Deba</td>
<td>Some buildings have been renovated while some are falling apart</td>
</tr>
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<td>5</td>
<td>Government Science Technical College, Barunde</td>
<td>Some buildings have been renovated while some are falling apart</td>
</tr>
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Annex 6: Resettlement Instruments

Three types of resettlement instruments supported by the AFD’s policy will be needed in the IDEAS Project, namely:

a) Resettlement Policy Framework
b) Resettlement Action Plan
c) Process Framework

1. Resettlement Policy Framework

The Resettlement Policy Framework provides general guidelines for how persons who are affected by any of the IDEAS sub-projects would be resettled or compensated. This constitutes part of the WB’s pre-appraisal requirements.

2. Resettlement Action Plan

For every specific sub-project which leads to displacement of people, a Resettlement Action Plan will be prepared in accordance with the WB’s OP 4.12.

The RAP will be abbreviated or detailed depending on the magnitude of displacement. As there are no sub-projects involving minor impacts or where fewer than 200 people are displaced, detailed Resettlement Action Plan will be prepared for each sub-project.

The full Resettlement Action Plan will cover the following areas:

1. Description of project and project area of influence
2. Potential impacts
3. Organisational Responsibility
4. Community consultation and participation
5. Integration with host communities
6. Socio-economic studies
7. Legal framework
8. Mechanism for conflict resolution and appeals
9. Eligibility criteria (including vulnerable groups)
10. Valuation of and compensation for losses
11. Identification and selection of alternative sites (if required); site preparation and relocation
12. Detailed Budget
13. Implementation schedule
14. Framework for monitoring, evaluation and Reporting

3. Process Framework

If any of the sub-projects under the IDEAS Project involves restriction of access to any natural resource, a process framework will be prepared for appraisal by the WB.
Annex 7: Gender Issues in Resettlement Checklist

Consultation and Participation

The WB Policy on Involuntary Resettlement highlight the need for fully informing and consulting affected persons on resettlement planning and implementation. The consultation process should include women and ensure that their participation is actively sought in identifying impact, developing appropriate mitigation, and during implementation and monitoring.

Key Issues

▪ Social and cultural factors may exclude women from participating actively in planning, implementing, and executing resettlement activities. Special efforts need to be made to ensure their inclusion.

▪ Often, planners operate via male elite, who may not represent the community in its entirety and especially women.

▪ Unless women’s participation is ensured, male biases in administration and legal systems might both undermine women’s rights in customary institutions and disadvantage vulnerable women. Widows, the elderly, divorced women, and women-headed households may suffer as a result of this bias.

▪ The key to participation is full information. If the affected persons are to exercise their rights to rehabilitation, they must be fully informed.

Key Questions

▪ Have women representing all socioeconomic categories been consulted about the project?

▪ Do women have any information about the proposed project?

▪ Have women been consulted on the resettlement plan?

▪ Were women involved in developing the resettlement plan and were their inputs solicited? Have women been consulted in identifying affected persons?

▪ How will the plan be shared with affected women?

▪ Is there a mechanism for ensuring women’s participation at each stage of the project? Should there be separate meetings for women?

Key Strategies

▪ Ensure adequate representation and presence of women from different socioeconomic groups.
▪ Ensure proportionate or 50% representation of women during planning and disclosure of the resettlement plan and seek women’s opinion on it.

▪ Consider separate meetings with women, using female facilitators to solicit women’s views, especially on such sensitive issues as toilets, sanitation, water, and house plan.

Resettlement Planning
An essential aspect of resettlement planning is the collection of socioeconomic data about affected persons. This information is crucial for identifying them; establishing the nature and extent of impact, vulnerability, and risk; and ensuring that the needs and concerns of women are addressed in resettlement and rehabilitation.

Addressing Gender in Data Collection Key Issue
▪ The collection of gender-disaggregated data is the first step in developing a gender-inclusive resettlement plan.

Key Questions
▪ Have women been included in the socioeconomic survey?

▪ Has information been collected on women’s land and property status?

▪ Does the survey include questions on household division of labor, women’s livelihood sources, and women’s contribution to family income?

Key Strategies
Collect gender–disaggregated data for each household regarding
▪ ownership and use of resources;

▪ decision making regarding finance and resource use;

▪ women’s formal and informal income-earning activities;

▪ extent of women’s dependence on livestock, home garden, and forest use; and

▪ women’s skills.

It is important to collect data on female-headed households, and on elderly and single women. Consideration should be given to using female investigators. If not possible, then investigators should be gender sensitive and trained to collect data from women.
International Instruments
When dealing with forced evictions/involuntary dislocation, development-related displacement, and rights to land and housing, it is important to check whether the concerned government is signatory to any relevant international instruments, because they can be used to influence the resettlement policy and plan.

Establishing a Gender-Sensitive Institutional Framework for Resettlement
The ways that institutions, both formal and informal, operate in a society reflect prevailing gender relations. The creation and imposition of new formal institutions can undermine and corrode rights that are often enshrined in customary arrangements.

Key Issues
- Newly created formal institutions could potentially erode the minimal rights that women enjoy within existing informal institutions.
- Institutional arrangements should (a) not aggravate existing gender disparities, (b) create flexible alternatives to deal with gender inequality, and (c) initiate processes that work toward enhancing women’s choices.

Key Strategy
- Assess formal and informal institutional arrangements. Invoke and reinforce those based on gender equity and change or modify those that aggravate gender disparities.

Income Restoration
Key Issues
- The needs and problems of women are likely to be different from those of men, particularly in terms of social support, services, employment, and means of subsistence for survival. For example, relocated women might face greater difficulty than relocated men in reestablishing markets for home industry produce or small trade items if they are constrained by lack of mobility or by illiteracy.
- Income-restoration programs should address gender issues adequately.

Key Questions
- Do women contribute to household income?
- What are women’s income levels prior to displacement?
- What are the activities from which women earn incomes?
- Will these income sources be affected?
- How many women will lose their livelihood sources?
- Are the women being thrust into a cash economy from a rural subsistence economy? Does it mean loss of subsistence?
- What are the ways in which livelihood will be affected? Will there be total loss of livelihood source or a decrease in income only?
- Does the new site provide the same or alternative opportunities for earning incomes?
- What are the existing levels of women’s skills/training?
- Is there a need to upgrade women’s skills and are the facilities available?

**Institutional Considerations**

Institutional considerations are important to ensure that appropriate agencies are mandated to plan and implement compensation, income-restoration, and rehabilitation programs and are identified as early as possible in the project preparation.

Cultural restrictions and lack of exposure to bureaucracy preclude women’s active participation in the formal institutional structure. It is essential to ensure that appropriate mechanisms are established to enable women’s participation. Political will is a vital ingredient for sustaining involvement in the decision-making process.

**Institutional Capacity**

Three levels should be considered:

- Project authorities
- Local government
- The community

**Key Issues**

- The executing agency responsible for planning and implementing resettlement and rehabilitation programs may not have sufficient gender-and-development (GAD) capacity.
- Local government should be involved in project implementation to ensure sustainability and should have the appropriate institutional capacity to implement the gender aspects of the resettlement plan.
It is important to establish structures and mechanisms to ensure the involvement and participation of affected persons in resettlement planning, implementation, and monitoring. An elected committee or representative group could be considered.

**Key Questions**

- Are existing institutional policies gender sensitive?
- What is the commitment and experience of the executing agency, local government, or the agency personnel in addressing gender issues?
- Do these institutions have the capacity to monitor progress?
- What is the local government’s commitment to implementing the gender aspects of resettlement planning?
- Is there any existing GAD expertise?
- Is training or capacity building required
- What is the gender distribution of staff?
- Have the gender initiatives been budgeted?

**Key Strategies**

- Ensure that the implementing agency has the necessary GAD and poverty capacity.
- If it does not, plan for GAD capacity building.
- Promote equal sex distribution of staff.
- Ensure proportionate representation of women in all committees.
- A gender specialist should be included on the team. Ensure that any NGOs recruited to assist with resettlement implementation have the necessary gender perspective and experience to deal with vulnerable groups.
- The NGO team should include female staff.

**Grievance Redress Mechanisms**

Grievance redress mechanisms are generally of two types: formal courts of appeal concerning land acquisition and compensation practices, or locally constituted grievance redress committees (GRCs) for
dispute resolution involving resettlement benefits. Operational procedures for GRCs should be formalized and established clearly in the resettlement plan.

**Key Issues**

- Complicated mechanisms that utilize formal legal structures are likely to work against women, because women are generally unfamiliar with formal institutions.

- The GRC must be adequately constituted to deal with gender issues that may arise and include mechanisms to provide specific services for women.

**Key Questions**

- Is the grievance redress mechanism structured to address gender issues?

- Is the GRC gender sensitive?

- Does it take into account special problems faced by women?

- Are there any women members on the GRC or related group that has been or will be constituted?

**Key Strategies**

- Discuss the proposed grievance redress mechanism structure with women.

- Can women easily access and use this mechanism?

- Ensure the presence of women on any GRC or related group at the formal or informal level.

- Training GRC personnel in the handling of gender-sensitive issues should be included.

- As far as possible, mechanisms should be established that do not require women to go to court, because women generally find it difficult to access legal machinery.

**Monitoring and Evaluation**

Resettlement plans should be monitored at two levels: (i) by project authorities (internally and externally) and (ii) by the community through the participation of affected persons and NGOs.

**Key Issue**

- Indicators for monitoring and evaluation (M&E) should include gender-specific questions and indicators. M&E should be done jointly by project authorities, external monitors, and the community.

**Key Questions**
▪ Do the M&E indicators include issues of women’s livelihood restoration, safety, habitability, and other issues addressed in this checklist?

▪ Are the appointed agencies gender sensitive?

▪ Is the budget sufficient to address gender issues?

▪ Is the M&E baseline gender inclusive?

▪ Have appropriate mechanisms been developed for participatory monitoring and are women included?

▪ Are gender issues included in the terms of reference of supervisory consultants?

Key Strategies

▪ Promote participation of women in planning, design, and implementation of M&E.

▪ Ensure that the institutional mechanisms set up at both the level of the project authorities and the community include women in the team.

▪ Ensure that M&E include specific inputs from women.

▪ Ensure that community-based mechanisms have proportionate representation of women.

▪ Include gender in the terms of reference of consultants.

▪ Ensure that implementation of gender aspects is reviewed and reported by staff undertaking review missions.
Annex 8: Terms of Reference

Nigeria: Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS) (P166239)

Terms of Reference to engage a Consultant to develop a Resettlement Policy Framework (RPF) for the Innovation Development and Effectiveness in the Acquisition of Skills (IDEAS)

1.0 Background

The World Bank is supporting the Government of Nigeria at all training levels to address skills and youth employment issues in different programs emphasizing mainly on supporting employability of vulnerable youth (YESSO), promoting private-public partnerships in skills development (Lagos EKO Project, SEPIP, Ogun State Development Project), and training for MSMEs and start-ups (SEEFOR, GEMS). Individual projects have shown good impact in selected sectors and states\(^3\), representing experience to be leveraged in building national structures and systems for skills development. Individual interventions, though, need to be embedded in enabling system structures to be successful and sustainable. Building such structures would require transformative thinking for (i) incentivizing a critical involvement of industry (public-private partnerships) in Technical Colleges for enhanced labour-market orientation and improved quality and relevance of training for industrial development, (ii) improving skills formation for youth in the informal sector by recognizing and strengthening the traditional apprenticeship practice; (iii) improving training and capacity development of technical teachers and instructors, (iv) strengthening and institutionalizing private sector participation in defining and monitoring training contents in line with the NSQF, addressing also the need for ‘soft’ skills (such as information literacy, problem-solving, critical thinking, entrepreneurialism, and ‘learning to learn’), and (v) leveraging technology for improved teaching and learning.

The institutional framework governing and financing skills development in Nigeria mirrors the provider system, spanning over a considerable number of different institutions with partly overlapping responsibilities. Next to the National Board of Technical Education (NBTE), which oversees public formal TVET and implements the National Skills Qualifications Framework (NSQF), the National Business and Technical Examination Board (NABTEB) under the Federal Ministry of Education (FME) plays a key role through assessment and certification in formal TVET. Under the Ministry of Labour and

\(^3\)For example, the Lagos EKO and SEPIP projects as documented in Report on Qualitative Impact of the Public – Private Partnership (PPP) between the Government Technical Colleges the Private Companies and Non-State Actors: Lagos, Anambra, Ekiti and Bauchi States. Abuja 2018.
Productivity, the National Directorate of Trade Testing runs a trade testing system targeting apprentices and workers.

State Ministries of Education supervise and fund formal TVET in their states. Most public programs and institutions, however, appear underfunded. The levy-financed Industrial Training Fund (ITF) is only used to finance ITF skills development programs. Nigeria does not have one overarching institution for skills development ensuring an integrated system of analysis, monitoring and planning and a coherent and coordinated approach to skills development.

2. Project Description

IDEAS aims to strengthen the labour market fit of the broader skills development space in Nigeria. It will help unlock essential drivers of quality and relevance by increasing involvement of industry and strengthening critical system functions. Tailoring interventions to the specific skills needs and learning environments in the diverse labour markets the planned interventions address skills needed in the formal and informal sectors and increase female participation in skills programs. The project proposes to operate at both the federal level (NSQF, policy development, technical teachers and instructor training, improving federal TCs) and the state level (state TCs, improving informal apprenticeship training, strengthening state-level skills development management). Participating states will be selected based on clearly-defined criteria including economic characteristics, reform-mindedness of state government, ongoing and previous support to skills development, representation of regions, and others.

The project proposes to operate at both the federal level (NSQF, policy development, technical teachers and instructor training, improving federal TCs) and the state level (state TCs, improving informal apprenticeship training, strengthening state-level skills development management). Participating states will be selected based on clearly-defined criteria including economic characteristics, reform-mindedness of state government, ongoing and previous support to skills development, proportional representation of regions, and others.

Building on international expertise with e-learning adaptation in skills development, the project - cutting across components - will support the introduction and dissemination of technology-based solutions in teaching and learning, as well as in the management and monitoring of skills development. Technology can be leveraged for scaling-up training supply, enhancing access to quality training in remote areas and increasing cost-effectiveness of skills development delivery. Technology can be specifically instrumental to increase effectiveness and efficiency in teachers training and further training, but will also improve
teaching and learning in TCs and other TVET institutions and in informal apprenticeship training. By making use of the country’s emerging ICT infrastructure—including the Nigerian research and education network (NgREN) - the project will facilitate the production of instructionally effective educational materials packages, create open platforms for standardized e-content to be used in teachers training and skills development, and deepen the use of blended learning for improved quality. A detailed feasibility analysis for the use of technology solutions in the Nigerian skills space is planned during project preparation.

3. Project Components


This component proposes to boldly address skills gaps in the labour market by improving teaching and learning quality and relevance in technical colleges. The key lever will be to bring industry onto the campus. The project would provide grant funding for the rehabilitation and upgrading of selected TCs that are transforming their business model into public-private partnerships with industry partners assuming a critical role in governance, management, planning, training and service delivery. Partnership models would be built on successful practices in Nigeria (e.g. Lagos Eko Project, SEPIP) and internationally (e.g. VTIP and STRIVE in India, QIF in Palestine) with the aim to test and set standards for sustainable and institutionalized public-private partnership in different economic environments in Nigeria. Rehabilitation of TCs would be geared towards creating comprehensive skills development hubs offering, in conjunction with surrounding industries, formal TVET alongside needs-based short duration skilling and workers upgrading training. Modern e-learning technologies will be piloted and the introduction of green skills programs incentivized. Curricula to be developed/revised with industry involvement and feeding into national standard setting would include needs-based work readiness, cognitive and entrepreneurial skills. Models for dual vocational training building on the pilot projects in Lagos, Abuja and Abeokuta would be promoted. Grant funding would also incentivize TCs to increase their share of female students and graduates through various interventions included expanding their course selection. Benefitting public TCs will be selected through a criteria-based selection process. Systematic technical assistance will support TCs through their reform process.

Component 2: Improved Skills Formation for the Informal Sector

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4 The term “dual training” refers to modern apprenticeship training whereby learning takes place in an integrated manner at two locations: in an enterprise (practical training on the job) and in a technical training institution (basic and theory training).
This component aims at breaking the vicious cycle of low skills formation and low productivity in selected informal sector clusters\(^5\). Building on good practices in informal apprenticeship training in Nigeria and other African countries, including Ghana, Benin, Cameroon, or Tanzania, IDEAS would support scaling up successful approaches for modernizing and improving the quality of apprenticeship training provided by master craftsperson. Under the overall supervision of government, interventions in various locations would be driven by private sector stakeholders. Interventions would include capacity development and pedagogical training of master craftsperson, supplementary theory classes for apprentices, as well as business development support to both master craftsperson and apprenticeship completers. The latter may entail, depending on circumstances, supporting master craftsperson and former apprentices to access finance and addressing other market entry barriers. To cater to poor families and with low educational backgrounds, interventions will include structured literacy and numeracy skills training for apprentices, building on best practices in adult literacy programs (related to suitability and context adaption). The possibility of using tertiary education graduates to support such training may be explored. Systematic impact evaluations will contribute to the identification of a sustainable long-term blueprint for integrated skills and productivity development in Nigeria’s informal economy. Interventions will be supported by technical assistance from experts with strong experience in modern approaches to informal apprenticeship training development.

**Component 3: Capacity Building for Enhanced Quality and Effectiveness in Skills Development**

This component aims to address capacity constraints in selected regulatory and support functions of the Nigerian skills system that impact on quality of training delivery and management effectiveness in the system, namely technical teachers and instructors training, the National Skills Qualifications Framework (NSQF), coordination and management capacities in public agencies in charge of TVET. The component aims at:

1. **(v)** improving the availability of appropriately skilled and competent technical teachers and instructors in the skills development space. This would entail supporting a policy dialogue on working conditions, training and structures for technical teachers and instructors, and potential implementation steps;
2. **(vi)** supporting the roll-out of the Nigerian NSQF for improved labour market relevance and increased transparency in the skills space. Funding would be used to strengthen and

\(^5\)These are likely to include clusters in the automotive, electrical, metalwork, woodwork, hairdressing and tailoring trades, and others.
capacitate sector skills councils, the formulation of needed National Occupational Standards (NOS) and development of related curricula, as well as initiatives to train assessors;

(vii) building management and monitoring capacities in key institutions involved in the implementation of IDEAS, including capacity development for state-level TVET management. The component would support initiatives to improve the national M&E framework, including the institutionalization of tracer studies as a key monitoring tool in skills development and building up research capacities for skills in close cooperation with universities and think tanks.

(viii) supporting policy research and national dialogue processes to further reform initiatives in key areas such as TVET funding and institutional coordination.

5. Objective and Rationale for the Assignment
This TOR is for a Resettlement Policy Framework (RPF) for the IDEAS Project. The objective of the RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of anticipated land acquisition and economic and physical involuntary resettlement. These arrangements are also to ensure that there is a systematic process for the various stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons. The consultant is to develop the RPF taking into consideration the outlined objective and principles. This RPF will serve as the framework within which a resettlement action plan will be developed when the project is certain of the locations and specific impacts of the project.

6. Specific Requirements of the RPF
The preparation of this RPF should follow the requirements of the World Bank’s policy on Involuntary Resettlement, OP4.12. The RPF shall also refer to Government of Nigeria’s legal and institutional requirements. Any identified gaps between these two requirements are to be clearly captured, explained how these gaps will be filled, which should take precedence over what and why.

7. Scope of Assignment
The assignment by the consultant shall cover the following key areas as described in this TOR. Other areas considered relevant may be considered by the consultant so far as they add value to the outlined areas below.
(i) **Project Description**

Provide a brief description of the project to place the RPF in the right context. This would include a summary of the background to the project, the different components. Most importantly, the consultant should identify the possible resettlement issues that each component and subcomponents are likely to generate and for which reason this RPF is being developed.

(ii) **Country Legal and Institutional Guidelines and Requirements**

This will require a review of the national laws governing land take and other assets. It shall also look at the various land tenure and ownership systems in Nigeria, the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies. The consultant should describe any discrepancies identified in the different legal instruments. The RPF shall also identify the legally mandated institutions associated with these legal instruments and their respective roles. This should be at all levels where implementation of project activities is likely to take place. Attention should be given to local-based institutions and structures at the project site(s). The institutional arrangement will include implementation and monitoring mechanisms that ensures inclusiveness and participation of all affected people, groups and communities.

(iii) **World Bank Safeguards Policies**

The Consultant shall spell out the World Bank’s policy on Involuntary Resettlement OP 4.12 and assess how this applies in the specific case of the IDEAS project. Attention should be paid and documented on the difference(s) between the Bank’s policy and Nigeria’s laws and regulations on land acquisition if applicable; noting that where the differences are significant whichever policy is of a comparatively higher standard will apply.

(iv) **Social Assessment and Socio-Economic Surveys**

The RPF shall conduct an initial social and economic survey at the proposed sites for the project activities required under the different components and subcomponents that trigger the involuntary resettlement policy. The survey shall cover issues on the social structure, economic activities, social characterization of potential affected persons, and the numbers likely to be involved, the different social institutions, social capital and mechanism for social cohesion. The RPF shall also explore and describe existing conflict resolution mechanism and potential for conflict situations that might arise in course of implementing the project. This information will serve as critical baseline data for a future RAP (to be reviewed as needed).

(v) **Estimated Population, Displacement and Categories of Affected People**
This requires a record of the number of estimated people likely to be affected or displaced by the project activities as noted in the project component description above. The distinct categories may include those who may be losing legal title to land and those without legal title but use the land for economic activities or for residential purposes-accommodation. There may be those who may be losing temporary access to property or business site. These are only examples of those who are likely to be affected through displacement. The RPF shall identify the right categories as per the impacts noted or expected.

(vi) **Eligibility Criteria for various Categories of Affected People**

The consultant should determine the method for setting a cut-off date for eligibility for compensation and as a means for making this information (on cut-off date) reach the wider public. In addition, the consultant shall determine the compensation type for the distinct categories, losses and affected persons. These may include persons affected by land take, rights of access to resources or properties like housing, and water sources, loss of livelihood, and loss of cultural properties. The RPF shall take note of the multidimensional impact of the project and factor that into the analysis especially about different sites and different forms of social impacts. The RPF shall pay attention to the different forms of impacts because of the nature of the project and explore the relevant issues appropriately. The criteria for compensation should be as per national legal requirements and provisions, World Bank OP4.12, social sustainability and poverty reduction factors and fairness to avoid conflict and dissatisfaction. The section should also identify and document the unit of compensation that is whether individuals, families or groups and indicate the scenarios or cases for the application of each unit of analysis or a combination of units where appropriate.

(vii) **Entitlement Matrix for proposed Resettlement and Compensation Policy**

Following from the above, the RPF shall develop a matrix that detail the type of compensation that each identified PAP will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement as will be proposed in the Matrix.

(viii) **Methods for Valuing Affected Assets**

This section shall describe in detail the methods used in valuing those assets that will be eligible for compensation. This method shall be consistent with both national policy requirements and regulations and OP4.12. This process should capture the methodology for taking of inventory of assets, values assigned and agreement reached with each identified PAP and consider inflationary realities in the final determination of values. It should also be clearly stated in the RPF a statement alluding to the possibility revised values should there be major discrepancies between dates for value determination and actual date
for payments. The PAPs should have an opportunity to do their own valuation if they have doubts or misgivings through the facilitation of the project for further negotiations between the PAP(s) and the client. Valuing of assets should be a process of engagement with PAPs and not an imposition. The RPF shall demonstrate that the methods used for the exercise in its entirety were engaging and acceptable to all stakeholders.

(ix) **Organizational Arrangements and Procedures for Delivery of Entitlements**
The RPF shall describe the process for organizational arrangements, responsibilities and roles. The RPF shall describe the approval processes for the various stages of the compensation work and which actors will undertake and have what roles and responsibility. This section will also spell out the actual process for delivering the entitlement including the roles for the different agencies and reporting formats.

(x) **Methods for Consultation with and participation of Affected People**
The consultant should as a matter of importance, describe in clear terms the methodology for consultation and participation by the PAPs in the process until they have received their entitlements. This process should be elaborate and clear to avoid and minimize confusion and suspicion. This could be done according to the various levels of consultations, the expected outcome from the various stages of the consultation and participation approach that would be adopted. The consultation process includes that for the development of the RPF and subsequent RAPs. The RPF should categorically emphasize the importance of documentation and other evidential indication for the consultation and participation process for this RPF and for subsequent RAPs. The record of consultation and participation for this RPF should be attached as an annex to the final RPF report for the client. As part of this, the consultant will develop a program for the disclosure of the RPF to facilitate the work of the client on this matter. The responsibility for both the disclosure and dissemination however lies with the client.

(xi) **Grievance Redress Mechanisms**
Under the grievance redress mechanism, the consultant shall describe the options available to PAPs for grievance redress they may have about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process. The RPF shall indicate how these would be disseminated and accessible to them clearly and comprehensible to the PAPs. The grievance redress mechanism should also have an in-built monitoring mechanism to check on responsiveness to complaints or grievances lodged. The different forms of receiving the complaints should be clearly described together with the various stages of going through the process. In addition, the
redress mechanism shall indicate alternatives, in case the proposed mechanism, for any reason, does not respond to all grievances and complaints.

(xii) **Budget and Funding Arrangements**

The RPF should clearly state the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring of the resettlement activities. If there are multiple sites, the RPF should give an indicative budget for resettlement for each of the sites or communities. The financial responsibility of the relevant stakeholders, where applicable, should be categorically stated to avoid ambiguity of source of funds for resettlement activities. These budgets should take into consideration inflationary tendencies.

(xiii) **Monitoring Arrangements**

The RPF shall provide appropriate mechanism for monitoring the implementation of the resettlement activities. The consultant shall propose current and participatory monitoring methodologies that would involve the PAPs themselves. The roles of different players like the PAPs, civil society, traditional authorities, and local government authorities among others, in the implementation and monitoring process will need to be clarified. The RPF shall develop, as part of this, a template for monitoring with indicators based on the key issues identified and spelt out in the RPF.

(xiv) **Implementation Schedule**

To avoid confusion with cut-off dates and other time lines especially because compensation will have to be paid prior to commencement of any civil works, it is important for the RPF to set out implementation schedule for the resettlement. Due to the fast track nature of this project, the RPF shall in addition to the implementation schedule identify potential risks that could militate against the smooth implementation of the resettlement actions and suggest plausible mitigation measures to serve as a guide to the client and the team who will be working on the implementation.

(xv) **Outline of Resettlement Policy Framework**

The Resettlement Policy Framework to be developed under this project will accord with Nigeria legislation and regulations and with World Bank Operational Policy 4.12, on Involuntary Resettlement. The outline for the RPF will follow that provided in OP 4.12, Annex A.

The content should be presented in the following format:

- Executive Summary;
• A brief description of the project and components for which land acquisition and resettlement are required;
• Principles and objectives governing resettlement policy framework;
• Assessment of estimated population displaced and likely categories of displaced persons, to the extent feasible;
• Eligibility criteria for defining various categories of displaced persons;
• Assessment and presentation of the legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
• Methods of valuing affected assets;
• Organizational procedures for delivery of entitlements;
• Description of grievance redress mechanisms;
• Arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds and contingency arrangements;
• Mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
• Arrangements for monitoring by the implementing agency and, if required, by independent monitors.

(xvi)Template for the Design of Resettlement Action Plan
The RPF shall develop a template for the design of a RAP based on the details of the RPF and informed by World Bank framework for RAPs. This template will spell out the main subsections of the RAP and any other relevant annexes that should be included.

8. Qualifications and Experience
The Consultant should have a minimum of five (5) years working experience of working on Resettlement Policy Frameworks and Resettlement Action Plans in accordance with World Bank Group Safeguards/Performance Standards. The Lead Consultant should have relevant experience with working with international development institutions like the World Bank, the IFC and the African Development Bank among others.
9. Facilities to be provided by Client
The consultant shall be provided with project document, studies already conducted for the project. The client may also facilitate meeting with stakeholders for the consultant to give legitimacy and support from the key stakeholders.

10. Time Frame
The assignment shall be completed within six (6) weeks after signing of contract. The expected number of consultancy fee days in 25.

11. Expected Output/Deliverables and Reporting Format
The Consultant is expected to have the following deliverables:

(i) **Inception Report** with detailed workplan and indicators of performance. This will be discussed by consultant, client and other experts to ensure quality of outcome. Six (6) copies shall be submitted to the client. In addition, there shall be an electronic version.

This will be delivered one week after signing of contract;

(ii) **Draft Report** This will be circulated for comments and relevant issues raised incorporated into revised version. Eight copies shall be submitted to the client. In addition, there consultant will provide an electronic version.

This will be delivered three (3) weeks after submission of inception report.

(iii) **Final Report** The final report should include a concise Executive Summary and should have all annexes and bibliography and the dissemination/disclosure plan. This will be delivered 2 weeks after submission of draft report.

12. Reporting: The consultant will report to Task Team Leader of the Project (Olatunde Adekola) but will work under the guidance and supervision of the Senior Social Development Specialist (Olukayode Taiwo).

13. Payment Schedule
- Signing of Contract 20%
- Submission of Inception Report 20%
- Submission of Draft Report 35%
- Submission of Final and acceptable Report 25%
Annex 9: Bibliography

1) Constitution of the Republic of Nigeria, 1999

2) Land Use Act, 1978

3) Development Control Regulations


18) National Guidelines and Referral Standards on Gender Based Violence in Nigeria