



RP1196

THE GOVERNMENT OF SIERRA LEONE

**DECENTRALIZED SERVICE DELIVERY
PROJECT PHASE II**

RESETTLEMENT POLICY FRAMEWORK

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List of Acronyms

ARAP	Abbreviated Resettlement Action Plan
CR	Compensation Report
DecSec	Decentralization Secretariat
DLCPP	Department of Lands and Country Planning
DSDPII	Decentralised Service Delivery Project Phase II
EA	Environmental Assessment
ESMF	Environmental and Social Management Framework
ESO	Environment and Social Officer
ESS	Environmental and Social Safeguards Specialist
GDP	Gross Domestic Product
GoSL	Government of Sierra Leone
IDA	International Development Association
IPAU	Integrated Project Administration Unit
LC	Local Council
LGFD	Local Government Finance Department
MAFFS	Ministry of Agriculture, Forestry and Food Security
MEP	Monitoring and Evaluation Plan
MFED	Ministry of Finance and Economic Development
MLCPE	Ministry of Lands, Country Planning and the Environment
MLGRD	Ministry of Local Government and Rural Development
MTI	Ministry of Trade and Industry
MWHI	Ministry of Works, Housing and Infrastructure
NLB	National Lands Board
NGO	Non Governmental Organisation
PAP	Project Affected Persons
PCDP	Public Consultation and Disclosure Procedures
PDO	Project Development Objective
OP	Operational Policy
RAP	Resettlement Action Plan
RFP	Request for Proposal
RPF	Resettlement Policy Framework
SLEPA	Sierra Leone Environmental Protection Agency

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DECENTRALIZED SERVICE DELIVERY PROJECT II RESETTLEMENT POLICY FRAMEWORK

BACKGROUND

Following a brutal, decade-long civil war that killed 20,000 people and displaced half the population, Sierra Leone has been on a path of reconciliation, reconstruction, and stabilization of its economy and governance systems.¹ Since the end of the civil war, the country has held parliamentary, presidential and local elections that have all been deemed free and fair. Recovery continued for an 11th unbroken year in 2010 with real Gross Domestic Product growing at 5% despite rising food and fuel prices.

The Government of Sierra Leone (GoSL) embarked on a decentralization program in 2004 with a view to diffuse the political tensions, improve the governance environment, and establish an equitable and transparent resource transfer system from the center to local levels to reduce the resource gaps and income inequalities among regions. The program attracted substantial support from development partners, particularly on public financial management reform and Local Council (LC) capacity development. Financing of functions devolved to LCs remains a Government priority and an important element of the peace building process. The initial stage of the devolution process was expected to be slow given the long legacy of centralized power in Sierra Leone and with the onset of the global economic recession in 2008, Sierra Leone's real growth rates and domestic revenue collection also slowed. In turn, the World Bank was concerned that this could threaten the implementation of the GoSL decentralization program and presage expenditure cuts to key basic services and LC transfers in real terms. Conscious of the promise that decentralization offered in terms of improved service delivery but worried about the adequacy and timeliness of funding for LCs, the World Bank prepared an adaptable program credit—the Decentralized Service Delivery Project—to assure predictable resource flows to local councils. With the support from the World Bank, the Government has not only been able to maintain fiscal support to LCs, but has actually increased this support substantially as a percentage of government revenues. This demonstrates the high level of political support for the program, under which the LCs have appeared to use the additional resources.

The Government of Sierra Leone is seeking financing from the World Bank to undertake DSDP II. DSDP II will be expected to focus on addressing sector-specific gaps in service delivery identified over time. DSDP II will build on the success of the first phase and will be similar to it with some minor differences in the capacity building component which have become necessary due to imminent closing of the IRCBP project requiring some necessary activities under IRCBP to be included in the new project such as monitoring of local council performance in a transparent manner. Phase II will include a separate performance monitoring component, which is currently part of capacity building. In addition the number of eligible sectors would be expanded to include social welfare services for the disabled and other vulnerable groups. The

¹ Citations to be inserted.

emphasis will be on improved planning, budgeting, monitoring and accountability mechanisms with civil society and citizen participation.

DSDP II

Project Description

The overall objective of the DSDP phase II is to support decentralized delivery of basic services in Sierra Leone. The specific objectives are: (a) to strengthen Government capacity to manage decentralized services; (b) to improve the availability and predictability of Local Councils' (LCs) funding; and (c) to strengthen the intergovernmental fiscal transfer system. The project has the following four components.

Component 1: Grants to local councils

These grants would complement government fiscal transfers and flow through the same mechanism. They would cover five sectors: (a) health; (b) education; (c) water supply; (d) solid waste management; and (e) social assistance services for the disabled and other vulnerable groups. These funds are currently programmed and utilized towards expenditures for devolved functions based on LC annual development plans and budgets. IDA funds will be allocated and disbursed to LCs for use, as they see fit using sector goals, within the functions devolved to them in the education; health and sanitation; water supply; solid waste management; and social assistance sectors. The locally based staff of the different Ministries have to lobby for their sector goals. In addition, central Ministry staff will be given incentives to provide technical guidance on sector goals to local authorities. The last sector is a new area of eligibility and responds to the need to help the neediest people in society. Funding allocation would be 25% of the grants for health and education each, 30% for water supply and 10% each for solid waste management and social welfare services for the vulnerable. Expenditures will be focused on improving services through provision of materials and other recurrent expenditures needed to improve service quality. Civil works will be limited to rehabilitation of existing facilities and needs to follow the ESMF and RPF guidelines². No new landfills or solid waste dumpsites can be financed because that would trigger a full environmental impact assessment and require more than a year or two to be completed. Local waste collectors could be financed within the context of the ESMF guidelines. Local Councils will be required to sign a results agreement with the Local Government Finance Department (LGFD) specifying their targets which would be linked to national targets for the respective sector where applicable. To enable LCs to reach their targets, they would be encouraged to sign similar performance based contracts with service providers specifying agreed outcomes for the activities financed by the council. This will start with health, education and water and based on progress be extended to the other sectors. These will allow a cascading results culture down to the service provider level. Service provider accountability will also be strengthened through this component.

² To be updated during appraisal by the Safeguards Team

Component 2: Capacity development and technical assistance to strengthen LCs' capacity.

This component will strengthen the LCs' capacity to carry out their core functions and central government capacity to provide adequate strategic guidance and oversight to LCs. This component will strengthen LCs' capacity to perform their core functions and MDA capacity to provide adequate strategic guidance and oversight to LCs. During Phase I, the demand driven window to which central ministries and local governments could apply to increase their capacity to carry out their attributed functions under the law did not function as expected. Requests were limited despite efforts by DecSec to inform line Ministries of its availability to support their work related to improving services at the local level. In particular, very few requests came from central Ministries to finance their capacity to provide adequate technical guidance and oversight to LCs and this function was widely ignored by the concerned Ministries. Without this function, technical quality control over the activities of the local councils was generally missing with some minor exceptions especially in health where there are stronger district based teams. During Phase II, in addition to the demand driven grants, there will be a supply driven grant for each technical Ministry which would have to sign an agreement with the Ministry of Local Government represented by DecSec, under which they would be provided funding for technical supervision of LCs activities in their sectors. The funds would be disbursed against results based indicators to assure that the funds are being used in the appropriate manner. Ministries would be given direct incentives using results based contracts to provide the technical support to the LCs as part of the supply driven contracts through DecSec. In addition, LCs will receive basic training on LC core functions, including procurement, financial management, safeguards, monitoring and general administration. This component will continue to support the demand-driven capacity development window and grants to LCs and MDAs. To preserve the flexibility of this sub-component and promote context-specific solutions, DecSec will work closely with Councils and MDAs in identifying capacity-development needs and discussing options for addressing them. LCs and MDAs will submit proposals (based on their capacity development plans) to a committee chaired by DecSec and composed of the MoFED, the Ministry of Local Government and Rural Development (MLGRD), the Local Government Finance Committee (LGFC), and relevant donor partners where necessary. The eligibility criteria, eligible expenditures, grant ceilings and other guidelines will be outlined in the program operational manual. Potential interventions include short-term and long-term technical assistance and contractual services (e.g., the hiring of a local engineer to support civil works procurement), equipment, study trips, and knowledge exchange visits. This component will also support capacity of the Local Government Finance Department and the Ministry of Local Government and Rural Development's Decentralization Secretariat to carry out monitoring, safeguards and coordination functions.

Component 3: Results and social accountability.

During Phase II the focus on results will be enhanced by adding a results and social accountability component. This component will support the focus on social accountability throughout the program which will be scaled up over the implementation period to keep adding new sectors beyond the health sector to also include water an

education and waste management. The program will also seek to further strengthen ward committees, which are designed to mediate between communities and councils and is an important aspects of social accountability. The program will work with stakeholders at central and local levels to improve communication, information dissemination, and performance monitoring which is expected to enhance quantity and quality of service delivery. In addition, Comprehensive Local Government Performance Assessment System (CLOGPAS), which monitors capacity developments at Local Councils, will be implemented annually with the full version being implemented every other year and a lighter version focusing on the service delivery variables every other year. CLoGPAS is a management capacity assessment tool developed under the IRCBP project to assess the functional capacities of local councils, particularly their preparedness to take over devolved functions, as they relate to the broad mandate of local level service delivery within the national decentralization framework. Three versions have been conducted since its inception: 2006, 2008 and 2011 (the latter with expanded service delivery and ward development committee modules).³ A full version will be conducted every other year, with a lighter version carried out in alternate years.

The logic behind this is that overall capacity changes are slower but service delivery could change more quickly. The component will also include financing for the Integrated National Public Services Survey (INPSS) as well as funding technical and social audits. Finally, the new component will support monitoring of results at the council level and also support councils in implementing a results-based approach with the service providers. For example, when financing learning materials for education, the councils will require that the materials are with the pupils at the start of the school year. School inspectors could be offered travel costs support on condition that they carry out regular school visits. The same principles will be used for health and other sectors.

Social Accountability. In Phase I, GoSL is partnering with selected NGOs to pilot two interventions that use information to improve the quality of primary health services. The first strengthens bottom-up accountability through facility scorecards and community monitoring of health facilities, taking inspiration in part from a recent groundbreaking study demonstrating a 30% drop in child mortality when community score cards are used. The second intervention *seeks to incentivize* health workers by providing non-financial awards to the staff of top-performing clinics and discussions are underway with the Ministry of Health and other stakeholders on firming up the nature of awards (i.e. a letter of recognition from the ministry of Health or the President, announcing the winner in the national newspaper etc...). The awards will be determined in part by feedback from end users. The interventions are being piloted in four districts, and will be evaluated using a randomized controlled trial. The program will also seek to further strengthen ward

³ CLoGPAS collects information from all 19 local councils on the quality of processes that occur at that level. These include; organizational and management structures, planning and budgeting, project implementation, performance of devolved functions, financial management, transparency and accountability, monitoring and evaluation, gender inclusiveness and functionality of ward committees. The results are collated, ranked and disseminated initially through a workshop attended by all LC political heads (Chairpersons/Mayors), core staff, civil society and councillor representatives, and then subsequently to the general public and other stakeholders.

committees, which are designed to mediate between communities and councils. The awards will be determined in part by feedback from end users. The interventions are being piloted in four districts, and will be evaluated using a randomized controlled trial. In Phase II, the program will draw on the lessons of these pilots to apply similar techniques to other services and at a large scale. The effective and efficient operation of the Ward Communities is key to social accountability and as in phase 1, the entry point for the support are the LCs. The capacity of Ward Committees in respect of planning, budgeting, oversight, monitoring and spot checks will be strengthened, and with greater focus on gender balance in Ward Committees. The program will establish a periodic feedback loop so that councils are required to respond publicly to concerns raised by ward committees and quickly address grievances. The project's operational manual will clearly spell out the mechanisms for the information flow between the local provider, local authorities and central authorities. Several NGOs are partnering with government on a scale up of primary justice services using community-based paralegals. Under Phase II the program will coordinate with this network—providing materials and possibly training—to ensure that the paralegals can effectively assist communities in holding the councils and frontline service facilities accountable for effective delivery.

Component 4: Program Management.

The objective of this component is to ensure timely implementation and satisfactory monitoring of the program. The component will finance administrative costs related to the implementation of the grants and capacity development components (Components 1, 2 and 3). This component will finance specific operational costs of IPAU. It will support capacity building to strengthen such areas as fiduciary management, intergovernmental coordination, monitoring, administration, supervision and auditing.

Involuntary Acquisition in DSDP II

The activities proposed under component 1 may have impacts on land access, assets, and livelihoods and may result in physical displacement.

To ensure that the project mitigates negative impacts, the Government of Sierra Leone (GoSL), in compliance with the World Bank safeguard policies as well as with the EPA Act of 2008, has prepared this Resettlement Policy Framework (RPF) which will be used during project implementation.

A Framework approach has been adopted because due to the nature of the project the specific sub-projects will not be known until implementation.

Objective of the Resettlement Policy Framework (RPF)

The purpose of the RPF is to set out the policies, principles, institutional arrangements, schedules, and indicative budgets to cover anticipated resettlements and other social impacts. These arrangements are also to ensure that there is a systematic process and procedures to guide the different stages of the implementation of the measures outlined in this framework.

The specific objectives of the DSDP II RPF are to:

- i) Establish the DSDP II compensation principles and implementation arrangements.
- ii) Describe the legal and institutional framework underlying Sierra Leone's approaches for resettlement, compensation and rehabilitation.
- iii) Define the eligibility criteria for identification of Project Affected Persons (PAPs) and entitlements.
- iv) Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders.
- v) Provide procedures for filing grievances and resolving disputes.

Applicability of the RPF

The RPF will apply to any activity that requires involuntary land acquisition that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets, or (iii) loss of income sources or means of livelihoods even if there is no physical displacement.

The RPF will be applicable regardless of the total number affected, the severity of impact, and their legal status (e.g. the RPF guidelines apply also to those with ill-defined or no title to the land).

The RPF provides guidelines for addressing the impacts stated above. However for each sub-project with these impacts a site-specific Resettlement Action Plan (RAP) should be prepared. The RPF lays out the process for preparing a RAP.

Legal Framework for Expropriation and Compensation

The political and legal context upon which the legal framework of resettlement and compensation in Sierra Leone is based on are: the Constitution of Sierra Leone (1991), the Sierra Leone National Land Policy (2005), Forest Act (2001), and the Environmental Protection Agency Act (2008). Resettlement and compensation in the DSDP II is also based on the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12). A summary of these policies follows below.

The Constitution of Sierra Leone, 1991

The Constitution includes some provisions to protect the right of individuals to private property, and also sets principles under which citizens may be deprived of their property

in the public interest as described in *Section 21* of the Constitution. Consequently, the Constitution upholds the fundamental rights of citizens to own property and receive support from the state when that property is compulsorily acquired by the state. Furthermore, it also makes provision for the prompt payment of adequate compensation and access to the court or other impartial and independent authority for the determination of the land owner's interest or right, and the amount of any compensation to which he is entitled and for the purpose of obtaining prompt payment of that compensation.

The National Lands Policy, 2005

As provided in the Constitution, the 2005 National Land Policy also provides for the compulsory acquisition of land in the public interest. The principles of the land policy include among others:

- The principle of land as a common national or communal property resource held in trust for the people and which must be used in the long term interest of the people of Sierra Leone. Such principle only holds where it does not violate existing rights of private ownership.
- Compensation to be paid for lands acquired through compulsory Government acquisition will be fair and adequate and will be determined, among other things, through negotiations that take into consideration government investment in the area. Local Councils may negotiate for land for development purposes and concessionary prices or as gift, but all such grants should be properly documented and processed.
- No interest in or right over any land belonging to an individual or family can be disposed of without consultation with the owner or occupier of the land.
- No interest in or right over any land belonging to an individual or family can be compulsorily acquired without payment, in reasonable time, of fair and adequate compensation.

The Forest Act, No. 12 of 2001

The Act contains special protection provisions under which the Minister is empowered to declare any area to be a protected area for purposes of conservation of soil, flora, and fauna. The legislation stipulates that "no person may cut, burn, uproot or destroy trees that are in protected areas or trees that have been declared as being protected." It also states that the Chief Conservator /Director of Forest may issue a license or concession to fell and extract a protected tree.

Thus, while the various national policies and laws provide an important context for addressing issues relating to the resettlement of people, none gives explicit, clear and unambiguous guidelines that can be adopted for implementation of this project.

Environmental Protection Agency Act, 2008 and the Environmental Protection Agency (Amendment) Act, 2010

The Environmental Protection Agency Act, 2008 is an Act to establish the Sierra Leone Environmental Protection Agency (SLEPA), to provide for the effective protection of the

environment and for other related matters. This Act mandates the EPA to amongst others:

- Advise the Minister on the formulation of policies on all aspects of the environment and in particular make recommendation for the protection of the environment.
- Issue environmental permits and pollution abatement notices for controlling the volume, types, constituents and effects of waste discharges, emissions, deposits or other source of pollutants of substances which are hazardous or potentially dangerous to the quality of the environment or any segment of the environment.
- Prescribe standards and guidelines relating to ambient air, water and soil quality, the pollution of air, water, land and other forms of environmental pollution including the discharge of waste and the control of toxic substances.
- Ensure compliance with any laid down environmental impact assessment procedures in the planning and execution of development projects, including compliance in respect of existing projects.
- Impose and collect environmental protection levies in accordance with this Act or regulations made under this Act.

Sections 24 of the Act indicates that undertakings listed in the first schedule of the Act require an Environmental Impact Assessment License and this includes conversion of land to rural development, infrastructural projects such pipelines dams and drainage. Sections 25 and 26 of the Act describe factors for determining whether a project requires as environmental impact assessment and the contents of environmental impact assessment respectively. The Act describes the procedures to be followed to obtain permits for both existing and proposed undertakings through the conduct of environmental impact assessments. The Environmental Protection Agency (Amendment) Act 2010 sought to give executive powers to the Board.

The Local Government Act, 2004

The Act establishes the Local Council as the highest political authority in the locality who shall have legislative and executive powers to be exercised in accordance with this Act. This Act in its First Schedule under section 2 establishes the localities namely: Districts, Towns, and Cities. The part II of this schedule also establishes the number of Paramount Chiefs in each local council. The Third Schedule establishes the functions to be devolved to the local councils. The Fourth and Fifth Schedules establish departments under each local council, and Valuation list and Rate Books respectively.

World Bank Involuntary Resettlement Operational Policy, OP 4.12

The World Bank's safeguard policy on involuntary resettlement (OP 4.12) is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to natural resources, may take place as a result of the project. It includes requirements that:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons displaced by the project to share in project benefits.
- Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Under the Project, some temporary or permanent land acquisition or restriction of access during construction of infrastructure may occur. In the event of such occurrence, the Bank's OP 4.12 indicates that such affected persons are entitled to some form of compensation whether or not they have legal title, as long as they have controlled or used the land or resources in question on a regular basis before the project-defined cut-off date.

Table 1: Comparison of Sierra Leonean Laws with World Bank Policies

Topic	Sierra Leonean Law	World Bank requirements
Timing of Compensation Payment	Prompt.	Prior to displacement and relocation.
Calculation of Compensation	Fair and adequate.	Full replacement cost.
Squatters	No provision, they are deemed not to be eligible.	Are to be provided transitional allowance.
Land Owners	Cash compensation based upon market value. Under statute. Land for Land under customary law.	Recommends land for land compensation. Other compensation is at replacement cost
Land Tenants	Entitled to compensation based upon the amount of rights they hold upon land under relevant laws.	Are entitled to some form of compensation whatever the legal recognition of their occupancy
Land Users	In some cases land users have some form of secured tenure extended to them under new laws. In order cases land users not entitled to compensation for land, entitled to compensation for crops and any other economic assets.	Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre – project levels at least.
Users of natural resources subject to be put under control of conservancy members for sustained use and development	No compensation when law is followed	Entitled to compensation for lost income from loss of access to or use of resources: lost income must be computed, and restored to pre-project levels at least.

Topic	Sierra Leonean Law	World Bank requirements
Owners of “Non permanent” Buildings	Cash compensation based on market value or entitled to new housing or authorized land under Government (State or local) housing programs	Entitled to in kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement
Owners of Permanent Buildings	Cash Compensation is based on market value	Entitled to in kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement
Perennial Crops	Cash compensation based upon rates calculated as an average net agricultural income.	Upon approval by the Bank and disclosure in Sierra Leone and at the Bank Infoshop.
Resettlement	In situations where inhabitants have to be displaced, the state is to resettle all on “suitable land with due regards for their economic well-being and social and cultural values”.	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.
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	The owner/tenants on the land must be formally notified at least a week in advance of the intent to enter, and be given at least 24 hour notice before actual entry.	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 mechanisms to be established.

Critical examination of the Sierra Leonean regulations and the Bank policies shows significant gaps between the two requirements. In cases where project affected persons have no rights of tenure according to Sierra Leonean law; the provisions of the Bank OP 4.12 would apply in terms of their rights for compensation, consultation, grievance mechanism etc. Where, there is conflict between laws of Sierra Leone and the Bank OP 4.12, the Banks procedures will take precedence if the Bank is to fund the subproject.

Categories of Eligibility

Eligibility Criteria

The following are categories of displaced persons eligible for compensation under this RPF:

- a) Those who have formal rights to land (including customary/communal land, traditional and religious rights, recognized under Sierra Leonean Law).
- b) Those who do not have formal legal rights to land at the time the socioeconomic survey (census and valuation – see Section 5.2) begins but have a claim to such land or assets provided that such claims are recognized under the national and local laws of Sierra Leone or become recognized through a process identified in the Resettlement Action Plan.
- c) They have no recognizable legal right or claim to the land they are occupying e.g. squatters.
- d) Communities (on communal lands) permanently losing land and/or access to assets and or resources under statutory or customary rights will be eligible for compensation. Example of community compensation could be for public toilets, market place, schools and health posts. The rationale for this is to ensure that the pre-project socio-economic status of communities who may be adversely impacted are also restored.

Therefore, it is clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on prospective land, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date.

Persons who encroach the area after the socio-economic study (census and valuation) have been conducted are not eligible for compensation or any form of resettlement assistance.

Units of Entitlements

Individuals, families, households and communities are eligible to receive compensation.

Project Affected Persons (PAPs)

Individuals whose assets may be lost, including land, property, other assets, and/or access to natural and/or economic resources as a result of activities related to a sub-project.

Project affected households

Groups of PAPs in one household and where one or more of its members are directly affected by the sub-project. Households vary in form and appearance and may include:

- a) Men, women, children, dependent relatives and friends.
- b) Vulnerable individuals who may be too old or ill to farm along with the others.
- c) Members of households who cannot reside together because of cultural rules, but who depend on one another for their daily existence.
- d) Members of households who may not eat together but provide housekeeping, or reproductive services critical to the family's maintenance.

- e) Other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.

In the local cultures, members of production, consumption and co-resident groups form overlapping, often incongruent sets of people who may exchange domestic or farming services on a regular basis even though living separately. Compensation will not be limited to people who live together in a co-resident group, since this might leave out people whose labor contributions are critical to the functioning of the household. For example, among polygamous settings, each wife has their own home.

Vulnerable groups of people

See section 4.3 for a detailed discussion on vulnerability.

Vulnerable Individuals

Special attention should be paid to vulnerable individuals and groups and their needs as they may need additional support in, for example, moving assistance, livelihood restoration, and delivery of compensation payments. Vulnerable individuals and groups should be identified early in the preparation of the RAP and measures to mitigate negative impacts on these individuals should be put in place.

Those potentially vulnerable include households with incomes below the national poverty line, including the landless, elderly and disabled, women and children, and other historically disadvantaged. Other vulnerabilities are summarized below.

Landless Residents on Communal Lands

This group has little or no usufruct rights, are often the poorest of the poor, destitute, unskilled, unemployed and unemployable and often shunned by rest of contemporary society.

People with Disabilities Ex-soldiers and combatants

These are people with physical disabilities, some of whom suffered these injuries in the war. They may be additionally vulnerable if they have lost family members who provided socio-economic support to them.

AIDS afflicted persons

A relatively high percentage of the poor and youth population is living with HIV or is terminally ill with AIDS.⁴ Many are beneficiaries of numerous health programs from government (central and local), international organizations and the NGO community.

Orphans

Due to the impacts of the rebel war of the 1990s and AIDS crisis that plagues Sierra Leone today there are a considerable number of orphaned children, whose parents have

⁴ Citation required.

died from AIDS. These children today fall into three categories of care: (i) those being looked after by an uncle, aunt, grandparents or other close relatives; (ii) those being looked after by the government, local authorities or NGOs; and (iii) those living alone and providing for themselves and other siblings. These children are more vulnerable since they are often "voiceless" because they have no parents to defend or stand up for them and also because they are considered too young to be heard. Orphaned children engage in any form of economic activity to provide for themselves and their siblings by engaging in activities such as paraffin selling, artisanal mining, water selling, exploitative employment etc.

Despite the laws of Sierra Leone and the International Labor Organization (ILO) prohibiting the exploitation of children, it is a reality that street children are either in paid employment or are on the streets in some areas in Sierra Leone in particular big cities like Freetown, Bo, Kenema and other big cities. They tend to live in close proximity to large towns and cities. If vulnerable children should become impacted by DSDP II in a way that means they have to be physically relocated, their compensation cannot be in cash. They would have to be put in a program or registered with one of the many children's charities that are operating in Sierra Leone today. Their compensation would take the form of paying for their rehabilitation and training to acquire useful vocational skills.

Women headed households

These are households where women are the main breadwinner in their household even where the men have remained with the family. During the war, young men were forced into rebel groups and were forced to go into the bush and fell victims of the political liberation process and lost their lives and for many other reasons , leaving behind many women headed households which to some extent still exist.

Resettlement Action Plan Preparation

The following procedural guidelines will apply when it is determined that a RAP will be developed:

- a) All potential PAPs should be identified (through a scoping exercise) and informed about their options and rights pertaining to compensation for land and assets to be acquired by the sub-project;
- b) PAPs must be consulted about land acquisition and compensation and offered technical and financial options, including the most economically feasible alternatives; and
- c) PAPs should receive reasonable compensation at full replacement cost for losses of assets and access attributable to the sub-project.

The following sections outline the steps required in preparing a RAP.

Screening

The screening process (based on the *In-house Subproject Screening Checklist* in the ESMF) will determine whether sub-projects are likely to have potential negative environmental and social impacts including whether or not involuntary land acquisition, relocation or loss of shelter, loss of assets or access to assets, or loss of income sources of means of livelihood will result from the sub-project activity.

If the screening reveals that the above impacts are anticipated the sub-project proponents will be required to prepare a RAP.

The use of land that triggers OP 4.12 should be avoided where possible, by rerouting, rezoning, choosing alternative sites, etc.

The screening process for each sub-project will be carried out by the Local Councils led by the Environment and Social Officer (ESO) and Development Planner. All *Screening Checklists* will be reviewed by the Environmental and Social Safeguards Specialist at DecSec who will confirm the need for a RAP.

The ESO at the Local Council level will be charged with the preparation of the RAP. The ESO may prepare the draft ToRs for the RAP subject to review and approval by the Environmental and Social Safeguards Specialist, the LGFD, IPAU and SLEPA. The procurement of a consultant to prepare the RAP would be the responsibility of the Local Councils.

Establishing a Cut-Off Date and the Socio-Economic Survey

Once the sub-project is approved by the Local Council and submitted to the LGFD and IPAU for verification and confirmation, the following steps should be undertaken:

- a) Establishment of an entitlement cut-off date when the enumeration of persons and the inventory of their property and income sources in the identified project areas are carried out. PAPs should be informed of the cut-off date and its significance in the presence of all the relevant stakeholders.

The entitlement cut-off date refers to the time when the enumeration of persons and the inventory of their property and income sources in the identified project areas are carried out.

After the cut-off date no new cases of affected people will be considered except through accepted grievance mechanisms for such cases. In these cases, participatory mechanisms should be employed as far as is feasible.

Unfinished structures would be identified and secured, and unused materials will be piled at the site so that the cut-off survey can estimate investment which should be compensated for in lieu of expenses (including labor) incurred until the cut - off date. It is worth noting that because there is

a time lapse between the cut-off date and the time actual productive investments (civil works, etc.) would start, there is the need for special attention to be taken to secure the sites from rush and opportunistic invasion. These measures should include close consultation with the recognized PAP's, signs that inform general public of intended use of site, security patrols to identify opportunistic invaders etc.

- b) Implementation of a socio-economic survey and census to determine the scope and nature of land acquisition and resettlement impacts.

The purpose of the socio-economic study is to collect baseline data within site areas. The socio-economic study would focus on the identification of stakeholders (demographic data), identification of affected people (including owners and users of land), impact on their property and their production systems, the institutional analysis and the system for monitoring and evaluation. Detailed calculation of individual and household economies and identification of all impacts will be undertaken as part of the socio-economic study and be the determinant in the potential compensation process.

Standard characteristics of the affected households, including a description of production systems, labor, and household organization, baseline information on livelihoods (including production levels and incomes derived from both formal and informal economic activities) and standards of living and health status of the PAPs. Under this study a comprehensive baseline census would be carried out to identify potentially affected people on the individual and household levels, including vulnerable groups as discussed in Section 4.3 above.

Determination of Instrument – Resettlement Action Plan or Abbreviated Resettlement Action Plan (ARAP)

If the estimated number of PAPs is less than 200 or if the affected people are not displaced and less than 10% of their assets are lost then an Abbreviated Resettlement Action Plan (ARAP) should be prepared.

The ESO will inform the DecSec ESS of the appropriate instrument to be prepared for approval and submission to SLEPA for approval.

All RAPs/ARAPs prepared under the project will require final approval from the World Bank to ensure alignment with the RPF and compliance with World Bank safeguard policies.

For the World Bank to approve funding for any subproject activities that needs to acquire or use land to support proposed investments under this project, the project must first comply with all local laws and the provisions of this RPF. For investments on land that is already owned or in use by the management committee pre-project, the World Bank will only approve funding once it is satisfied that the provisions of this RPF were met in cases where OP 4.12 applies.

After approval from the World Bank the ESO will ensure the incorporation of the RAP/ARAP into sub-project design.

Monitoring will be conducted during all phases of the project implementation by LGFD, IPAU and the ESS at DecSec.

Annexes 1 and 2 describe the requirements for the preparation of a RAP and an ARAP in detail.

Consultation, Participatory Approaches and Disclosure

A participatory approach is adopted to initiate the compensation process. Public consultation and participation are essential because they afford potentially displaced persons with the opportunity to contribute to both the design and implementation of sub-projects. Consultations therefore must start during the planning stages when the technical designs are being developed.

Public consultation will take place at the inception of the DSDP II at the level of local communities assisted by local NGOs, traditional leaders and elders of communities, and service providers. Other stakeholders who should be involved include representatives of the ministry of Lands, the Local Government Finance Department, the Decentralization Secretariat, and Local Councils. Public consultations will occur during prioritization of subprojects (i.e. early/upstream consultations) and also during the following stages RPF implementation. In addition, consultations will also occur during the socio-economic study, the preparation of RAPs where applicable, and the drafting and reading of the compensation contract.

Prior to any negotiations for land acquisition, the Local Councils must provide adequate information to any PAPs about key provisions of this RPF framework. The notification should be transmitted to the PAPs in a language and medium as to be easily understood by PAP (e.g. graphic oriented posters) and should be displayed in areas easily accessible to all members of PAP (e.g. local chiefs palace, community civic centers, etc.).

Information to be disclosed must include:

- Entitlement to replacement in kind or compensation at the replacement cost.
- Methods to be used in establishing compensation rates; and cut-off dates.
- The RPF and subsequent RAPs.
- Procedures for pursuing complaints and grievances redress, including contact information.

Land Acquisition, Valuation, and Compensation

Land acquisition for sub-projects will be managed by a land acquisition team comprising representatives of the local community, Ward Committee, Local Council and the Lands Board.

The acquisition should commence with private consultations with the aim of achieving the following:

- Identifying the rightful owners. Land ownership in the Western Region will be verified through the Ministry of Lands and in other regions will be verified with the Chiefdom Council.
- Identification of the boundaries.
- Current occupants and users.
- Extent of loss to be suffered due to the sub-project activities.
- Negotiation of compensation and resettlement.

The following are steps to be undertaken during valuation and compensation:

Inspection of Land

Land and properties to be affected by the sub-projects in the beneficiary Local Councils should be inspected/referenced or enumerated. This should be done in conjunction with the National Land Board and an independent valuer of the PAPs if they so wish. If the ownership of the land is unclear and/or if there are unresolved disputes over the ownership of the land it will not be considered as a sub-project site.

Measurement of Land

The unit of measurement used would be that which is used and understood by the affected landowners and land users. Therefore, in rural areas if a traditional unit of measurement exists, that unit should be used. If a traditional unit of measurement does not exist in a particular area then it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. The unit to be used must be explained to the affected owners /users and must be related to easily recognizable land features that landowners and communities are familiar with. This will maintain transparency in the system and avoid subsequent disputes.

Consultation with PAPs

The process for valuation, the basis for valuing land and assets, and the compensation available should be clearly explained to the individual or household.

A land acquisition team comprising the Land Owner(s), the Local Chiefdom Council, Women and Youth Leaders of the community, Local Council with the support of the National Lands Board should draw up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected.

Valuation

With regards to land and structures, “replacement cost” is defined as follows for the following:

- a) **Agricultural Land**
It is 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 cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
- b) **Land in Urban Areas**
It is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
- c) **Houses and other Structures**
It is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

The replacement cost method should be based on the following:

- Physical inspection of each of the properties affected.
- Average replacement costs of different types of buildings and related structures based on collection of information on the quantities and types of materials used to construct different types of structures (e.g. blocks, bricks, wood, steel plates, rafters, doors etc). Prices of these items should be collected from different local markets and analysed to take account of the minor differences between the comparables and the subject properties.
- Costs of transportation and delivery of these items to acquired/replacement building site.
- Estimates of construction of new buildings including labour required.
- Costs of registration and transfer taxes.

Documentation

For each individual or household or community affected by the sub-project, the land acquisition team will prepare a Compensation Report (CR) containing all necessary personal information on the PAPs and their household members; their total land holdings; inventory of assets affected; and demographic and socio-economic information for

monitoring of impacts. In the event that the PAP is illiterate, the information in the CR will be transmitted to them in a form and language that they will understand.

A person selecting in-kind compensation has an order form,⁵ which is signed and witnessed. The compensation report should be read aloud in the presence of the affected party.

This should ideally be “witnessed” by an independent or locally acceptable body, or member of Chiefdom Council. The CR will be crafted in a language easily understood by PAPs and displayed at community civic centres and offices of chiefdom council and Local Councils.

Compensation

Entitlements for Project Affected People (PAP) would range from cash payments and/or building materials to the provision of new land, new homes and non-cash compensation for other lost properties in accordance with the identification of the impact on their property.

The approved entitlements or amounts would be communicated to the implementing agency or unit for delivery or payment to the beneficiaries. The compensation process should incorporate the following:

- a) Involvement of Public Sector Agencies such as SLEPA, Local Councils Planning Units must be involved in the process of resettlement and their roles clearly spelt out.
- b) Notification of Land Resource Holders through both a formal notification in writing and by verbal notification delivered in the presence of all stakeholders or their representative and NGOs where possible.
- c) Documentation of Holdings and Assets

See Table 2 for details.

Delivery of Entitlements

All compensation payments will be made by Local Councils in the presence of the affected party and officials of SLEPA and the NLB and with an NGO as a witness. The LGFD/ IPAU will ensure that due process has been followed by the respective Local Councils in preparing and paying of the appropriate compensation.

Taking cognizance of the potentially low scale and scope of resettlement issues that could arise; the processing of compensation application for payment by Government should be expedited over an average maximum period of one month. Some additional one month could be allowed

⁵ Sample to be included in annex.

for exceptional circumstances where there could be some complexities or challenges. No construction will begin until PAPs have been resettled if physical relocation is necessary and/or received their full compensation. Additionally, the property owners must be given adequate notice of not less than one month after payment of compensation to vacate affected assets and relocate depending on the nature of relocation or resettlement.

The local administration should consider issues of security for PAPs who will be receiving cash compensation payments. Local banks and micro-finance institutions should work closely with the local administration at this level to encourage the use of their facilities which will positively impact the growth of the local economies.

TABLE 2: COMPENSATION/ENTITLEMENT MATRIX

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
Agricultural Land	<p>Cash compensation for affected land equivalent to market value.</p> <p>Less than 20% of land holding affected.</p> <p>Land remains economically viable.</p>	Farmer/ title holder	Cash compensation for affected land equivalent to replacement value
		Tenant/ lease holder	Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater.
	<p>Greater than 20% of land holding lost.</p> <p>Land does not become economically viable.</p>	Farmer/ Title holder	<p>Land for land replacement where feasible, or compensation in cash for the entire landholding according to PAP's choice.</p> <p>Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to PAPs.</p> <p>Transfer of the land to PAPs shall be free of taxes, registration, and other costs.</p>

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
			<p>Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short- term crops mature).</p> <p>Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short- term crops mature).</p>
Agricultural Land		Tenant/Lease Holder	<p>Cash compensation equivalent to average of last 3 years' market value for the mature and harvested crop, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater. Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short- term crops mature.</p> <p>Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature).</p> <p>Relocation assistance (costs of shifting+ allowance).</p>

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
Commercial Land	Land used for business partially affected Limited loss	Title holder/ business owner	Cash compensation for affected land. Opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist).
		Business owner is lease holder	Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist)

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
	<p>Assets used for business severely affected</p> <p>If partially affected, the remaining assets become insufficient for business purposes.</p>	<p>Title holder/business owner</p>	<p>Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP.</p> <p>Transfer of the land to the PAP shall be free of taxes, registration, and other costs.</p> <p>Relocation assistance (costs of shifting & allowance)</p> <p>Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates)</p>
		<p>Business person is lease holder</p>	<p>Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.</p> <p>Relocation assistance (costs of shifting).</p> <p>Assistance in rental/ lease of alternative land/ property (for a maximum of 6 months) to reestablish the business.</p>

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
Residential Land	Land used for residence partially affected, limited loss Remaining land viable for present use.	Title holder	Cash compensation for affected land at replacement cost.
		Rental/lease holder	Cash compensation equivalent to 10% of lease/ rental fee for the remaining period of rental/ lease agreement (written or verbal).
		Title holder	<p>Land for land replacement or compensation in cash according to PAP's choice.</p> <p>Land for land replacement shall be of minimum plot of acceptable size under the zoning law/s or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status. When the affected holding is larger than the relocation plot, cash compensation to cover the difference in value.</p> <p>Transfer of the land to the PAP shall be free of taxes, registration, and other costs.</p> <p>Relocation assistance (costs of shifting+ allowance)</p>
	<p>Land and assets used for residence severely affected.</p> <p>Remaining area insufficient for continued use or becomes</p>	Rental/lease holder	<p>Refund of any lease/ rental fees paid for time/ use after date of removal.</p> <p>Cash compensation equivalent to 3 months of lease/ rental fee.</p>

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
	smaller than minimally accepted under zoning laws		Assistance in rental/ lease of alternative land/ property Relocation assistance (costs of shifting & allowance)
Buildings and Structures	Structures are partially affected Remaining structures viable for continued use	Owner	Cash compensation for affected building and other fixed assets. Cash assistance to cover costs of restoration of the remaining structure.
		Rental/lease holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant). Disturbance compensation equivalent to two months rental costs.
	Entire structures are affected or partially affected. Remaining structures not suitable for continued use	Owner	Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. Right to salvage materials without deduction from Compensation. Relocation assistance (costs of shifting & allowance) Rehabilitation assistance if required (assistance with job placement, skills training).

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
		Rental/lease holder	<p>Cash compensation for affected assets (verifiable improvements to the property by the tenant).</p> <p>Relocation assistance (costs of shifting & allowance equivalent to four months rental costs).</p> <p>Assistance to help find alternative rental arrangements</p> <p>Rehabilitation assistance if required (assistance with job placement, skills training)</p>
		Squatter/informal dweller	<p>Cash compensation for affected structure without depreciation.</p> <p>Right to salvage materials without deduction from compensation.</p> <p>Relocation assistance (costs of shifting + assistance to find alternative secure accommodation preferably in the community of residence through involvement of the project. Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available).</p> <p>Rehabilitation assistance if required assistance with job placement, skills training).</p>
		Street vendor	Opportunity cost compensation equivalent to 2

Land and Assets	Types of impact	Persons Affected	Compensation/entitlement
		(informal without title or lease to the stall or shop)	<p>months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.</p> <p>Relocation assistance (costs of shifting).</p> <p>Assistance to obtain alternative site to reestablish the business.</p>
Standing crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop.
Trees	Trees lost	Title holder	Cash compensation based on type, age and productive value of affected trees plus 10% premium.
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant, or squatter)	Cash compensation for any assets affected (e. g. boundary wall demolished, trees removed).

GRIEVANCE REDRESS MECHANISM

The PAPs will use the project wide Grievance Redress Mechanism. All beneficiary communities should be well informed in verbal and written form, by Local Councils of the processes for handling complaints at the planning stages of the project.

The ESO together with local leaders will be required to track complaint patterns and will report these to the ESS who will consider necessary actions. Where necessary, changes in actions and processes will be discussed with DecSec, LGFD, and IPAU.

Causes of grievances

It is envisaged that these activities proposed under component 1, particularly those involving new constructions may have impacts on land access, assets, and livelihoods and may result in physical displacement. These may require changes in the way of life and norms of the affected populations in the targeted districts, not least the acquisition of land, communal properties and individual holdings for the envisaged sub-projects. It is also possible that due to litigations some disruptions would occur, and that there may be delays which may threaten the commencement and completion of some of these projects, and defeat, in the long run, the completion timeframe of some service delivery functions.

Some of the likely flashpoints of discontent and grievance in the specific areas may be land acquisition from reluctant owners for sub-projects. Others may involve resettlement and relocation away from traditional settlement and land use patterns like in the case of rehabilitation of sanitation and rural water infrastructure.

Receipt, recording, sorting, and investigation of grievances – Ward Committees

Ward Committees will be the first contacts for addressing potential sources of conflicts and disputes given their close proximity to the sub-project implementation scenes.

All grievance received will be recorded. Questions and concerns will be directed to relevant officers or answered by Ward Committee. Grievances will be investigated by the Environmental and Social Officer, Local Council within a period not exceeding 7 days. Ward Committees will be required to put in place and use Dispute Resolution systems using time-tested and respected traditional norms and practices in an effort to resolve grievances.

If grievance is not resolved grievance is referred to the Local Council. This step should not exceed a period of 14 days.

Referral of grievance to the Local Council should be recorded and the PAP informed.

Local Councils

Failure to resolve grievances at the Ward Committee level, grievances may then move to the Local Councils, using the elected councillors in the respective communities as an appeal process to which dissatisfied PAPs may have recourse.

LCs will put in place Dispute Resolution Systems which uses time-tested and respected traditional norms and practices. The LCs will be encouraged to initiate and implement an LC Grievance Resolution Program (LCGRP), employing traditional and community leaders like community chiefs, pastors and imams of principal churches and mosques,

heads and principals of local educational establishments, doctors or traditional healers, etc, to create a platform for grievance-resolution involving acknowledged leaders. Ward Committees and Chiefdom councils will provide input for Councils in any grievance appeal brought before it.

If grievance is not resolved, grievance is referred to the ESS. This step should not exceed a period of 21 days.

Referral of grievance to the ESS should be recorded and the PAP informed.

ESS

Failure to resolve grievances at the Local Council level, grievances may then move to the ESS. Resolution process should include engagement of relevant staff at LGFD, MOFED and other relevant entities such as the National Lands Board, EPA.

If grievance not resolved within 21 days PAP can pursue legal action.

Conclusion of the process should be recorded and the PAP informed.

RPF IMPLEMENTATION AND MONITORING ARRANGEMENTS

Relevant Implementation Agencies

The following are the roles of the various agencies and entities involved in the DSDP II with specific focus on the implementation of the RPF.

Ministry of Finance and Economic Development

MoFED will be the lead implementing agency for the DSDP II on the whole. However, the IPAU of MoFED which is the entity designated by Government to manage all projects for which MoFED is the leading implementing agency, will work closely with MLGRD.

Ministry of Local Government and Rural Development (MLGRD)

The Local Government Finance Division will support the Budget Bureau of MoFED in managing component 1, together with IPAU and the proposed program oversight committee (The National Joint Coordinating and Monitoring committee).

Decentralization Secretariat (DecSec)

The DecSec in collaboration with LGFD and IPAU will provide technical support for the implementation of the RPF by the Local Councils. There will be a Safeguards Specialist at DecSec who will be responsible for (i) supporting LCs in preparing TORs for the RAP/ARAP and (ii) working closely with LGFD it will support the LCs in ensuring that contractors comply with the recommendations in ESMF and ensure that environmental and social management clauses are inserted into their contracts during construction phase of subprojects.

Sierra Leone Environmental Protection Agency (SLEPA)

SLEPA is the chief regulator on environmental issues and will be responsible for providing overall quality control through the review and clearance of the RAPs/ARAPs and validating the Environmental Audit Reports (EAR) to be prepared at the completion of works by the contractors.

SLEPA will also enforce compliance with mitigation measures in line with the Environmental Protection Agency Act (2008) and World Bank safeguards policies and monitor the implementation of the RAP/ARAP. SLEPA will also support the Safeguard Specialist at DecSec in the provision of technical support to the Local Councils.

Environmental and Social Officers (ESOs)⁶

Environmental and Social Officers will be existing staff/officers on the Local Councils who will be trained in environmental and social issues and will undertake these duties in

⁶ TOR to be developed.

addition to their other functions. The ESO will be responsible for ensuring that LCs comply with and implement sub-projects in accordance with provisions in this RPF and the ESMF and in close collaboration with the SLEPA and any relevant Government Agency.

Other responsibilities of the ESO shall include: coordination with the Works Unit of LCS in monitoring of the contractors and works; compilation and preparation of bi-annual and annual environmental and social impacts monitoring reports for submission to DecSec Safeguard Specialist, SLEPA and the World Bank; facilitating the preparation and disclosure of EMPs and RAPs/ARAPs in-country.

Environmental and Social Specialist (ESS)

The ESS will be charged with, amongst other things, overall monitoring of implementation of the RPF, including the grievance redress mechanism; coordination of training to ESOs, LC staff, Ward Committee members and others on resettlement and other social issues.

Implementation Costs

Funds for compensation and resettlement will come from MoFED like any other activity eligible under the projects’ administrative and financial management rules and manuals. ***However, The funds for compensation will be paid for using Government of Sierra Leone funds and not World Bank IDA funds.***

Resettlement Action Plans will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The responsibility for meeting the terms of this framework, including financial obligations associated with resettlements and compensation will be borne by the project.

Since the specific sites and sub-projects are not yet determined and costs of resettlement and compensation are based on technical designs and results of scoping, it is not possible to produce a detailed budget for RPF implementation. Once a budget is finalized it will be subject to approval by the World Bank.

An indicative RAP budget outline can be found below.

Table 3: Indicative RAP budget outline

Asset Acquisition	Amount/ Number	Total Estimated Cost	Agency Responsible
Land			
Structure			
Crops and economic trees			
Community infrastructure			
Land Acquisition and Preparation			

Land			
Structures			
Crops and others			
Community infrastructure			
Relocations			
Transfer or possessions			
Installation costs			
Economic Rehabilitation			
Training			
Capital Investments			
Technical Assistanes			
Monitoring			
Contingency			

To ensure effective implementation of the provisions of the RPF and the ESMF at the Local Council’s levels, the key stakeholders (members of the Planning, ESOs, ESS and Works Units of LCs) will be trained in environmental and social safeguards. Potential trainable areas are shown in Table 3 below:

Table 4: Capacity building activities for RPF implementation:

Type of activity	Target Beneficiaries	Estimated costs	Remarks
Training on Environmental and Social Assessment (screening and classification of activities, identification of impacts, mitigation options and indicators)	MLGRD/DecSe c/LCs/LGFD/IP AU	Lumpsum, USD70,000	
- Training in Involuntary Resettlement issues - Drafting ToR for RAP/ARAP preparation - Selection of mitigation measures in the checklists	MLGRD/DecSe c/LCs/LGFD/IP AU	Lumpsum, USD70,000	

Implementation Schedule

Compensation would be paid **before** the owners/occupiers are made to vacate their properties for commencement of construction or civil works. The MLGRD will ensure that no construction begins until PAPs have been resettled if physical relocation is necessary and/or received their compensation. All compensation, whether cash payments and /or alternative land and house provisions, would be given to the PAPs prior to any request for vacation of land/property and before commencement of construction. Documents indicating the legal ownership and/or payment of compensation will be submitted as part of the funding request prior to disbursement.

Monitoring Arrangements

The arrangements for monitoring would fit the overall monitoring plan of the entire project. An administrative reporting system will be instituted that:

- Provides timely information about the valuation and negotiation process
- Reports grievance patterns
- Documents timely completion of project resettlement obligations for all permanent and temporary losses as well as unanticipated, additional construction damage.

This will be undertaken to determine:

- If affected people have been paid in full and before implementation of subproject activities
- If PAPs have been affected in such a way that they are now living a higher standard than before, at the same standard as before, or if they are poorer than before.

The indicators to be used include:

- Beneficiary satisfaction with resettlement process, compensation and results
- Number of RAPs/ARAPs in place
- Percentage of activities in compliance with the RAP

A semi- annual and an annual performance audit will be carried out during each year of implementation of the project, preferably by an independent consultants to be hired by the IPAU/LGFD, in order to ensure that RAPs are being implemented in compliance with the RPF and ESMF of the project, and that compensation/ resettlement payments have been carried out satisfactorily. The semi-annual reviews will coincide with Bank implementation support missions copies of such audits will be lodged with the Bank. Copies of the audit reports will also be submitted to the Local Councils.

REFERENCES

Constitution of Sierra Leone, 1991

Environmental Protection Agency Act, 2008 and the Environmental Protection Agency (Amendment) Act, 2010

Handbook for Preparing a Resettlement Action Plan, International Finance Corporation

Local Government Act, 2004

National Land Policy, 2005

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ANNEX 1: Outline for Preparing a Resettlement Action Plan (RAP)

This annex is extracted from OP 4.12 Annex A.

The scope and level of detail of the RAP will vary depending on the magnitude and complexity of resettlement or displacement. The RAP is prepared based on the most recent and accurate information on the: (i) proposed resettlement and its impacts on displaced persons and other adversely affected groups; and (ii) legal issues affecting resettlement. The RAP covers elements that are specific to the project context.

A broad outline of the RAP, as applied to sub-projects covered under a RPF includes, but is not limited to, the following:

Description of the sub-project:

General description of the sub-project and identification of sub-project area or areas.

Potential Impacts:

Identification of the: (i) the sub-project components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.

Objectives:

The main objectives of the resettlement program as they apply to the sub-projects.

Socio-economic studies:

The findings of socio-economic studies to be conducted in the early stages of project preparation, and with the involvement of potentially affected people will be needed. These generally include the results of a census of the affected populations covering:

- (i) Current occupants of the affected area as a basis for design of the RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- (ii) Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- (iii) Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- (iv) Information on vulnerable groups or persons, for whom special provisions may have to be made; and

- (v) Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

There may be other studies that the RAP can draw upon, such as those describing the following:

- (i) Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;
- (ii) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- (iii) Public infrastructure and social services that will be affected; and
- (iv) Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework:

The analysis of the legal and institutional framework should cover the following:

- (i) Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc;
- (ii) Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the sub-project;
- (iii) Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc related to displacement and resettlement, and environmental laws and social welfare legislation;
- (iv) Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- (v) Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
- (vi) Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc and which are specific to the sub-projects.

The institutional framework governing RAP implementation generally covers:

- (i) Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- (ii) Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and

- (iii) Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

Eligibility:

Definition of displaced persons or PAPS and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Valuation of and compensation for losses:

The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

Resettlement Measures:

A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the objectives of OP 4.12. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation:

Alternative relocation sites should be described and cover the following:

- (i) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, location advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (ii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- (iii) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (iv) Legal arrangements for recognizing (or regularizing) tenure and transferring titles to those being resettled.

Housing, infrastructure, and social services:

Plans to provide (or to finance provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; and any other necessary site development, engineering, and architectural designs for these facilities should be described.

Environmental protection and management:

A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Community Participation:

Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

- (i) Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
- (ii) Summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and
- (iii) Review of resettlement alternatives presented and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- (iv) Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

- (i) Consultations with host communities and local governments;
- (ii) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- (iii) Conflict resolution involving PAPs and host communities; and
- (iv) Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

Grievance procedures:

The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

RAP implementation responsibilities:

The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover:

- (i) Delivery of RAP compensation and rehabilitation measures and provision of services;
- (ii) Appropriate coordination between agencies and jurisdictions involved in RAP implementation; and
- (iii) Measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc).

Implementation Schedule:

An implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to the resettled population and the hosts, as well as clearly defining a closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project.

Costs and budget:

The RAP for the specific sub-projects should provide detailed (itemized) cost estimates for all RAP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation:

Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPS in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation, and using the results of RAP impact monitoring to guide subsequent implementation.

ANNEX 2: Outline for Preparing an Abbreviated Resettlement Action Plan (ARAP)

This annex is extracted from OP 4.12 Annex A.

An abbreviated plan covers the following minimum elements:

- a) A census survey of displaced persons and valuation of assets;
- b) Description of compensation and other resettlement assistance to be provided;
- c) Consultations with displaced people about acceptable alternatives;
- d) Institutional responsibility for implementation and procedures for grievance redress;
- e) Arrangements for monitoring and implementation; and
- f) A timetable and budget.

ANNEX 3: PUBLIC CONSULTATION AND DISCLOSURE PLAN FOR RAPs

Public consultations in relation to the RAP should occur at all stages, starting with inception and planning when the potential lands and alternative sites are being considered. A participatory approach must be adopted as an on-going strategy throughout the entire project cycle.

Public participation and consultations should take place through individual, group, or community meetings. Additionally, radio programs and other media forms may be used to further disseminate information. PAPs must be consulted in the survey process which should include:

- Public notices where explanations of the sub-project are made;
- RAP implementation of activities; and
- During the monitoring and evaluation process.

Selection of ways to consult, and expand participation by PAPs and other stakeholders should take into consideration the following:

- Literacy levels prevalent in affected communities;
- Ethnicity and cultural aspects; and
- Practical conditions (like distance).

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. The RAP team should ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures.

Data Collecting Phase

Consultations during preparation, in particular, the collection of background information and the social survey or social assessment, are critical for successful data collection. The levels of consultation should vary from households to community groups, based on the particular context of the sub-project(s). The RAP team will design the questionnaires but it will be the households, organizations, and institutions that will validate their effectiveness through feedback. Focus group meetings with women, farmers' associations, individuals who own farms, tree crop plantations, etc, as well as primary and/or secondary schools, health centers are usually good sources for establishing the community baseline situation.

Implementation Phase

During implementation, PAPs should be informed about their rights and options. The grievance mechanism should continue to operate and all grievances should be recorded. The participation of local leaders and PAPs in disseminating information and resolving disputes will be important once RAP implementation starts. A dynamic participatory approach should involve PAPs in decision making about livelihood and community development programs.

Monitoring and Evaluation Phase

PAPs representatives should participate in the sub-project workshops at mid-term and at the end of RAP implementation. Prior to closing the RAP, PAPs will participate in a feedback survey as part of the RAP's independent impact evaluation exercise.

ANNEX 4: MONITORING AND EVALUATION OF IMPACTS IN RAP

The RAP team of the consultant will be expected to develop and implement a Monitoring and Evaluation

Plan in the RAP (MEP). The main indicators that the MEP will measure include:

- i) Impacts on affected individuals, households, and communities to be maintained at their pre-project standard of living or better;
- ii) Improvement of communities affected by the project; and
- iii) Management of disputes or conflicts.

In order to measure these impacts, the RAP identifies the specific indicators to be monitored; define how they will be measured on a regular basis; and identify key monitoring milestones (e.g. at mid-point of the RAP implementation process). The Local Councils will establish a reporting system for the sub-project RAP that will:

- Provide timely information to the project about all resettlement and compensation issues arising as a result of RAP related activities;
- Identify any grievances, especially those that have not yet been resolved at the local level and which may require resolution at the higher levels
- Document completion of project resettlement and compensation that are still pending, including all permanent and temporary losses;
- Evaluate whether all PAPs have been compensated in accordance with the requirements of this RPF and that PAPs have better living conditions and livelihoods; and
- Identify mitigation measures, as necessity, when there are significant changes in the indicators that may require strategic interventions (e.g. vulnerable groups not receiving sufficient support from the sub-project).

Several indicators should be used to measure these impacts. These should include, among others, a comparison of income levels before-and-after; access to livelihoods and employment; changes in standards of housing and living conditions; and improvements in level of participation in sub-project activities. There are measures to verify these basic indicators, such as number of children in-school (compared to pre-RAP levels); changes in health standards; and changes in access to markets – all of which may reflect overall improvements in standards of living. The following methods should be used for measuring impacts:

- Questionnaires with data stored in a database for comparative analysis (before-after and with or without);
- Documentation and recording of PAPs situation, including subsequent uses of assets/improvements;
- Relocation/resettlement and Compensation Reports, including status of land impacts; percentage of individuals selecting cash or a combination of cash and in-kind compensation; proposed use of payments;
- Number of grievances and time and quality of resolution; and

- Ability of individuals and families to re-establish their pre-resettlement activities, in terms of improvements in land and crop production, and/or presence of other alternative incomes.

The RAP team at Local Councils level should maintain, together with local officials, basic information on all physical or economic displacement arising from the sub-project. This should include an update, for example on a quarterly basis, of the following:

- Number of sub-projects requiring preparation of a RAP;
- Number of households and individuals physically or economically displaced by each subproject;
- Length of time from sub-project identification to payment of compensation to PAPs;
- Timing of compensation in relation to commencement of physical works;
- Amount of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);
- Number of people raising grievances in relation to each sub-project;
- Number of unresolved grievances.

The Local Council team will review these statistics to determine whether the RAP implementation arrangements, as defined in this RPF, are effective in addressing RAP related issues. Financial records will be maintained by the sub-projects and the IPAU, to determine the final cost of RAP implementation. The following indicators in the table below could be used to monitor the implementation of the RAP.

Indicators of RAP Impacts

Monitoring Issues	Output indicators	Outcome indicators
Tracking grievance mgt	Number of grievances filed	% of beneficiaries satisfied with grievance handling arrangements
Tracking the application of RPF	Number of compensation (and valuation) not completed	% of beneficiaries satisfied with compensation packages
Resettlement issues	Number of livelihood restoration programs completed	% of beneficiaries satisfied with resettlement process
Resettlement issues	Pre project production versus present production levels (crops for crops, land for land)	% increase in displaced persons with improved access/use of services (ie health, education, water etc)

Socio-Economic Assessment

The purpose of socio-economic assessment, which is part of the evaluation process, is to ensure that PAPs livelihood and well being have improved, and have not worsened as a result of the sub-project. An assessment should be undertaken on payment of compensation, restoration of income and livelihoods, and provision of sufficient community development activities. Monitoring of living standards will continue after resettlement. Additionally a reasonable period (usually two years) must be established for monitoring post-resettlement impacts. A number of indicators should be used for measuring status of affected people.

Most socio-economic assessments use surveys, focus group meetings, and participatory appraisal tools for measuring impacts. A separate assessment must be made for each sub-project. Additionally, since a baseline household survey was completed during RAP preparation, the end-RAP assessment can measure changes from this baseline.

ANNEX 5: Sample Grievance and Resolution Form

Name (Filer of Complaint): _____

ID Number: _____ (PAPs ID number)

Contact Information : _____ (Village ; mobile phone)

Nature of Grievance or Complaint:

Date Individuals Contacted Summary of Discussion:

Signature _____ Date: _____

Signed (Filer of Complaint): _____

Name of Person Filing Complaint : _____ (if different from Filer)

Position or Relationship to Filer: _____

Review/Resolution

Date of Conciliation Session: _____

Was Filer Present? : Yes /No

Was field verification of complaint conducted? Yes/ No

Findings of field investigation:

Summary of Conciliation Session Discussion:

Issues

Was agreement reached on the issues? Yes No

If agreement was reached, detail the agreement below:

If agreement was not reached, specify the points of disagreement below:

Signed (Conciliator): _____ Signed (Filer): _____

Signed: _____

Independent Observer

Date: _____

ANNEX 6: GLOSSARY OF TERMS

Census	A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures emanating from consultations with affected communities and the local government institutions.
Compensation	The payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets, is called compensation. These include other impacts resulting from activities to rehabilitate or cushion the impacts from displacement
Cut-off Date	The cut-off date is the date of commencement of the census of PAPs or DPs within the EASP program area boundaries. This is the date on and beyond which any person whose land is occupied for EASP program, will not be eligible for compensation.
Grievance Mechanism	The RPF contains a grievance mechanism based on policies and procedures that are designed to ensure that the complaints or disputes about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, etc. are being addressed. This mechanism includes a procedure for filing of complaints and a process for dispute resolution within an acceptable time period.
Implementation Schedule	The RPF contains an implementation schedule that outlines the time frame for planning, implementation, and monitoring and evaluation of the RAPs for sub-projects, if applicable.
Land	Land refers to all types of agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be acquired by the project.
Land Acquisition	Land acquisition means the possession of or alienation of land, buildings, or other assets thereon for purposes of the project.
Project Affected Persons (PAPs) or Displaced Persons (DPs)	Project affected persons (PAPs) or Displaced Persons (DPs) are persons affected by land and other assets loss as a result of EASP activities. 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 or not they will move to another location. Most often, the term DPs applies to those who are physically relocated. These people may have their: standard of living adversely affected, whether or not the Displaced Person will move to another location ; lose right, title, interest in any houses, 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.

Project Impacts	Impacts on the people living and working in the affected areas of the project, including the surrounding and host communities are assessed as part of the overall evaluation of the project.
Project Implementing Unit (PIU)	Some projects make use of project implementing units (PIUs), which are generally separate units within the project recipient's agency. The PIU is often composed of fulltime staff devoted to implementing the project, and have been encouraged to have separate teams with environment and social specialists who can carry out the activities, for example, as outlined in the RPF or RAP.
Rehabilitation Assistance	Rehabilitation assistance is the provision of development assistance in addition to compensation such as livelihood support, credit facilities, training, or job opportunities, needed to assist PAPs or DPs restore their livelihoods.
Replacement Cost	Replacement cost refers to the amount sufficient to cover full recovery of lost assets and related transaction costs. The cost should be based on Market rate (commercial rate) according to Ghanaian laws for sale of land or property. It is normally calculated based on a willing buyer-willing seller basis, but also applies in Ghana to acceptable market valuation or from an assessment from the Lands Board and government valuer.
Resettlement Action Plan (RAP)	The RAP is a resettlement instrument (document) to be prepared when sub-project locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the implementing agency and contain specific and legal binding requirements to resettle and compensate the affected people before project implementation.
Resettlement Assistance	Resettlement assistance refers to activities that are usually provided during, and immediately after, relocation, such as moving allowances, residential housing, or rentals or other assistance to make the transition smoother for affected households.
Resettlement Policy Framework (RPF)	The RPF is an instrument to be used throughout the project's implementation. The RPF sets out the objectives and principles, organizational arrangements, and funding mechanisms for any resettlement, that may be necessary during implementation. The RPF guides the preparation of Resettlement Action Plans (RAPs), as needed, for sub-projects.
Rights and Entitlements	Rights and entitlements are defined for PAPs and DPs (with the cut-off date) and cover those losing businesses, jobs, and income. These include options for land-for-land or cash compensation. Options regarding community and individual resettlement, and provisions and entitlements to be provided for each affected community or household will be determined and explained, usually in an entitlement matrix.
Witness NGO or Independent Monitor	Some RPFs refer to a witness NGO or an independent monitor that can be contracted to observe the compensation process and provide an independent assessment of the quality of the process. These are usually NGOs or other agencies that are not directly involved in the project and have a reputation for

	independence and integrity.
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