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COUNTRY : FEDERAL REPUBLIC OF NIGERIA
SUB-PROJECT : ABIA STATE INTEGRATED INFRASTRUCTURE DEVELOPMENT PROJECT:
ABA GULLY EROSION CONTROL PROJECT
INSTRUMENT : LIVELIHOOD RESTORATION PLAN

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List of Abbreviations and Acronyms

ABSIIDP	Abia State Integrated Infrastructure Development Project
AfDB	African Development Bank
AIDS	Acquired Immunodeficiency Syndrome
BOQ	Bill of Quantity
BPP	Bureau of Public Procurement
CBO	Community Based Organisation
CDU	Community Development Union
E&S	Environmental and Social
E.g.	For example
Edu	Education
EPC	Engineering Procurement Contract
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
Etc.	Et cetera
FGD	Focus Group Discussion
FGDs	Focus Group Discussions
FMEEnv	Federal Ministry of Environment
GBV	Gender Based Violence
GIS	Geographic Information System
GRM	Grievance Redress Mechanism
GSM	Global System for Mobile Communication
HIV	Human Immunodeficiency Virus
IRM	Independent Review Mechanism
ISS	Integrated Safeguard Standard
Km	Kilometers (1000 m)
LFN	Laws of the Federation of Nigeria
LGA	Local Government Area
LRC	Local Resettlement Committee
LRF	Livelihood Restoration Framework
LRP	Livelihood Restoration Plan
LUA	Land Use Act
M	Meters
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments and Agencies
N/A	Not Available



NDHS	National Demographic and Health Survey
NGN	Nigerian Naira
NGO	Non-Governmental Organization
NNLTS	Northern Nigeria Land Tenure System
NTDF	National Technical Development Forum
OS	Operational Safeguard
PAC	Project Affected Community
PAPs	Project Affected Persons
PG	President General
PIU	Project Implementation Unit
Prim	Primary
LRP	Livelihood Restoration Plan
RCM	Replacement Cost Method
RIC	LRP Implementation Consultant
S/N	Serial Number
Sec	Secondary
SNLTS	Southern Nigeria Land Tenure System
Sq.m	Square Meter
STI	Sexually-Transmitted Infection
USD	United State Dollar



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EXECUTIVE SUMMARY

Introduction

The Abia State Government, through the Federal Ministry of Finance, the Federal Republic of Nigeria, has received financing from the African Development Bank towards the cost of implementing the Abia State Integrated Infrastructure Development Project in six investment subprojects, namely:

- i. 19 priority roads in Umuahia, covering 92 km;
- ii. 31 priority roads in Aba, covering 199.69 km;
- iii. One erosion control site in Umuahia;
- iv. One erosion control site in Aba;
- v. One waste transfer station in Umuahia; and
- vi. One waste management facility in Aba.

Gully erosion is a world-wide phenomenon. It is an enormous type of environmental degradation which leads to loss of valuable land used for agricultural, domestic, industrial and aesthetic purposes, as well as loss of property and even human lives. There is no doubt that the menace of gully erosion and flooding has assumed a serious dimension in Nigeria, especial in lowlands; areas below sea level and areas with poor drainage systems and flood management. ABSIIDP seeks to rehabilitate degraded site and reduce longer-term erosion vulnerability in targeted areas.

The menace has taken its toll on the socioeconomic wellbeing of the people living in the affected area and the state at large such that lands used for aesthetic, agricultural and industrial purposes, ancestral homes, crops, livestock and other infrastructure are everyday lost to the hazard at alarming rate. The intervention involves some civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the gully itself. This civil work could result in displacement of families, business or public infrastructure, thus triggering the AfDB's Operational Safeguards (OS 2). The Aba gully erosion site is situated in Itungwa Agburukwe community in Obingwa LGA, Abia State.

Project components

These include:

- grassed and paved waterways;
- buried pipe outlets;
- diversion terraces;
- benches;
- grade control structures;
- chutes;
- inlets and de-bris basins.

The proposed construction works would lead to impacts on human settlements, causing the



relocation of families and businesses, land acquisition, and loss of access to land. As part of preparation, ABSIIDP has conducted socioeconomic studies and prepared a Livelihood Restoration Plan (LRP) for the erosion control in Aba, Abia State.

Aim and Objectives of the Resettlement Plan

This LRP is an output of the ESIA for the sub-project. The specific objectives of the Resettlement Plan are, among others to:

- identify the affected persons in order to determine those likely to be adversely affected by the project works, the severity and extent of the impacts;
- identify the poor and vulnerable groups, to develop a strategy to ensure that they enjoy the project's benefits;
- review the legal and institutional framework;
- develop mitigation measures in consultation with the affected people;
- prepare detailed entitlement matrix and an implementation plan;
- prepare a restoration budget; and
- put in place a monitoring and evaluation and reporting system for the restoration plan.

Legal and Administrative Framework Governing Resettlement

The legal framework relating to displacement and involuntary restoration issues consists of the various Nigerian legislations and AfDB's Operational Safeguards (OS 2).

Land Use Act

The principal piece of legislation for the expropriation of land in Nigeria is the Land Use Act, and Laws of the Federation of Nigeria (LFN) 2004. The law establishes the legal framework for government expropriation of land from individuals and communities, when it is required for "overriding public interest/good". It prescribes the circumstances under which the State can revoke rights of occupancy to the land and the compensation provisions that are required. The Land Use Act came into force on 29th March 1978 and replaced all pre-existing land tenure systems in Nigeria.

Abia State Integrated Infrastructure Development Project (ABSIIDP)

ABSIIDP adopts the Federal Government's gazetted *Harmonised Rates for Economic Trees and Cash Crops for Compensation Assessment, July 21, 2009* which differ among the six geopolitical regions in Nigeria. The Southeast rates which is higher have been adopted for this LRP.

The African Development Bank Group's (AfDB) Integrated Safeguard System (ISS)

In 2013, the African Development Bank Group updated their policy on Involuntary Resettlement and created an Integrated Safeguards System (ISS) to improve clarity, coherence and consistency as well as overall operational effectiveness. Resettlement is covered under Operational Safeguard 2 (*Involuntary Resettlement: Land Acquisition, Population Displacement*



and Compensation), which includes comprehensive notions of livelihood and assets, accounting for their social, cultural, and economic dimensions. It also adopts a definition of community and common property that emphasizes the need to maintain social cohesion, community structures, and the social interlinkages that common property provides. It furthermore stresses the importance of improving living conditions for PAPs through a Livelihood Restoration programme.

Method of Valuation

The method of valuation used took into consideration the Land Use Act, the AfDB's OS 2 and, most importantly, the statutory replacement cost method which is according to the dictates of the Nigerian Institution of Estate Surveyors and Valuers and whose body is empowered by law to carry out valuation. The cost of replacing a building is the cost of creating a building or improvement having the same or equivalent utility on the basis of current prices and using current standards of materials and design. It is also used where the law provides that this method shall be used whether or not there is a better alternative. For example, section 29, subsection 4, paragraph b, of the Land Use Act of 1978 recommended the cost approach in valuation for compensation in Nigeria.

Arrangements for Compensation

A LRP Implementation Consultant shall be appointed and be responsible for planning, coordinating and monitoring of compensation and relocation activities. The compensation process will involve several steps to be carried out in accordance with the restoration and compensation plan of the LRP. This will be in accordance with the project restoration and compensation plans as outlined below:

Public Participation

This process seeks the involvement and concerns of the PAPs and the community in a participatory approach with the project, from the beginning to implementation. Public participation with the local community is an on-going process throughout restoration planning and this took off at the screening stage. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation have been carried out satisfactorily. This will ensure that no affected individual household is simply "notified" one day that they are affected in this way.

Census and Socio-Economics

This socio-economic baseline survey conducted concomitantly with the enumeration of crops and economic trees from 5th – 30th April 2022 seeks to determine the socio-cultural, demographic, and quality of life of the project affected persons. The questionnaire used in obtaining socio-economic data employed a combination of "open-ended" and "closed" questionnaire format. The study was conducted in Agburuike community in Obingwa LGA, Abia State. The project is expected to impact 200 PAPs of which 9 are female and 191 are male.



Results obtained from the field indicate that about 9 PAPs of the PAC are women and are heads of their various households. Women in the study area do not have the same inheritance rights, nor could they directly access critical resources such as land or credit and blamed their less mobility on family responsibilities, and in particular, the need to care for children. Data obtained showed there are more PAPs (54%) with primary and secondary education in the project area.

In terms of marital status of the PAPs, data obtained from the project affected area indicate 191 PAPs, 8 PAPs are married and widowed respectively. The project host community has the characteristics of both linear and nuclear settlements. The linear characteristics derive from the concentration of houses along the main streets and lanes in the settlements. Their nuclear characteristics derive from the clustering of houses.

Actors Involved and Organizational Structure

These include:

- ✚ Abia State Integrated Infrastructure Development Project (ABSIIDP);
- ✚ Federal Ministry of Environment;
- ✚ Abia States Ministries of Environment, Agriculture, Lands and Survey & Justice;
- ✚ All the Affected LGAs; and
- ✚ Chiefdoms and Kingdoms
- ✚ NGO (Clement Glory Foundation and Inspire Africa)
- ✚ Community Development Association of each affected community

Grievance Mechanisms

During implementation of the project activities, it is possible that disputes/disagreements between the project proponent and the PAPs will occur especially in terms of compensation, boundaries, ownership of crops or land, etc. The practice of grievance arbitration over restoration issues in Nigeria is conducted within the framework of the Land Use Act (LUA), reviewed under CAP 202, 1990. Two stages have been identified, and shall apply, in the grievance procedure: customary mediation and judiciary hearings. A grievance procedure based on community grievance committees, one per LGA, will be established for resolution of the disputes and complaints.

Value of Land

The Land Use Act does not provide for compensation for land, only for assets and improvements. However, African Development Bank's OS 2 provides for land replacement, asset replacement as well as restoration of livelihoods. Therefore, there is no justification to make presentation on the value for lands which the PAPs currently occupy under the laws of Nigeria. Nevertheless, going by the principles of payment of adequate compensation and in such a way that PAPs are not left poorer or impoverished because of the project, ABSIIDP will give assistance to the PAPs to enable them obtain another land to relocate the affected assets to as well for restoration of livelihoods.



Proof of Eligibility

Various forms of evidence as proof of eligibility was considered and they cover the following:

- PAP with formal legal rights, documented in the form of land title registration certificates (certificate of occupancy or right of occupancy), leasehold indentures, tenancy agreements, rent receipts, building and planning permits, business operating licenses, and utility bills among others: unprocessed/unregistered formal legal documents will be established.
- PAP with no formal or recognized legal rights-criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying attention to each situation and its peculiarities. Alternative means of proof of eligibility will include;
- Affidavit signed by landlords and tenants;
- Witnessing or evidence by recognized traditional authority, customary heads, community elders, family heads and elders and the general community.

MONITORING AND EVALUATION

The purpose of restoration monitoring is to ensure that measures developed for compensating the losses were effective in restoring PAPs living standards and income levels. Monitoring will be implemented by the PIU. During monitoring phase, the existing grievance mechanism will be regularly reviewed for improving and correspondingly, additional and more user-friendly forms, which enable the field staff to forward complaints and demands of local people to the PIU. Throughout the Project lifecycle, monitoring and evaluation activities will be reviewed; restructured or removed in case that the previously produced tools and forms are inefficient.

Compensation Summary Sheet

#	Variables	Data
1	State	Abia
2	LGA	Obingwa
3	Community	Itungwa Agburukwe
4	Activity(ies) that trigger resettlement	Erosion control resulting to loss of agricultural Land.
5	Overall resettlement cost	N116,148,750 (279,203.72 USD)
6	Applied cut-off date (s)	4 th April,2022 (for inexhaustive improvement on the land)
7	Dates of consultation with the people affected by the project (PAP)	5 th -30 th April, 2022
8	Dates of the negotiations of the compensation rates prices	5th April-30 th June, 2022
	B. Specific information	
9	Number of people affected by the project (PAP)	200
10	Number of Physically displaced	200
11	Number of economically displaced	200
12	Number of affected households	180
13	Number of females affected	5
14	Number of vulnerable affected	35



#	Variables	Data
15	Number of major PAP	181
16	Number of minor PAP	0
17	Number of total right-owners and beneficiaries	200
18	Number of households losing their shelters	0
19	Total area of lost arable/productive lands (ha)	20
20	Number of households losing their crops and/or revenues	181
21	Total areas of farmlands lost (ha)	20
22	Estimation of agricultural revenue lost (USD)	N116,148,750 (279,203.72 USD)
23	Number of building to demolish totally	0
24	Number of building to demolish totally at 50%	0
25	Number of building to demolish totally at 25%	0
26	Number of tree-crops lost	422
27	Number of commercial kiosks to demolish	0
28	Number of ambulant/streets Sailors affected	0
29	Number of community-level service infrastructures disrupted or dismantled	0
30	Number of households whose livelihood restoration is at risk	16
31	Option for Compensation	Cash Compensation





1

1.0 DESCRIPTION OF PROJECT

1.1 Introduction

The Abia State Government, through the Federal Ministry of Finance, the Federal Republic of Nigeria, has received financing from the African Development Bank towards the cost of implementing the Abia State Integrated Infrastructure Development Project in six investment subprojects, namely:

- vii. 19 priority roads in Umuahia, covering 92 km;
- viii. 31 priority roads in Aba, covering 199.69 km;
- ix. One erosion control site in Umuahia;
- x. One erosion control site in Aba;
- xi. One waste transfer station in Umuahia; and
- xii. One waste management facility in Aba.

Gully erosion is a world-wide phenomenon. It is an enormous type of environmental degradation which leads to loss of valuable land used for agricultural, domestic, industrial and aesthetic purposes, as well as loss of property and even human lives. There is no doubt that the menace of gully erosion and flooding has assumed a serious dimension in Nigeria, especial in lowlands; areas below sea level and areas with poor drainage systems and flood management. ABSIIDP seeks to rehabilitate degraded site and reduce longer-term erosion vulnerability in targeted areas.

The menace has taken its toll on the socioeconomic wellbeing of the people living in the affected area and the state at large such that lands used for aesthetic, agricultural and industrial purposes, ancestral homes, crops, livestock and other infrastructure are everyday lost to the hazard at alarming rate. The intervention involves some civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the gully area. This civil work could result in displacement of farming activities or public infrastructure, thus triggering the AfDB's Operational Safeguards (OS 2).



The Aba gully erosion site is situated in Itungwa Agburukwe community in Obingwa LGA, Abia State. Figure 1.1 shows the map of Nigeria showing Abia state while figure 1.2 shows the map of Obingwa showing the gully erosion site.

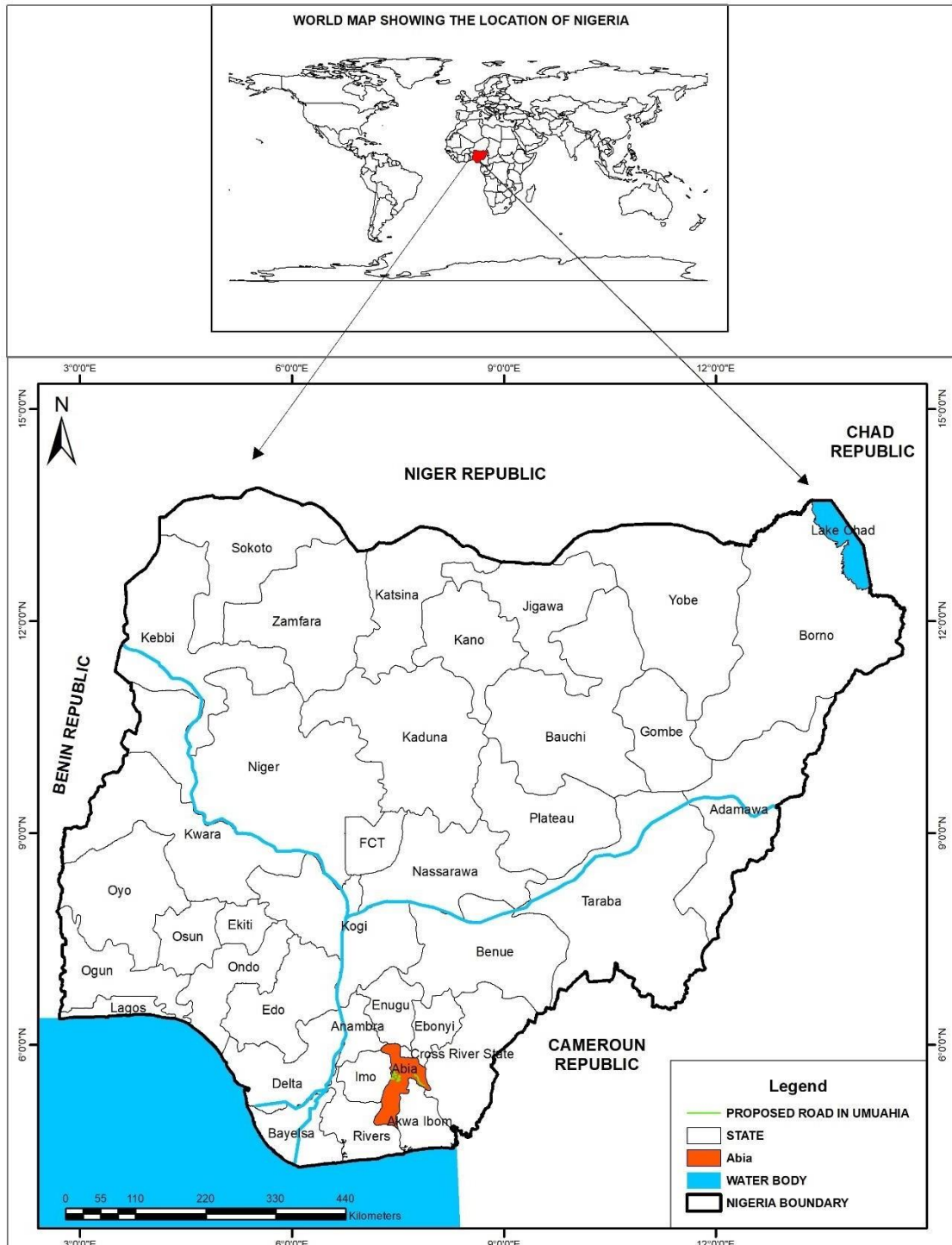


Figure 1.1: Map of Nigeria showing Abia State



Figure 1.3: Satellite view of the Aba gully erosion site

1.2 Project components

The project components include:

- grassed and paved waterways;
- buried pipe outlets;
- diversion terraces;
- benches;
- grade control structures;
- chutes;
- inlets and de-bris basins.

Ancillary facilities

- Lay-bys or service areas;
- Temporary construction facilities (e.g. workshops, laydown areas, and workers' accommodation);
- Security posts; and
- Access roads between the temporary facilities and the erosion site.

The proposed construction works would lead to impacts on human settlements, causing the relocation of farm lands, land acquisition, and loss of access to land. As part of preparation,



ABSIIDP has conducted socioeconomic studies and prepared a Livelihood Restoration Plan (LRP) for the erosion control project in Aba, Abia State.

1.3 Aim and Objectives of the Resettlement Plan

The aim of the restoration plan is to identify and develop a mitigation plan to ensure that all kinds of adverse impacts are exhaustively identified so that the affected individuals and community can benefit from the project during and after execution. This LRP is an output of the ESIA for the sub-project. However, the specific objectives of the Resettlement Plan are, among others to:

- identify the affected persons in order to determine those likely to be adversely affected by the project works, the severity and extent of the impacts;
- identify the poor and vulnerable groups, to develop a strategy to ensure that they enjoy the project's benefits;
- review the legal and institutional framework;
- develop mitigation measures in consultation with the affected people;
- prepare detailed entitlement matrix and an implementation plan;
- prepare a restoration budget; and
- put in place a monitoring and evaluation and reporting system for the restoration plan.



2

2.0 Legal and Administrative Framework Governing Resettlement

2.1 Introduction

The legal framework relating to displacement and involuntary restoration issues consists of the various Nigerian legislations and AfDB's Operational Safeguards (OS 2).

The legal basis for restoration in Nigeria is the Land Use Act of 1978, modified in 1990. According to the Act, all land in Nigeria is vested in the Governor of each State, to be held in trust for the use and common benefit of all people. The administration of urban land is directly under the control and management of the Governor, whereas non-urban land is under the control and management of the Local Government Authority. The Governor has the right to grant statutory rights of occupancy to land while the Local Government has the right to grant customary rights of occupancy. Since the Land use Act gives to the State ownership of all land, compensation by projects and sub-projects is restricted to structures, installations, and improvements on the land, not the land itself. However, the Act does require the State or Local Government to provide alternative land for affected people who will lose farm land, residential, commercial, or industrial plots.

2.2 Applicable Legal and Administrative Framework

2.2.1 Land Use Act

The principal piece of legislation for the expropriation of land in Nigeria is the Land Use Act, and Laws of the Federation of Nigeria (LFN) 2004. The law establishes the legal framework for government expropriation of land from individuals and communities, when it is required for "overriding public interest/good". It prescribes the circumstances under which the State can revoke rights of occupancy to the land and the compensation provisions that are required.

Before 1978, the principal land tenure systems differed in Northern Nigeria and Southern Nigeria, with the Northern Nigeria Land Tenure System [NNLTS] and the Southern Nigeria Land Tenure System [SNLTS]. Traditionally, NNLTS was based on the premise that land belongs to the Government (i.e. no private ownership), while the SNLTS was based on the premise that land belongs to communities, families and individuals.



The Land Use Act came into force on 29th March 1978 and replaced all pre-existing land tenure systems in Nigeria. The Act essentially does three things:

- i. It places land into two categories: urban land and non-urban land, as designated by the Governor of a State wherein the land lies.
- ii. It redefines title in land to be a right to occupy or use the land, rather than to own it; namely:
 - o a statutory right or a deemed statutory right of occupancy for land in urban areas; and
 - o a customary right or a deemed customary right of occupancy for land in non-urban areas.
- iii. It empowers the Governor of a State to revoke rights of occupancy.

There were several key repercussions as a result of the Act:

- There is now a common Land Tenure System throughout the country;
- Control and management of land is in the hands of government;
- A system of registration of titles has been introduced and paper titles (Certificates of Occupancy) are issued; and
- The process of acquiring land is deemed to have been simplified for developers.

The most significant change in the land tenure system, brought about by the Land Use Act, is the empowerment of the Governor of a state to revoke rights of occupancy compulsorily, for public purpose. Section 28(1) makes it lawful for the Governor to revoke a right of occupancy for “*overriding public interest*”.

Sections 28 (2) (b) and (3) (a) define this to mean, among other things, “...*the requirement of the land by the state for public purposes within the state*”. This means that a governor can revoke the right of occupancy to land (i.e., expropriate) for use either by the State, Local or Federal authority for overriding public interests. As per the provisions of the Land Use Act, this can include telecommunication, power projects, hospitals, market places, mining activities or agricultural use etc. When rights of occupancy are subject to revocation in this way, holders of rights of occupancy are, under the Land Use Act, entitled to compensation.

However, this compensation is for the value of land improvements (“*unexhausted improvements*”) at the date of revocation (section 29). Depreciation is considered when assessing the value of these improvements based on the national process of land-taking. The term “*unexhausted improvement*” is defined in Section 51 of the Land Use Act as:

“anything of any quality permanently attached to the land directly resulting from the expenditure of capital or labour by an occupier or any person acting on his behalf and increasing the productive capacity the utility or the amenity thereof and includes buildings, plantations of



long-lived crops or trees, fencing, wells, roads and irrigation or reclamation works, but does not include the result or ordinary cultivation other than growing produce.”

Where occupancy rights are not claimed by any one individual, the Act states that the recipient of the compensation may be:

- i. the community;
- ii. the chief or leader of the community, to be disposed of by him for the benefit of the community in accordance with the applicable customary law; or
- iii. a community fund, to then be utilised for the benefit of the community (section 29(3)).

All rights of occupancy whether granted by the State or Local authority are typically for a fixed tenure and not usually more than 99 years. A person may not be entitled to compensation if the leasehold has expired. The Land Use Act has provisions for compensation in kind, rather than cash, through the provision of Resettlement Land. Section 33 of the Land Use Act stipulates that, when alternative land has been given, compensation will be deemed to have been made. The concerned party is thereby prevented by law from demanding further financial compensation.

The provision of Section 43 of the Constitution affirms the fundamental rights of persons and communities to own and hold land or property. It stipulates that any authority taking such land must do so in accordance with a law made in that regard. Importantly, such authority is required to pay the affected party compensation. Additionally, they must afford the right of access to the relevant adjudicatory forum, where any grievances regarding the amount of compensation to be paid and/or interest to the land in question, can be raised and resolved.

2.2.1.1 Overview of the Land Take process in Nigeria

The process involves the following steps:

Step 1: Preparation of a Survey Description

This is a preliminary survey / mapping of the property intended for land-take. The survey description is to be prepared by the Abia State Ministry of Lands; and shall contain the following information:

- Position and dimensions of the land parcel to be acquired;
- Spatial relation to other properties in the area; and
- A list of all the communities on the property.

The survey description provides the basis / information upon which approval for the chosen property to be acquired is provided and the property is thus surveyed or marked out with suitable marking points (see Step 3).



Step 2: Publication of a Notice of Acquisition

This shall be prepared by the State Ministry of Lands; and will publish in three newspapers (one national and two local) and the Abia State Government's gazette, in order to enable any claims or objections to the intended acquisition to be made. These claims have to be made within the given period stated in the publication. The notice must also be approved and signed by the Governors, along with the survey description, before publication. Both documents will be forwarded to the Governor with a covering memo prepared by the Permanent Secretary and signed by the Honourable Commissioner for Lands.

Claims are then usually forwarded in writing to the Abia State Ministry of Lands, within the stipulated period stated in the publication of the notice, following which the processing of claims and the negotiation of compensation can begin.

Step 3: Surveying the Property

Surveying can be conducted immediately, and before the expiration of the notice period. The time that this takes to complete depends on the speed with which the survey fees are agreed and funds dispersed to the Ministry of Lands. The Ministry of Lands have the sole right to do the surveying work. This step involves detailed consultation with the community on the LRP principles and the start of the direct consultation process with the affected individuals. PAPs or their representatives will have access to the project developer to verify issues relating to their properties through GRM.

Step 4: Assessment

This is the enumeration and valuation of unexhausted improvements on the land (estimates of compensation amount due to affected individuals) to determine the compensation liability of government and for tax purposes (in cases involving private purchase of land). The compensation amounts arrived at are then discussed with the affected persons, community or their attorneys. Once agreement is reached, the compensation is paid. Payments for compensation will not be made to attorneys but directly to the PAPs while the attorneys are paid their agreed fees from source. For land take, while AfDB prefers land for land compensation, the PAPs insist on cash compensation.

Step 5: Registration and Stamping

This process involves placing land sale agreements (including survey plans / maps clearly delineating the piece of land in the sale transaction) at the lands registry / records after they have been stamped at the office of Commissioner of Stamp Duties, upon the payment of a fee. The Certificates of Occupancy are also registered at the Lands Registry for records purposes, after stamping of the documents. In the case of compulsory land-take (as in the Project case) there are no sale documents for stamping or registration; however, the Certificates of Occupancy issued to the ABSIIDP shall be registered with the Lands Registry.



Step 6: Preparation of Certificate of Occupancy

The Certificates of Occupancy is then prepared by the Ministry of Lands and signed by the Governor, after which they are issued to ABSIIDP. The overall land acquisition process may be concluded within approximately twelve to eighteen weeks.

Legal Mechanisms for Resolving Land-related Grievances;

- The Constitution

The Constitution specifically guarantees the right of individuals to acquire and own immovable property [Section 43]. It further gives individuals the right to dispute decisions made in the courts of the country. If any person feels that their right to own and acquire property is threatened or their entitlement to compensation has been overlooked or underestimated, they may approach the High Court of a State for necessary redress [Sections 44 (a) and (b) and 46 of the Constitution].

- Land Use and Allocation Committee

The Land Use Act only makes provisions for a dispute in relation to compensation payable; stating that it should be referred to the relevant committees established by the governor of the concerned state. There are no provisions in place for challenges against the legitimacy of a revocation order by the governor. This may be connected to the Trusteeship position of the governor and the fact that such revocation is seen to be based on the overriding public good of the people.

An aggrieved party may approach the high court of a state in relation to compensation payable for improvements on land (Section 39 (2)). In urban areas, aggrieved persons or group of persons are to raise their grievances with the Land Use and Allocation Committee. For non-urban areas, such disputes are laid before the Land Allocation Advisory Committee. These two committees are constituted by the governor of a state.

Scope of the Land Use and Allocation Committee

The Terms of Reference of the Land Use and Allocation Committee are described in Section 2(2) (a) – (c) of the Land Use Act and includes:

- ✚ advising the governor on any matter connected with the restoration of persons affected by revocation of right of occupancy on the grounds of overriding public interest; and
- ✚ determining disputes as to the amount of compensation payable under the Act for improvement on land.

The Committee is made up of at least two (2) people who are qualified under the civil service to be appointed estate surveyors or land officers.



▪ Traditional Land Tenure in Nigeria

The legal context of land tenure in Nigeria is complex, resulting from the co-existence of traditional (at times with Islamic influence) and state systems, neither of which is dominant.

Traditional land tenure in Nigeria is based on traditional laws under which land is considered community property. Title to land under traditional law is vested in the community; no individual within the unit can lay claim to any portion of it as a formal owner. Individuals only ever retain rights to use. Normally, the village chief of a community acts as the 'manager', holding the land for the use of the whole community, and they mediate disputes involving traditional landholdings.

An individual enjoys rights to the land for farming within his lineage or community area. The individual possesses the land to the extent that he uses it for his family's or society's benefit and passes the land on to heirs (i.e. traditional rights to land can be inherited) or pledges its use to satisfy a debt. The right of disposal belongs to the community only, which, acting through traditional authorities or family representatives, exercises this right in accordance with traditional law.

Where decisions about land use need to be made within a family, representative members of different branches are selected (e.g. from different branches within a polygamous family) and come to agreement about the issue. This happens most often regarding transactions between the family and third parties in conjunction with the village chief.

Under traditional land tenure women can inherit land from their fathers, but not from their husbands. While women may be "granted" plots by their husbands, often for crop production, they do not retain the right to use this land following their husband's death. Rather, the total land holdings of the husband are subdivided equally according to the number of wives, and use rights pass directly to the children. This includes passing to female children, so women are able to inherit land from their fathers, through their mothers. They are then free to pass this land on to whomever they choose.

Certificates of Occupancy

The Nigerian mechanism to formalise customary land ownership is a Certificate of Occupancy, which is issued by an authorised Government Office as evidence of a holder's right to occupy and use a specific piece of land under certain terms of contract. Certificates of Occupancy afford customary rights of occupancy to land in non-urban areas for agricultural, residential, grazing and other uses. Certificates of Occupancy can be granted for a period of time up to 99 years.

2.3 Abia State Integrated Infrastructure Development Project (ABSIIDP)

ABSIIDP adopts the Federal Government's gazetted *Harmonised Rates for Economic Trees and Cash Crops for Compensation Assessment, July 21, 2009* which differ among the six geopolitical



regions in Nigeria. The Southeast rates which is higher have been adopted for this LRP (appendix 1).

2.4 Institutional Framework

Compensation and restoration issues fall under the jurisdiction of various levels of government in Nigeria. They are also governed by a range of legislation. Some of the principal government institutions and laws and their impacts are described below.

2.4.1 Federal Government

Nigeria functions under a Presidential system of government. The President, elected for a maximum of two terms of four years each, serves as both head of state and head of government. The President wields executive power through the Federal Executive Council, which is also composed of the Vice President and a representative of each state as Ministers. Legislative power is vested in the bicameral National Assembly of Nigeria, whose members are popularly elected for four-year terms. The upper house (Senate) comprises 109 members while the lower house (House of Representatives) has 360 members. The Senate and House of Representatives have concurrent legislative functions. Bills are not deemed to be validly passed if they have not received the joint assent of both houses.

The Federal Government typically has limited involvement in land acquisition and restoration, except in cases related to federal property, which is not the case for this Project.

2.4.2 State Government

Nigeria is a federal republic comprised of 36 states and a Federal Capital Territory in Abuja. The executive powers of each state are vested in the governor, who exercises these powers directly or through the deputy governor, commissioners or other designated state officials. The legislative powers of a state are vested in the House of Assembly. The House of Assembly has power to make laws for the peace, order and good government of the state.

In light of the fact that the Land Use Act (1978) prohibits challenge to the acquisition of land and gives the Governor of the State/Chairman of the Local Council authority to issue or revoke statutory or traditional rights of occupancy, the main focus of government engagement for land acquisition and restoration is at the State and Local Government levels.

The ministries and parastatals at the state level that will have some input into or provide some oversight regarding land acquisition, land-take and restoration planning include the Ministry of Land; Ministry of Agriculture; Ministry of Environment; Ministry of Water Resources; Ministry of Commerce; Ministry of Local Government; Ministry of Justice and Ministry of Women Affairs.

In the case of this project, Abia State Government and all the aforementioned ministries will be playing a vital role as all the erosion control site is within the state.



2.4.3 Local Government

At the local level, project and sub projects fall within a particular Local Government. A typical LGA is headed by an Executive Chairman, and has a Vice Chairman, Secretary to the Local Government, Treasurer and a Council Manager who, together with the department supervisors, form the Executive Committee. Key departments at the local government level which are likely to be of relevance to this Project include: Women's Affairs and Poverty Alleviation; Education (specifically the Local Government Education Authority); Agriculture and Rural Development (including Culture and Tourism, and Community Development Associations); Works and Housing; and Health (Medical Officer of Health).

Local government administrations usually have a wide variety of functions prescribed under the Constitution, including but not limited to:

- Construction and maintenance of roads, streets, street lightings, drains, parks, gardens and open spaces.
- Provision and maintenance of public conveniences, sewage and refuse disposal
- Registration of births, deaths and marriages.
- Assessment of privately-owned houses or tenements for the purpose of levying such rates as prescribed by the House of Assembly of the State.
- Participation in the provision and maintenance of primary, adult and vocational education.
- The development of agriculture and natural resources, other than the exploitation of materials
- The provision and maintenance of health services.
- Establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm.

2.4.4 Traditional Leadership

The traditional leaders are the custodians of the land who oversee day to day activities in the project host community. They are relevant for the engagement with affected persons and information dissemination. They also have local knowledge which could be relevant to the Project and are key in achieving community buy in. Their role is to facilitate stakeholder engagement at the community level, manage disputes and grievances, and provide information on community preferences and livelihood restoration options.

2.5 International Standards and Guidelines related to Involuntary Displacement

In addition to the need to adhere to Nigerian legislative requirements, RAPs of the ABSIIDP program projects will also need to be aligned to international best practice standards in involuntary land acquisition and compensation. As the main funding agency, the RAPs will need to be aligned with the requirements of the AfDB's Integrated Safeguards Standards (ISS) Operational Safeguards 2: Involuntary restoration: land acquisition, population displacement and compensation as well as the Bank's Involuntary Resettlement Policy of 2003. The policy



was developed to cover involuntary displacement and restoration of people caused by a Bank financed project and it applies when a project results in relocation or loss of shelter by the persons residing in the project area, assets being lost or livelihoods being affected.

2.5.1 The African Development Bank Group's (AfDB) Integrated Safeguard System (ISS)

In 2013, the African Development Bank Group updated their policy on Involuntary Resettlement and created an Integrated Safeguards System (ISS) to improve clarity, coherence and consistency as well as overall operational effectiveness. Resettlement is covered under Operational Safeguard 2 (*Involuntary Resettlement: Land Acquisition, Population Displacement and Compensation*), which includes comprehensive notions of livelihood and assets, accounting for their social, cultural, and economic dimensions. It also adopts a definition of community and common property that emphasises the need to maintain social cohesion, community structures, and the social interlinkages that common property provides. It furthermore stresses the importance of improving living conditions for PAPs through a Livelihood Restoration programme.

OS 2 has the following specific objectives to:

- avoid involuntary restoration where feasible, or minimise restoration impacts where involuntary restoration is deemed unavoidable after having explored all other alternative project designs;
- ensure that displaced people are meaningfully consulted and given opportunities to participate in the planning and implementation of restoration programmes;
- ensure that displaced people receive significant restoration assistance under the project, so that their standards of living, income-earning capacity, production levels and overall means of livelihood are improved beyond pre-project levels;
- mitigate the negative impacts of displacement and restoration, actively facilitate social development and establish a sustainable economy and society; and
- set up a mechanism for monitoring the performance of involuntary restoration programs and remedying problems as they arise so as to safeguard against ill-prepared and poorly implemented restoration plans.

2.6 Benchmarking of Relevant Nigerian Legislation and the AfDB's OS 2

The primary difference between national legislation and AfDB's restoration standards is that Nigerian law concentrates on compensation for lost assets, whereas the AfDB Safeguards have an additional focus on livelihood enhancement (or, as a minimum, restoration). Emphasis is not only on compensation for lost assets but also on assisting people to improve (or at least restore) standard of living, incomes, and livelihoods. This includes providing access to income-earning opportunities such as agricultural production or to natural resources deemed critical for subsistence.



Nigerian legislation does not provide any compensation for the value of lost land (except for reimbursement of any rent paid by the occupier during the year in which the right of occupancy was revoked). *OS 2 of the AfDB stipulates that affected people are compensated for all their losses at full replacement costs before their actual move; before land and related assets are taken; and, if the project is implemented in phases, before project activities begin for each particular phase.* The borrower or client gives preference to land-based restoration strategies and as a matter of priority offers land-to-land compensation and/ or compensation-in-kind in lieu of cash compensation where feasible; further, the borrower or client clearly explains to affected people that cash compensation very often leads to rapid impoverishment.

With regard to loss of access to commonly held resources, Nigerian legislation provides that, where a right of occupancy of land owned by the community is revoked for public purposes, compensation for unexhausted improvements on the land, taking account of depreciation, may be paid to the community at the relevant governor's discretion and such payment may be to the relevant chief on behalf of the community or into a specially designated fund for the benefit of the community. OS 2 on the other hand provides for compensation to offset restrictions on access to communal resources. Assistance measures may include initiatives to enhance the productivity of the remaining resources, to which the community will continue to have access, in-kind or cash compensation for the loss of access, or access to alternative sources of the lost resource.

The ABSIIDP program will follow the Nigerian legislation and will also implement such additional measures as necessary to achieve outcomes that are consistent with AfDB OS 2 requirements, in consonance with the applicable laws of Nigeria.

Table 2.1 below compares the AfDB Operational Safeguard 2 (OS 2) to Nigerian legislation for those categories of displacement impacts that the project activities are expected to incur. The table also prescribed what will be adopted for ABSIIDP.



Table 2.1: Benchmarking of Nigerian Law and Principles of the AfDB on Involuntary Displacement

Category	Nigerian Legislation (Land Use Act)	AfDB's OS 2	ABSIIDP
Minimise Land Take and Involuntary Displacement	Explore all viable alternative project design options to ensure minimisation of impacts (Land Use Act of 1978)	Project proponent to consider feasible alternative project designs, including re-siting and re-routing, to avoid or minimise physical or economic displacement.	AfDB's OS 2
Consultation and Disclosure	A notice of acquisition is usually prepared by the Ministry of Lands, in conjunction with the survey description. This notice is then published in two newspapers (one national and one local and the government gazette	Open, inclusive and effective consultation with the local community is required	AfDB's OS 2 and Land use Act
Eligibility	Under Nigerian legislation, all land rights constitute occupancy rights rather than ownership rights and accordingly eligibility for compensation for loss of land is not provided for. Anyone possessing a statutory or customary right of occupancy to affected land is entitled to compensation for unexhausted improvements made to that land. Encroachers are not recognised as an eligible group, and are thus not entitled to any compensation provisions.	<p>AfDB identifies three groups of displaced people that shall be entitled to compensation or resettlement assistance for loss of land or other assets taken for project purposes:</p> <ul style="list-style-type: none"> • Those who have formal legal rights to land or other assets recognised under the laws of the country concerned. • Those who may not have formal legal rights to land or other assets at the time of the census / asset survey but can prove that they have a claim that would be recognised under the customary laws of the country. <p>Those who have no recognisable legal right or claim to the land they are occupying in the project area of influence, and who do not fall into either of the two categories described above, but are entitled to resettlement assistance in lieu of compensation for land to improve their former living standards (compensation for loss of livelihood activities, common property resources, improvements (crops) etc.), provided that they themselves or witnesses can demonstrate that they occupied the project area of influence for a</p>	AfDB's OS 2



Category	Nigerian Legislation (Land Use Act)	AfDB's OS 2	ABSIIDP
		reasonable time (at least six months) prior to a cut-off date established by the borrower or client and acceptable to the Bank.	
Census and Asset Inventory	A survey to record the dimensions of the affected land parcels needs to be carried out. The enumeration process is asset driven and not household driven. There is no particular format which is currently used by the Land Department. The process mostly comprises of generic questions that are administered orally.	A census, asset inventory and comprehensive socioeconomic survey are required with gender disaggregated information.	AfDB's OS 2
Livelihood	No provisions	Strategies to improve livelihoods of PAPs are required.	AfDB's OS 2
Gender	No provisions	<p>Special consideration has to be paid to the needs and rights of women. In the context of gender vulnerability, the client must consider actively facilitating consultation with both women and men in ways that are sensitive to the social and political constraints and barriers that women and men may face.</p> <p>The land-taking report (RAP or LRF/LRP) must include a specific protocol specifying safeguards for the quality and quantity of land to be allocated to women, especially widows and divorcees, to ensure their means to generate income and achieve food security.</p> <p>Specifically, applicable to resettlement, land titles at the resettlement site are to be in the name of both spouses or of single heads of household, regardless of gender, if this does not conflict with the borrower or client's own laws and legislation. Compensation payments to families are made to both husbands and wives when this is technically feasible and</p>	AfDB's OS 2



Category	Nigerian Legislation (Land Use Act)	AfDB's OS 2	ABSIIDP
		socially acceptable.	
Cut-off date	Though a cut-off date is not defined by Nigerian legislation, there is a six-week notice period given for land to be acquired by a Project. This is not, however, a formal cut-off date.	There is a requirement to establish a cut-off date for eligibility that is acceptable to project financiers/lenders. The borrower or client establishes the cut-off date and disseminates information about it throughout the project area of influence in a culturally appropriate and accessible manner, before taking any action on clearing land or restricting local community access to land.	AfDB's OS 2
Timing of Compensation	Once the compensation amounts have been discussed with the affected people.	Compensation is to be made before land and related assets are taken; and, if the project is implemented in phases, before project activities begin for each particular phase.	AfDB's OS 2
Compensation	Cash compensation is generally made based upon government rate as well as depreciation value. Whilst in principle there is allowance for in-kind compensation or replacement of assets, cash compensation is common practice	PAPs are compensated for all their losses at full replacement cost. PAPs can be offered a range of different compensation packages, resettlement assistance, and livelihood improvement options. Engagement is key to determine the appropriate compensation packages.	AfDB's OS 2
Communal resources	Section 29 sub section 3 only provides for compensation where the holder or the occupier of land entitled to compensation is a community	Page 32 of the ISS mentions compensation for the loss of communal resources.	AfDB's OS 2
Livelihood Assistance	No provisions	Displaced people are provided with targeted assistance with the aim of ensuring that their standards of living, income-earning capacity, production levels and overall means of livelihood are improved beyond pre-project levels.	AfDB's OS 2
Vulnerable People	Many Nigerian policies address the needs of vulnerable people, such as the Gender Policy, Child Act or NEEDS framework. However, there are no specific provisions related to physical or economic displacement.	Special attention needs to be paid to vulnerable groups and special provisions required in the livelihood restoration process.	AfDB's OS 2



Category	Nigerian Legislation (Land Use Act)	AfDB's OS 2	ABSIIDP
Grievances	Section 30 of the Land Use Act 1990 6 v: "Where there arises any dispute as to the amount of compensation calculated in accordance with the provisions of section 29, such dispute shall be referred to the appropriate Land Use and Allocation Committee."	There is a requirement to establish a culturally appropriate and accessible grievance and redress mechanism to resolve, in an impartial and timely manner, any disputes arising from the land-taking process and compensation procedures. PAPs must be informed about the mechanism.	AfDB's OS 2
Monitoring	No provisions	An independent third party is required to monitor the implementation of large-scale or complicated resettlement or livelihood restoration plans, with regular feedback from PAPs. For largescale displacement operations quarterly reviews are recommended, and in-depth reviews of 6 months progress, consistent with the overall project scheduling, are critical.	AfDB's OS 2



2.7 Compensation Framework

Compensation refers to payment in cash or in kind for loss of land, access to land, and immovable asset or resources that is acquired or affected by a project.

2.7.1 Compensation Principles

The main compensation principles include the following:

- Provide transparent, fair and timely compensation (prior to land clearance or taking land) for displacement, including compensation for assets in accordance with national regulations and international standards, specifically the AfDB OS 2;
- Compensate for lost assets at full replacement value; and
- Restore the livelihoods and welfare of PAPs and local community such that their well-being is at the least, equal to their pre-restoration conditions, or that they are better off.

Table 2.2: Categories of PAPs and compensation according to Nigeria guideline and AfDB requirements

S/N	Category of PAPs	Nigeria Law (Land Use Act)	AfDB OS 2	ABSIIDP program do
1	Land owners	Cash compensation based upon market value.	Entitled to compensation for land, priority is given to land-to-land compensation and/or compensation-in-kind in lieu of cash compensation. When cash payments are made, the affected people should be provided with counselling to ensure that they have the knowledge to use the compensation wisely. Compensation for other assets at full replacement costs.	Adopt the provisions of AfDB OS 2
2	Land Tenants	Entitled to compensation based on the amount of rights they hold on the land	Entitled to resettlement assistance and compensation for all their assets such as crops, and other livelihood activities at full replacement cost.	Adopt the provisions of AfDB OS 2
3	Land users/Squatters	Not entitled to compensation for land, entitled to compensation for crops	Not entitled to compensation for land but are entitled to resettlement assistance including compensation for loss of, crops etc to improve their former living Standards.	Adopt the provisions of AfDB OS 2
4	Owners of "Non-permanent" Buildings	Cash compensation based on market value.	These groups are entitled to resettlement assistance to improve their former living standards (compensation for loss of crops etc.).	Adopt the provisions of AfDB OS 2
5	Owners of "Permanent"	Cash Compensation is	Entitled to resettlement assistance and compensation for all their losses at full	Adopt the provisions of AfDB OS 2



S/N	Category of PAPs	Nigeria Law (Land Use Act)	AfDB OS 2	ABSIIDP program do
	buildings	based on market value. (that means depreciation is allowed)	replacement costs before their actual move.	
6	Losers of livelihoods (farmers, business people, employees)	No consideration other than cash values for assets as described above by asset category	Compensation factors in the “total economic cost” including the social, health, environmental and psychological impacts of the project and the displacement, which may disrupt productivity and social cohesion. Considerations are given to the loss of livelihood and earning potential of the affected people. Affected people are provided with targeted resettlement assistance with the aim of ensuring that their standards of living, income-earning capacity, production levels and overall means of livelihood are improved beyond pre-project levels.	Adopt the provisions of AfDB OS 2
7	Grievance Procedure	No specific requirement for establishing an independent grievance mechanism	Requires the establishment of a culturally appropriate and accessible grievance redress mechanism to resolve, in an impartial and timely manner, any disputes arising from the resettlement process and compensation procedure as early as possible in the resettlement process. The borrower or client is required to work with informally constituted local committees made up of representatives from key stakeholder groups and, in particular, vulnerable communities to establish the grievance and redress mechanism. The grievance redress mechanism, which should be monitored by an independent third party should not impede access to judicial or administrative remedies but must inform affected people about the Bank’s Independent Review Mechanism (IRM).	Adopt the provisions of AfDB OS 2
8	Rejection of Compensation	No categorical statement	No categorical statement	Put the compensation value in an escrow account and continue to negotiate using the GRM to resolve



S/N	Category of PAPs	Nigeria Law (Land Use Act)	AfDB OS 2	ABSIIIDP program do
				issues before proceeding with take over

2.7.2 Eligibility Principles

PAPs are eligible for compensation entitlements if they are the owners or users of immovable built or planted assets within the project site footprint. This includes land, crops, trees, and other natural resources. PAPs are eligible for compensation for their assets if they have formal or recognisable rights to these assets.

The typical eligibility criteria for compensation which may be implemented on the proposed project is presented in Table 2.3.

Table 2.3: Eligibility Criteria for Compensation

PAP Classification	Eligible for		
	Compensation	No Compensation	Assistance
Those with legal right	Land or asset at replacement cost	For land and crops on the land after the cut-off Date	Assistance needed
Those with temporary or leased rights at cut-off date	Land and assets at replacement cost	For land and crops on the land after the cut-off Date	Assistance needed
Those who use land without any form of right	Assets on land at replacement cost	Crops on land after cut-off Date	Assistance needed
Those with no legally recognized right but arrived before cut-off date.	Assets at replacement cost except that compensation may be "topped off" to allow the PAP to acquire a new residence.	Crops on land after cut-off Date	Assistance needed
Those who arrived after Cut-off-date	None	None	None
Those with business located within the Community	Assets and lost income as a result of lost business during project Duration	For business located in community after the cut-off date and outside the affected area.	Assistance needed



2.7.3 Establishment of Entitlement Cut-off Date

Prior to the commencement of a census survey on 5th April 2022, consultations were conducted to explain the cut-off date to PAPs as the date after which any individual or a family who moved into the project area but is not listed in the census list of PAPs, will not be entitled to compensation. The cut-off date which was set at 4th April 2022, was communicated officially to the community in writing as well as in print media (see Appendix 3).

2.7.4 Entitlements

Based on the census undertaken in the project host community, the categories of assets that are likely to be affected are:

- farmland/land plots;
- crops and economic trees;
- completed commercial buildings;
- residential buildings both completed and uncompleted; and
- livelihood/business premises

The entitlement matrix applicable to this project is presented the Table 2.4.



Table 2.4: Entitlement Matrix

Asset	Impact	PAPs	Nigeria's country requirement	Additional compensation or measures in line with AfDB's OS 2 requirement	Livelihoods Support
Land	Permanent/ Temporary land take	Registered owners with title deed for land	<ul style="list-style-type: none"> • Compensation at state rates or support to find replacement land of similar size and quality. 	<ul style="list-style-type: none"> • PAPs are consulted to confirm their compensation preferences (land-for-land or cash). • Compensation at replacement cost (in-cash) or where possible, replacement land of the same quality and close to the location of the original land plot. • Livelihood restoration and alternative income earning opportunities e.g. skills training offered in modern crop production, preservation, processing, marketing; and artisanship and petty trading. • Support before, during and after taking cultivated land plots to cover a reasonable period of time necessary for PAPs to re-establish their new land plots (which they either were allocated, or bought with the received cash compensation). 	<ul style="list-style-type: none"> • Livelihood restoration options to affected farmers: continuous crop cultivation on alternative plots, agricultural skills improvement training, or small livestock package • Land plot transfer allowance - 10 % of market value payment (as one-off) in cash, to cover all administrative fees related to the purchase or provision of replacement land.
		Non-registered occupants of land who either cultivate such land based on customary ownership rights	<ul style="list-style-type: none"> • Compensated for lost assets other than land (such as crops at replacement cost. 		



Asset	Impact	PAPs	Nigeria's country requirement	Additional compensation or measures in line with AfDB's OS 2 requirement	Livelihoods Support
Crops and Economic Trees	Loss of crops and productive trees (fruit/nut)	All PAPs regardless of legal status	<ul style="list-style-type: none"> • None (crops are typically harvested prior to displacement) • Compensation for perennial crops at existing compensation rates • Trees are categorised as: saplings, productive, or old. 	<ul style="list-style-type: none"> • Cash compensation at replacement cost on the basis of type, age and market price of tree and crops (the compensation amounts to be determined by a certified evaluator during the LRP stage) 	<ul style="list-style-type: none"> • Crops-Training in improved agriculture methods and seeds provided for three seasons (18 months) • Trees-Training in improved agriculture methods and saplings provided for fruit trees and perennial crops
Special provision for vulnerable PAPs Re- establishing and/ or enhancing livelihood	Women headed household, disabled or elderly persons and the landless	Women headed household, disabled or elderly persons	<ul style="list-style-type: none"> • Needs based special assistance to be provided either in cash or in kind. 	<ul style="list-style-type: none"> • Empowerment training to be carried out alongside cash support. 	<ul style="list-style-type: none"> • Support before, during and after training.



Asset	Impact	PAPs	Nigeria's country requirement	Additional compensation or measures in line with AfDB's OS 2 requirement	Livelihoods Support
Change in livelihood for women and other vulnerable Aps that need to substitute their income because of adverse impact Loss of grazing area	Vulnerable PAPs, particularly women. Owners whose landholding has been reduced to less than five acres	Vulnerable PAPs particularly women	Restoration of livelihood (vocational training) and subsistence allowance at agreed rate per day for a total of six months while enrolled in a vocational training facility. Relocation to new grazing area where possible to assist the cattle herdsman to locate new grazing field.	Needs based special assistance to be provided as incentives. Consider possible compensation for loss of income for the period of locating new grazing area	Support before, during and after training. Same as additional compensation or measures.



2.7.5 Entitlement Planning

The entitlement planning process entailed two primary tasks:

- Preliminary identification of the appropriate cash compensation rates at replacement value to compensate for specific impacts to eligible households, including crop compensation rates; and
- Design of complementary supportive measures to further mitigate the impacts of land-take, including livelihoods restoration initiatives, and vulnerable-person assistance measures.

The LRP Consultant has prepared a Valuation Report which is presented as part of the LRP and annexed in this report as Appendix 4.

2.7.6 Method of Compensation

Individual and household compensation will be made in cash, in kind, and/or through assistance in the knowledge and presence of both man and wife and adult children or other relevant stakeholders, where applicable. The preference for cash (through bank cheque) compensation has been an individual choice although every effort was made to instill the importance and preference of accepting in-kind compensation especially when the loss amounts to more than 20% of the total loss of productive assets, which is hardly the case for crops and economic trees.

2.7.7 Entitlement for Compensation

Entitlements for compensation are based on the eligibility criteria and the various categories of losses identified earlier and the actual census during the preparation of the LRP.

2.7.8 Valuation

Valuation methods for affected land and assets depended on the type of asset. The following land asset types identified under Nigeria law in this policy framework include:

- State (urban and non-urban) owned Land

State owned land will be allocated free by the Governor or Local Government (perhaps except for processing and registration fees). The State Agency will be expected to pay compensation to acquire land in this category in cases where the state-owned land is being used by landlords or squatters, settled upon or otherwise being used.

- Privately owned Land

Privately owned property, will be acquired at replacement value. The guiding principle is that whoever was using the land to be acquired will be provided other land of equal size and quality or compensation.



- Assets held under Customary Law

According to Nigeria law, assets held under customary rights are in the Local Government jurisdictions only and will be valued according to the following method and compensation paid for. The project will compensate assets and investments, including buildings, and other improvements, according to the provisions of the restoration plan. Compensation rates will be replacement cost in the same area as of the date and time that the replacement is to be provided. Under customary law land belongs to chiefdoms, towns and villages. The permanent loss of any such land will be covered by community compensation, which will be in-kind only. A customary land owner or land user on state owned land will be compensated for land, assets, investments, loss of access etc. at replacement rates at the time of the loss.

2.8 Method of Valuation

The method of valuation used took into consideration the Land Use Act, the AfDB's OS 2 and, most importantly, the statutory replacement cost method which is according to the dictates of the Nigerian Institution of Estate Surveyors and Valuers and whose body is empowered by law to carryout valuation. The cost of replacing a building is the cost of creating a building or improvement having the same or equivalent utility on the basis of current prices and using current standards of materials and design. It is also used where the law provides that this method shall be used whether or not there is a better alternative. For example, section 29, subsection 4, paragraph b, of the Land Use Act of 1978 recommended the cost approach in valuation for compensation in Nigeria.

2.9 Definitions Applicable

- Rural Area: In general, a rural area is a geographic area that is located outside towns or cities with a low population density, small settlements and predominantly agricultural land uses.
- Semi Urban Area: A partly urbanized area.
- Urban Area: An urban area is a human settlement with high population density and infrastructure of built environment.
- Valuation of Economic Crops and Trees: prescribed harmonized rate for compensation in the Southeast geo-political zone, for economic trees and crops.
- Land Replacement Allowance for Crops: ten percent of the value of crops/trees.

2.10 Arrangements for Compensation

A LRP Implementation Consultant shall be appointed and be responsible for planning, coordinating and monitoring of compensation and relocation activities. The compensation process will involve several steps to be carried out in accordance with the restoration and compensation plan of the LRP. This will be in accordance with the project restoration and



compensation plans as outlined below:

2.10.1 Public Participation

This process seeks the involvement and concerns of the PAPs and the community in a participatory approach with the project, from the beginning to implementation. Public participation with the local community is an on-going process throughout restoration planning and this took off at the screening stage. PAPs were notified as early as possible and consulted throughout the ESIA and LRP processes. The subsequent socio-economic survey recorded all relevant information about the PAPs and this is accurately reflected in the LRP in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation have been carried out satisfactorily. This will ensure that no affected individual household is simply “notified” one day that they are affected in this way.

2.10.2 Notification

Land users were notified by ABSIIDP, through its E&S consultant, that their properties were required for erosion control project. The user will be informed through both a formal notification, both written and verbal, to be delivered in the presence of the community heads and the Coordination Committee. To ensure that any sensitive areas are accurately identified during this procedure, all necessary community heads, religious leaders, other elders and individuals will accompany the project team to the site.

2.10.3 Documentation of Holdings and Assets

ABSIIDP and the local community will arrange meetings with the project affected persons in the presence of the agency of government in charge of land to discuss the compensation process. For each individual or household affected, the project officials completes a compensation dossier containing necessary personal information on, the affected party and those individuals considered as household members, total land holdings, inventory of assets affected, and information for monitoring future arrangements. The dossier shall be confirmed and witnessed by village/community officials and will be kept up-to-date. This is necessary because it ensures monitoring of an individual over time. All claims and assets are documented in writing.

2.10.4 Agreement on Compensation and Preparation of Contracts

The types of compensation shall be clearly explained to the individual or household involved. ABSIIDP will draw up a contract, listing all property and/or land being surrendered, and the types of compensation (cash and/or in-kind). A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract and the grievance redress mechanisms are to be read aloud in the presence of the affected party and the representative of government, the project officials, and other community leaders prior to



signing.

2.10.5 Settlement Sites

This is not applicable for the proposed project. The community and PAPs, from the outcome of all stakeholders' engagement meetings, prefer cash compensation to relocation to restoration site(s). This stems from the fact that the land reclamation from individuals/ families is insignificant in size, compared to the total lands owned by the individuals/families. They would rather receive some training and cash to enhance their productivity on the lands they have.



3

3.0 CENSUS AND SOCIO-ECONOMICS

3.1 Introduction

Socio-economic baseline assessment tools for this study were designed to capture the demography of the PAPs, PAC and to integrate the desires and aspirations of the project host community with those of the project proponent. In line with project sustainability objectives, wide consultations were held, and community's aspirations were also recorded. This socio-economic baseline survey conducted concomitantly with the enumeration of crops and economic trees from 5th – 30th April 2022 seeks to determine the socio-cultural, demographic, and quality of life of the project affected persons. The questionnaire used in obtaining socio-economic data employed a combination of "open-ended" and "closed" questionnaire format. Qualitative data were generated through informed meetings and also observation in small groups of stakeholders in the project host community with homogeneous socio-economic backgrounds and interests.

Additionally, the study discusses the perceptions, concerns, and expectations of members and residents of the community, and establishes the project's potential impacts, positive impact enhancement, and mitigation measures.

3.2 Scope of the Study

The study was conducted in Agburuike community in Obingwa LGA, Abia State. The project is expected to impact 200 PAPs of which 9 are female and 191 are male. Table 3.1 summarizes the census of PAPs in the area.

Table 3.1: Summary of PAPs by gender

SN	Gender	Number
1	Male	191
2	Female	9

3.3 Demography of the Study area

Abia State is in the southeastern part of Nigeria. The capital is Umuahia, and the major commercial city is Aba, which was formerly a British colonial government outpost in the region, and is also one of the most populated areas in Nigeria. Abia state was created in 1991 from part of Imo State. It is one of the constituent states of the Niger Delta region and the 5th most industrialized state in the country, and has the 4th highest index of human development in the



country, with numerous economic activities and fast-growing populations as recorded by the United Nations in early 2018.



3.3.1 Household Composition, Structure, and Size

A household is a person or group of related or unrelated persons who live together in the same dwelling unit(s), who acknowledge one adult male or female as the head of the household, who share the same housekeeping arrangements, and who are considered a single unit. A typical household unit in the project host community has a head and several members. In many cases, the head is the father and members include his wife, children, and wards. The wards are often children of relations and, in some cases, friends. These are usually fed and generally catered for from the resources of the household. The household could also be composed of members who are not related but have agreed to live together under a common household head. This latter type of household group is not common in the study area.

The average household size in Nigeria according to National Demographic and Health Surveys (NDHS) 2018 is 4.7 persons. Results obtained from the field indicate that about 9 PAPs are women and are heads of their various households. Women in the study area do not have the same inheritance rights, nor could they directly access critical resources such as land or credit. The women attributed this and their less mobility on family responsibilities, and in particular, the need to care for children.

3.3.2 Literacy and Education

Education is a chief aspect of social and economic development. It improves capabilities and is strongly related with various socioeconomic variables such as lifestyle, income, and fertility for both individuals and societies. Education is a main factor influencing a person's behaviour and opportunities. Data from the social census shows that 100% of the PAPs have formal education and this will make PAPs' training and technology transfer quite easy. Table 3.2 shows the educational attainment of PAPs. Data obtained showed there are more PAPs (54%) with primary and secondary education in the project area.

Table 3.2: Educational attainment of PAPs

SN	PAPs	Educational Attainment of PAPs			
		No formal Edu (%)	Prim-Sec Edu (%)	Tertiary (%)	Total
1	Male	0	52.5	43	95.5
2	Female	0	1.5	3	4.5

Source: Fieldwork 2022

3.3.3 Age distribution of the PAPs

Data from the social census indicates that there are more PAPs within the ages of 35-44 (74), followed by the PAPs within 45-54 age bracket (58) and no PAP is underage (<15 years). Table 3.3 shows the age distribution of the project affected persons.



Table 3.3: Age distribution of the project affected persons

SN	PAPs	Age of PAPs					55-64	>65	Total
		<15	15-24	25-34	35-44	45-54			
1	Male	0	0	23	63	55	37	13	191
2	Female	0	0	1	1	3	4	0	9

Source: Fieldwork 2022

3.4 Socio-cultural Resources

3.4.1 Language, Marriage, and Family

Nigeria is pluralistic in ethnic composition, with a rich and diverse historical and cultural heritage. The official language, as in every state of the country, is English. However, Igbo an indigenous language in the PAC, has gained wide acceptability as a medium of communication. The marriage institution is accepted and revered in the PAC. Marriages are contracted between adult males and adult females; there are no accounts of either same-sex or juvenile marriages. Monogamy and polygamy are practiced but local sources say that polygamy is on the decline. The marriage process involves two basic stages, the knocking stage and the traditional marriage proper. These stages involve the intending couple, their parents and relations, friends, and well-wishers. Parents and relations, however, play more prominent roles in the first stage than other parties. Drinks and gifts are usually presented by the groom's family to the bride's family during these meetings (the stages).

The family is recognized as a very important social unit and both nuclear and extended families exist in the PAC. The typical nuclear family is headed by the father, with the mother and children. The extended family includes members who are not biological offspring of the same parents but relations. A nuclear family where the father was dead could be headed by the mother if the children are juveniles or by the eldest son if he is a grown man and able to bear the financial responsibility of taking care of the family. The extended family is always headed by a male member. Considering that the project host community is used to non-native residents, members have an accommodating social attitude. This attitude could be valuable for the erosion control project since itinerant workers would be attracted to the project affected community during construction and this kind of social attitude would foster healthy cross-cultural exchanges. This can also help in some way to limit conflicts that arise when people of different cultural backgrounds live together, thereby reducing the potentials for tension and social upheavals during the project execution.

In terms of marital status of the PAPs, data obtained from the project affected area indicate 191 PAPs, 8 PAPs are married and widowed respectively. Table 3.4 shows the marital status of the PAPs in the project area.



Table 3.4: Marital status of the project affected persons

SN	PAPs	Marital status of the project affected persons				Total
		Married (%)	Single (%)	Divorced/ separated (%)	Widowed	
1	Male	187	1	0	3	191
2	Female	4	0	0	5	9

Source: Field work 2022

3.4.1 Social Structure and Organization

Membership of socio-cultural groups (Community Development Union, women’s groups, youth groups, CBOs, cultural groups, and social welfare groups) by household members is quite common. The roles played by these groups are distinct and significant. A group like the Community Development Union (CDU) is set up purely to perform local administrative roles and also to liaise between the PAC and external bodies, and other communities. Similarly, a lot of the social clubs and CBOs actively participate in improving the welfare conditions of their members and by extension the community. The cultural groups mainly performed at cultural festivals, thereby ensuring the preservation of their cultural heritage.

Apart from these socio-cultural groups, the PAC is also made up of compounds. This structure that incorporates compounds allows the compounds some level of autonomy in their daily administration. The compounds are made up of extended families and their affairs are directly overseen by their appointed chiefs who are mostly the eldest male members of the compound.

3.4.2 Traditional Governance

The structure comprises the traditional ruler assisted by chiefs and a CDU executive with the youths and women groups. The traditional rulers (Eze) are elected from eligible males. Eligibility is determined by age (minimum of 35 years) and standing/integrity. Occupants hold office for life except where they are deposed by the community or the government. The Eze can be deposed by the community or the government if they are believed to be working against the community’s interest or when they committed a heinous crime or became incapacitated by ill health. The affairs of the community are managed by a group of elderly male members of the community each representing related lineages. The Chiefs are appointed by their respective clan and family to oversee the affairs of the community and represent them in community matters. They also have the role of advising the Eze.

The PAC also has CDUs which are headed by a President General (PG) and assisted by a Secretary in the day to day running of the union. They are often referred to as community PG and Secretary. Membership of the CDU executive is by election among adult males from the community. Members of the CDU serve a fixed term of four years. The CDC system serves as an administrative organ of the community that has responsibility for the day-to-day running of the



community, liaison with external bodies and agencies, and development planning. They report directly to the Eze. Other groups that make up the traditional administrative structure include



the women and youth and both report to the PG of the CDU. Both are also headed by executive committees which include the President, Vice President, Secretary, among others. All adult female members of the community are eligible for membership of the women's group in the area. Membership of the youth groups is similarly open to adult community members of both sexes who are between 18 and 40 years. The roles of these organs of society are clearly defined and there were no indications of role conflicts. The traditional leaders, CDU, youth and women leaders are the group to dialogue and consult during project implementation.

3.5 Roles of Women and Youth in Community Development

Women are the fundamental human reservoir of every society as they control most of the non-monetary economy (subsistence, agriculture, bearing children, domestic labour, etc.) and play an important role in the monetary too. The women and youth groups in the project host community play important roles and serve to bring their members together as well as intervene in their welfare. During the survey in the project host community, it was noted that culturally women could not lead the community, head the key organs of traditional administration, seat or participate with the men in taking major community decisions except on demand by the traditional leader when issues that will be deliberated is centred on them. This cultural inhibition is a clear indication of gender inequality and accounts for the poor number of female PAPs in the PAC.

The youths, on the other hand, are a strong force in the PAC. The youths in the study area are recognized as a formidable and critical segment of the population whose strength and dynamism are essential in the process of development engineering. The roles of the youth in the surveyed community include ensuring internal and external security, enforcing law and order, and development planning. Youth leadership, especially the President and Secretary are regularly invited to community meetings with the traditional councils, where decisions about development and security are taken.

Gender Issues

Observation in the project community revealed that women are a significant but undermined force. Economically, they constitute the majority of the peasant labour force in the agricultural sector, while most of the others occupy the bottom of the occupational ladder and domestic occupations. The consequence of the unequal status between men and women is a high level of economic and political powerlessness among women, and powerlessness, in turn, retards development of any level, politically, economically, and socially. Interviews in the project host community revealed gender inequality existed from the dawn of civilization among the people and has continued over centuries. Gender discrimination has created wide gender gaps in the project host community, with very devastating social, economic and, health consequences on the members of the female gender, who have been intensely marginalized, and subjugated to



the background.



Moreover, the culture of the people of the study area perceives and treats men as superior to women, this is well manifested in the “son preference syndrome” that is prevalent in the project host community. Male children in the project host community often enjoy preferential treatment, like exemption from house chores; they enjoy the unlimited right to education, while the girls are limited. The culture of the area strictly restricts women to the stereotyped role of home keeping, childbearing, and childrearing. The negative outcomes outlined above are the result of systemic and deeply entrenched discrimination that not only undermines the life chances of millions of individual girls and women but adversely affects their future children and the whole community.

In the project area, the “Mothers’ Summit”, popularly known as “August Meeting”, is a concept common among women of the area who are resident in Nigeria or indeed abroad. This meeting, usually organized during the month of August, is the exclusive preserve of married women. These women gather in their home towns in a grand meeting that lasts for days to discuss and deliberate on issues that affect them in common. The meeting is structured so that the women first meet in their villages and wards to articulate ideas based on community development. From the second day, they converge at the central venue where all the women of the town will commence the five-day heated and fruitful discussions that have helped in different ways to erect town halls, community health clinics, civic centres, secondary schools etc. “August Meeting” is a force to reckon with in the project area.

Gender-Based Violence

Gender-based violence against women has been acknowledged worldwide as a violation of basic human rights. Increasing research has highlighted the health burdens, intergenerational effects, and demographic consequences of such violence (United Nations, 2006). Domestic violence can be defined as physical abuse, sexual abuse, emotional and verbal abuse between people who have at some time had an intimate or family relationship. What constitutes physical, sexual, emotional, and verbal abuses against women often would be influenced by the socio-cultural norms of a particular society. Interviews conducted in the project host community revealed that GBV survivors in the area are faced with a lack of health and psychosocial support services, as well as unsupportive reporting channels, leading survivors to avoid reporting these incidents, fearing retribution, shame, blame, and humiliation. Given the high prevalence of GBV in these areas, there are critical needs for specialized, comprehensive, and multi-sectoral GBV prevention.

FGDs further exposed cases of both domestic and sexual violence against women in the area, largely blamed on the customs of marriage in the project host community which involves bride prices usually paid on women, this belief promotes the values that give men proprietary rights over women and girls and encourage polygamy. The cultural practices among the people of the



area as it is in most African societies, give women in the society a second fiddle role to play.



This survey established that there is a high prevalence of intimate partner violence among in the project host community.

3.6 Vulnerable Groups

The socio-economic survey conducted as part of the LRP assessed several indicators of socioeconomic vulnerability, including household ownership of moveable assets, social support networks, food security, and perceived needs and challenges. The statistics generated for these indicators show that many households in the local study area may indeed be regarded as socio-economically vulnerable. For instance, most households have suffered food insecurity in the year before the survey and lack of employment was one of the most frequently-cited challenges in the PAC.

Some groups in the community have also been identified as potentially vulnerable to the likely impacts of the project. Their vulnerability derives from several factors, including the inability to cope with certain envisaged changes in the society and economy. A key vulnerable group is adolescents and youths. Within this group, it is also possible to differentiate between the adolescent male and the adolescent female. For the male adolescent, there is a tendency to abscond or drop out of school to seek casual employment during the construction period or other businesses that will be attracted by the erosion control project. This temptation to drop out of school is reinforced by the state of educational institutions, particularly the poor staffing and poor infrastructures which makes schooling uninteresting in public schools and high tuition fees in private schools. The adolescent male will be faced with a situation of giving in to peer pressure and groups that encourage truancy and school dropout if these groups come into the community as itinerant workers or camp followers.

The teenage girl on the other hand is faced with managing her sexuality in an environment where there will be considerable exposure to sexual excesses and the continuous advances by older and more experienced working-class males whose income would be an effective instrument to lure the girls. Again, with this group, there will be the likelihood of school dropout and teenage pregnancy. Many of the teenage mothers may not be able to return to complete their schooling or embark on any academic pursuits, even after they would have given birth to their babies.

Another vulnerable group is the elderly and physically challenged persons. In any economy, the elderly and the physically challenged persons usually require special attention which includes health care and welfare, but the required facilities for the provision of these social services are inadequate in the project host community. Additionally, widows and single mothers will have an uphill task providing for their households in an environment where some contractors and workers earn salaries higher than what is generally obtained in the community.



3.7 Lifestyle and Social Indulgent Practices

Lifestyle and practices raised and discussed during FGDs and interviews included, drinking of alcohol, cigarette smoking, and use of hard drugs, prostitution, teenage pregnancy, and child labour. Residents confirmed that the use of spirits and alcoholic beverages is rampant among them. About 66%, of the residents, of both genders, had been drinking since their teenage in the project host community. Cigarette smoking is also quite common among teenage and adult males in the project host community. About 84% of the residents also believe that some of the youth smoke hems, though nobody admits to smoking Indian hemp may be due to the implication of admitting the same. Child labour, another of the social vices, is not common. Children usually assist their parents in farming and running their shops. The girl child in the study area is also made to go round the streets of their community to sell merchandise for the parents. This type of work does not attract any salaries or wages.

Residents expressed fears that the proposed project would further encourage some of these vices if construction workers and camp followers take up residence among them during the construction phase. Drinking, smoking, use of hard drugs, teenage pregnancies, and prostitution were particularly mentioned by the respondents.

3.7.1 Belief Systems and Practices

Residents of the project host community are mostly Christians. There are various Christian denominations and worship centers spread across the project host community. Christian denominations in the project host community include Living Faith Church, Assemblies of God Church, Catholic Church, Cherubim and Seraphim, Redeemed Christian Church of God, The Apostolic Church, Deeper Life Bible Church, Greater Evangelism Worldwide Crusade, among others. Christian worship places are generally present in area and they are revered among residents. The main Christian festivals of Christmas and Easter are celebrated in the project host community.

Traditional worship practices are carried out by a few adherents in project host community as many have converted to the Christian faith and abandoned traditional religious practices. Results from interactions in the surveyed community show that the people still have deity called various names and it is believed to be responsible for the protection of lives and properties in the area. Traditional festivals in the project host community can be in the context of a holiday, often marked by merriment and high-spirited cultural fulfillment as a successful celebration featuring elaborate theatrical presentation, honouring a member or marking a collective festive period of a given community, as title taking, marriage ceremony, and fertility rites of passage. These festivals and carnivals feature music, dances, fashion, and food, allowing visitors to join in and have a first-hand experience of their culture.

Traditional Igbo religion includes a belief in a creator god (Chukwu or Chineke), an earth



goddess (Ala), and numerous other deities and spirits as well as a belief in ancestors who



protect their living descendants. The revelation of the will of the deities is sought by divination and oracles. Many project affected persons are now Christians; though some are practicing a syncretic version of Christianity intermingled with traditional beliefs. There are celebrations such as the New yam festival (Igbo: Iri Ji) which are held for the harvesting of the yam. The new yam festival (Igbo: Iri ji) is celebrated annually to secure a good harvest of the staple crop. Figure 3.1 shows religion adherence of the PAPs in the project community.

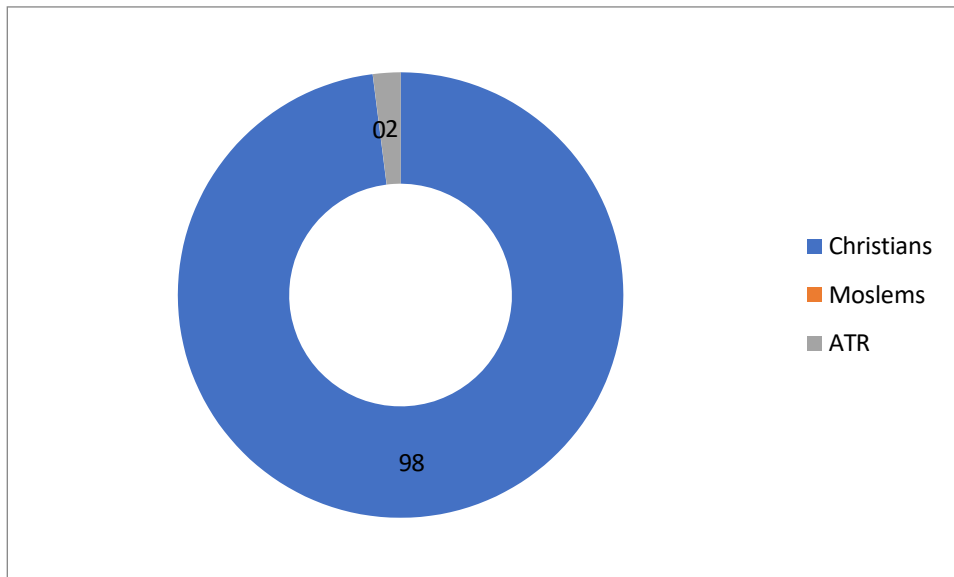


Figure 3.1: Religion adherence of the PAPs

3.8 Conflict Management and Security

The surveyed community like any other human community is not without human conflicts, which may arise from time to time due to individual differences occasioned by different socialization and orientation. Reported sources of conflict in the study community are disputes over land, and politics. The most frequent sources of these disputes as reported by the respondents are land ownership and boundary. The principal medium of conflict resolution in the project host community is traditional leadership. There are unwritten rules that govern the dispensation of justice in the area. Resort to formal judiciary (court) process is very rare in adjudicating civil disputes.

The youth will be a group to watch and also dialogue with in the course of the construction. Conflicts do not always have violent outcomes; in fact, many conflict situations are resolved daily. In the study area, such non-violent conflicts also arise and there are traditional ways of resolving them. The project host community has various organs of society traditionally involved in resolving conflicts. These organs include the social organizations to which household members belong, like the women organizations, the compound chiefs, and the Community Development Union (CDU). However, at the apex of the traditional conflict resolution process in



the community is the traditional leadership. Their decisions on intra-communal conflict issues



are usually binding on all parties. People found guilty are punished with penalties ranging from payment of fine, a public apology, and expulsion from the community, depending on the gravity of the crime committed. Formal law enforcement agencies are rarely contacted to adjudicate contentious communal issues. They are only called in when traditional conflict resolution mechanisms do not achieve the desired effects. Law enforcement officials would rarely storm a community to arrest alleged offence perpetrators, without at least, informing the village head. The active role of the community-based vigilantes in the provision of security for lives and properties is also observed in the project host community.

3.9 Quality of Life

3.9.1 Settlement Pattern and Housing Conditions

The project host community has the characteristics of both linear and nuclear settlements. The linear characteristics derive from the concentration of houses along the main streets and lanes in the settlements. Their nuclear characteristics derive from the clustering of houses. Houses are built in clusters which in some cases may identify family lineages and kindred groups. Spacing between houses is not definite and could range from three or four meters to about ten meters. Figure 3.2 shows housing types in the project host community.

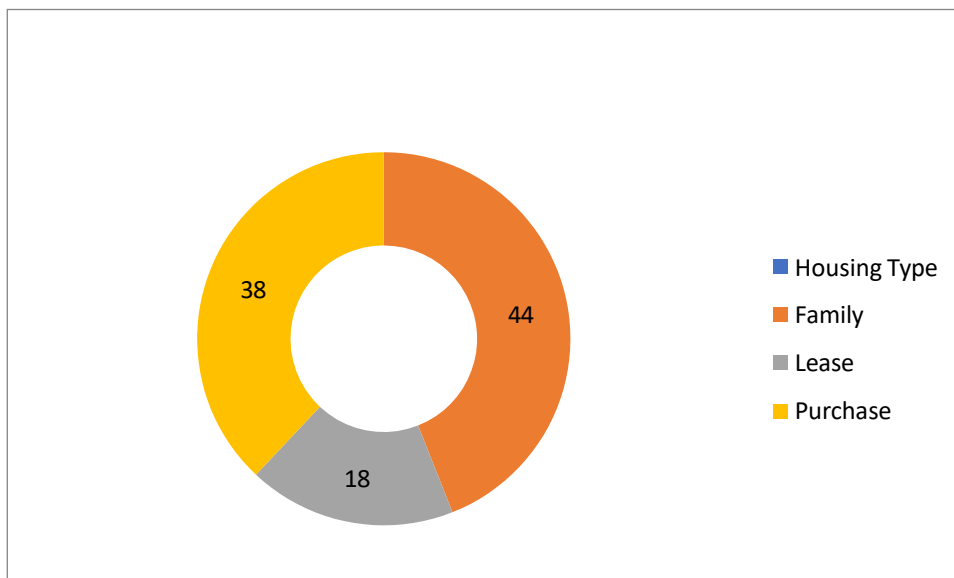


Figure 3.2: Housing Types in the project host community

3.10 Local Economy

Livelihood Activities

Livelihood activities in the PAC are commerce and provision of services like trading, artisanship practices, and employment in the civil/public services. Artisanship practices inclusive of electrical repairs, boat building, tailoring, etc are significant in the PAC. Civil/public service employees in the community are mostly State, and Local Government workers, teachers, and



health workers. Others are inclusive of a few residents who are involved in contracting. Farming



is also a major activity, and many residents are engaged in both crops farming, and raising some livestock for subsistence. The usual crops are cassava, plantain, cocoa yam, and vegetables. Although incomes from these farming and allied livelihood activities vary depending on the scale of operations, local sources estimate that an average farmer earns between N300, 000 and N400, 000 annually from an investment of between N30,000 and N50, 000.

Significant quantities of palm oil are produced and sold at major markets like Ariaria international market in Aba. The production of palm wine and palm oil is common in all the PAC. The markets apart, there is considerable daily sales of goods in the project host community along major roads. Some are petty traders who can only afford to sell a few things like sweets, biscuits, bread, fruits, etc from table tops usually located in the front of their houses. Some others can afford to rent proper shops and sell from such places. This latter group usually has larger shop space and also stocks more goods. Some traders tend to sell a wide variety of items like clothing, shoes and bags, electrical fittings, alcoholic and non-alcoholic beverages, and stationery, among others. Traders deal with a wide variety of goods and also operate on different scales and so their incomes are also very varied.

Residents commonly engage in more than one livelihood activity. Engaging in multiple livelihood activities provides household members with complementary sources of income. In many cases, it is an indication that each of these activities only provides a subsistence income and may be seasonal. For this study, the livelihood activity with the highest annual return was considered as the PAP's occupation. Table 3.5 shows the occupation of the PAPs in the project affected community.

Table 3.5: Occupation of the Project affected persons

SN	PAPs	Occupation				Total
		Trader	Farmer	Civil/public service	Others	
1	Male	52	44	37	58	191
2	Female	1	4	3	1	9

Source: Fieldwork 2022

Table 3.5 above indicates that there are more traders (53 PAPs), and least Public /civil servants (40 PAPs) among the project affected persons in the project host community. PAPs fear that the proposed construction will alienate them of their farm land which will in turn affect their livelihood if not properly compensated.

Household Income Levels and Expenditure Patterns

The major items of expenditure in the households surveyed in the project host community



are food, health care, purchase of household items including utilities (kerosene, petrol, etc), transportation and clothing. The major food items are mainly those that are not grown



locally. Expenditure on health care by households is quite significant because most households take their sick members to private hospitals to access functional modern health care services. Apart from this, household members also spend considerable sums of money on drug purchases from drug stores ('chemists') in the community. Data from the field shows that transportation costs are incurred mainly in accessing health and other social amenities outside the project host community. Households also spend considerably on the purchase of kerosene for their lanterns and cooking stoves, and petrol for their private electricity generators. Expenditure on food and health accounts for 52% of total household expenditure. Table 3.6 shows the items of expenditure in the project host community.

Table 3.6: Items of expenditure

Items of expenditure	Percentages (%)
Clothing	7
Transportation	15
Health	18
Household Items	8
Food	34
Housing	17
Communication	1
Total	100

Source: Fieldwork, 2022

Land Ownership

Land in the project community is primarily owned by male heads of the family (95.5%). Ownership rights over lands are handed down from one generation to another within the extended family. Such inherited land is put to any use as desired by the owner(s). These are the lands on which family members build their houses and are allocated farmlands for cropping. Land could be bought from owners who were willing to sell. Apart from the family, the project-affected community also owned some land. Intentions to obtain land for commercial or built-up purposes need to be initiated through the CDUs and Eze in councils which are in the best position to offer proper guidance concerning ownership. This condition is important whether the required land is owned by a family or community. This approach to obtaining land will help in avoiding intra/ inter-communal conflicts over ownership of any land that may be required for any proposed project. The prices of land vary from one community to another and from one state to another, 100 x 50-meter size land is sold for N3,000,000-7, 000,000.

3.11 Available Infrastructure and their functional status

Public access to the project host community is by dilapidated and poorly maintained tarred roads. Additionally, telecommunication services from GSM service providers are received in all



parts of the project host community, although these services fluctuate in some of the project-affected communities.

Education facilities in the project host community consist mainly of public primary, junior and senior secondary schools. The infrastructures in many of the schools are inadequate. The students' desks and chairs are broken and insufficient, classrooms are also insufficient, and some of their ceilings, windows, doors, and floors are broken. The schools do not have decent utilities like toilets and they also do not have equipped libraries and laboratories. The student to teacher ratio in the public primary schools is high, as much as 60:1. Teachers in the secondary schools are not enough to cover all the subject areas, and subjects like Mathematics, Physics, Introductory Technology, Agricultural Science, English Language, and Home Economics are often taught by teachers who did not study these core subjects in the tertiary institutions. The cumulative effect of these inadequacies is a lack of interest in schooling among many children in the area despite the free education policy of the state government. Parents who are interested in their children being properly educated and who can afford the cost send their children to private schools.

There is generally a dearth of functional government health facilities in the entire study area. The basic problems of the hospitals are inadequate staffing, broken down and unmaintained equipment, and lack of drugs. The situation is such that most households generally do not have confidence in them and would rather 'consult' drug stores or take their members requiring medical attention to the various private hospitals. Public water and electrification are very much dysfunctional in the project host community. Several water boreholes have been constructed in the project community but most of them are not working largely because of poor maintenance culture. Similarly, the community has electricity facilities and is linked to the national grid. The power output is however so poor and erratic that a fair number of residents, especially those involved in various economic enterprises, also possess electricity generating sets to ameliorate the effect of poor power supply and power outages. In terms of trading opportunities, the surveyed community can boast of small, functional but poorly infrastructures marketing facility which deals with foodstuff basically from which the people may procure their essential needs.

3.12 Health baseline information

3.12.1 Sanitation and Waste Management

Refuse and sewage is mostly disposed of in the community dump sites. Similarly, two methods of sewage disposal practiced are the use of pier system toilets and water closet toilets. About 52% of households in the study community dump their refuse in nearby farmlands, while 19% use the pit toilets. Improper disposal of refuse generated by the households, apart from being



aesthetically displeasing, can constitute health risks to human life which is in other words referred to as unsafe sanitation. The common refuse and sewage disposal practices in the study



area are not modern, hygienic, or safe. Most of these wastes eventually end up in the water bodies around the area or are carried downstream and deposited in other communities. Although those that are easily biodegradable (including sewage), decompose and also provide nutrients for plants and fishes, they are still sources of pollution and constitute a health hazard. Those that are not easily degradable (especially metals and plastics) are always visible pollutants and litter around the environment. To ensure cleanliness of the state, the government initiated monthly sanitation in the state. This is done every Saturday of the month between the hours of 9am and 11am.

3.12.2 HIV/AIDS and social pathologies

Despite the measures for maximizing local employment, a large proportion of the construction workforce will originate from outside the local area. This means that it will be necessary for workers to find accommodation near the project sites. However, as has been well-documented from other infrastructure projects, the presence of non-local workers may have a variety of social consequences:

- ✚ workers and camp followers, being a principally young, male, mobile population, are often associated with promiscuous sexual activities. Long-distance truck drivers needed to transport construction materials and equipment from the warehouse are similarly associated with cash for sex. Such behaviour could increase the prevalence of HIV/AIDS, tuberculosis, and other communicable diseases in the local study area during the construction phase. The fact that the current HIV/AIDS prevalence in Nigeria is comparatively low does not completely obviate this risk. Other social pathologies frequently associated with a transitory population with disposable income (such as drug/ alcohol abuse, etc.) may also increase.
- ✚ An influx of construction workers and terminal followers may also be accompanied by an increase in crime such as petty theft, vandalism, and poaching of domestic livestock. Even if particular instances of crime are not a result of newcomers, they may still be attributed to them by the local community and landowners.

The risk of HIV/AIDs and social pathologies is assessed as being of moderate negative significance without mitigation, which remains moderate negative with mitigation. Acquired immunodeficiency syndrome (AIDS) is one of the most serious public health and development challenges facing the world today. AIDS is caused by the human immunodeficiency virus (HIV). HIV weakens the immune system, making the body susceptible to secondary infections and opportunistic diseases. Without treatment, HIV infection leads to AIDS, which is invariably fatal.

It is noted however that a good amount of awareness education and advocacy on the disease



and its prevention is ongoing and from interviews, these are beginning to yield the desired results. About 95% of the respondents are aware of HIV/Aids and its means of prevention in the project affected area. The most important tool in the prevention and control of STIs is health education which undoubtedly the study area can largely benefit from. Collaborating this, drug vendors locally referred to as chemists in the Aba metropolis said there is an increase in the number of condoms sold daily. This project is likely to have a double-pronged effect on the study area. On one hand, it will improve the socio-economic status of the people thereby riveting their attention from sexual activities. On the other hand, however, improved economic status could precipitate a change in lifestyle leading to a high intake of alcohol and increased sexual encounters.



4

4.0 INSTITUTIONAL ARRANGEMENTS FOR LRP IMPLEMENTATION

4.1 Actors Involved and Organizational Structure

This section highlights relevant institutions through which the planning and implementation of the LRP for the project will be conducted. A number of institutions were identified and consulted and will be involved in the overall implementation of this LRP.

These include:

- ✚ Abia State Integrated Infrastructure Development Project (ABSIIDP);
- ✚ Federal Ministry of Environment;
- ✚ Abia States Ministries of Environment, Agriculture, Lands and Survey & Justice;
- ✚ All the Affected LGAs; and
- ✚ NGO (Clement Glory Foundation and Inspire Africa)
- ✚ Community Development Association of the affected community

4.2 Institutional Arrangement

The responsibilities in the implementation and monitoring of the ESMP and LRP are shared among multiple stakeholders, including the AfDB, relevant Ministries, Agencies and Departments and ABSIIDP. In order to encourage the coordination of decisions as well as application of the various measures in an appropriate way, ABSIIDP shall engage the services of a LRP Implementation Consultant (RIC). Furthermore, as discussed, the LRC shall be put in place and a witness NGO shall be invited to participate in the process, for external monitoring.

Figure 4.1 below illustrates the functioning of such institutional arrangement.

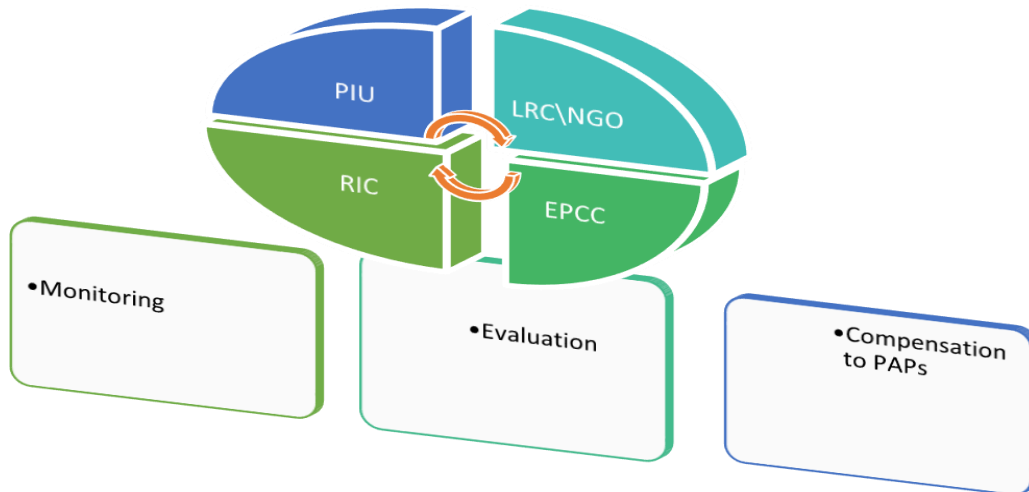


Figure 4.1: Institutional Arrangements for LRP Implementation

4.3 Grievance Mechanisms

During implementation of the project activities, it is possible that disputes/disagreements between the project proponent and the PAPs will occur especially in terms of compensation, boundaries, ownership of crops or land, etc. There are great challenges associated with grievance redress especially in a project of this magnitude.

The practice of grievance arbitration over restoration issues in Nigeria is conducted within the framework of the Land Use Act (LUA), reviewed under CAP 202, 1990. Two stages have been identified, and shall apply, in the grievance procedure: customary mediation and judiciary hearings. A grievance procedure based on community grievance committees, one per LGA, will be established for resolution of the disputes and complaints.

Figure 4.2 illustrates Arbitration in accordance with laws of the Federal Republic of Nigeria.

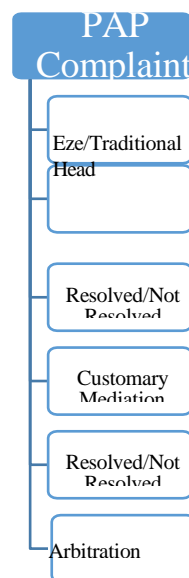


Figure 4.2: Grievance Resolution Procedure



4.3.1 Customary Mediation

Procedures for grievances will be clearly explained during community meetings. At the village levels, a series of customary avenues exists to deal with dispute resolutions. Those avenues shall be employed, when and where it is relevant as a “court of first appeal”. Such customary avenues shall provide a first culturally and amicable grievance procedure that will facilitate formal and/or informal grievance resolution for grievances such as:

- i. Wrongly recorded personal or community details;
- ii. Wrongly recorded assets including land details and/or affected acreage;
- iii. Change of recipient due to recent death or disability;
- iv. Recent change of asset ownership;
- v. Wrong computation of compensation; and
- vi. Name missed out of register, etc.

4.3.2 Courts of Law

The judicial process in accordance with applicable laws will be followed and the law courts will pass binding judgment on the matter.

4.3.3 Grievance Resolution Procedures

The first level is the Village/District Heads or the LRP Implementation Consultant (RIC): The aggrieved person shall first report the matter to the Eze for resolution. Issues that can be resolved at this level include, ownership tussle, management of deceased property, boundary issues, etc. The type issues to report to the RIC for possible redress include, perceived wrong valuation, incorrect PAP data, inadequacy of compensation received, etc. If the issue is not resolved at this stage, it can then be escalated to customary mediation described and if still no acceptable resolution is achieved, the parties may choose to go to court in accordance with laws of the Federal Republic of Nigeria.

Table 4.1: Implementation Plan for Grievance Redress Mechanism

Steps	Process	Description	Completion Time frame
1	Receipt of complaint	Document date of receipt, name of complainant, village, nature of complaint	1day
2	Acknowledgement of grievance	By letter, email, phone	1-5 days
3	Screen and Establish the Foundation/Merit of the Grievance	<ul style="list-style-type: none"> • visit the site; • listen to the complainant/community; • assess the merit 	7-14 days



Steps	Process	Description	Completion Time frame
4	Implement and monitor a redress action	Where complaint is justified, carry out restoration redress in line with the entitlement matrix/AfDB OS 2	21-30 days or at a time specified in writing to the aggrieved PAP
5	Extra intervention for a dissatisfied scenario	Review the redress steps and conclusions, provide intervention solution	2-4 weeks of receiving status report
6	Judicial adjudication	Take complaint to court of law	No fixed time
7	Funding of grievance process	GRC logistics and training, redress compensation, court process	No fixed time

4.4 Compensation Plan

- Right owners, assessment of rights and eligibility:
 - a. Census including the cut-off date, and Eligibility criteria;
 - b. Principles and applicable rate;
 - c. Estimate of actual losses and their compensation;
 - d. Consultations and negotiations held / conducted;
- Physical relocation measures (current conditions of restoration sites, environmental management, integration with host populations, etc.);
- Costs and budget for the full reinstatement, including sustainable livelihood restoration plan, if any; and
- Schedule of the payments and the execution of the physical relocation.

4.5 VALUATION AND COMPENSATION

Valuation of assets and other forms of losses occasioned by the project was conducted by a registered estate surveyors and valuers to ascertain individuals whose assets or livelihoods will be directly or indirectly affected by the project activities. A general principle adopted in the formulation of the compensation valuation is that lost income and assets are valued at their full replacement cost such that the project affected populations experience no net loss. This is in accordance with the Bank's Operational Safeguards 2 on involuntary restoration, OS 2, as well as the Nigeria's Land Use Act.

In line with the above principle, an all-encompassing survey and valuation of the assets and loss of income by the PAPs was conducted (See Appendix 4 for the valuation report).

4.6 Eligibility Criteria

The African Development Bank's Resettlement Operational Safeguards require compensation



for the lost assets and replacement costs to both titled and non-titled landholders and restoration assistance for lost income and livelihoods. In this project, the absence of formal titles does not constitute a barrier to restoration assistance and rehabilitation. Furthermore, the principles adopted herein contain special measures and assistance for vulnerable affected persons, such as female-headed households, child-headed households (≤ 18 years), physically challenged persons, orphans, and the elderly (≥ 70 years).

The social impact of the project on the affected persons shall be minimized and managed through the following measures:

- asset based compensation
- cash compensation
- mitigating risks of impoverishment
- consultation with affected populations, and
- grievance redress mechanisms
- involvement of community-based organizations

Table 4.2: Eligibility Criteria for Compensation

PAP Classification	Eligible for		
	Compensation	No Compensation	Assistance
Those with legal rights	Land or asset at replacement cost	For land, assets, and structure on the land after the cut-off date	Assistance needed
Those with temporary or leased rights at cut-off date	Land and assets at replacement cost	For land, assets, and structure on the land after the cut-off date	Assistance needed
Those who use land without any form of right	Assets on land at replacement cost	Assets on land after cut-off date	Assistance needed
Those with no legally recognized right but arrived before cut-off date.	Assets at replacement cost except that compensation may be “topped off” to allow the PAP to acquire a new residence.	Assets on land after cut-off date	Assistance needed
Those who arrived after Cut-off-date	None	None	None
Those with business located within the the project site	Assets and lost income as a result of lost business during project duration	For business located in community after the cut-off date and outside the affected area.	Assistance needed



4.7 Notification

Prior to the conduct of surveys and administration of study questionnaires, ABSIIDP and officials of the LRP team engaged all stakeholders in several consultations. These public consultations served as avenue to educate them on the purpose of the project and the possible associated impacts and their respective rights. The traditional rulers, youth associations, market associations, security agencies, NGOs and other stakeholders in the project host community have been identified as veritable partners in this project and adequate consultation has been carried out prior to the LRP study.

In the course of administering questionnaire and census, useful interactions between the field staff and the PAPs revealed their positive disposition to the project and their willingness to support ABSIIDP in achieving the project. All parties mentioned in this LRP report were adequately notified before the commencement of surveys, and will be engaged for the payment of compensation, and disbursement of project assistance planned by ABSIIDP.

4.8 Value of Land

The Land Use Act does not provide for compensation for land, only for assets and improvements. However, African Development Bank's OS 2 provides for land replacement, asset replacement as well as restoration of livelihoods. Therefore, there is no justification to make presentation on the value for lands which the PAPs currently occupy under the laws of Nigeria. Nevertheless, going by the principles of payment of adequate compensation and in such a way that PAPs are not left poorer or impoverished because of the project, ABSIIDP will give assistance to the PAPs to enable them obtain another land to relocate the affected assets to as well for restoration of livelihoods.

4.9 Entitlement Matrix for Resettlement Activities

This provides a framework for entitlement for each category of impacts of the project. To determine the eligible person for compensation the Land Use Act and the Criteria set by the African Development Bank contained in OS 2 of the AfDB Operational Manual were both considered, and the more stringent applied (See Table 2.4).

The LRP for the project is aligned with the African Development Bank Operational Safeguards (OS 2), which indicates best practices to restoration of livelihoods of people affected by the implementation of the project. Hence, where there are gaps between the Land Use Act and the African Development Bank Operational Safeguards (OS 2), in regard to compensation of PAPs, the more stringent requirement was applied. This is to ensure compliance with the OS 2 without going against the Land Use Act. The principles adopted this formula and form the basis for establishing eligibility and makes for the provision for all types of losses. Eligible persons



shall be compensated at replacement costs.

4.10 Proof of Eligibility

Various forms of evidence as proof of eligibility was considered and they cover the following:

- PAP with formal legal rights, documented in the form of land title registration certificates (certificate of occupancy or right of occupancy), leasehold indentures, tenancy agreements, rent receipts, building and planning permits, business operating licenses, and utility bills among others: unprocessed/unregistered formal legal documents will be established.
- PAP with no formal or recognized legal rights-criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying attention to each situation and its peculiarities. Alternative means of proof of eligibility will include;
- Affidavit signed by landlords and tenants;
- Witnessing or evidence by recognized traditional authority, customary heads, community elders, family heads and elders and the general community.

However, only assets enumerated during the baseline survey shall be eligible for either the compensation or restoration.

4.11 Basis for Valuation of Losses and Budgets

Valuation of assets to be affected by the implementation of the project was conducted using a general principle adopted in the formulation of the compensation valuation which follows the Bank's Operational Safeguards that lost income and asset will be valued at their full replacement cost such that the PAPs shall experience no net loss. The land to be used for the construction of the project is owned by the individuals located in the project area. It is noteworthy that both public consultation with the stakeholders, project community and the census showed that the affected community accept the project as a means for development.

Therefore, PAPs are mainly those whose economic trees and farm/agricultural crops will be displaced. As a result of the nature of the project area in Abia state, the project's development has serious impact on agricultural businesses or means of livelihoods of the people. As a result, PAPs would be entitled to the following types of compensation and rehabilitation measures.



Table 4.3: Entitlement Matrix

Items	Type of loss	Entitled persons	Entitlements	Responsibility	Remark
Land	Loss of residential/commercial land	Private landowner with titled deed or similar ownership documents, and Customary recognized in the community	<ul style="list-style-type: none"> Cash compensation for land at a flat rate of N500,000, N300,000 N100,000, going by the market comparable within the subject area categorized in 3 different categories of urban area, peri-urban area and rural area. Livelihood restoration Special assistance 	ABSIIDP	Compensation will be paid for only the portion of the parcel that is affected.
Land	Loss of residential and commercial land	Land user of public owned land	<ul style="list-style-type: none"> No compensation for land Livelihood restoration 	ABSIIDP	
Land	Loss of agricultural land	Landowner and land user	No compensation for land Cash compensation for loss of crops and trees based on harmonized rates For Southeast geo- political zone	ABSIIDP	Note that no farming is allowed after construction.
Crops and Trees	Loss of crops and trees	Owner farmer	Cash compensation for loss of crops and trees will be paid based on the harmonized rate for the Southeast geo-political zone	ABSIIDP	The prescribed rate was applied for the valuation
Loss of Income	Job loss due to relocation of business to another area or business operator decides not to re-establish	Business owner	1-month income assistance Shifting allowance Livelihood restoration	ABSIIDP	No job losses in this project
Livelihood	Effects on livelihood	All affected	Farmers who have remaining land or		



Items	Type of loss	Entitled persons	Entitlements	Responsibility	Remark
Restoration		Owners / operators in agricultural land	farmers who cultivate on new lands will be assisted to increase productivity increasing cropping intensity, use of high yielding seeds, diversification and introduction of new seeds or crops and assistance to access existing subsidies.		



a) PAPs without legal rights of land use

The Land Use Act did not make provision for their compensation. However, going by the Bank's OS 2, there will be no land compensation, but their economic trees, crops and other assets on land will be compensated as PAPs with legal rights of land use.

4.12 PAPs Losing Agricultural Land and Crops

The mechanism for compensating loss of farmland includes:

- The provision of assistance to obtain alternative site of equal size within the same community;
- Cash compensation for loss of crops and/or economic tree at full market price of estimated produce. This is arrived at by employing the appropriate valuation methodology over the types of crops or acreage covered as well as the economic trees to be affected.
- PAPs will also be provided with compensation at full replacement cost, without deduction or depreciation for salvaged materials or any other fixed assets in part or in total by the project, such as tombs and water wells.
- In cases where community infrastructure such as schools, dispensaries, churches, palace, hospital, town hall, police post, abattoir, water sources, roads are damaged, ABSIIDP will ensure that these would be restored or repaired as the case may be, at no cost to the community.

4.13 Compensation for Trees

Some of the households in the project area have fruit trees. These trees will have to be cut and cannot be replanted in the area. This will be a permanent loss over the years. Evaluation of the numbers of trees for each family has been done.

4.14 Access Roads and Workers Camps

The allowance required for workers to access roads to account for the damages or temporary impacts on land for which the owners must be compensated, shall be included in the EPC contract.

4.15 Implementation Schedule

The chronological steps in implementation of the LRP, FMEnv will review the ESIA/ESMP reports, the comments from review will be addressed in the final version of the ESIA and ESMP report. The FMEnv will then issue approval of the ESIA, for the project to start. ABSIIDP will then serve notice of intention to States Ministries of Lands and Survey. Attached to this notice, the authorities will find the project descriptions including what the land will be used for, technical description, site survey report, maps and coordinates, etc.). Upon approval by State government, the state government through the Lands Ministry gazettes and issues notice for acquisition and revocation of all statutory grants falling within the right of way.



- Notice shall show exact extent of land required and published appropriately
- Notice shall give a minimum of 6 weeks prior to yielding of possession
- Notice shall give or reserve rights of affected persons to enter (and their agents) for purposes of inspection/determination of their acquired interests.
- Notice must state an effective date for the acquisition.
- ABSIIDP shall publish list of claims/undertake verification /resolve objections
- ABSIIDP shall proceed to restoration / payment of compensation /receive /compile indemnity data
- ABSIIDP shall take over the site
- ABSIIDP shall register the site with relevant Deeds Registry and get it gazetted.

4.16 PARTICIPATION AND CONSULTATION

This section outlines the public information and consultation process that has been designed and implemented in order to facilitate the informed participation of the PAPs, community and other stakeholders affected by or with interest in the project. As such, consultation objectives, activities and outcomes are reported.

4.16.1 General Objectives

General stakeholder engagement objectives of this study were to:

- Inform stakeholders on the proposed infrastructures and activities and seek their informed opinion about the socio-environmental risks and opportunities potentially associated with the project as well as take the measures and actions in order to manage the anticipated impacts;
- Obtain feedback from stakeholders on issues of concern and expectations in order to optimize the project;
- Generate a social and institutional dialogue in order to assess and strengthen the project's social acceptability;
- Help to consolidate, through the ESIA and LRP process, the efforts made by the ABSIIDP in order to establish lasting relationships with affected community and other stakeholders.

4.16.2 Target Stakeholder Groups

Target stakeholder groups for the stakeholder engagement process include:

- Concerned agencies and organizations at state and national levels;
- State-level agency;
- LGA-level agencies
- Customary authorities in the project host community; - Ezes of community.
- Industrial and commercial concerns affected by the project, including relevant ABSIIDP



departments.

- Security Agencies: National Security and Civil Defence Corps, Department of Security Service, and the Nigerian Police

4.16.3 Stakeholder Information and Consultation Stages

Three stakeholder information and consultation rounds were planned, and two have been implemented through the development of the site survey, the ESIA/ESMP study and LRP of this project. They were planned according to key stages, or decision moments, throughout the study where the informed participation of stakeholders were likely to make the most significant contribution to the on-going analysis.

These included the scoping stage (1st stage), the preliminary site assessment and the documentation of the affected community and displaced households' stage (2nd stage). The third stage of consultations is scheduled for the disclosure of the Final survey, ESIA, ESMP and LRP preliminary results (3rd stage).

Table 4.4 outlines the studies' stakeholder engagement process and presents, for each consultation stage, the specific engagement objectives, target groups and implementation periods.

Table 4.4: Stakeholder Consultation Implementation

Stage	Objectives	Target groups	Period
Environmental and scoping	<ul style="list-style-type: none"> • Present the project to ESIA/LRP stakeholders. • Identify key issues, concerns and expectations related to the project and study area. 	<ul style="list-style-type: none"> • Abia State Integrated Infrastructure Development Project (ABSIIDP). • Concerned MDAs • State and LGA Administrative. Community leaders of areas affected 	March -July, 2022
Disclosure of Preliminary LRP	<p>Present, validate and enhance preliminary LRP results.</p> <p>Ensure strict compliance with requirements of regulatory authorities, evaluate the social acceptability of studies.</p>	<ul style="list-style-type: none"> • ABSIIDP/AfDB • Concerned Ministries at National and State levels • NGOs 	May, 2022



4.18.3.1 First Stage Consultations

The first consultation stage took the combined format of individual semi-structured interviews with community members and customary chiefs as well as group meetings with institutional stakeholders (organizations at national, state and LGA level). This approach has proved to be useful to better define the scope and framework of the LRP study.

The objectives of these meetings are as follows;

- Present the project and the LRP process to the community and relevant agencies;
- Identify key issues, concerns and expectations of the community and agencies related to the project and study area;
- Identify current practices and requirements of each agency related to the project;
- Complete the stakeholders' list and validate the general approach for consultations;
- Identify relevant information sources and collect available data and reports.

4.18.3.2 Activities Performed in Abia State

The activities carried out as part of the first-stage stakeholders' engagement in Abia State are:

- Meeting between our team members and the Project Managers at the ABSIIDP Abia State.
- Meetings at State level with relevant State Ministries, Agencies and affected LGAs in Abia State.
- Meetings at community level, held in the community.

4.18.3.3 Outcomes and Results Obtained

The following results were achieved from the consultations:

- ✚ The community understood the objectives and requirements of the project and pledged support and cooperation;
- ✚ The relevant agencies are aware of the project and the ESIA/LRP process (team, objectives and schedules);
- ✚ The requirements of Abia State Laws and Regulations relevant to the project were highlighted by the agencies and understood by ABSIIDP and its consultants;
- ✚ The main stakeholders' concerns and expectations were documented and have been considered for inclusion in the scope of the studies; and
- ✚ A preliminary list of stakeholders was completed and the orientation of the Stakeholders' Engagement Plan was enhanced.

4.18.3.4 Second Stages of Consultation

At the second stage of the stakeholder consultation preliminary findings, as well as methodology and approach for ESIA and LRP will be presented. At the same time obtain feedback to refine the approach and the methodology and include concerns expressed in the study.



4.18.3.5 Activities Performed

The activities carried out as part of the second stakeholder engagement stage are:

- With State Ministries of Lands, Works, Transport, Abia State Environmental Protection Agency.
- Meetings with PAPs in the project host community.
- Field trip to show to stakeholders the project site.
- A project background information document, in a poster form was produced and distributed by the consultant to the authorities and representatives prior to meetings for public advertising.
- PAPs were invited to attend the village level meetings with the community leaders in their community. The meetings included women as well as youths in each village.



5

5.0 MONITORING AND EVALUATION

5.1 Introduction

The purpose of restoration monitoring is to ensure that measures developed for compensating the losses were effective in restoring PAPs living standards and income levels. Monitoring will be implemented by the PIU. During monitoring phase, the existing grievance mechanism will be regularly reviewed for improving and correspondingly, additional and more user-friendly forms, which enable the field staff to forward complaints and demands of local people to the PIU. Throughout the Project lifecycle, monitoring and evaluation activities will be reviewed; restructured or removed in case that the previously produced tools and forms are inefficient.

Monitoring and Evaluation (M&E) procedures establish the effectiveness of all land and asset acquisition and restoration activities, in addition to the measures designed to mitigate adverse social impacts. The procedures include internal track keeping efforts as well as independent external monitoring. The purpose of restoration monitoring for the proposed erosion control project will be to verify that:

- Actions and commitments described in the LRP are implemented;
- Eligible project affected people receive their full compensation prior to the start of the rehabilitation activities on the corridor;
- LRP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Complaints and grievances lodged by project affected people are followed up and, where necessary, appropriate corrective actions are taken; and
- If necessary, changes in LRP procedure are made to improve delivery of entitlements to project affected people.

The Bank's operational safeguards (OS 2) require that the project sponsor (ABSIIDP) is responsible for adequate M&E of the activities set forth in the restoration instrument. Monitoring will provide both a warning system for the PIU and the project sponsor (ABSIIDP) and a channel for the affected persons to make known their needs and their reactions to restoration execution.



PIU monitoring and evaluation activities and programs shall be adequately funded and staffed. PIU monitoring will be verified by the witness NGO to ensure complete and objective information.

5.2 Monitoring Framework

The purpose of restoration monitoring will be to ensure that compensation measures were effective in restoring PAPs living standards and income levels. Also, the effectiveness of the grievance mechanism provided will be followed up. As part of the monitoring and evaluation process, changes in LRP procedures will be put into effect if necessary. The monitoring and evaluation framework consist of three elements:

- Internal monitoring by PIU+ RIC
- External monitoring undertaken by the Witness NGO; and
- Independent LRP Completion Audit.

Indicators have been established in order to measure LRP activities, results, objectives and goals. There are five categories of indicators for performance monitoring.

The first-three internal performance monitoring are: input, output and process indicators. They are mostly used for medium term measures to ensure that the LRP is relevant, effective and efficient.

The last two Impact monitoring are: outcome and impact indicators. They are mostly used for long term measures for assessing the results.

Table 5.1: LRP Monitoring Plan

Component Activity	Type of Information/ Data Collected	Source of Information/ Data Collections Methods	Responsibility For Data Collection, Analyses And Reporting	Frequency/ Audience of Reporting
Internal Performance Monitoring	Measurement of input, process, output and outcome indicators against proposed timeline and budget, including compensation disbursement	Quarterly narrative status and compensation disbursement reports	RIC, including public relations representatives	Semi-annual or as required by ABSIIDP Environmental Committee and AfDB
Impact Monitoring	Tracking effectiveness of inputs against baseline indicators Assessment of affected people's satisfaction with inputs, processes and outputs.	Annual quantitative and qualitative surveys. Regular public meetings and other consultation with project affected people; review of grievance mechanism outputs.	RIC, including public affairs representatives Witness NGO	Annual



5.3 Internal Performance Monitoring

Measurement of input, process, output and outcome indicators against proposed timeline and budget, including compensation disbursement

- Quarterly narrative status and compensation disbursement reports
- PIU team, including public relations representatives
- Semi-annual or as required by ABSIIDP Environment Department

5.4 Impact Monitoring

The project's restoration impacts are monitored to:

- Track effectiveness of inputs against baseline indicators
- Assess of affected people's satisfaction with inputs, processes and outputs.

This monitoring is conducted through

- Annual quantitative and qualitative surveys.
- Regular public meetings and other consultation with project affected people;
- Review of grievance mechanism outputs.
- The RIC, including public affairs representatives Witness NGO.

In order to effectively report on the effectiveness of LRP implementation, PIU will monitor the following key indicators, in keeping with AfDB's requirements on involuntary resettlement:

- The timely and adequate disbursement of compensation;
- Compensation disbursement to the correct parties;
- Public consultation and grievance procedures in place and functioning; and
- The physical progress of restoration and rehabilitation, where applicable.

RIC monitoring will provide the LRP management team with feedback on LRP implementation and help ensure that adverse impacts on affected people are mitigated in a timely manner. M&E will be the main mechanism to alert management of any delays and problems and will help ABSIIDP measure the extent to which the main objectives of the restoration plan has been achieved.

LRP monitoring and evaluation activities will be adequately funded, implemented by qualified specialists and integrated into the overall LRP implementation budget.

PIU monitoring and evaluation activities will be supplemented and verified by monitoring efforts of the witness NGO.

The establishment of appropriate indicators in the LRP is essential since what is measured is what will be considered important. Indicators will be created for affected people as a whole, for key stakeholder groups, and for special categories of affected groups such as women.



The most important indicators for the LRP in the near-term concern outputs, processes and outcomes since they define whether the planned level of effort is being made and whether early implementation experience is being used to modify/redesign LRP features. Over the medium to long term, outcome and impact indicators are critical since they are the ultimate measure of the LRP's effectiveness in restoring people's livelihoods.

Monitoring indicators may have to be defined or re-defined during the course of project in response to changes to project-related conditions. Consequently, implementation and mitigation measures may have to be adopted to incorporate these changes into the M&E plan.

5.5 Indicators

5.5.1 Input Indicators

These cover the human and financial resources that are utilized in the LRP activities.

5.5.2 Output Indicators

Include activities and services produced with the inputs, which can be a database of land acquisition, Compensation payments made for the loss of assets etc.

5.5.3 Process Indicators

Process indicators represent the change in the quality and quantity of access and coverage of the activities and services. Examples of process indicators in the LRP include:

- The creation of grievance mechanisms;
- The establishment of stakeholder channels so that they can participate in LRP implementation; and
- Information and dissemination activities.

5.5.4 Outcome Indicators

The delivery of mitigation activities and measures to compensate physical and economic losses created by the project such as restoration and compensation of agricultural production and overall income levels, changes in PAPs and community attitudes towards the project, use of compensation payments for income generating activities.

5.5.5 Impact Indicators

Impact indicators define the change in medium and long-term measurable results in behavior and attitudes, living standards, and conditions. Impact indicators aim to assess whether restoration activities of the LRP are effective in maintaining and even improving social and economic conditions of PAPs. In addition to quantitative indicators, impact monitoring will be supplemented by the use of qualitative indicators to assess client satisfaction and the satisfaction of the affected people with the choices that they have made in re-establishing themselves.

Tracking this data will allow PIU determine the following types of information:



- The extent to which quality of life and livelihood has been restored;
- The success of the restoration; and
- Whether Project Affected Persons have experienced any hardship as a result of the project.

5.6 Internal Monitoring

Internal monitoring measures the progress of activities defined in the LRP. The PIU will be responsible for this process with support from appointed experts as necessary. It is the responsibility of the PIU to conduct regular internal monitoring of the restoration efforts and performance of the operation through LRC and grievances committee which will be responsible for implementing restoration activities and manage grievances. The monitoring shall be a systematic evaluation of the activities of the operation in relation to the specified criteria of the condition of approval.

5.6.1 Objectives of Internal Monitoring & Evaluation

The objective of internal monitoring and supervision shall be:

- To verify that the valuation of assets lost or damaged, and the provision of relocation, restoration and other rehabilitation entitlements, has been carried out in accordance with the restoration policies;
- To oversee that the LRP is implemented as designed and approved;
- To verify that funds for implementation of the LRP are provided by the ABSIIDP in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the LRP;
- Ensure the identification and signature/thumb print of PAPs before and during receipt of compensation entitlements; and
- Record all grievances and their resolutions, and ensure that complaints are dealt with in a timely manner.

5.7 External Monitoring and Evaluation

External monitoring activities will verify the process defined in the LRP which is realized by PIU. The witness NGOs (Clement Glory Foundation and Inspire Africa) shall be empowered to periodically carry out external monitoring and evaluation of the implementation of the LRP.

The general objectives for external monitoring are:

- To provide an independent source of evaluation during the implementation process of restoration and compensation. The external monitor will offer, if needed, external support and technical expertise to LRP compensation committees and implementing agencies;
- To contribute advice to solve both anticipated and unanticipated problems that may arise as the programs defined in this LRP are carried out; and



- To provide an overall assessment of LRP programs from a broader, long-term socio-economic perspective.

The following parameters will be monitored and evaluated through PIU reports and sites visits:

- Public consultation and awareness efforts of compensation distribution;
- PAPs shall be fully informed and consulted about on all restoration activities, including land acquisition, leasing land and relocation activities, if any;
- The witness NGO representative shall attend some public meeting to monitor consultation procedures, problems and issues arisen during the meetings and solutions proposed;
- Levels of PAPs satisfaction with various aspects of restoration and compensation will be monitored and recorded;
- Operation of grievance redress mechanism, redress results, and effectiveness of grievance resolution will be monitored;
- Standards of Living - throughout restoration implementation process, the trends of living standards of PAPs will be observed and surveyed, and any potential problems in restoration of living standards will be recorded and reported.
- The witness NGO shall have qualified and experienced staff and their terms of reference acceptable to the financing AfDB.
- In addition to verifying the information furnished in the internal supervision and monitoring reports, the independent monitoring unit shall visit a sample of 10% of PAPs in each relevant district, six (6) months after the LRP has been implemented to:
 - Determine whether the procedures for PAPs participation and delivery of compensation and other rehabilitation entitlements have been done in accordance with the Policy Framework and the respective LRP;
 - Assess if the LRP objective or enhancement or at least restoration of living standards and income levels of PAPs have been met;
 - Gather qualitative indications of the social and economic impact of project implementation on the PAPs; and
 - Suggest modification in the implementation procedures of the LRP, as the case may be, to achieve the principles and objectives of this policy framework.

Both internal and external monitoring programs will be ended with LRP Completion Audit.

5.8 LRP Completion Audit

A LRP completion audit will be undertaken when previous monitoring has indicated that there is no significant outstanding issue regarding livelihood restoration and restoration. It is expected that this final audit will be performed 3 years after the restoration at the latest. The LRP completion audit will be undertaken by an accredited agent with support from PIU and ABSIIDP as required. The LRP completion audit will provide final indication that the livelihood restoration is sustainable and no further interventions are required.



Therefore, the independent audit assessing compliance programs restoration / compensation with the provisions described in the LRP, the Nigerian legal framework applicable and the requirements of World Bank/AfDB. The evaluation report will be made public through the PIU, LRC meeting and public announcement through appropriate media.

5.9 Reporting

LRP monitoring reports will be prepared in accordance with AfDB guidelines. Progress will be reported for the following tasks:

- internal monitoring;
- external monitoring;
- compensation; and
- completion audit.

The PIU team will have primary responsibility for the implementation of all internal monitoring activities. Designated staff will collect relevant data in a standardized format. PIU will use a tool such as a bar chart/Gantt chart or Microsoft Project table to assess and present information on progress of time bound actions.

5.9.1 Frequency/Audience of Reporting

Monthly performance monitoring reports will be prepared by the RIC and witness NGO for the PIU, beginning with the commencement of any activities related to restoration, and /or income restoration. These reports will summarize information that is collected and compiled in the quarterly narrative status and compensation disbursement reports and highlight key issues that have arisen.

As a result of the monitoring of inputs, processes, outputs and outcomes of LRP activities, project management will be advised of necessary improvements in the implementation of the LRP.

5.9.2 Type of Information/Data Collected

In order to measure the project process and impact performance and to assess the effectiveness of project impact mitigation measures, RIC will collect information on all the input, process outcome and impact indicators.

Impact monitoring data will be collected at appropriate intervals through qualitative and quantitative surveys, and include a review of grievance mechanism outputs. The PIU will consult directly with the affected populations through regular public and LRC meetings. Monitoring data will be reported to the PIU and relevant external agencies quarterly or more frequently as required. The monitoring will continue for about 2 years beyond the completion of displacement process.



6

6 LRP IMPLEMENTATION BUDGET AND SCHEDULE

6.1 LRP Implementation Budget

The LRP implementation budget is in the sum of NGN 141,355,500. This consists of payment of compensation claims, assistance for vulnerable groups, Livelihood Restoration Program. Allowances have also been made for security, bank charges, stamp duty and other logistics, for compensation payment, NGO Participation/Grievance Redress Committee activities, logistics for monitoring and evaluation, and professional fee of the LRP Implementation Consultant (Table 6.1).

Table 6.1: Compensation and LRP Implementation Budget

Compensation and LRP Implementation Budget	Amount (NGN)
Budget for economic trees/crops	98,850,000
Allow 2.5% contingency for crops	2,471,250
Allow for security, bank charges, stamp duty and other logistics, for compensation payment (2.5%)	2,471,250
Allow for NGO participation and Monitoring & Evaluation (5% of compensation cost)	4,942,500
Assistance for vulnerable groups (2.5% of crop values)	2,471,250
Subtotal for allowance	17,298,750
Total	128,505,000
LRP Implementation consultant's fee	12, 850,500
Grand Total	141,355,500

6.2 LRP Implementation Schedule

The compensation payment part of the LRP implementation shall be completed before land take over. It is envisaged that it can be completed within a period of six (6) months.

The monitoring and evaluation activities which are scheduled to be done once a year shall commence six months after completion of compensation payments.

Table 6.3 shows the compensation summary.



Table 6.3: Compensation Summary Sheet

#	Variables	Data
1	State	Abia
2	LGA	Obingwa
3	Community	Itungwa Agburukwe
4	Activity(ies) that trigger resettlement	Erosion control resulting to loss of agricultural Land.
5	Overall resettlement cost	N116,148,750 (279,203.72 USD)
6	Applied cut-off date (s)	4 th April, 2022 (for inexhaustive improvement on the land)
7	Dates of consultation with the people affected by the project (PAP)	5 th -30 th April, 2022
8	Dates of the negotiations of the compensation rates prices	5 th April-30 th June, 2022
	B. Specific information	
9	Number of people affected by the project (PAP)	200
10	Number of Physically displaced	200
11	Number of economically displaced	200
12	Number of affected households	180
13	Number of females affected	5
14	Number of vulnerable affected	35
15	Number of major PAP	181
16	Number of minor PAP	0
17	Number of total right-owners and beneficiaries	200
18	Number of households losing their shelters	0
19	Total area of lost arable/productive lands (ha)	20
20	Number of households losing their crops and/or revenues	181
21	Total areas of farmlands lost (ha)	20
22	Estimation of agricultural revenue lost (USD)	N116,148,750 (279,203.72 USD)
23	Number of building to demolish totally	0
24	Number of building to demolish totally at 50%	0
25	Number of building to demolish totally at 25%	0
26	Number of tree-crops lost	422
27	Number of commercial kiosks to demolish	0
28	Number of ambulant/streets Sailors affected	0
29	Number of community-level service infrastructures disrupted or dismantled	0
30	Number of households whose livelihood restoration is at risk	16
31	Option for Compensation	Cash Compensation



APPENDICES



Appendix 1
The Southeast rates



SOUTH-EAST GEO-POLITICAL ZONE

**HARMONISED COMPENSATION RATES FOR ECONOMIC TREES AND CROPS IN SOUTH-EAST
GEO-POLITICAL ZONE**

S/NO	ECONOMIC TREES	A	B	C
1.	Mango	1800	900	450
2	Coconut	1500	750	375
3	Guava	600	300	150
4	Pawpaw	600	300	150
5	Locust Beans Tree	1000	500	250
6	Shea Nut tree	1000	500	250
7	Cashew	1500	750	375
8	Banana	1500	750	375
9	Plantain	1500	750	375
10	Pineapple	500	250	125
11	Bamboo/India	100	50	25
12	OIL PALM TREE			
	(a) Plantation Tree	2500	1,250	625
	(b) Other Types	1500	750	375
13	Orange/Tangerine	2000	1000	500
14	Coffee	500	250	125
15	Dagoruwa	100	50	25
16	(a) Kola nut Tree(Native)	1500	750	375
	(b) Kola nut Gbanja (Gworo)	800	400	200
17	Raffia Palm	800	400	200
18	Rubber Tree	1000	500	250
19	Ogbono (Bush Mango) ohere	2000	1000	500
20	Starapple/Ndiya/Udara/Otien	1000	500	250
21.	Oba	500	250	125
22.	Nmimi Tree (Pepper Fruit) Ako	500	250	125
23.	Bitter Kola	1000	500	250
24.	Grape fruit	1000	500	250
25.	Lemon	1000	500	250
26.	Lime	1000	500	250
27.	Icheku	500	250	125
28.	Fig tree (Ogbu)	200	100	50
29	Nka (Akwu)	500	250	125
30	Akparata	1000	500	250
31	Ogadeagu	500	250	125
32	Staking stick	25	12.5	6.25
33	Calabash tree (guard mangrove)	500	250	125
34	Cam wood	1000	500	250
35	Ugiri (Ibaba)	1500	750	375
36	Hard wood eg. Mahogaany Iroko Abora Obeche etc.	5000	2500	1250
36A	Soft wood eg. Chestnut tree	3000	1500	750
37	Banre	750	375	187.5
38	Date palm	2000	1000	500
39	Sisal	200	100	50



	Acacia	200	100	50
	Eucalyptus	500	250	125
	Silk cotton (Ogbo)	3000	150	75
	Goriba	500	250	125
	Tsamia	500	250	125
45	Giginya	500	250	125
46	Native Pear (Orunmum)Obc	1500	750	375
47	Avacado pear	1500	750	375
48	Cactus	400	200	100
49	Gmelina	1500	750	375
50	Neem (Dogon Yaro)	500	250	125
51	Cocoa Tree	2000	1000	500
52	Gum Arabic	500	250	125
53	Native Plum	100	50	25
54	Oil bean tree	2000	1000	500
55	Castor oil tree	500	250	125
56	Walnut wood (Ukpa)	500	250	125
57	Bread fruit (Ukwa)	2000	1000	500
58	Mat plant	500	250	125
59	Indigo (Uhie)	500	250	125
60	Almond tree (Umbrella tree)	500	250	125
61	Crona rubber tree	1000	500	250
62	Ichikara	500	250	125

NOTES ON APPLICATION OF THE RATES

- Economic Trees:** The rates for these are in three grades i.e. A, B, C,
- GRADE A:** Which represents 100% of the applicable rate is mature trees agricultural plantation or around homesteads.
- GRADE B:** representing 50% of Grade 'A' is applicable to trees both the plantation and non-plantation type, which are at the medium stage of maturity.
- GRADE C:** is for immature trees or those at the nursery stage. It represents 25% of grade A.
- Economic Crops:** The rates for these are in three grade; Grade 'A' is for all matured crops, grade 'B' for those at the medium stage of maturity and grade 'C' for immature crops or those at nursery stage. The equivalent percentage grading are 100% or 'A' 50% for 'B' and 25% for 'C'.

In the case of inter-cropping and where it is not easy to apply the hecterage rates, the unit Rates (per stand/bunch/stem) as indicated above should apply. These rates are subject to review every five years.

**South-East Zonal Forum of
Directors of Lands**

May 2, 2008



S/N	CROPS	RATE PER STAND			RATE FOR HECTARES		
		A	B	C	A	B	C
1.	Millet	14.00	9.00	6.00	45,000.00	22,500.00	12,000
2.	Guinea corn	18.00	15.00	10.00	56,000.00	28,000.00	16,000
3.	Soya Beans	20.00	17.00	13.00	58,000.00	40,000.00	30,000
4.	Irish Potatoes	21.00	18.00	14.00	96,000.00	65,000.00	45,000
5.	Acca	15.00	10.00	7.00	50,000.00	45,000.00	36,000
6.	Babba	14.00	10.00	8.00			
7.	Duma	14.00	9.00	6.00	47,000.00	36,000.00	18,000
8.	Wheat	18.00	16.00	12.00	115,000.00	90,000.00	57,250
9.	Niaga	12.00	8.00	5.00	35,000.00	25,000.00	18,000
10.	Beniseed	15.00	8.00	5.00	35,250.00	25,220.00	12,150
11.	Maize	20.00	15.00	11.00	112,500.00	100,250.00	81,520
12.	Rice	25.00	18.00	15.00	120,000.00	118,000.00	115,125
13.	Beans (creeper)	21.00	19.00	16.00	50,000.00	30,250.00	25,150
14.	Beans (standing)	15.00	11.00	8.00	35,150.00	25,250.00	17,000
15.	Cotton	11.00	8.00	6.00	33,750.00	26,150.00	15,250
16.	Groundnut	20.00	15.00	11.00	70,250.00	56,000.00	35,000
17.	Coco yam	18.00	14.00	9.00	56,250.00	30,120.00	22,000
18.	Yam	115.00	79.00	50.00	1,000,000.00	950,000.00	500,250
19.	Sugar Cane	60.00	45.00	35.00	105,250.00	75,250.00	51,000
20.	Cassava	200.00	150.00	100.00	800,000.00	650,250.00	450,000
21.	Pepper	100.00	60.00	40.00	105,250.00	100,000.00	55,125
22.	Kanaf (Jute)	50.00	40.00	25.00	115,000.00	103,000.00	65,000
23.	Tobacco	-	-	-	112,500.00	103,000.00	70,000
24.	Sweet Potatoes	90.00					
25.	Others, vegetable e.g carrots, <i>OKO</i>	50.00	30.00	25.00	55,000.00	45,000.00	25,125

RESOLUTION OF THE NATIONAL TECHNICAL DEVELOPMENT FORUM (NTDF) ON LAND ADMINISTRATION

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	Others, vegetable e.g carrots, Cabbages/Onions.	50.00	30.00	25.00	55,000.00	45,000.00	25,125
26.	Bitter leaf, water leaf, Editan, Afang e.t.c	20.00	15.00	10.00	35,000.00	25,000.00	17,125
27.	Tomatoes	200.00	150.00	100.00	750,000.00	650,000.00	350,125
28.	Mellon (Niwamkpo)	250.00	200.00	150.00	800,000.00	680,000.00	420,000
29.	Guard Mangrove	-	-	-	32,750.00	22,500.00	27,000
30.	Garden egg (yola)	50.00	35.00	25.00	-	-	-
31.	Lemon Grass	20.00	12.00	8.00	-	-	-
32.	Alligator Pepper	25.00	15.00	10.00	-	-	-
33.	Water Mellon	30.00	20.00	12.00	-	-	-



Appendix 2

Rates for buildings by Nigeria's Bureau for Public Procurement (BPP)



FORMAT, RATES FOR COMPENSATION OF STRUCTURES

S/N	COMMUNITY	LATITUDE	LONGITUDE	NAME OF PARISH	ACCOUNT DETAILS	PHONE NUMBERS	AFFECTED ITEM	SIZE OF STRUCTURE IN M ²	STRUCTURE UNIT RATE (N)	VALUE FOR AFFECTED ASSETS (N)	RELOCATION ASSISTANCE UNIT RATE (N)	RELOCATION ASSISTANCE (N)	REPLACEMENT COST (N)	SUBSISTENCE (MEAL FOR 30 DAYS)	HOUSEHOLD SIZE	TOTAL SUBSISTENCE MEAL FOR HOUSEHOLD	MOVEMENT ALLOWANCE	TOTAL COMPENSATION AMOUNT (N)	INDIVIDUAL COMPENSATION AMOUNT (N)
								A	B	C=AxB	D	E=AxD	F=C+E	G	H	I=GxH	J	K=F+H+J	L=K/H
1	Wauri Jabbe, Yola South	123456	654321				3 Rm ALUMINUM ROOFED MODERN FINISHED STRUCTURE	59.2	23,000	1,233,600	200	10,640	1,234,240	3,000	5	15,000	40,000	1,289,240	1,289,240
2		456123	321654				2 Rm FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	1	0	0	93,240	93,240
3							5 Rm LINTEL LEVEL BUNGALOW	78.4	8,000	627,200	200	15,680	642,880	0	6	0	0	642,880	642,880
4							2 Rm FOUNDATION LEVEL WELL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	1	0	0	93,240	93,240
5							FOUNDATION LEVEL STRUCTURE	12.6	3,500	44,100	200	2,520	46,620	0	7	0	0	46,620	46,620
6							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	3	0	0	93,240	93,240
7							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	4	0	0	93,240	93,240
8							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	5	0	0	93,240	93,240
9							FOUNDATION LEVEL STRUCTURE	65.8	3,500	230,300	200	13,160	243,460	0	0	0	0	243,460	336,700
10							ALUMINUM ROOFED MODERN FINISHED STRUCTURE	53.2	3,500	186,200	200	10,640	196,840	0	6	0	0	196,840	196,840
11							MODERN FINISHED BLOCKED STRUCTURE	25.2	23,000	579,600	200	5,040	584,640	3,000	5	15,000	40,000	1,873,880	1,873,880
12							MODERN FINISHED BLOCKED STRUCTURE	78.4	23,000	1,803,200	200	15,680	1,818,880	3,000	2	6,000	40,000	1,864,880	1,864,880
13							ASBESTO ROOFED SCHOOL BUILDING	126	16,000	2,016,000	200	25,200	2,041,200	3,000	7	21,000	40,000	2,102,200	2,102,200
14							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	7	0	0	93,240	93,240
15							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	5	0	0	93,240	93,240
16							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	6	0	0	93,240	93,240
17							FOUNDATION LEVEL STRUCTURE	25.2	3,500	88,200	200	5,040	93,240	0	7	0	0	93,240	93,240
18							ASBESTO ROOFED STRUCTURE	25.2	16,000	403,200	200	5,040	408,240	3,000	4	12,000	40,000	460,240	460,240
19							MODERN FINISHED BLOCKED STRUCTURE	25.2	23,000	579,600	200	5,040	584,640	3,000	4	12,000	40,000	636,640	636,640
20							FOUNDATION LEVEL STRUCTURE	53.2	3,500	186,200	200	10,640	196,840	0	6	0	0	196,840	196,840
							SHRINE	1	50,000	50,000	0	0	50,000	0	0	0	0	50,000	246,840
21							FOUNDATION LEVEL STRUCTURE	109.42	3,500	382,970	200	21,884	404,854	0	7	0	0	404,854	404,854



Appendix 3

The cut-off date Official communication



RESETTLEMENT ACTION PLAN (RAP) FOR THE INTEGRATED INFRASTRUCTURE DEVELOPMENT IN UMUAHIA AND ABA, ABIA STATE.

NOTICE OF ENTRY/CUT-OFF DATE

The Abia State Government through the Abia State Integrated Infrastructure Development Project (ABSIIDP) is proposing to construct / rehabilitate designated roads in Aba and Umuahia, control gully erosion at two locations in Aba and Umuahia; and develop integrated solid waste management facilities in Aba and Umuahia, in a bid to improve the quality of infrastructure in Abia State, with a loan from African Development Bank (AfDB).

To satisfy environmental and social safeguard requirements, ABSIIDP will be enumerating crops and structures within the rights-of-way (RoWs) of the designated roads, areas of influence of the two erosion sites, and the sites for the integrated waste management facilities, for the purposes of compensation/resettlement.

The roads are:

UMUAHIA CITY ROADS

- | | |
|-----|--|
| S/N | UMUAHIA CITY ROADS |
| 1. | Amaogwugwu-Umuagu-AforUmuezike |
| 2. | Umuezike – AforUmuda-Uzolsingwu-Empire Carpet Industries |
| 3. | AforUmuda-Ulonna North |
| 4. | Dozie Way |
| 5. | Ahiaeke-Lodu-Umuanna-Umuafai-Orpet Road |
| 6. | Umuovom-House of Assembly Road |
| 7. | Ozuabam-Ndiokereke-Arochukwu Road. |
| 8. | Diamond Stadium Road |
| 9. | Lodu-Agbama-Umuobia- Isi-Court |
| 10. | Umuobia- Umuchukwu-AhiaAma-Paulicon Junction Aba Rd. |
| 11. | Madona Hospital-Saclux Industries-New Road |
| 12. | Amafor- Isingwu- Nkwachara Ring Road. |
| 13. | Uhuokwu-Ubaha- Agro Allied Industries Ltd. |
| 14. | Nkata-Isiadu-Amaeke Road |
| 15. | Nelcin Sec. Sch - Abor-Umudalsingwu Rd. |
| 16. | AforUmuawa-UmuawaAlaocha-UmudaOssah-Express Tower |
| 17. | Ohiya-Umuhi-Ogboninbe-Ehume Road |
| 18. | Fire Service Road – Golden Guinea – Aba road |
| 19. | Nkata – Akpaha – UmuireOhuhu |

ABA CITY ROADS

- | | |
|-----|-----------------------------------|
| S/N | ABA CITY ROADS |
| 1. | Asa Road – Port Harcourt Road |
| 2. | Faulks Road |
| 3. | Ohanku Road – Owerre Aba |
| 4. | Omuma Road |
| 5. | IkoIkpene Road |
| 6. | MbuboUmuogeleAmachiMgbokonta |
| 7. | UmualaNwasiEziolaOsusuOkpualaNgwa |
| 8. | Omoba – UmajaAmaedeNdidumbe |
| 9. | Mbawsi Layout – Ururuka |
| 10. | Glass Factory Road |
| 11. | UmuomiaukwuAgburikeUmuomainta |

- | | |
|-----|--|
| S/N | UMUAHIA CITY ROADS |
| 12. | Uratta – Ugwuati |
| 13. | Crystal Park Junction - Obobia Road |
| 14. | Immaculate Avenue – ITF Rod Bridge |
| 15. | UmuaroNenu Road |
| 16. | EziamaNigha – Nsirimo – Ubakala |
| 17. | Mgboko – OmobaUmuezekwuMbawsi Road |
| 18. | IbemeNdiakata- NaguOnichaNgwa |
| 19. | Pepple Road - Akpu Road |
| 20. | Umuokpo- OwoAhiafor Link Road |
| 21. | Owerre Aba – OsusuUmuelendu – Osusuaku |
| 22. | UmuojimaAmapufeEberifOmuma |
| 23. | Umuimo Carol Pee. Ministry of Agric. Shopping Mall |
| 24. | Ugwuati – Umuku |
| 25. | Isicourt- UrurukaUmuosuUmualaUmunkpeyi |
| 26. | AmaEmerole – Ekeonyeugba – Umokoromiri-Eketa |
| 27. | Ajiwe – Brass |
| 28. | Ahunanya- Immaculate |
| 29. | Oron Road – Elizabeth Avenue – Sports Club |
| 30. | Umuala - Umuakwu - OhuhuNsulu – Okokwuano |
| 31. | Itungwa – Agburukwe road |

Erosion Control Sites

- | | |
|-----|--|
| S/N | UMUAHIA CITY ROADS |
| 1 | Isi OkotalUmuda Community in Umuahia North LGA |
| 2 | Agburuke community in Obingwa LGA |

Waste Management Sites

- | | |
|-----|--------------------------------------|
| S/N | UMUAHIA CITY ROADS |
| 1 | Amibo community in Umuahia South LGA |
| 2 | Umuigwe community in Osioma LGA |

All properties/crops owners/users along and around the aforementioned roads and sites are by this notice to grant enumerators access to every affected property/farm land along and around the right of way and sites for enumeration for subsequent valuation. The exercise is scheduled to take place from 9th to 30th April 2022. The cutoff date for any development within the rights-of-way is April 4th 2022, after which no further improvement on any affected land will be considered for compensation/resettlement. For enquiries or clarification, kindly contact Maureen - 08035053111, Daniel - 08030907949 or Uzor 07034731550.

HON. BOB CHIEDOZIEOGU
Honourable Commissioner/Project Coordinator



Appendix 4
Valuation Report



VALUATION CERTIFICATE FOR COMPENSATION IN RESPECT OF:
EROSION SITE IN ABA

DATE OF VALUATION:

In accordance with our standard practice, the Subject site which included; economic, cash crops were inspected on 30 April, 2022, accordingly, all conclusive opinions in the report, relate to the said dates.

PURPOSE OF VALUATION:

The purpose of valuation is to determine the compensation payable to holders of interests in the delineated area. The purpose of this valuation report is to assess a fair amount of compensation, payable for the unexhausted economic crops/trees on the parcel of land to the affected claimants, in accordance with the provisions of the Land Use Act No. 6 of 1978 and other relevant Government Statutes, enactments, laws and schedules.

DESCRIPTION:

This said parcel of land covers a gross area of about 20 hectares required for relocation purposes. The said site which is the subject of our brief comprises 1 community in One (1) LGA within Abia State.

The affected community is listed below:

SN	Community	Amount for structures	Amount for Crops	Total
1	AGBURUKE	0	98,850,000	98,850,000



SN	State	LGA	Community	Number of PAPs			Vulnerability Statistics						
				Crops	Structures	Total Number of PAPs	Male	Female	Elderly	Physically challenged	Amount for Crops	Amount for structures	Total
1	ABIA	OBINGWA	AGBURUKE	200	0	200	191	9	35	0	98,850,000	0	98,850,000

BASIS OF VALUATION

The economic crops/trees, and other unexhausted interests in the designated areas were VALUED REBUS SIC STANTIBUS as at the period of valuation survey.

The basis of valuation in the circumstance was the application of the replacement cost for the crops/economic trees, the application of the approved National Technical Development Forum (NTDF) Harmonized Rates for economic trees and cash crops compensation assessment in the south eastern states.

VALUATION ASSUMPTIONS

In carrying out the said valuation, the following assumptions have been made

- That the information with which we have been supplied in respect of this assignment by our client is correct.
- That the said economic trees, crops and site is not under lease to any third party or under any form of onerous restrictions.

COMPOSITION TEAM OF ENUMERATORS

The team was made up of the following:

1. The Consultants, Messers PGM Nigeria Limited with their team of Estate Surveyors & Valuers, Enumerators, GIS experts;
2. Community Representatives; and
3. Claimants were either physically present to identify their interest or, in very rare cases, represented by their proxies.

SOURCES OF INFORMATION

The details in this report have been obtained as follows:

As regards descriptive and location details, partly from visual inspections and information obtained on this brief from our client.

- a) As regards to valuation inputs from National Technical Development Forum on Land Administration with regards to the harmonized rates for South East geopolitical zone,

We also obtained information from the community heads. The appropriate and adopted basis of valuation to determine the value for compensation of the economic trees, crops and improvements is as enshrined in Section 29, sub section 1 and 4 of the Land Use Act.

In consonance with the African Development bank standard, referencing the AfDB's Operational Safeguards OS 2 we adopted the Replacement Cost Method (RCM) which was used in determining the value of buildings, improvements and installations on the Right of Way.

VALUATION OPINION

IN OUR CONSIDERED OPINION, the current market value for compensation of economics trees and crops within the 20 hectares within project area as enshrined in the Land Use Act CAP L5, 2004 as follows:

Total Number of Claimants =

Budget for structures	0
Budget for economic trees/crops	98.850,000

1. Economic crops/trees

COMMENT:

We must state here that going by our physical and visual survey of the site and in company of some members of the communities laying claims to the site, we traversed the length and the breadth of the site and established that the entire area is in Aba, in Abia State.

The economic crops/trees and other unexhausted interests were enumerated and inspected by a team led by our consultant estate surveyors and valuers jointly with the owners of various interest were present to identify what they owned.

REFLECTED CONSIDERATIONS

In arriving at the value for the compensation, the following were considered:

- The conditions, sizes, and the projected ages of the economic crops/trees
- Any economic crops/trees and other unexhausted development on the designated area, that could not be visually observed during our valuation inspection and enumeration are disregarded. While all other unexhausted improvements that were visually observed are adequately accounted for.
- Any increase in the value which is speculative in nature is disregarded.
- Any part of the claimants' interest which will not be destroyed has been excluded from this valuation report.

NATURE OF THE PROPERTY

The subject items of compensable values consist of economic crops/trees.

LIMITATION AND ASSUMPTIONS

The subject properties valued are those shown to us as belonging to the claimants-communities and individuals. We assume therefore, that the information we were supplied with are correct.

This report is issued for use only by the addressee -Abia State Integrated Infrastructure Development Project (ABSIIDP)/its agents and no responsibility is accepted to any other person either for the whole of its contents or any part thereof.

We wish to state that if our opinion of value is to be disclosed, the basis of our valuation should be stated. Similarly, if it is intended to be published, it will be necessary for our prior approval to be obtained for the form and context in which it will be published.

LOCATION AND NEIGHBOURHOOD

The said site, where the economic trees, cash crops were enumerated for compensation falls within Abia State. This said parcel of land covers a gross area of about 20 hectares.

CERTIFICATION OF VALUE

We hereby certify that

1. Acting on the request of ABSIIDP, we carried out a physical inspection /assessment of the affected economic crops/trees, and other unexhausted developments.
2. We have no past, present, prospective, direct, or indirect interest in the affected areas or in the use of this report.
3. In carrying out this assignment, relevant data considered necessary to arrive at the value conclusion were collected and analyzed.
4. Neither our employment nor our fee for this valuation /assessment assignment has been contingent on our arriving at a specified or implied value or otherwise contingent on anything else other than the delivery of the report.
5. To the best of our knowledge and belief, all the statements and opinions contained in this report are correct and no important facts have been withheld or over-looked.
6. We have conducted this valuation assignment in accordance with the professional standards of practice of the Nigeria Institution of Estate Surveyors and Valuers of which the signatory to this report is a member.

Total budget for the implementation of the LRP is in the total net sum of NGN **141,355,500** as shown below.

LRP IMPLEMENTATION BUDGET

Compensation and LRP Implementation Budget	Amount (NGN)
Budget for economic trees/crops	98,850,000
Allow 2.5% contingency for crops	2,471,250
Allow for security, bank charges, stamp duty and other logistics, for compensation payment (2.5%)	2,471,250
Allow for NGO participation and Monitoring & Evaluation (5% of compensation cost)	4,942,500

Compensation and LRP Implementation Budget	Amount (NGN)
Assistance for vulnerable groups (2.5% of crop values)	2,471,250
Subtotal for allowance	17,298,750
Total	128,505,000
LRP Implementation consultant's fee	12, 850,500
Grand Total	141,355,500

NOTES:

- i. If the figure of valuation in this report is disclosed to persons other than the addressee, the basis of valuation should be stated.
- ii. Possession of this report should not carry with it right of publication without our prior consent on use of the form or context on which this publication would appear.
- iii. The valuation figure in this report has not taken into consideration tax or any expenses of realization in the event of sale.

CERTIFICATION

WE CERTIFY that this valuation has been done in accordance with the ethics of the Nigerian Institution of Estate Surveyors and Valuers of which the undersigned is a member.

Yours Faithfully,

ESV Maureen Ugwu, (ANISV)