

**FEDERAL GOVERNMENT OF NIGERIA**



**NIGERIA FOR WOMEN SCALE-UP PROJECT  
(NFWP-SU)**

**FINAL REPORT**

**RESETTLEMENT POLICY FRAMEWORK (RPF)**

**December 1, 2022**

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## LIST OF ABBREVIATIONS AND ACRONYMS

AIDS	-	Acquired Immunodeficiency Syndrome
ARAP	-	Abbreviated Resettlement Action Plan
BPE	-	Bureau of Public Procurement
DAI	-	Disclosure and Access to Information
DP	-	Displaced Persons
CIF	-	Community Investment Fund
CLFS	-	Cluster Level Federations
CRP	-	Community Resource Person
CSO	-	Civil Society Organization
EA	-	Environmental Assessment
ESIA	-	Environmental and Social Impact Assessment
ESMF	-	Environmental and Social Management Framework
ESMP	-	Environmental and Social Management Plan
ESSs	-	Environmental and Social Standards
FGN	-	Federal Government of Nigeria
FMEnv	-	Federal Ministry of Environment
FGD	-	Focus Group Discussion
FMWR	-	Federal Ministry of Water Resources
GBV	-	Gender Based Violence
GEM	-	Growth and Employment
GRC	-	Grievance Redress Committee
HIV	-	Human Immunodeficiency Virus
IDA	-	International Development Association
ICP	-	Investment Climate Program
ICT	-	Information and Communication Technology
IPR	-	Intellectual Property Rights
ITES	-	Information Technology Enabled Services
LGA	-	Local Government Authority
MDAs	-	Ministries Departments and Agencies
NBS	-	National Bureau of Statistics
NFWP-SU	-	Nigeria For Women Scale-Up Project
NGO	-	Non-Governmental Organization
Non IPV	-	Non-Intimate partner violence
OVC	-	Orphan and Vulnerable Children
PAP	-	Project Affected Person
PDO	-	Project Development Objective

PIM	-	Project Implementation Manual
PWDs	-	Persons with Disabilities
FPCU	-	Federal Project Coordinating Unit
RAP	-	Resettlement Action Plan
ROW	-	Right of Way
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SH	-	Sexual Harassment
SLM	-	Sustainable Land Management
SMOEs	-	State Ministry of Environment
SPCU	-	State Project Coordinating Unit
SSI	-	Semi Structured Interview
STIs	-	Sexually Transmitted Diseases
TA	-	Technical Assistance
VO	-	Village Organization
WAG	-	Women Affinity Group
WB	-	World Bank
WF	-	Ward facilitator

## DEFINITION OF KEY TERMS

<b>Word / Term</b>	<b>Definition</b>
<b>Adoption</b>	A change of practice or change in the use of a technology promoted or introduced by the project. These technologies, practices and systemic approaches are envisaged to strengthen the absorptive, adaptive and transformative capacity of people, assets and systems with interlinked actions at farm level, along food value chains and at landscape level.
<b>Asset Inventory</b>	A complete count and description of all property that will be acquired.
<b>Bank</b>	World Bank
<b>Bunds</b>	Stone or earthen bunds form a barrier that slows down water runoff, allowing rainwater to seep into the soil and spread more evenly over the land. This slowing down of water runoff helps with building-up a layer of fine soil and manure particles, rich in nutrients.
<b>Census</b>	Official enumeration and collection of demographic information of people and individuals in the sub-project locations of the Project.
<b>Children</b>	All persons under the age of 18 years according to international regulatory standard (convention on the rights of Child 2002).
<b>Community</b>	A group of individuals broader than households, who identify themselves as a common unit due to recognized social, religious, economic and traditional government ties or shared locality
<b>Compensation</b>	Payment in cash or in kind for an asset or resource acquired or affected by the project.
<b>Conservation agriculture</b>	A set of soil management practices that minimize the disruption of the soil's structure, composition and natural biodiversity. CA has proven potential to improve crop yields, while improving the long-term environmental and financial sustainability of farming.
<b>Critical water supplies</b>	Infrastructure and associated water resources (small dams, reservoirs, water drainage systems, etc.) in arid and semi-arid regions that are critical for human and livestock uses and are at risk of sedimentation from land degradation within the surrounding catchment.
<b>Cut - off Date</b>	A day on and beyond which any person who occupies land or assets, or constructs assets on land, required for project use, will not be eligible for compensation. The date is often the day when the assessment of persons and their property in the project area commences
<b>Displacement</b>	Removal of people from their land, homes, farms, etc. as a result of a project's activities. Displacement occurs during the involuntary taking of lands and from involuntary restriction or access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of PAPs.
<b>Eligibility</b>	Definition of displaced persons and criteria for determining right for compensation and other resettlement assistance, including relevant cut-off dates.



<b>Entitlements</b>	The benefits set out in the resettlement instrument (e.g. ARAP, RAP etc.), including financial compensation Compensation and other forms of assistance provided to displaced persons in the respective eligibility category.
<b>Environmental and Social Management Framework (ESMF)</b>	An environmental assessment instrument (document) which establishes a mechanism to determine and assess future potential environmental and social impacts of productive investments under the proposed NEWMAP project, and then to set out mitigation, monitoring and institutional measures to be taken during design, implementation and operation of the project activities to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. This instrument has been prepared as a separate and stand-alone document to be used in conjunction with the RPF.
<b>Grievance Procedures</b>	The processes established (a) under law, local regulations, or administrative decision to enable property owners and other displaced persons to redress issues related to acquisition, compensation, or other aspects of resettlement, as well as (b) specific grievance processes put in place as part of the design of a project.
<b>Host Communities</b>	Communities receiving resettled people as a result of involuntary resettlement activities
<b>Implementation Schedule</b>	The implementation schedule that outlines the time frame for planning, implementation, and monitoring and evaluation of the RAPs for sub- projects, if applicable.
<b>Involuntary Resettlement</b>	Resettlement is involuntary when it occurs without the informed consent of the displaced persons or when consent is given without having the power to refuse resettlement.
<b>Land Acquisition</b>	The process whereby a person is compelled by a public agency to alienate all or part of the land he/she owns or possesses, to the ownership and possession of that agency, for public purpose in return for a consideration.
<b>Lost Income Opportunities</b>	Lost income opportunities refers to compensation to project affected persons for loss of business income, business hours/time due to project
<b>Market Rate</b>	Highest rate over the last five years based on commercial terms.
<b>Market Value</b>	The most probable selling price or the value most often sought by buyers and sellers. It assumes buyers and sellers have reasonable knowledge, act competitively and rationally are motivated by self-interest to maximize satisfaction and both act independently and without collusion, fraud or misrepresentation.
<b>Physical Displacement</b>	A loss of residential structures and related non-residential structures and physical assets because such structures / assets are located in the project area.
<b>Private property owners</b>	Persons who have legal title to structures, land or other assets and are accordingly entitled to compensation under the Land Act.
<b>Project Affected Person (s)</b>	A person that loses assets and/or usage rights and/or income generation capacities (e.g., land, structure, crops, businesses) because these assets/rights/capacities are located in land to be acquired or used, for needs of the project. Not all PAPs are displaced due to the Project, but all are potentially affected in the maintenance of their livelihood.

<b>Project-Affected Community</b>	A community that is adversely affected by the project.
<b>Rehabilitation Assistance</b>	The provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable Project Affected Persons and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels
<b>Replacement Cost</b>	The amount of compensation that would have to be paid to replace an asset including all cost associated with replacement of asset displaced by the NFWP-SU project at the present time, according to its current worth.
<b>Resettlement Policy Framework (RPF)</b>	The present document which is the overall Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons for the NFWP-SU.. The Policy Framework describes the process and methods for carrying out resettlement under the Project, including compensation, relocation and rehabilitation of project affected persons.
<b>Resettlement Action Plan (RAP)</b>	The resettlement action plans prepared for specific micro-projects. It is a resettlement instrument to be prepared when project activities are identified, that require land acquisition that leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. The RAP is prepared by the party impacting people and livelihoods in this manner and contains specific and legal binding requirements to be taken by that party to resettle and compensate the affected party before project activities causing this adverse impact are implemented.
<b>Resettlement</b>	The measures taken to mitigate any and all adverse impacts of the Project on PAP's property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation
<b>Resettlement Assistance</b>	Support provided to people who are physically displaced by a project. This may include transportation, food, shelter, and social services that are provided to affected people during their resettlement. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.
<b>Restrictions on Land Use</b>	limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.
<b>Right of Way</b>	Right to make a way over a piece of land, usually to and from another piece of land.

<b>Security of Tenure</b>	Means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.
<b>Squatters</b>	Squatters are landless household squatting within the public / private land for residential and business purposes.
<b>“Special assistance” to vulnerable people</b>	This refers to special efforts provided to the vulnerable physically challenged persons such as those with blindness, paralysis, difficulties with locomotion, incapacity to work, etc., who are ill prepared but displaced by the project. The “special assistance” must be given by qualified persons/relatives/agencies, who can help care for an invalid, providing transitional support (e.g. moving expenses, temporary food supply, etc.).
<b>Sustainable Land Management</b>	An approach to agriculture that has three pillars: (a) sustainably increasing agricultural productivity and incomes; (b) adapting and building resilience to climate change; and (c) reducing and/or removing GHGs emissions, where possible
<b>Voluntary Land Donation</b>	Communities or individuals may agree to voluntarily provide land for sub-projects for desired community benefits with “informed consent and power of choice.
<b>Vulnerable Persons Groups</b>	People who may by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status are more adversely affected by resettlement than others; and who may have limited ability to claim or take advantage of resettlement assistance and related development benefits.

## **EXECUTIVE SUMMARY**

### **ES 1 Background**

This resettlement Policy Framework (RPF) is an update of the existing RPF of the Nigeria for Women Project - Parent project. The parent project's RPF was cleared by the Bank and publicly disclosed on April 3rd, 2018. This update to existing RPF is made in fulfillment of the scale-up project Appraisal requirement. The updated RPF under the scale-up project shall supersede the parent project's RPF and will serve as basis for guiding preparation of a Resettlement Action Plan for the entire project, if applicable.

The Project is being implemented across all six (6) geo-political zones of Nigeria, in areas of fragility, conflicts and climate change issues. Specific subproject locations of the scale-up project are yet to be determined. The unknown nature of subproject locations necessitated the need to adopt a resettlement framework approach while handling E&S related due diligence work. However, the Project is expected to support enhancement of jointly owned collective assets and will not finance major land acquisition and livelihood disturbance activities. In very unlikely scenarios, the Project may require small land for activities such as drying floors, pack house, milk testing equipment, bulk milk coolers, weighing machines, moisture meters as well as small-scale primary processing equipment, marketing infrastructure with cleaning, grading, sorting, cold storage, and other similar facilities which may require the RPF to prepare site specific RAP.

### **Project Description and Components**

The proposed Project Development Objective (PDO) is to institutionalize Women's Affinity Groups and other platforms for women's economic empowerment and enhance the economic opportunities of unbanked women. To accomplish the PDO, the project will create and strengthen new and existing Women Affinity Groups (WAGs) with a strong livelihood intervention to enhance household income. Improved access to finance through livelihood grants that will enable women to meet specific life cycle needs and mitigate food, education, and health expenses in due course.

### **The components of the NFWP-SU are three (3) including:**

**Component 1** focuses on building community institutions by creating WAGs at the community level and federating these at higher levels (village level and local government area [LGA] level) to take advantages of economies of scale to build linkages to markets and access to finance. **Component 2** supports improvement of livelihood opportunities for WAG members through Community Investment

Fund (CIF) and livelihood collective (LC) grants to enable women to increase income and enhance livelihood opportunities and **component 3** covers project management, monitoring and evaluation, and adaptive learning.

## ES 2 Principles and Objectives

The principle and objective of this RPF is to provide procedures and guidelines that will be followed in project implementation, first to avoid displacement of persons both physically and economically. However, where avoidance of displacement is not possible the World Bank ESS5 principle is to ensure that project affected persons are consulted and are commensurately compensated for their lost assets or access to livelihood, irrespective of their legal status to the land they are occupying. The overarching objective of this principle is to ensure that PAPs socio-economic conditions are better than the pre-project situation. At this point of the project’s phase, potential adverse social and economic impacts resulting from land acquisition of the project cannot be readily quantified because project locations are not yet known, but the likely scope of adverse impacts, if economic and physical displacement become unavoidable, may include:

Variables	Loss due to ESS 5 from NFWP-SU
Land	<ul style="list-style-type: none"> <li>● Loss of land for residential purpose</li> <li>● Loss of land for agriculture, commercial and industrial uses</li> </ul>
Structures	<ul style="list-style-type: none"> <li>● Loss of buildings (residential/commercial)</li> <li>● Loss of temporal/removable structures (kiosk, containers, etc)</li> <li>● Fence walls, pavements, concrete wells, tombs</li> </ul>
Public Utility	<ul style="list-style-type: none"> <li>● Disconnection of utility services (electric pole, transformers, etc)</li> </ul>
Plants & Crops	<ul style="list-style-type: none"> <li>● Loss of crops and economic trees</li> </ul>
Business	<ul style="list-style-type: none"> <li>● Loss of business income and wages</li> </ul>
Accommodation	<ul style="list-style-type: none"> <li>● Loss of shelter/accommodation</li> </ul>

## ES3 Geophysical and Socioeconomic Baseline

This section shades light on the geophysical and socioeconomic baseline of Nigeria. It is a country with land mass of about 924,000sqkm situated in west Africa and has a population of a little above 200million people with annual average rural population growth rate of 2.41% and average urban growth rate of 4.7% (UN, 2022). Socioeconomic indices show that Nigeria is underdeveloped and is besieged with negative macroeconomic outlook. Its unemployment rate is high at 33% (NBS, 2022), GDP is low

at about 2.5%, inflation rate stood at 20.4% in September 2022 and food production and manufacturing sector are sub-optimal, and account for why 4 out of every 10 persons in Nigeria lives in abject poverty (NBS, 2020). Above these starring negative socioeconomic indicators is that women are the worst hit and rank low in all the parameters of socioeconomic measurement including literacy level, labour participation, income and decision making, including involvement in politics, business and livelihood. They are also often victims of gender base violence and sexual exploitation and abuse. The section identifies the Ministry of Women Affairs and Social Development as the ministry with the responsibility of championing programs and activities that can break the barriers against women’s active involvement in decision making and livelihood. In terms of the estimate of the population that will be affected positively by the NFWP-SU, it is envisaged that over 400,000 Women Affinity Groups will benefit from the project, although the exact number in each Affinity group is not known. Also, the proportion of the population that will be adversely affected by involuntary resettlement as a result of the project is not readily determined until the exact locations of sub-projects is known.

### **ES 5: Entitlement and Eligibility Criteria**

The section identifies the categories of those eligible to qualify as PAPs. It includes all the people that will suffer loss of productive asset or access to assets, income, livelihood and natural resource as a result of the project but must be limited to only those who were covered by the involuntary resettlement census carried out before the cut-off date. The full classification and conditions is shown in the table on eligibility criteria for compensation below:

**Table on Eligibility Criteria for Compensation**

<b>PAP Classification</b>	<b>Eligible for</b>		
	<b>Compensation</b>	<b>No Compensation</b>	<b>Assistance</b>
Those with legal right	Land or asset at replacement cost	For land, assets, and structure on the land after the cut-off-date	Assistance as 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 as needed
Those with no legally recognized right but arrived before cut-off date.	Assets at replacement cost except that compensation maybe “topped off” to allow the PAP to acquire a new residence.		Assistance as 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 cutoff- date and outside the affected area.	Assistance as needed
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## **ES 6 Valuation Methods**

The valuation method acceptable under the principle of this RPF is the full replacement cost of lost structures and other impacted assets. The valuation will estimate asset compensation rates based on full replacement costs without depreciation. Loss goods, crops and trees will be based on current market price of the units of the asset. The valuation procedures of all assets that will be affected will be conducted by a qualified valuer/surveyor during RAP preparation.

## **ES 7 Grievance Redress Mechanism**

The NFWP-SU RPF provides a Grievance Redress Mechanism (GRM), which is a non-judicial and culturally acceptable procedure within the host communities and agencies responsible for the resettlement. The RPF acknowledges the need for setting a grievance redress mechanism to address and resolve complaints that will result from involuntary resettlement. There will be 4 levels at which aggrieved PAP or grievant can channel their complaints for redress. The RPF recognizes the right of aggrieved PAPs to seek for redress in the court if he/she feels dissatisfied with the outcome of the GRC set by NFWP-SU.

## **ES 8 Consultation, stakeholders' participation, and disclosure**

The World Bank recognizes the importance of open and transparent engagement between the NFWP-SU and project stakeholders as an essential element of good international practice. Effective stakeholder engagement was carried out in the RPF preparation process and will continue throughout the project cycle.

## **ES 9. Coordination and Implementation Arrangement for RPF**

The FPCU in the FMWA will be responsible for the overall coordination of the Project and will also implement selected Project activities at the federal level. The FPCU will coordinate Project implementation and performance monitoring using the PIM and will be responsible for communication with the World Bank and other partners. Project activities in participating states will be supervised and coordinated by the SPCU and implemented by the WFs. There shall be a project coordination desk at the selected LGAs. This LGA coordination shall ensure supervision and monitoring of safeguards and report to the Social Safeguard Officer at the SPCU.

## **ES 10 Monitoring and evaluation**

This RPF underscores the importance of monitoring and evaluation of the sub projects under the NFWP-SU program. In order to successfully complete the resettlement management according to the implementation schedule and compliance with the policy and entitlement framework, there will be need for monitoring and evaluation of RAPs/ARAPs implementation. This monitoring and evaluation will include internal and external monitoring and shall be a continuous process using the following indicators:

- Input indicators – measure the resources (financial, physical and human) allocated for the attainment of the resettlement objectives, such as livelihood restoration goals.
- Process indicators – measure and assess implementation processes. Examples are the functioning of liaison/participation structures, the levels of representation of different social categories/interest groups, and the processes by which conflicts and disputes are resolved.
- Output indicators – measure the services/goods and activities produced by the inputs. Examples include compensation disbursements for acquired assets.
- Outcome indicators – measure the extent to which the outputs are accessible and used, as well as how they are used. They also measure levels of satisfaction with services and activities produced by the inputs. Examples include the ways in which recipients used compensation. Although not measures of livelihood restoration in themselves, they are key determinants of well-being.
- Impact indicators – measure the key dimensions of impacts to establish whether the resettlement goals contained in the RAPs/ARAPs have been achieved. Examples are restoration and diversification of income levels and the sustainability of income-generating activities, as dimensions of livelihood restoration and well-being.



## CHAPTER ONE

### INTRODUCTION AND PROJECT DESCRIPTION

#### 1.1 Background

The World Bank is supporting the Federal Government of Nigeria (FGN) to implement the Nigeria for Women Scale-Up Project (NFWP-SU) aimed at addressing inequalities in women's access to jobs and control over productive assets through the platform of Women Affinity Groups (WAGs). The proposed project will build on the FGN's policies and programs that support women's economic empowerment, leveraging partnerships, particularly with the private sector and creating an enabling environment for women to overcome institutional failures (including market) and barriers to enhancing productive livelihoods and socioeconomic advancement in personal, technical, financial and entrepreneurial skills. The proposed seven (7) years term NFWP-SU is to be supported with an initial financing from the World Bank to the tune of \$500 million. NFWP-SU will be implemented in targeted communities across participating states in Nigeria including Abia, Akwa-Ibom, Anambra, Bayelsa, Benue, Borno, Cross River, Delta, Gombe, Jigawa, Katsina, Kebbi, Kogi, Lagos, Nasarawa, Niger, Ogun, Oyo, Plateau, Sokoto, Taraba, Yobe and Zamfara.

The NFWP-SU project builds on the Nigeria for Women (NFWP) (P161364) Women Affiliation Group (WAG) model, which has been implemented in six states (Abia, Akwa Ibom, Kebbi, Niger, Ogun, Taraba), providing support to over 400,000 direct beneficiaries through the formation and strengthening of 19,200 WAGs. In about two years, these WAGs have saved about N2.6 billion (US\$6 million or about US\$315 per group), with a significant percentage of these funds in circulation as loans at any given time. Beneficiary coverage under the scale-up program, is estimated at 3.9 million households, representing about 19.5 million individual direct beneficiaries, 170,500 functional WAGs, and 9,500 WAG federations. The project will also have an indirect impact on men and boys in each community who will benefit from community activities.

WAGs are community-based women-only groups who come together to address their common problems; members also engage in savings and lend their savings to one another to support increased incomes and improved livelihoods. In addition to the standard savings approach, the NFWP WAG model includes training in financial basics, business skills, and gender and life skills. Grants may be provided to both individuals and livelihood collectives. WAGs are trained and supported by ward facilitators (WFs) for the whole of their first savings cycle (9–12 months), after which they begin to manage their savings and loan meetings independently.<sup>1</sup> By the time they have completed their first

savings cycle, WAGs are well-cemented groups in the community that often go beyond savings and loans among members to carrying out community service projects, such as using some of their Social Fund<sup>2</sup> to support community health centers or leading sanitation efforts in their local government areas (LGAs). It is these mature WAGs that have the potential to serve as powerful platforms for leveraging behavior change to improve development outcomes at the household and community levels.

The proposed Project will be following a graduated approach to ensure beneficiaries' readiness to access and deploy resources offered by the Project. Initial efforts will focus on the mobilization of women in target communities into WAGs at the local level, and their strengthening. Subsequently, the Project will support economic opportunities through livelihood enhancement grants to WAGs and livelihood collectives. Thereafter, the Project will support promotion of WAG federations. The federations would (i) support WAGs to achieve economies of scale, (ii) support WAGs to reduce transaction costs, (iii) serve as a platform for promoting value-added non-financial services to WAG members, (iv) reduce the cost of promoting new WAGs, and (v) increase the level of WAGs' financial discipline and accountability. The federations would not take on financial intermediation activities.

The Project will target women who are currently underserved by existing programs, particularly women engaged in informal, unipersonal, small-scale businesses and small-scale farming. Targeting women who are already economically active enables them to have the necessary funds to engage in savings and loans with other WAG members. Within this target population, the Project will seek to explicitly reach key marginalized and vulnerable groups—including women with disabilities and displaced women—using tailored strategies appropriate to their context.

## **1.2 Project Components and Rationale for Resettlement Policy Framework (RPF)**

As currently designed, the project is structured around three components, namely:

### **Component 1: Building Community Institutions (US\$168 million)**

This component aims to leverage existing practices of mutual help among women to address gender inequalities and create economic opportunities. Specifically, activities under this component will support the creation of WAGs that will build on practices of mutual help and leverage these as an institutional platform to support access to finance, enhance women's voice and agency, and drive behavior change. Activities under this Component will be implemented through three subcomponents: (i) Women Affinity Groups and Federations; (ii) Platforms for Behavior Change in Health, Sanitation, and Climate Adaptation, and (iii) Influencing Social Norms.

### **Component 2: Livelihood Program (US\$272 million)**

This component aims to facilitate improvement in the livelihood opportunities of WAG members through the CIF and promotion of LCs. Beneficiaries would include PGs, CIGs, FAs, and PCs, among others. The aim of this component is to (i) finance income-earning productive assets for WAG members and (ii) provide low-carbon, climate-resilient production enhancement services and market linkage by supporting LCs across farm and nonfarm activities. It will also finance the formation or identification of LCs that include WAG members and support them through grants to engage in aggregation and establishing LCs in selected climate-smart value chains. This component will consist of three subcomponents: (i) Community Investment Fund, (ii) Support to Livelihood Collectives, and (iii) Technical Assistance and Innovations for Livelihoods Programs.

### **Component 3: Project Management, Monitoring and Evaluation, and Learning (US\$50 million)**

This component will finance project management, monitoring, evaluation, and learning at both federal and state levels and will build government capacity to facilitate the implementation of Project activities and consequently ensure sustainability.

Project management and coordination at federal and state levels include general project management as well as procurement, financial management, environmental and social risk management, and a grievance redress mechanism (GRM). In addition, the component will include TA to the FPCU to provide quality assurance support to the implementing states, helping them to manage inputs and requests from the large number of expected State Project Coordinating Units (SPCUs), as well as provide quality assurance to ensure fidelity of the NFWP model across the states. Under project coordination, FMWA and SMWAs will be strengthened and encouraged to work with other ministries, departments, and agencies (MDAs) and key partners for effective implementation of the project (e.g., multi-sectorial institutions and agencies, development partners, CBN, and financial institutions).

To support the management of GBV risks associated with WAG formation and women's participation in WAGs, this component will also continue to finance the mapping of GBV service providers and the development of referral pathways in new states that can be used by the Project to address GBV/SEA/SH issues and complaints.

### **1.3 Rationale for RPF**

The activities of the NFWP-SU under component 2 will involve production, farming and other traditional livelihoods that may result in land acquisition, physical or economic displacement of persons or access to their means of livelihood. Therefore, the ESS5 of the World Bank is relevant to the project to ensure that PAPs suffer no net losses because of the project. Given that subproject locations have not been identified, the preparation of this RPF is a condition for project appraisal. Furthermore, and in absence of sufficient information to determine project's adverse social and economic impacts that are likely to result from small land acquisition, this RPF provides the procedures, policies and principles to be followed to prepare RAPs for the specific sub-project sites, when the exact locations and designs are known and ready.

The RPF will provide technical guidance during subproject preparation to address resettlement related risk, if any. The resettlement policy framework clarifies resettlement principles, organizational arrangements, and design criteria to be applied during project implementation. Sub-project resettlement plans consistent with this RPF will subsequently be submitted to the Bank for approval after specific planning information becomes available. It should be noted that the policy is designed to mitigate harm caused by displacement or land acquisition occurring in the process of NFWP-SU Implementation.

The RPF will be prepared in line with the requirement of the ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement; and ESS10: Stakeholder Engagement and Information Disclosure. The RPF shall also refer to Government of Nigeria's legal and institutional requirements. Any identified gaps between these two requirements will be clearly captured, explained how these gaps will be filled.

The RPF shall serve as a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the comprehensive NFWP-SU. It is vital to note that for each sub-project supported under the Project that involves land acquisition or relocation of people, a separate Resettlement Action Plan (RAP) satisfactory to the Bank is required prior to signing a work order.

**The content of the RAP will be presented in the following format:**

- Executive Summary;
- A brief description of the project and components for which ESS5 is required;
- Principles and objectives governing resettlement policy framework;
- Assessment of estimated population displaced and likely categories of displaced persons, to the extent feasible;

- Eligibility criteria for defining various categories of displaced persons;
- Assessment and presentation of the legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- Methods of valuing affected assets;
- Organizational procedures for delivery of entitlements;
- Description of grievance redress mechanisms;
- Arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds and contingency arrangements;
- Mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- Arrangements for monitoring by the implementing agency and, if required, by independent monitors.
- Develop a template and sample ToR for the design of a RAP based on the details of the RPF and informed by World Bank framework for RAPs. This template will spell out the main subsections of the RAP and any other relevant annexes that should be included.

## CHAPTER TWO

### PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

#### 2.1 Introduction

Generally, involuntary resettlement, unless properly managed, may result in long-term hardship and impoverishment for affected persons and communities, as well as environmental damage and social stress in areas to which they have been displaced. For these reasons, most projects, such as the NFWP-SU supported by the Bank are designed to avoid involuntary resettlement. Where it is unavoidable to embark on involuntary resettlement, appropriate measures to minimize to the extent possible are chosen.

#### 2.2 Involuntary Resettlement Risks

It is generally recognized that the impacts due to involuntary resettlement from development projects give rise to severe economic, social and environmental risks if left unmitigated such as listed below:

##### 1. Landlessness

- Land expropriation removes the main foundation on which many people build livelihoods.
- Often land is lost forever and sometimes it is partially replaced, seldom fully replaced or fully compensated. This is the main form of de-capitalization and pauperization of the people who are displaced, and both natural and man-made capital is lost.

##### 2. Homelessness

- Loss of shelter may be only temporary for many people, but for some it remains a chronic condition and is also felt as loss of identity and cultural impoverishment.
- Loss of housing may have consequences on family cohesion and on mutual help networks if neighbouring households of the same kinship group get scattered.
- Group relocation of neighbours is therefore usually preferable over dispersed relocation.

##### 3. Joblessness

- Loss of salaried employment occurs both in rural and urban displacement.
- People losing jobs may be industrial or service workers, landless agricultural labourers/ or artisans.
- Unemployment or under-employment among those who are resettled may linger long after physical relocation.
- Creating new jobs for them is difficult and requires substantial investments, new creative approaches, and reliance on sharing project benefits.

##### 4. Food insecurity

- Destruction of crops diminishes self-sufficiency, dismantles local arrangements for food supply, and thus increases the risk of chronic food insecurity. This is defined as calorie-protein intake levels below the minimum necessary for normal growth and work.

#### 5. Increased morbidity and mortality

- Vulnerability of the poorest people to illness is increased by forced relocation, because it tends to be associated with increased stress, psychological traumas, or the outbreak of parasitic diseases.
- Decreases in health levels result from unsafe water supply and sewage systems that proliferates epidemic infections, diarrhea, dysentery, etc.

#### 6. Educational loss

- Involuntary displacement disrupts all public services at the departure sites, with heavy effects particularly on school programmes.
- Interruption of school attendance causes prolonged loss of access to education; some children do not return to school at all and are prematurely sent by their families to join the labour force.

#### 7. Social displacement

- The dismantling of community structures and social organization, the dispersion of informal and formal networks, local associations, etc. is a massive loss of social capital. Such displacement undermines livelihoods in ways usually not recognized and not measured by planners and is a cause of disempowerment and impoverishment.

#### 8. Marginalization

- This occurs when relocated families lose economic power and slide towards lesser socio-economic positions.
- Middle-income households become small landholders while small shopkeepers and craftsmen lose business and fall below poverty thresholds.
- Economic marginalization tends to be accompanied by social and psychological marginalization.

#### 9. Loss of access to common property

- Poor farmers, particularly those without assets, suffer loss of access to the common property goods belonging to communities that are relocated (e.g., loss of access to forests, water bodies, grazing lands fishing areas, cemetery lands, etc.). This represents a form of income loss and livelihood deterioration that is typically overlooked by planners and therefore uncompensated.

The World Bank ESS5 is developed to ensure that negative impacts of projects like NFWP development on people do not occur. And even if it does occur, the affected persons/people are commensurately compensated for their loss (of land, property or access) in kind e.g. land for land or a combination of land and cash or when cash compensation becomes inevitable.

It should be noted that massive involuntary displacement in NFWP-SU is not envisaged. Also, it is not envisaged that NFWP-SU will lead to the acquisition of protected areas (PA) or community resource management areas. However, in the unlikely event that this happens the procedures offered by ESS5 which is negotiated process framework, will be followed.

Also, when resources, formerly available to local people and indispensable to their livelihoods, a *process framework* will be negotiated between the affected community and the sub-project proponent that will provide for an appropriate and acceptable replacement for that component of livelihood.

### **2.3 NFWP-SU and the Principle of Involuntary Resettlement**

Under ESS5, those affected by resettlement are defined as those who are directly affected socially and economically by:

(a) The taking of land and other assets resulting in:

1. relocation or loss of shelter;
2. loss of assets or access to assets; or
3. loss of direct income sources or means of livelihood (i.e., income and livelihoods directly dependent on the affected areas), whether or not the affected persons must move to another location.

(b) The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

ESS5 applies to NFWP-SU in:

1. All components under the project, whether or not they are directly funded in whole or in part by the Bank.
2. All persons displaced due to the sub-projects after the cutoff date regardless of the total number affected and the severity of the impact and whether or not they have legal title to the land.



3. Squatters or other land occupiers who lack legal title or legal occupancy rights to the land they occupy who should be entitled to assistance in accordance with the objectives of the RPF.

(c) This RPF further applies to other activities resulting in involuntary resettlement that are:

1. Directly and significantly related to NFWP-SU sub-projects during implementation
2. Necessary to achieve its objectives as set forth in the project documents; and
3. Carried out, or planned to be carried out, at the same time as the NFWP-SU sub-projects.

As required by the policy, implementation of individual resettlement and compensation plans under NFWP-SU are a prerequisite for the commencement of sub-project activities causing resettlement.

It is further required that these measures include provision of compensation required for relocation, prior to displacement, and preparation and provision of resettlement sites (if necessary) with adequate facilities, where required. In particular, the taking of land and related assets or the denial of access to such assets should take place only *after* compensation has been paid or, where applicable, resettlement sites, new homes, related infrastructure, public services. In all cases, of displacement, moving allowances and other necessary transitional expenses shall be provided to displaced persons. Persons deemed to be vulnerable shall be provided with appropriate support that allows them to resettle to a new location without undue hardship. This assistance could include special transportation, assistance in locating a suitable new location and helping to set up suitable social support services in the new location such as mobility.

Below an overview of options that can be offered to compensate loss of land or access to normal means of livelihood is given:

1. Provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and vulnerable.
2. Make alternative housing and/or cash compensation available prior to relocation.
3. Build new resettlement sites for displaced persons with improved living conditions.
4. In the case of physically displaced persons with recognized or recognizable rights, offer the choice of replacement property of equal or higher value, equivalent or better characteristics and advantages of location or cash compensation at full replacement value.
5. Where these displaced persons own and occupy structures, compensate them for the loss of assets other than land, such as dwellings and other improvements to the land, at replacement cost but sufficient for them to reestablish themselves elsewhere.

Compensation in kind in lieu of cash when the affected party depends on land for livelihood where feasible. Based on consultation with such displaced persons, provide relocation assistance adequate for them to restore their livelihood at an adequate alternative site.

It is important to stress that the policy is not designed to address “economic displacement” in itself. “Economic displacement” could occur where people suffer losses or damage due to project activities that do not involve the taking of land. For example, if a road is realigned causing a business located along the former roadway loses customers, this is a *purely economic displacement* and not subject to ESS5 because land was not taken from the business itself. If, on the other hand, construction of a drainage canal involves cutting off access by persons to a school or health facility, some compensation could be called for due to the taking of land to build the canal. In summary, ESS5 demands mitigation only when land is taken or if the use of land is changed. The policy does not discourage compensation for other kinds of losses and damage such as loss of “goodwill” but such compensation is not required by ESS 5.

#### **2.4 NFWP-SU Sub Project Implementation Principles**

The implementation of individual RAPs shall be completed prior to the implementation of sub-project activities causing resettlement. The Bank Safeguard Policy ESS 5 applies to all components under the NFWP-SU, whether or not they are directly funded in whole or in part by the Bank.

#### **2.5 Potential Impacts and Risks**

The Nigeria for Women Scale-Up project will finalize the sub-project selection based on the community needs and assessment, and then, actual project impacts will be identified based on Census, Inventory of Losses (IOL) and Socio-Economic Survey (SES). However, the broad social risks and impacts of the proposed NFWP-SU-SU may include: (i) land acquisition, requisition, and voluntary land donation along the expanded right-of-Way (ROW); (ii) permanent and/or temporary physical displacement of residential and commercial households including the Common Property Resources (CPR); (iii) temporary economic displacement of some vendors and businesses along the ROW and in market areas; (iv) Loss of trees and crops and (iv) Increased risk of GBV.

Table 2.1: Impact Matrix of NFWP-SU

Variables	Loss due to ESS 5 from NFWP-SU
Land	<ul style="list-style-type: none"> <li>● Loss of land for residential purpose</li> <li>● Loss of land for agriculture, commercial and industrial uses</li> </ul>
Structures	<ul style="list-style-type: none"> <li>● Loss of buildings (residential/commercial)</li> <li>● Loss of temporal/removable structures (kiosk, containers, etc)</li> <li>● Fence walls, pavements, concrete wells, tombs</li> </ul>
Public Utility	<ul style="list-style-type: none"> <li>● Disconnection of utility services (electric pole, transformers, etc)</li> </ul>
Plants & Crops	<ul style="list-style-type: none"> <li>● Loss of crops and economic trees</li> </ul>
Business	<ul style="list-style-type: none"> <li>● Loss of business income and wages</li> </ul>
Accommodation	<ul style="list-style-type: none"> <li>● Loss of shelter/accommodation</li> </ul>

## 2.6 Framework to avoid or minimize Impacts and Risks to the Success of NFWP-SU

From the experience of similar projects and the concerns from stakeholder consultations conducted, this RPF in line with the World Bank ESSs provides guidance to impact avoidance and minimization. The Bank's ESS5 requires that as much as reasonably practicable, involuntary resettlement should be avoided or minimized. In line with this, the SPCUs will control these risks by avoiding/minimizing some of the impacts through the following considerations:

- a. Early consultation with potential PAPs and project communities, where their suggestions could help to avoid adverse impacts;
- b. Design changes that avoids encumbrances or impacts;
- c. Use of existing right of way that minimizes encumbrances for infrastructure facility;
- d. Offering host communities, the opportunity to participate in the planning process of the sub projects including issues on land acquisition.

## 2.7 Mitigation Measures

Impacts that cannot be avoided will be addressed via adequate compensation and will be determined via social assessment during ARAP/RAP preparation stage within the location for land acquisition/investment. The framework for the compensation/resettlement will then be applied incorporating the following: a) institutional arrangements; b) resettlement/ compensation eligibility

criteria; c) valuation procedures; d) implementation procedures; e) financial responsibilities; and f) monitoring and evaluation plan.

Livelihood restoration measures will consider issues such as: a) income; b) other non-monetary sources of livelihood; c) constraints and opportunities for income generation; d) number of persons notable to revert to previous occupation; and e) existing skills of affected persons.

PAPs will be consciously consulted and engaged to continuously participate in all involuntary resettlement planning processes that would lead to the preparation of Resettlement Plans.

## **2.8 Identification and Assistance to Vulnerable Groups**

Vulnerable group or persons refers to PAPs who will be disproportionately affected by the impacts of the involuntary resettlement because of their vulnerability conditions. The principles adopted under resettlement process entails special measures and assistance for vulnerable affected persons, such as female-headed households, aged persons above 65 years, disabled persons, and the poorest of the poor. Vulnerable persons among the PAPs will be identified and special assistance offered during the compensation implementation process.

NFWP-SU will identify and assess vulnerable persons through census and the RAP process when project scope and activities are properly identified and confirmed.

### ***2.8.1 Assistance to vulnerable persons***

RAPs for various sub-projects will include specialized assistance and support for vulnerable persons, depending on the circumstances of vulnerability and needs. Assistance to vulnerable people may include but not limited to the following:

- financial management training to support better and effective utilization of compensation funds;
- movement assistance including secured transport and rent subsidy.
- logistical support for vulnerable households to assist them access their compensation benefits, e.g. transport to bank to cash compensation cheques; and
- Assistance in building: providing materials, workforce, or building houses

## **2.9 Provisions to be made in RAPs**

RAPs to be prepared for sub-projects will include measures for identifying and assisting vulnerable people at the census stage. Upon identification, further assessment will be conducted to identify the cause and impacts of their vulnerability, either through direct interviews by the RAP consultant or the state project coordinator or social officer at the project inception stage of the RAP/ARAP preparation

stage. This is to ensure participation and early identification to ensure that their vulnerability may be known upfront and appropriate measures taken to minimize the project adverse impacts on them.

The resettlement plan will formulate measures to ensure that socio-economic conditions, needs and priorities of women are identified and the process of land acquisition and resettlement does not disadvantage women. It will ensure that gender impacts are adequately addressed and mitigated. Women focus groups discussions will be conducted to address specific women issues. During disbursement of compensation and provision of assistance, priority will be given to female-headed households.

## CHAPTER THREE

### BASELINE INFORMATION AND ASSESSMENT OF ESTIMATED AFFECTED POPULATION AND CATEGORIES

#### 3.1 Baseline Information: Description of Project Area

Nigeria occupies an area of approximately 923,600 square kilometres and shares borders with Niger, Chad, Cameroon, and Benin. The topography ranges from mangrove swampland along the coast to tropical rain forest and savannah to the north. The Sahara Desert encroaches upon the extreme northern part of the country while gully erosion threatens the carrying capacity of lands in the south. Natural resources include minerals, forest and water resources. The forests provide hardwood that is widely exploited as timber-poles, scaffolding planks and stakes and as fuel wood as well as fruits and seeds. Inland waters provide over 120 species of fish while aquaculture has been gaining much prominence in the supply of fresh fish.

#### 3.2 Socio-Economic Background

##### 3.2.1 Demography

United Nations demographic survey 2022 indicates that the population of Nigeria is about 218,541,212 million with an average population density of 205.3 persons per sqkm. This makes Nigeria the largest country by population, in Africa. Presently, Nigeria's annual average population growth rate is 2.41% while the average urban growth rate is 4.7% (UN, 2022).

Nigeria, has more than 250 ethnic groups, the larger of which are the Hausa and Fulani who are predominantly from the Northern part of Nigeria and they represent approximately 29% of the population, the Yoruba, predominantly from the South (South West) and represent approximately 21% of the population and the Igbo, predominantly from the East represent about 18% of the population. The other large groups are the Ijaw with about 10%, the Kanuri with about 4%, the Ibibio with about 3.5% and the Tiv with about 2.5%. The following States in Nigeria have the greatest degree of ethnic diversity; Adamawa, Taraba and Plateau States. English is the official language while the clear majority of the population conducts commercial activities in their ethnic language and "pidgin" English.

##### 3.2.2 Employment and Female Unemployment Rate

Estimate from the Nigerian Bureau of statistics (NBS) indicates that national unemployment rate in Nigeria is 33% in (3Q 2022), while female unemployment stands at 35.2% with percentage of female labour force reported at 8.81% (World Bank collection of development indicators, 2022).

### *3.2.3 Economy and Poverty*

The Nigerian economy rests on two pillars: oil/gas and agriculture. The contribution of the oil sector which used to dominate the country's GDP chart has dwindled to a record low of 6.33% in Q2 2022 while the agricultural sector contributes about 30% to GDP (NBS 2022). The secondary sector (manufacturing contributes about 9% and the tertiary sector (transport, trade, housing etc) contributes about 25% (NBS, 2022). Nigeria's major industries are in Lagos, Agbara and Sango Otta (Ogun State), Port Harcourt, Ibadan, Aba, Onitsha, Calabar, Kano, Jos and Kaduna.

From a GDP growth rate of 6.3% in 2014, Nigerian economy shrank to 1.3% year-on-year in the fourth quarter of 2016, before recovering to 3.54% in Q2 2022 (National Bureau of Statistics, 2022)). According to the World Bank national account data file, the latest value for GNI per capita, Atlas method in Nigeria fell from US\$2,970.00 as of 2014 to US\$1700 in 2022 as against US\$6,050 for South Africa in the same period. It is estimated that 60% of the total population of Nigeria live below the poverty line (National Bureau of Statistics, 2022).

### *3.2.4 Literacy Level*

Nigeria literacy level varies from one state to another. It is high in the southern states than in the north. Along urban and rural dwellers, literacy ratio is 74.6% and 25.4% respectively. According to UNESCO 2015 survey, 65 million Nigerians are illiterate. This figure represents about 35% of the population. The literacy level of the population is 57.1% which constitutes of male: 65.3%, female: 34.7%).

### *3.2.5 Labour Participation by Gender*

The national labour force participation rate of women and men based on the 2020 statistical report in the ages 15-64 years was 74.7 percent. The proportion of men was 82.6 percent while women accounted for 17.4 percent (ILO, 2021). For the period, 2010-2020, on the average, 72.3 percent of senior positions in State Civil Service were occupied by men compared to 27.7 percent occupied by women.

### *3.2.6 Land Use Pattern, Livelihoods and Participation of Women*

The estimated land area of Nigeria is 924,000 km<sup>2</sup> (Azih, 2008) Land use varies based on location and the needs of the community. However, the different uses of land revolve around agriculture, industry and social needs such as the provision of infrastructure. Recent data shows that between 50% - 60% of the land area of Nigeria is under various forms of intensive rainfed small holder agriculture (crop and animal) production and forest plantation (Aregheore, 2011).

Women are disadvantaged in terms of land holding for agriculture. Most cultures in the southern Nigeria are biased against inheritance of land by women. There is also the nefarious norm in some cultures in which relations of late husband's hijack land and assets from the widows and render them

landless. In northern Nigeria, women inheritance of land is permitted but participation in agriculture and marketing is restricted or bared by culture and/or determined by the permission of their husbands.

### ***3.2.7 Power and Decision Making***

Although men and women have approximately equal number of eligible voting population in Nigeria, there exists under-representation of women at the political scene at the national, state and local government levels. At the national parliament in 2015, 94.3 percent of seats were occupied by men compared to 5.7 percent occupied by women and has declined to 3.61 percent in 2019 (NBS 2021; [indexmundi.com](http://indexmundi.com)).

### **3.3 Potentially Affected Persons and the numbers likely to be involved**

At this stage of NFWP-SU preparation, accurate figures with regard to the amount of land-space to be used, exact location of and actual sub-project activities, and numbers of affected people are not available. The socio-economic study/survey during RAP/ARAP preparation will provide more information on the social conditions of the potentially affected persons including estimates.

### **3.4 Objectives of World Bank's Resettlement Policy**

The World Bank's resettlement policy framework has the following objectives:

1. Involuntary resettlement and land acquisition should be avoided where feasible, or minimized, exploring all viable alternatives;
2. Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share in project benefits. Affected persons shall be meaningfully consulted and have opportunities to participate in planning and implementing the programs linked to their resettlement.

Affected persons should be assisted in their efforts to improve their livelihoods; standards of living should be improved as a result of the resettlement program, or at least restored, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher.

During preparation of the RPF, the consultant consulted with the various stakeholders in the participating states including Ministries of Women Affairs, Ministries of Trade and Investment, Ministries of Agriculture, Ministries of Environment, Ministries of Land and Survey and SPCUs. The consultation aimed at creating awareness on the relevance of the Resettlement Policy Framework, the



impacts (positive and negative) of the project, how adverse impacts can be avoided, minimized or mitigated, how positive impacts can be enhanced or optimized. The consultation also sought to determine the interests of the various stakeholders and the role each of them will play in the project implementation, as well as assess the capacity of each stakeholder to effectively discharge their responsibilities.

## CHAPTER FOUR

### ENTITLEMENT AND ELIGIBILITY CRITERIA

#### 4.1 Principles

In involuntary resettlement, entitlement concept relates to the principle of compensation or resettlement assistance that applies to different categories of project affected persons (PAP); while eligibility refers to the condition or criteria that qualifies a PAP for entitlement. The involuntary taking of land results in relocation or loss of shelter and loss of assets or access to assets or loss of means of livelihood, whether or not the PAPs must move to another location. The principle of ESS5 stipulates that all persons residing, conducting activities or earning income within the project affected areas at the cut-off-date, which is the last day of inventory of loss of asset will be entitled to compensation and resettlement assistance. To determine their eligibility, PAPs are classified as follows:

- a. Person who has formal right to land (including customary and traditional rights recognized under Nigerian law);
- b. Persons with temporary or leased rights to use land; and
- c. Persons who do not have formal legal right to lands or other assets at the time of the census, but who have claim to such legal rights by virtue of occupation or use of those assets.
- d. Businesses within the community

Those covered under (a) and (b) above are to be provided compensation for the loss, and other assistance in accordance with this RPF. Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

The principles adopted entails special measures and assistance for vulnerable affected persons, such as female-headed households, disabled persons, migrants and the poor. PAPs affected through land acquisition, relocation loss of residence and structures, and business enterprise are entitled to a combination of compensation measures and resettlement assistance, depending on ownership right and lost assets. PAP will be entitled to compensation and resettlement assistance that will help in the restoration of their livelihoods to at least, pre-project standards.

#### 4.2 Eligibility Criteria and Proof for Individual and Household Compensation

This RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures and compensation for loss of workdays/income. Persons who occupy the area after the socio-economic study (census and valuation) have been completed are not eligible for compensation or any form of resettlement assistance, except possibly for moving expense. Similarly, assets, built after the cut-off date are not eligible for compensation (Table 4.1).

Table 4.1: Eligibility Criteria for Compensation

PAP Classification	Eligible for		
	Compensation	No Compensation	Assistance
Those with legal right	Land or asset at replacement cost	For land, assets, and structure on the land after the cut-off-date	Assistance as 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 as needed
Those with no legally recognized right but arrived before cut-off date.	Assets at replacement cost except that compensation maybe “topped off” to allow the PAP to acquire a new residence.		Assistance as 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 cutoff- date and outside the affected area.	Assistance as needed
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The SPCU will consider various forms of evidence as proof of eligibility as stated in this RPF to cover the following:

- a. PAPs with formal legal rights, documented in the form of land title registration certificates, leasehold indentures, rent receipts, and building and planning permits among others. Also, unprocessed/unregistered formal legal documents will be established in the RAP.
- b. PAPs 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:
  - o Affidavit signed by landlords and tenants; and
  - o Witnessed or evidence by recognized traditional authority, customary heads, community elders, family heads and elders and the general community.

During the preparation/implementation of RAPs, PAPs recent passport photograph or a digital image will be captured, PAPs contact address, Phone Number, and Name of Next-of Kin will be collected and documented for use as means of eligibility for identification of PAPs during screening for compensation. In this project, the absence of formal titles should not constitute a barrier to resettlement assistance and rehabilitation.

Where legally permissible, the resettlement plan should include measures to ensure that documentation of ownership or occupancy, such as title deeds and lease agreements, and compensation (including the bank accounts established for payment of compensation), are issued in the names of both spouses or of single female heads of households, as relevant to each situation. In circumstances in which local customary tenure systems do not give women equal opportunities or rights with regard to property, alternative steps are taken to ensure that access of women to security of tenure is equivalent to that of men and does not further disadvantage women.

#### **4.3 Eligibility for Community/Village/Clan Compensation**

Community compensation will be in-kind only for a community as a whole in the form of reconstruction of the structure to at least the same standard or equivalent better standard to that being built by the

program in the area to serve the same function. Communities (districts, villages and clans) permanently losing land and/or access to assets and or resources under customary rights will be eligible for compensation. Example of community compensation could include construction of marketplaces, community lock up shops, community hall, and employment for locals within the projects sites as well as sinking of boreholes, rehabilitation/construction of schools and health centers. The rationale for this is to ensure that the pre-project socio-economic status of communities were restored and/or improved upon. The local community leaders will play a crucial role in identifying community needs.

Where an affected asset/land belongs to a family group or an association, it will be advised that as much as possible, the asset should be reallocated to each eligible member/owner so that each person be captured and compensated separately. Where this arrangement is not possible or desirable, the household or association may agree within themselves and present one person among them to be recognized as the PAP. In that case, compensation will be paid to the person to whom the family had agreed to represent their common interest. The PAP is the one whose identification/photograph will be captured during census and inventory.

It is important to note that the eligibility may be claimed collectively e.g. as a community or religious group. Communities permanently losing land and/or access to assets and or resources under statutory/customary rights will be eligible for compensation. Example of community compensation includes public toilets, marketplaces, taxi parks, schools, and health centers. The rationale for this is to ensure that the pre-project socio-economic status of communities adversely impacted is also restored. The local community leaders will play a crucial role in identifying users of land.

#### **4.4 Methods to Determine Cut-Off Date**

Cut-off date is the date after which eligibility for compensation or resettlement assistance will not be considered. To avoid an influx of outsiders to subproject areas and misuse of the compensation policy, the day when the assessment of persons and their property in the project area is completed will serve as the cut-off date for eligibility and no new arrivals in the project area or assets created after the cut-off date will be eligible for compensation after this date. Given its importance therefore, this cut-off date must be effectively communicated to the project affected persons through the community leaders and using culturally appropriate awareness campaign and effective medium of public communication in the community and in local languages to ensure dissemination of the message to the least PAP as much as possible. The detailed census of PAPs will be appended to the RAP/ARAPS. Sub-projects should only be approved if they include at least a preliminary RAP and budget. Special attention shall be taken to secure the sites from opportunistic invasion. These measures should include close consultation with the

recognized PAPs, signs that inform public of intended use of site and security patrols to identify opportunistic invaders.

#### **4.5 Common complications in the Application of Cut-off Date**

The application of cut-off date sometimes become controversial especially if there is a delay between the time the census is carried out and the start and completion of the project. However, the World Bank's ESS5 recognizes that individuals and households who occupy project-affected areas after the cut-off date are not eligible for compensation.

A common complication encountered with respect to cut-off dates involves historic cut-off dates, which were established when a project was ready for development but which, due to project delays, has become outdated. In such situations, natural population growth (for example, grown children from previously eligible households) may result in new households eligible for resettlement benefits and assistance that were not listed in the original survey. It is good practice for planners to make provision for population movements as well as natural population increase. If there is a significant time lag between the completion of the census and implementation of the resettlement or livelihood restoration plan (such as more than three years), a repeat census and inventory and evaluation of assets are undertaken and the resettlement plan updated accordingly.

There is also the complication of unfinished structures which were later finished at or after the time of census / cut-off date. Unfinished structures should be identified during mapping prior to setting of cut-off date. Thus, unfinished sites should be secured, and unused materials piled at the site should be noted and the cut -off survey can estimate investment which should be compensated for in lieu of expenses (including labour) incurred until the cut - off date.

Diligent efforts should be made to ensure that the claims of individuals or groups who, for valid reasons, are not present at the time of the census but who have a claim to land or assets, are addressed. Nevertheless, if works are not initiated two years or more after declaration of a cut-off date, a new census and evaluation of properties must be carried out.

#### **4.6 Defining Entitlements and Preparing an Entitlement Matrix**

The basis of what is to be paid as compensation will be determined by identifying the most appropriate entitlement for each loss. Based on the entitlements, options for resettlement will be selected in accordance with Bank ESS5.

The RAP planner will prepare an entitlement matrix with respect to both temporary and permanent displacement. This matrix will set the measure for the payment for all losses or impacts. It will also list the type of loss, criteria for eligibility and define entitlements as presented in Table 4.2.

Based on this comparison, entitlement matrix is designed to assist the process by bridging the gaps between requirements under Nigeria Law and the World Bank ESS5. The higher of the two standards is followed in this entitlement matrix, since this procedure also satisfies the requirements of the lesser standard. The missing values in the entitlement matrix will be determined at the time the resettlement plans (RAPs) are being negotiated and prepared.

**Table 4.2: Eligible PAPs, Assets and Compensation Guidelines**

<b>Type of Loss</b>	<b>Entitled Person</b>	<b>Description of Entitlement</b>
Permanent loss of land 1.1 Cultivable/ residential /commercial land	1.1 (a)Legal owners of land (b)Occupancy/ Hereditary tenant	1.1 (a) Cash compensation at replacement value based on market rate plus 10% compulsory acquisition surcharge (b) & (c) Compensation will be paid as plus a one- time lump sum grant for restoration of livelihood and assistance for relocation.
2. Damage to land (such as abutting sub-project site) 2.1. By excavation etc. from borrows for earth for construction. 2.2 By severance of agricultural holding	2.1. (a)Legal owner/s (b) Village/s or clan/s with customary ownership 2.2. (a)Legal owner/s (b) Village/s or clan/s with customary ownership	2. 1 (a) & (b) Restoration of land to pre-construction condition or cash compensation at prevailing rates for necessary bulldozer/ tractor hours to restoring level and/or truckloads of earth for fill 2.2 Provision of water course to connect severed segment with source of water
3. Loss of income and livelihood 3.1. Temporary loss of access to land for cultivation	3.1. Cultivator occupying land	3.1. Estimated net income for each lost cropping season, based on land record averages of crops and area planted in the previous four years
3.2. Loss of agricultural crops, and fruit and wood trees. 3.3 Loss of income by agricultural tenants because of loss of land they were cultivating	3.2. (a) Owner/s of crops or trees. Includes crops trees owned by encroachers/ squatters (b) /tenant 3.3 Persons working on the affected lands	3.2. (a) Cash compensation for loss of agricultural crops at current market value of mature crops, based on average production. Compensation for loss of fruit trees for average fruit production for next 15 years to be computed at current market value. Compensation for loss of wood-trees at current market value of wood (timber or firewood, as the case may be). 3.2. (b) Partial compensation to tenants for loss of their crops/trees as per due share or agreement (verbal or written)

		3.3 One-time lump sum grant to agricultural tenants (permanent, short-term or long-term agricultural labor (this will be in addition to their shares in crop/tree compensation)
4. Permanent loss of Structures  4.1 Residential and commercial structures	4.1. (a) Owners of the structures whether or not the land on which the structure stands is legally occupied (b) Renters	4.1. (a) Cash compensation for loss of built-up structures at full replacement costs  Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure.  In case of relocation, transfer allowance to cover cost of Shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates.  (b) Onetime cash assistance equivalent to 4 months' rent moving to alternate premise.  Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates.
4.2. Cultural, Religious, and community structures /facilities	4.2. School, church, water channels, pathways, and other community structures/ installations	4.2. Complete rehabilitation/restoration by the Project; or, Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian.
5. Special provision for vulnerable APs  5.1. Re-establishing and/or enhancing livelihood	5.1 Women headed households, disabled or elderly persons and the landless	5. Needs based special assistance to be provided either in cash or in kind.
5.2 Change in Livelihood for women and other vulnerable APs that need to substitute their income because of adverse impact	5.2. (a) Vulnerable APs, particularly Women enrolled in a vocational training facility  5.2. (b) owner/s whose landholding has been reduced to less than 5 acres	5.2 (a) & (b). Restoration of livelihood (vocational training) and subsistence allowance @ agreed rate per day for a total of 6 months while enrolled in a vocational training facility
6. Loss of grazing area	Cattle Rearers	Relocation to new grazing area and where possible assist the cattle herdsmen to locate new grazing fields. Consider possible compensation for loss income for the period of locating new grazing area.
Loss of access to rivers or lakes/ access to fishing livelihood	Recognized fishermen/women who substantially rely on fishing for their livelihood	Compensation and assistance to be discussed with PAP such as cash compensation, livelihood restoration including micro credit to start alternative business or to get access to alternative fishing grounds/ forming cooperatives with others



Unanticipated adverse impact due to project intervention or associated activity	The Project team will deal with any unanticipated consequences of the Project during and after project implementation in the light and spirit of the principle of the entitlement matrix.
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## 4.7 Principles Applicable to Vulnerable Groups

### 4.7.1 Vulnerability Categories

This RPF classifies vulnerability in two stages: pre-existing vulnerability and transitional hardship vulnerability. Pre-existing vulnerability refers to the vulnerability condition which would be present with or without Project development. Transitional hardship vulnerability occurs when those directly affected by the Project (PAPs), are unable to adjust to new conditions due to shock or stress related to Project activities. This scope of vulnerability in this RPF is however confined to the transitional hardship group or simply PAPs that may become vulnerable as a result of this project.

### 4.7.2 Vulnerability Assessment Criteria

Vulnerable PAPs may require more assistance than others during the implementation of the RAPs because of their vulnerability status. Criteria for inclusiveness include: female headed household, aged persons (65 years and above), PAPS incapacitated by ill health, and the poorest of the poor PAPs. The vulnerability assessment tool in Table 4.3 is useful in identifying the poorest of the poor group. PAPs that fall within all or most of the conditions (at least 80%) in Table 4,3 are in abject poverty according to this RPF, and therefore, classified as vulnerable.

Table 4.3: Vulnerability Assessment Tool

Household Vulnerability			
Category	Indicators	True	False
1. Pre-Project Extreme Poverty- the Pre-Disposed	No Farm		
	No Land		
	No Job		
	No Business		
2. Household Composition	Elders and/or Children only or		
	Women and Children only or		
	Disabled or Diseased only <sup>3 4</sup>		
3. Income	None from Farm		
	None from Job		
	None from Business		
	None from Rental		
4. Food	Have no Stored Food		

Household Vulnerability			
	Claim to be eating one meal or less/day		
5. Housing	Homeless or		
	Living in Charitable Housing		
6. Social Support	No Extended Family Support		
	No Community/Neighborhood support		
7. Health	HH has >1 Disabled, diseased, drug addict or prostitute.		

#### 4.8 Monitoring for Vulnerable Group

Vulnerable household monitoring is integral to the general resettlement monitoring framework. All vulnerable households should be tracked from registration to self-sufficiency in the Project database. Assistance measures will also be tracked from recommendation to completion in the Project database. A watch-list of households should be tracked in the database and visited on the ground at least once a quarter. Each follow up visit will be recorded in the database flagging changes to indicators that are problematic.

## CHAPTER FIVE

### LEGAL/INSTITUTIONAL GUIDELINES, REQUIREMENTS AND PRINCIPLES GOVERNING RESETTLEMENT

#### 5.1 Land Ownership in Nigeria

A range of diverse cultural and traditional practices and customs characterize the complex land ownership in Nigeria. The land tenure system in Nigeria is essentially an intricate mix of traditional customary land ownership and the national legislation known as the Land Use Act (LUA) 1978. However, the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990 is the legal framework for land acquisition and resettlement in Nigeria.

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

Below is a broad land ownership classification in Nigeria:

1. Community land (Ancestral Land): owned by all the people.
2. Communal land: consists mostly of under-developed forests and owned by nobody. Those who clear it first claim ownership.
3. Clan or family land: owned by clans and families
4. Institutional land: land allocated to traditional institutions such as traditional authorities and chiefs.
5. Individual land: land acquired by an individual, which may be inherited by the immediate family, depending on customary practices or purchased or allocated by the government

Although the scenarios painted above holds in Nigeria, the government still acts as the owner of all lands by the Land Use Act 1978. What this means is that the government can acquire land from anywhere including individual lands through land acquisition procedure and revocation of rights.

#### 5.2 Nigerian Legal/Institutional Guidelines and Requirements

##### *5.2.1 Land Use Act of 1978 and Resettlement Procedures*

The Land Use Act, 1978 (amended as Cap 202, 1990 Laws of the Federation of Nigeria) is the applicable law regarding ownership, transfer, acquisition and all such dealings on Land. The provisions of the Act

vest every Parcel of Land in every State of the Federation in the Executive Governor of the State. The Governor holds such parcel of land in trust for the people and government of the State. The Act categorized the land in a state to urban and rural lands. The administration of the urban land is vested in the Governor, while the latter is vested in the Local Government Councils. At any rate, all lands irrespective of the category belongs to the State while individuals only enjoy a right of occupancy as contained in the certificate of occupancy, or where the grants are “deemed”.

Relevant Sections of these laws with respect to land ownership and property rights, resettlement and compensation are summarized in this section.

The concept of ownership of land as known in the western context is varied by the Act. The Governor administers the land for the common good and benefits of all Nigerians. The law makes it lawful for the Governor to grant statutory rights of occupancy for all purposes; such as agricultural (including grazing and ancillary activities), residential and other purposes. But the limit of such grant is 500 hectares for agricultural purpose and 5, 000 for grazing with the consent of the Governor. The Statutory rights of Occupancy are for a definite time (the limit is 99 years) and may be granted subject to the terms of any contract made between the state Governor and the Holder.

The local Government, under the Act is allowed to enter, use and occupy for public purposes any land within its jurisdiction that does not fall within an area compulsorily acquired by the Government of the Federation or of relevant State; or subject to any laws relating to minerals or mineral oils.

#### ***5.2.2 Requirements of the Land Use Act***

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

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

If local government refuses or neglects within a reasonable time to pay compensation to a holder or occupier, the Governor may proceed to effect assessment under section 29 and direct the Local Government to pay the amount of such compensation to the holder or occupier. (Section 6) (7).

Where a right of occupancy is revoked on the ground either that the land is required by the Local, State or Federal Government for public purpose or for the extraction of building materials, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements. Unexhausted improvement has been defined by the Act as:

*anything of any quality permanently attached to the land directly resulting from the expenditure of capital or labour by any occupier or any person acting on his behalf and increasing the productive capacity the utility or the amenity thereof and includes buildings plantations of long-lived crops or trees, fencing walls, roads and irrigation or reclamation works, but does not include the result of ordinary cultivation other than growing produce.*

**Developed Land** is also defined in the generous manner under **Section 50(1)** as follows:

*Land where there exists any physical improvement in the nature of road development services, water, electricity, drainage, building, structure or such improvements that may enhance the value of the land for industrial, agricultural or residential purposes.*

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

### **5.3 Land Acquisition Procedures in Nigeria**

Land acquisition procedure in all the states of Nigeria is similar and derives from the national legislation- the Land Use Act 1978. According to sections 28 and 29 of the legislation, the compulsory land acquisition needs to follow these steps:

- a. Individuals/organizations request land from the State Governor, who in turn instructs the Commissioner of Land to obtain the land through compulsory land acquisition.
- b. The Commissioner of Land instructs the Surveyor General to demarcate the land and conduct a land survey i.e. identifies the owner and establishes the compensation entitled under the national legislation.
- c. After the Commissioner of Land has reviewed and approved the survey results, the Director of Land issues a public announcement/notice to the concerned communities that invites all right holders to identify themselves to the authorities.

- d. After the end of the public disclosure period a final survey is conducted to confirm the findings of the land survey and/or register any changes.
- e. After the survey results have been either accepted by the right holders or confirmed by the Director of Lands, compensation is paid, and the land becomes the possession of the State government, which then in turn can issue a certificate of occupancy to the investor.

To conduct this process the State Government is required to establish a Land Use and Allocation Committee that reviews and solves disputes related to the compensation amounts. In addition, the State Government is required to set up a Land Allocation Advisory Committee, to advise the Local Governments on how to identify and allocate replacement land, when customary rights of occupancy on agriculture land are expropriated. The State Government has further the right to take over the process if the Local Government doesn't solve this issue in a reasonable time.

As the land is held in trust by the State Government, there is no compensation foreseen for the land as such, but for the "unexhausted improvement", which is defined as anything of any quality permanently attached to the land directly resulting from the expenditure of capital or labor by any occupier or any person acting on his behalf, and increasing the productive capacity the utility or the amenity thereof and includes buildings plantations of long-lived crops or trees, fencing walls, roads and irrigation or reclamation works, but does not include the result of ordinary cultivation other than growing produce." Consequently, developed land is defined in section 50(1) as "land where there exist any physical improvement road development services, water, electricity, drainage, building, structure or such improvements that may enhance the value of the land for industrial, agricultural or residential purposes".

In sum, the provisions of the Land Use Act with a view on compensation are:

- a. Compensation is not paid for fallow or undeveloped land i.e. with no physical improvements resulting from expenditure, capital or labor.
- b. Compensation is estimated based on the value of improvements.
- c. The provision of Section 6(5) of the Act, which defines that the "holder" and the "occupier" of customary right of occupancy are entitled for this compensation, is rather confusing and vague as it fails to acknowledge that the holder of the certificate of occupancy might be different from the occupier /user of the land, just as the user of improvement on land (e.g. house) may be a tenant rather than the owner, who is the holder of certificate of occupancy.
- d. When the right of occupancy is revoked in respect of a part of a larger portion of land, compensation shall be computed in respect of the whole land for an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked less a

proportionate amount calculated in relation to the area not affected by the revocation; and any interest payable shall be assessed and computed in the like manner.

- e. When there are buildings, improvement or crops on the portion revoked, the compensation amount shall follow the principle outlined above.

The Act makes no clear description of how the public or the PAPs will be consulted in the process of involuntary resettlement and again remains rather vague by saying “*there shall be a public notice so that those who have interest in the affected land will indicate their interest*”.

#### **5.4 The World Bank Environment and Social Standards**

Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting of ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers relating to the identification and assessment of environmental and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through continuous stakeholder engagement. Among the 10 standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. FPCU has prepared this RPF following the guidelines suggested under ESS5.

##### **5.4.1 Objectives of ESS 5**

- a. To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- b. To avoid forced eviction;
- c. To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- d. To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.

- e. To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- f. To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

#### **5.4.2 *Applicability of ESS5***

ESS5 will apply as the direct social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The ESS5 also applies in case any subproject activities found as ‘linked’ or ‘associated facility’. This ESS5 requirements and provisions apply to all components of NFWP-SU Project that result in involuntary resettlement, regardless of the source of financing. In addition, ESS5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- a. Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- b. Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- c. Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- d. Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- e. Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- f. Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;



- g. Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- h. Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

## **5.5 International Standards for Land Acquisition and Resettlement**

International standards and approaches to access and value assets and land involving compulsory acquisition or displacement is gradually being adopted in Nigeria based on lessons learned from early investments that caused significant resistance by public and private actors in Nigeria. Consultations with varied stakeholders for this RPF reveal that most states in Nigeria have improved on the valuation rate it uses for assets, which is a departure from the obsolete gazetted rate contained in the Land Use Act of 1978. The current rates used by individual states are varied but under this project, the participating states have committed to complying with the requirements of the World Bank Environmental and Social Standards (ESS).

The World Bank ESS5 applies to all components of this Project including activities resulting in involuntary resettlement that are (a) directly and significantly related to the project, (b) necessary to achieve its objectives as set forth in the project documents and (c) carried out, or planned to be carried out, contemporaneously with the investments.

The Bank's ESS5 covers direct economic and social impacts caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether the affected persons must move to another location. To address these impacts a RPF and subsequent RAPs are prepared to ensure that the displaced persons are (i) informed about their options and rights pertaining to resettlement, (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives, and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the investment.

If the impacts include physical relocation, the RPF and RAPs include measures to ensure that the displaced persons are (i) provided assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site. Where necessary, the RPF and RAPs shall also include measures to ensure that displaced persons are (i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living and (ii) provided with development assistance in addition to compensation measures as outlined above

(iii) such as land preparation, credit facilities, training, or job opportunities. Attention should be paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

The implementation of the land acquisition and resettlement activities shall be linked to the implementation of the investments to ensure that displacement does not occur before necessary measures for resettlement are in place. These measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. Taking of land and related assets shall take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.

As indicated for displaced people whose livelihoods are land-based, preference should be given to land-based resettlement strategies provided with land for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

Displaced persons may be classified in one of the following three groups:

- a. those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- b. those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RAP; and
- c. those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under para. (a) and (b) are provided compensation for the land they lose, and other assistance. Persons covered under para. (c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in ESS5, if they occupy the project area prior to a cut-off. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons are provided compensation for loss of assets other than land.

## 5.6 Gap Analysis between Nigerian Law and World Bank ESS5 and Gap filling Measures

In Table 5.1, a comparison between Nigerian Land law and the WB ESS 5 is shown. Whereas the law relating to land administration in Nigeria is wide and varied, entitlements for payment of compensation are essentially based on right of ownership. The Bank’s ESS 5 is fundamentally different from this and states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by an announced cut -off date. The Table provides assessment of key relevant clauses in the Nigerian extant law regarding involuntary resettlement/land acquisition and that of the World Bank ESS 5 and provides solutions to existing gaps.

The Nigeria Land Use Act and World Bank ESS 5 agree that compensation should be given to PAPs in the event of land acquisition and displacement of persons prior to the commencement of works. Thus, all land to be acquired by the government for this project will be so acquired subject to the Laws of Nigeria and the Bank ESS 5

**Table 5.1: Gaps between Nigerian Law and World Bank ESS5 and Gap filling Measures / Actions**

Category	Nigerian Law	World Bank ESS5	Measures to Filling the Gaps
Minimization of resettlement	No requirement to consider all options of project design in order to minimize the need for resettlement or displacement	Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs	Design of footprints (actual and specific designs) of project-related activities, particularly commercial farmland, will be undertaken to minimize resettlement.
Information and Consultation	It’s lawful to revoke or acquire land by the governor after issuance of notice. No consultation is required.	PAPs are required to be meaningfully consulted and participate in the resettlement process	PAPs shall be meaningfully consulted and engaged in the resettlement process
Timing of Compensation	The law is silent on timing of payment	Compensation implementation to take precedence before construction or displacement	Compensation and resettlement implementation to take place before construction or displacement

Livelihood restoration	Makes no proscription on livelihood restoration measures	Requires that vulnerable PAPs be rehabilitated	Livelihood restoration measures will be put in place for vulnerable PAPs
Grievance Process	The land use and allocation committee appointed by the Governor is vested with all disputes/ grievances and compensation matters	Requires that a grievance redress mechanism be set early constituting the representative of PAPs and, prefers local redress mechanism. The law court is the last resort when available mechanism or outcome is unsatisfactory to PAP.	A grievance redress committee (GRC) shall be established early and existing local redress process shall be considered to address issues of project induced grievances. PAPs or their representatives shall be members of the GRC.
Owners of economic trees and crops	Compensation for an amount equal to the value as prescribed by the appropriate officer of the government	Compensation for the market value of the yield plus the cost of nursery to maturity (for economic tree) and labour	Compensation for the market value of the yield plus the cost of nursery to maturity (for economic tree) and labour
Community land with customary right	Compensation in cash to the community, chief or leader of the community for the benefit of the community	Land for land compensation or any other in-kind compensation agreed to with the community	Land for land compensation or any other in-kind compensation agreed to with the community
Agricultural land	Entitled to alternative agricultural land <sup>3</sup>	Land for land compensation	Land for land compensation
Fallow land	No compensation	Land for land compensation subject to land holding right	Land for land compensation subject to land holding right
Statutory and customary right Land Owners	Cash compensation equal to the rent paid by the occupier during the year in which the right of occupancy was revoked	Recommends land-for-land compensation or other form of compensation at full replacement cost.	Recommends land-for-land compensation or other form of compensation at full replacement cost.
Land Tenants	Entitled to compensation based upon the amount of rights they hold upon land.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.
Squatters settlers and migrants	Not entitled to compensation for land but entitled to compensation for crops.	Are to be provided resettlement assistance in addition to compensation for affected assets; but no compensation for land	Are to be provided resettlement assistance in addition to compensation for affected assets; but no compensation for land

<sup>3</sup> Nigerian Land Use Act 1978

Owners of “Non-permanent” Buildings	Cash compensation based on market value of the building (that means depreciation is allowed)	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Owners of “Permanent” buildings and installations	Resettlement in any other place by way of reasonable alternative accommodation or Cash Compensation based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Rejection of compensation	No categorical statement	The taking of land and related assets may only proceed if the project has deposited funds equal to the amount offered as compensation plus 10 percent in a secure form of escrow or other interest-bearing deposit satisfying the Bank’s fiduciary requirements.	The project must provide a means satisfactory for resolving the dispute concerning the offer of compensation in a timely and equitable manners as issues are resolved.
Attention to vulnerable groups	Does not have any provision to give special attention to the vulnerable groups like women, disables or disadvantaged group	Special attention will be taken by the project for the vulnerable groups i.e. additional grant, livelihood training, job opportunities during construction etc.	Special attention will be taken by the project for the vulnerable groups i.e. additional grant, livelihood training, job opportunities during construction etc.

## 5.7 Major outcomes of the Review of Nigeria Legislation and the International Policy on Involuntary Resettlement

Following the review and gap analysis contained in Table 5.1, the following conclusions can be made:

- a. In the event of divergence between the Nigeria Legislation and the World Bank Environmental and Social Standards, the more stringent and pro-poor law is to be followed in the implementation of this project.

b. That entitlement value for affected land and assets varies with the type of asset which are identified as follow:

o **State (urban and non-urban) owned Land**

State owned land would be allocated free by the Governor or Local Government (perhaps except for processing and registration fees). The State Agency would be expected to pay compensation/resettlement assistance 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.

o **Privately owned Land**

Privately owned property, would have to be acquired at the replacement cost. The guiding principle is that whoever was using the land to be acquired would be provided other land of equal size and quality.

o **Assets held under Customary Law**

According to Nigeria law, assets held under customary rights are in the Local Government jurisdictions only and would have to be valued according to the following method and compensation paid for:

- i. The project would compensate for assets and investments, including labour, buildings, and other improvements, according to the provisions of the resettlement plan. Compensation rates would be based on replacement costs as of the date and time that the replacement is to be provided;
- ii. Compensation would not be made after the entitlement cut-off date in compliance with this policy. Under customary law land belongs to chiefdoms, towns and villages;
- iii. The permanent loss of any such land will be covered by community compensation, which will be in-kind, only. However, because the Bank's ESS5 makes no distinction between statute and customary rights, not only assets and investments will be compensated for, but also land;

Thus, a customary land owner or land user on state owned land will be compensated for land, assets, investments, loss of access etc. at market rates at the time of the loss.

NFWP-SU will ensure implementation of the following for different interventions:

**Project design:** NFWP-SU will try to avoid involuntary land acquisition, voluntary land donation or restrictions on land use. For this purpose, NFWP-SU will consider feasible alternative project designs

to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement. The overall principle will be to balance the environmental, social, and financial costs and benefits, while paying particular attention to impacts on the women, poor and vulnerable. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, NFWP-SU will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods to the pre-project level.

**Compensation and benefits for affected persons:** All lands proposed to be acquired, requisitioned, affected structures, trees, business, community property and crops under the NFWP-SU Project will be compensated as per replacement cost consistent with both government and ESS 5. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

**Public services and facilities:** Public services and facilities interrupted and/ or relocated due to relocation will be fully restored and re-established at their original location or a relocation site. All compensation, relocation, restoration and rehabilitation provisions of this RPF are applicable to public services and facilities and the SPCU shall bear the financial cost of relocating all public facilities affected by the NFWP-SU Project. These include but are not limited to schools, religious centers, markets, health centers, parks, community centers, local government administration, water supply, shrine and graveyards. However, for graveyard, the consent of the religious persons, local persons as well and local administration will be sought to mitigate the impact. Impacts on religious sites will be avoided as much as possible.

**Vulnerable PAPs:** All vulnerable PAPs including disabled-headed, elderly-headed and poor household etc., are entitled to livelihood restoration/ improvement support in the form of cash, job-placement, and additional financial support in the form of grants for investments in business or re-employment related equipment and buildings, as well as organizational and logistical support to establish the PAP in an alternative income generation activity.

**Small Ethnic Communities:** During initial screening and consultation, no small ethnic communities are identified in the potential project areas. However, NFWP-SU Project will conduct social surveys including census and if any household belonging to small ethnic communities are found affected, ESS7

will apply. ESS7 will be implemented through development of a detailed IPP with the provision of free, prior and informed consent as appropriate. Even, if tribal people are affected with the associate facilities detailed IPP will be also prepared.

**Affected Women and Female Headed Households:** To ensure a clear understanding and due consideration of specific relocation and/ or resettlement impacts on displaced women and to safeguard their livelihoods, specific provisions for women will be adopted for the resettlement process, including (i) enumeration of all women and, if applicable, of their status as heads of household or otherwise vulnerable persons; (ii) collection of gender disaggregated socio-economic data; (iii) consultation of women in joint or separate meetings; (iv) due consideration of grievances lodged by women; and (iv) provision of compensation and/ or new titles to women if they are titled or recognized owners of lost assets, and provisions of restoration and rehabilitation measures to women, if households are female headed or women's livelihood is directly concerned. The RAP for relevant activities will detail the scope of impacts on women and where required gender action plans will be prepared, implemented and monitored within or outside RAPs.

**Community Engagement:** NFWP-SU Project will engage with affected communities through the process of stakeholder engagement described in ESS10 on Stakeholder Engagement and Information Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

**Grievance Mechanism:** The NFWP-SU Project will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. A separate GRM for the management of Gender Based Violence (GBV) and labor will be formed with the guidelines of ESS 2 and ESS 10 and a well-trained GBV Consultant shall handle this responsibility. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.



**Planning and implementation:** Where land acquisition or restrictions on land use are unavoidable, NFWP-SU Project will, as part of the environmental and social assessment, conduct census, inventory of losses (IOL) and socio-economic survey (SES) to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, the NFWP-SU Project will establish a cutoff date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

### **5.8 Overview of the Federal Ministry of Women Affairs**

The Ministry for Women Affairs and Social Development is the institution promoting and implementing this project, and shall establish units at the federal, state and local government levels for actual implementation.

The Ministry promotes the development of women with equal rights and corresponding responsibilities. The objectives of the Ministry include stimulating action to promote civic, political, social and economic participation of women; coordinating and monitoring women's programmes; providing technical and financial support to women non-governmental organizations, especially the National Council of Women Societies. The Ministry of Women Affairs is required to review substantive and procedural laws that affect women.

At the state level, there are also State Ministries of Women Affairs and Social Development which ensures the coordination and implementation of the goals of the Women Affairs and Social Development Ministry with coordination centers across the state Local Government Areas. Generally, key mandates of the Ministry as also depicted in the various states' mandates are stated below:

#### **Mandates**

1. To promote Gender Equality and provide Empowerment facilities for Socio-economic Development
2. To promote the survival, protection, participation and development of children
3. To promote family harmony and reduce juvenile delinquency
4. To provide care, support, rehabilitation and empowerment for the vulnerable groups (challenged persons, older persons, destitute and the likes)

5. To collaborate and network with Non-Governmental Organisations, Professional Institutions and other MDAs on issues affecting women, children/vulnerable ones.

## CHAPTER SIX

### METHODS FOR VALUING ASSETS AND COMPENSATION ARRANGEMENT

#### 6.1 Methods of Valuation for Different Categories of Assets/Entitlements

This section of the RPF sets out the detailed requirements for determining the value of affected assets, and the scope of valuation covers all categories of impacts/assets identified during the social assessment and described in the entitlement matrix. The essence is to ensure appropriate procedure and fair compensation to the project affected groups that are in tandem with best practices which ESS5 supports. Therefore, the basis of this valuation is derived from the ESS5 of the World Bank and the Land Use Act 1978 of Nigeria. The valuation will estimate asset compensation rates based on full replacement cost without depreciation (Table 6). The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by project operations.

#### 6.2 Description of Key Valuation Approaches and Compensation Terms

(a) Replacement Cost Approach (RCA): Replacement cost is the market value of the affected asset plus transaction cost. The RCA assumes that cost and value are related. It involves finding the estimate of the gross replacement cost of an asset which is the estimated cost of constructing a substitute structure or buying an alternative land in a location and size of equal value at current market prices.

(b) Market Comparison Approach (MCA): This involves the direct comparison of the property's value determining features with those of immediate and surrounding vicinity that sold recently. This method simply arrives at the value of an asset by taking an estimate of similar asset (in size, frame and location) sold in recent time to arrive at the cost of the asset to be acquired or demolished by a project. It is most desirable when cash compensation is the choice compensation.

#### 6.3 Valuation Methods for Categories of Impacted Assets

##### 1. Land

The following land asset types identified under Nigeria law in this policy framework include:

##### a. 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.

##### b. 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 resettlement plan. Compensation rates will be replacement cost as determined by surveys of recent transactions of similar assets 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.

### **c. Privately owned Land**

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. The guiding principle is that whoever was using the land to be acquired will be provided other land of equal size and quality. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided using the MCA method. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

Also, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.

Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land). If land is required temporarily, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the sharecroppers rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). There will hence be no adjustment in the terms of the rent of share cropping agreement.

## **2. Structure/Building**

The replacement cost approach will be adopted for the valuation of dwellings and structures. To use replacement cost approach relevant data to be captured during RAP preparation include:

- Location details of the affected land (boundaries of the area/section of the land);
- Affected immovable properties (detailed measurement of building/structure and materials used);

- Property details including construction information such as number of rooms, type of roof, wall, fence walls, gates, pavements, interior ancillary decoration, etc.
- Prices of items collected in different local markets used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.), including labour required.
- Categorizing temporary structures based on constructional details (wall materials), size of structure and use of structure;
- Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- Social profile/data on affected household (owner, tenants, dependents and livelihood)
- Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

### **3. Fruit trees/Farm crops/Woodlots**

Impacts associated with losses of income from any of the above items will be calculated as follows:

**a. Compensation for fruit tree** is cash compensation for average fruit production for 3 years at current market value. Although government rate prepared by NTDF exists, market research will be conducted by appropriate experts (independent quantity survey) to determine if the government rate is in tune with current market rate. Where this rate is different from current market rate, the later will be used to fulfil the condition “*current market rate*” of ESS5.

**b. Compensation for farm crops** is at full market value of crop yield per hectare. This entails conducting an inventory of size of hectares farmed by each PAP and the type of crop. The existing market value of crop yield per hectare will be determined and adjusted (as may be necessary for inflation) during RAP preparation so that end result will be reminiscent of prevailing market price at the time of RAP compensation.

**c. Compensation for woodlot** is Cash compensation at current market value. All woodlot attracts a flat rate using market rate.

**The valuation methods for categories of impacted assets are shown in table below;**

Table 6.1: Method of Valuation

S/No	Type of Loss	Comparative Sales Method	Based on the open market value of Comparable recent transaction
1.	Loss of Buildings, structures and other civil works	Replacement Cost Method or Comparative sales Method (which ever gives a commensurate value)	Full replacement cost value as if new – recent construction cost rates
2.	Loss of Business Income and Loss of Business Goodwill	Comparative method	Based on the average monthly net profit
3.	Loss of income from rent and expenditure incurred for alternative accommodation during reinstatement period	Comparative sales method	Based on the comparable rent payment, rent advance paid
4.	Expenditure incurred for transfer of moveable properties and temporary structures	Comparative Method	Based on truck/transport hiring charges
5.	Loss of Wages, -Loss of Fees from Apprentice, - Loss of Job Training	Comparative Method	Based on Current Fees and Wages
6.	Loss of access to land used for agriculture	Comparative Method	Based on Crop compensation Resettlement assistance; Economic Rehabilitation assistance

#### 6.4 Mechanism for Voluntary Donation of Land: Procedure and Records

The Project anticipates that land for widening of existing setbacks or establishment of agro logistic hub may be donated by communities or individuals that will be directly benefitting from the project on a voluntary basis. This RPF recognizes that these **voluntary donations** should not severely affect the living standards of PAPs and that the community agrees to replace any of their losses. This RPF requires that voluntary donations are confirmed and verified by an independent third party. The following procedures, records and safeguards will be adhered to by the Project and included in respective RAPs of subprojects, which involve voluntary donations of land and other assets:

##### 1. Site Selection Consultations

While selecting a site for a structure for any of the sub-projects or activities associated with the sub-projects, proponent should conduct detailed consultations with customarily recognized or legally titled landowners and any non-titled affected people, such as squatters, tenants, and herders that may have traditional access to these areas. The SPCU/Project team will facilitate meetings to reach consensus for

locations that have least adverse impact. The donors of such land could be a community/clan or sub-clan that owns undivided land collectively or as individuals.

## **2. Replacement of Losses of the Vulnerable and Poor**

Where site selection severely affects the living standards of PAPs, the project will undertake to replace the loss by relocating them to a similar location with comparable resources within the same community or paying reasonable compensation that is acceptable to them. To help facilitate a mutual understanding of ‘reasonable compensation,’ the Project team will guide both parties in line with the compensation and valuation principles in the Project’s Entitlement Matrix.

## **3. Record of Communally Guaranteed Amelioration Measures, Third Party Verification, and Grievance Redress**

Agreed measures to replace losses of people severely affected by the donations will be verbally accepted by all the PAPs (recognized heads of each household) in the presence of a mutually agreed third party and documented on an affidavit which shall include a description of the amelioration measures guaranteed by the community. The donor community will be represented by a recognized elder(s) of clan(s) or sub-clan(s) who will affix their signatures and/or thumb impressions on the affidavit. The NGOs that are present or involved in facilitating the community mobilization will play the role of the third party. The NGO will also affix their signatures and/or thumb impressions on the affidavit. Construction will only proceed after the donor community has replaced losses through agreed measures and the amelioration has been verified by the PAPs themselves to the mutually agreed third party, verbally and documented in an affidavit to which all PAPs (recognized heads of each household) and the third party affix their signatures and/or thumb impressions. The PAPs will be informed of voluntary donation procedures as part of the disclosure policy of the Project and have access to the grievance redress mechanism outline in this RPF.

## **4. Record of Donation and Verified Transfer by Legal Authority**

Donations by the community or an individual will be documented on an affidavit and confirmed verbally by the individual owner or a recognized elder(s) of clan(s) or sub-clan(s) in front or in the presence of two witnesses known from the same community certifying the identity of the donors. The donors and witnesses will affix their signatures and /or thumb impressions with dates on the affidavit and the land will be transferred in the name of the community organization (CO) of the respective subproject.

## **5. Report on Subproject Voluntary Donation Process and Documents**

The Project team shall compile a report of the above-described process and submit it to the SPCU who shall certify and forward a copy to the Bank prior to the commencement of the civil works.

## **6.5 Arrangements for Compensation**

A Compensation and Relocation Committee will be set up and be responsible for planning, coordinating and monitoring of compensation and relocation activities. The compensation process for the subproject will involve several steps to be carried out in accordance with the resettlement and compensation plan and the RAP. This will be in accordance with the individual project resettlement and compensation plans as outlined below:

### **1. Public Participation**

This process seeks the involvement and concerns of the PAPs and the communities in a participatory approach with the project, from the beginning to implementation.

Public participation with local communities is an ongoing process throughout resettlement planning and this will have taken off at the screening stage. PAPs will be notified during the identification of subprojects and consulted with as part of the screening process.

The subsequent socio-economic survey will record all relevant information about the PAPs and ensure that this is accurately reflected in the RAP in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation has 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. Notification**

Landowners will be notified by the State Agency that their property is required for development of the subproject. 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.

### **3. Documentation of Holdings and Assets**

The SPCU officials and the local community will arrange meetings with the project affected persons 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 should be documented in writing.

#### **4. Agreement on Compensation and Preparation of Contracts**

The types of compensation shall be clearly explained to the individual or household involved. The SPCU will draw up a contract, listing all property and/or land being surrendered, and the types of compensation (cheque 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 the local government chairman (or his/her representative), the project officials, and other community leaders prior to signing.

#### **5. Compensation Payments**

All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party, representative of the state environmental agency, representative from the State Project Management Unit, NGO and the community officials.

#### **6.6 Procedures for Delivery of Compensation**

The procedure for delivery of compensation will be detailed in each RAP/ARAP. The SPCUs will follow approved procedures ensuring that:

- a. Full payment of compensation is carried out before possession of acquired sites and before civil works begin.
- b. SPCUs formally make offers to Project Affected Persons (PAPs) and allow them to accept or reject compensation for transparency's sake, offer a counter claim and seek redress under the grievance procedures established
- c. Land/Asset valuation committee communicates the amount to be paid to the acquiring agency and the Ministry of lands will ensure that the amounts are fair and adequate.
- d. Cheques in the name of the beneficiary or deposits to the beneficiary's bank account shall be the preferred and first mode of payment; however, payment may be by banker's draft where the amounts involved are "minimal". SPCUs shall make arrangements with nearest bank to effect payments by banker's draft;
- e. Payments are made to the affected person personally by the State Agency in the presence of Land/Asset Valuation Committee and an independent witness of the affected person/opinion leader
- f. Proper receipts are issued and copies given to the affected person, the Finance Department of the State Agency and the Land/Asset Valuation committee;

- g. Comprehensive reports on payment made are submitted for review by Management of the SPCUs and the Land/Asset Valuation committee

## **CHAPTER SEVEN**

### **GRIEVANCE REDRESS MECHANISM**

#### **7.1 Introduction**

This RPF anticipates that disputes or complaints may arise as a fallout of land Acquisition, Restrictions on Land Use and Involuntary Resettlement resulting from the implementation of this Project. Therefore, NFWP-SU acknowledges the right of PAPs to grievance redress, and hence in consultation with stakeholders establishes this Grievance Redress Mechanism (GRM) as alternative dispute resolution arrangement. Going through the court (judicial system) by aggrieved PAPs for redress may take longer periods and many times, are accompanied with court injunctions which adversely affect project implementation. Therefore, establishing a GRM is a proactive measure for addressing and resolving complaints out of court.

As experienced in past projects, complaints and grievances may arise during implementation of the resettlement and compensation programme and may be related to the following issues:

- a. Disputed ownership of a given asset by two or more affected individuals having claim on the same land and inheritance of the acquired lands to affected persons,
- b. Incomplete census as well as inadequate valuation of affected assets,
- c. Compensation entitlements, complains against noise, pollution, accident,
- d. Errors related to identification and disputes on boundaries between affected individual(s) in specifying their land parcels and associated development.
- e. Disagreements on plot/asset valuation.
- f. Divorces, successor and family issues resulting into ownership dispute or dispute share between heirs or family.
- g. Where affected individual(s) opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them).
- h. GBV and other social and environmental issues.

In view of this, NFWP-SU will establish a procedure to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RPF for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM). The GRM will deal with complaints and grievances related to both resettlement and other social and environmental issues beyond resettlement in this Project. Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from

aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal actions. The procedure will, however, not pre-empt a person's right to go to the courts of law.

## **7.2 Objectives of GRM**

The fundamental objectives of the GRM, implemented through the GRC serving as a para-legal body, are to resolve any resettlement-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans. Another important objective is to democratize the development process at the local level and to establish accountability to the affected people. In other words, the grievance mechanisms:

- a. Provide a way to reduce risk for projects.
- b. Provide an effective avenue for expressing concerns and achieving remedies for communities and promote a mutually constructive relationship.
- c. Prevent and address community concerns and assist larger processes that create positive social change.
- d. change.

## **7.3 Importance of NFWP GRM**

The establishment of a GRM is beneficial for organizational and Project strengthening. Grievances should be seen as a gift and not a threat to the Project. Grievances submitted are a source of valuable information that can help to strengthen the implementation of the Project and provide support and protection to Project beneficiaries. NFWP's ability to resolve grievances demonstrates transparency and accountability to beneficiaries and non-beneficiaries.

### **Who can raise grievances?**

Anyone can raise a grievance about NFWP. Beneficiaries and non-beneficiaries are all welcome to submit complaints on any aspect of NFWP via any of the available grievance channels (e.g. in-person to staff or volunteers or by phone, letter, email, or social media).

### **Structure for managing grievances and Staff responsible**

The following can receive grievances from complainants under the NFWP GRM:

1. Grievance Volunteers and Ward Facilitators\* (at community the level)
2. LGA Field Supervisors (LFS) and WAG Support Officers (at LGA level)

3. SPCU GRM Focal Points - specifically the Social Safeguards and Environmental Safeguards Anchors and Advisers (at State the level)
4. FPCU GRM Focal Points – specifically the Social Safeguards and Environmental Safeguards Anchors and Advisers (at Federal the level)

#### 7.4 How can grievances be Submitted?

At the LGA, State, and Federal levels:

1. **LFSs / WSOs:** Complaints can be made through the LFSs or WSOs in person or in writing. They are also responsible for reviewing any complaints relating to their LGA received via any channel. They are effectively trained on project activities to collate and address grievances, channeling them as necessary to the SPCU GRM FPs.
2. **SPCU GRM FPs:** Grievances can be made at the state offices either in person, via telephone, in writing, or through any other accessible channel as there are SPCU GRM FPs that have been trained on effectively handling and managing grievances. Telephone numbers for State hotlines will be displayed at various state and local government offices and in Project communities.
3. **FPCU GRM FPs:** At the FPCU level, there are GRM FPs who have been trained on handling and managing grievances and they can receive and register grievances from beneficiaries and non-beneficiaries using any channel convenient for them. Grievances may come in via hotline, in writing, in person, or via social media.

#### *Categories Of Grievances Under NFWP*

	<b>CATEGORIES</b>	<b>CATEGORIES OF GRIEVANCES UNDER NFWP PROJECTS</b>	<b>RESPONSIBILITIES</b>	<b>RESPONSE TIME FOR FURTHER ACTION</b>
	<b>CATEGORY 1</b>	<b>WRONGFUL INCLUSION/EXCLUSION</b> <ul style="list-style-type: none"> <li>• WAG - Wrongful inclusion</li> <li>• WAG - Wrongful exclusion</li> <li>• Livelihood grants – wrongful inclusion</li> <li>• Livelihood grants – wrongful exclusion</li> </ul>	LFS	21 DAYS TO 1 MONTH
	<b>CATEGORY 2</b>	<b>PAYMENTS</b> <ul style="list-style-type: none"> <li>• Delay in payment</li> <li>• Incorrect payment amount</li> </ul>	LFS, SPCU FP, SPCU accounting	WITHIN 7 DAYS
	<b>CATEGORY 3</b>	<b>SERVICE DELIVERY ISSUES</b> <ul style="list-style-type: none"> <li>• Mistreatment/rudeness by staff</li> <li>• Complaints not responded to</li> <li>• Wrong information / poor communication</li> </ul>	State- or Federal-level GRM FPs, SPCU or FPCU Coordinator	WITHIN 7 DAYS

		<ul style="list-style-type: none"> <li>• Other Service Delivery Issues</li> </ul>		
	<b>CATEGORY 4</b>	<b>FRAUD AND CORRUPTION ISSUES</b> <ul style="list-style-type: none"> <li>• Bribe and Extortion</li> <li>• Misappropriation / Theft</li> </ul>	SPCU/FPCU GRM FPs, SPCU Coordinator, NPC	21 DAYS OR MORE
	<b>CATEGORY 5</b>	<b>INQUIRIES AND INFORMATION REQUESTS</b>	All GRM FPs	WITHIN 7 DAYS
	<b>CATEGORY 6</b>	<b>OTHERS</b>	LFS	7 TO 14 DAYS
	<b>CATEGORY 7</b>	<b>GENDER-BASED VIOLENCE</b> <ul style="list-style-type: none"> <li>• Sexual exploitation and abuse (SEA) or sexual harassment (SH) (e.g. staff or contractor inflicting SEA/SH on a beneficiary, community member, or other staff members)</li> <li>• Other forms of GBV (not SEA/SH), e.g., IPV and domestic conflicts (e.g. between project beneficiaries or community members - not involving staff or contractors)</li> </ul>	LFS and SPCU GRM FPs, Gender/GBV Anchors and Advisers are responsible for ensuring GBV-related complaints are treated according to the NFWP GBV Accountability Response Framework The survivor/complainant maintains the right to choose whether further action should be taken on their complaint. They also have the right to change their mind and stop seeking resolution of their complaint.	As soon as the incident becomes known refer using the referral directory If the perpetrator is associated with the project and the survivor wants to proceed with the case the GRM FP should notify the SPCU GRM FP/SPCU Coordinator

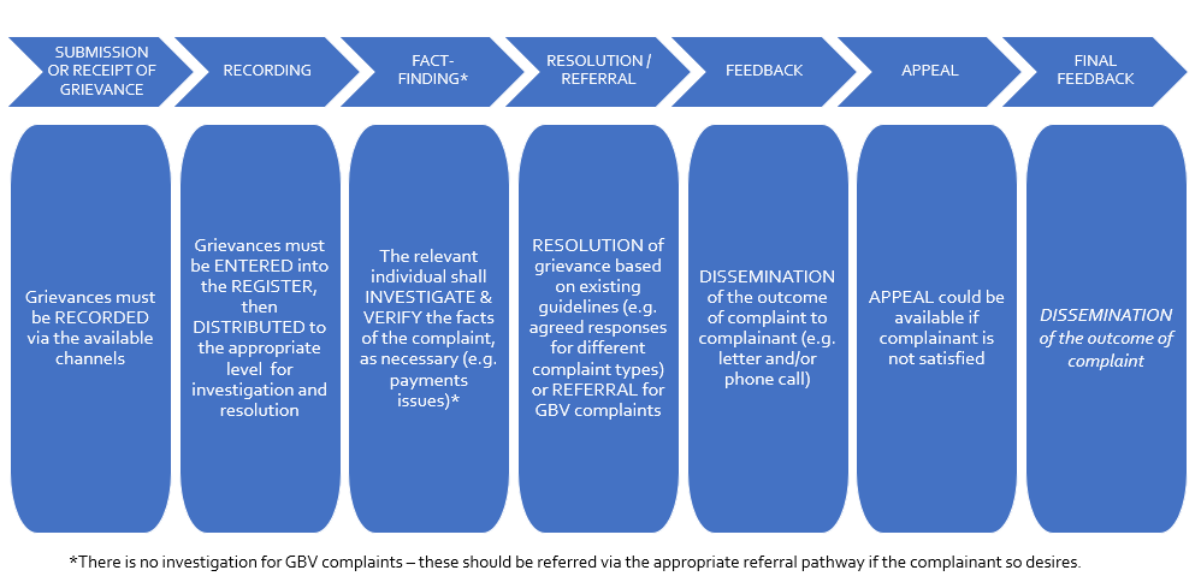
### **Addressing complaints related to GBV and SEA/SH**

The NFWP GRM takes complaints related to gender-based violence (GBV) and sexual exploitation or abuse / sexual harassment seriously.

A separate GBV accountability and Response Framework have been prepared to address GBV allegations and to hold perpetrators accountable. However, for any complaint that is reported to the GRM (including complaints involving other forms of GBV that are not related to the project), the GRM will also have procedures in place to refer the individual to GBV service providers.

### **BASIC PROCESSES IN GRIEVANCE HANDLING**

The following are basic processes to be followed in handling grievances:



### Service Standards for NFWP GRM

- NFWP will ensure that all grievances are handled and resolved within the specified time frame depending on the category of complaint. The maximum time frame for resolving categories of issues that are within the remit of NFWP will be 3 months (90 days).
- NFWP will ensure that feedback is provided to complainants on the status of their grievances within 28 working days from the time the complaint was first received.
- Where investigations are likely to take more than 7 days, NFWP will provide complainants with a progress update.
- NFWP will guarantee that all complainants are treated with respect and fairness.
- NFWP will ensure that persons with disabilities and other vulnerable groups can easily access the GRM using available channels for registering complaints.
- NFWP will ensure that GBV and SEA/SH complaints are treated appropriately following a survivor-centered approach

### Guiding Principles

To effectively manage grievances, there are basic principles that must be followed to ensure that the grievance redress mechanism is effective and valuable to beneficiaries and non-beneficiaries. The key principles include the following:

#### I. Communicated and Visible

A good grievance mechanism should be clearly communicated to all relevant stakeholders (beneficiaries, the general public, and others). Information on how to channel grievances should be clear and widely publicized. Beneficiaries and non-beneficiaries should be informed on the timelines and the

necessary steps that will be taken in handling their grievances. Information on what type of grievances can be made should also be clearly communicated to the beneficiaries, staff, and any other interested party. In the case of NFWP the Ward Facilitators (WFs), WAG Support Officers (WSOs), and LGA Field Supervisors (LFSs) are the frontline staff who engage directly with citizens hence should be well knowledgeable on how the GRM operates

## **II. Accessible**

An effective GRM should be easily accessible by all. It should offer multiple channels for receiving and responding to grievances (e.g. in person, by phone, in writing, etc.). The conditions of the beneficiaries and other interested citizens should be taken into account when establishing a GRM. For example, if the GRM has a hotline element and there are beneficiaries with no phones, the grievance handling process should offer other alternatives such as face to face interaction or writing letters as alternatives for channeling grievances. Also, a good GRM should enable and encourage the use of different local languages in channeling grievances, which makes it more accessible for those who may not understand the official language.

## **III. Responsive**

It is essential that a GRM should be responsive to the needs of its beneficiaries and non-beneficiaries. It should ensure that grievances are acknowledged, and issues resolved promptly. Staff handling the complaints must follow the agreed targeted timelines for resolving grievances. A responsive GRM will ensure that complainants are regularly informed on the progress or status of their grievances. A good GRM should be responsive to the needs of different people, including vulnerable persons such as the elderly or disabled, and those who cannot speak or write in English. It should also take a survivor-centered approach to gender-based violence (GBV) and sexual exploitation and abuse / sexual harassment (SEA/SH) complaints.

## **IV. Fair and Objective**

Grievance handling staff should be fair and objective when handling and managing grievances. Grievances should be handled with all sense of fairness and without any bias. Staff receiving grievances should be objective and empathetic towards the complainant and should not be defensive, unfair or seen to be taking sides. Complainants should feel that they were treated fairly and with respect.

### **7.5 Expectation When Grievances Arise**

When local people present a grievance, they generally expect to receive one or more of the following: acknowledgement of their problem, an honest response to questions/issues brought forward, an apology, adequate compensation, modification of the conduct that caused the grievance and some other fair remedies



In voicing their concerns, they also expect to be heard and taken seriously. Therefore, the company, contractors, or government officials must convince people that they can voice grievances and work to resolve them without retaliation. To address these challenges, companies are being called upon to lead and work with their host communities to fund non-judicial, dialogue-based approaches for preventing and addressing community grievances.

## **7.6 Grievance Redress Process**

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and communities will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency. All the grievances will be channeled via the Resettlement and Compensation Committee for each sub project at the sub-project level.

There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs and project conditions and scale. Annex 4 contains grievance redress forms that could be used for grievance mechanism. In its simplest form, grievance mechanisms can be broken down into the following primary components:

### ***a. Registration***

The first step is the presentation of a grievance at the uptake point at any level. The social contact person or secretary of the committee will receive grievance from the complainant, register and acknowledge receipt of grievance to the grievant within 2 days. The registration form will capture the following data: 1) Case number, 2) Name of the complainant, 3) Date of the grievance, 4) Gender, 5) Complete address, 6) Category of the grievance, 7) persons involved, and impacts on complainant life, 8) Proofs and witnesses, and 9) Previous records of similar grievances.

### ***b. Verification***

The verification determines among other things whether the matter has relationship with the project activities, and whether the matter can be handled/resolved at the level where it is presented. This will determine if the matter should be referred to the next level or not. Part of the investigations may also be to assess the cost of lost or risk involved in the grievance.

### ***c. Processing***

The processing step is when options for the approach to resolving the case are weighed and determined. Parties involved in the case are brought together for the first attempt at resolution with suggestions from the parties on practical steps to be taken which may also involve site visit for physical inspection and determination of the claim.

*d. Feed back*

All responses to the complainant in a grievance redress process that moves beyond a unit level must be communicated in writing and/or by verbal presentation to the complainant. This will include a follow up on the corresponding authority where cases are referred, to ascertain the status of reported cases. Feedback on outcome of each case should get to the complainant through the secretary of committee or social contact/safeguard person. It is expected that reported complaints at each level will be resolved and determined within **21 days** from date of receipt of the complaint.

Grievance resolution will be a continuous process in subproject level activities and implementation. The SPCU will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by the Bank and any other interested persons/entities. The SPCU will also prepare periodic reports on the grievance resolution process and publish these on the NFWP-SU website. The NFWP-SU program intends to strengthen the GRM through information and communication technology to ensure that all complaints including those of sexual exploitation and abuse are immediately reported to the Government. NFWP-SU will integrate the GRM on a web-based dashboard, to adequately and promptly address any potential grievance related to Gender Based Violence and SEA. The complaints registered in this system will be managed by a dedicated administrator that will liaise immediately with any GBV and SEA complaints with the contractors, consultant and SPCU for immediate measures. If the GRM receives a case on sexual exploitation and abuse related to the project, it will be recorded, and the complainant will be referred to the relevant assistance, if needed, for referral to any other service providers. The supervision consultant will keep the information confidential to protect privacy of GBV and SEA complainants. In cases, where the perpetrator(s) is linked to project activities then the contractor will take appropriate actions as per the Code of Conduct signed by the particular person and under the effective law in Nigeria. NFWP-SU will report activities and outcomes of GBV and SEA surveillance and management to the World Bank on a regular basis.

## **7.6 Financing of the Grievance Redress Mechanism and Cost of Remediation**

The proponent shall be responsible for the funding of logistics for the GRC as well as the eventual compensation or resettlement remediation that aggrieved party may be entitled to. The proponent will

also be responsible for the cost of the judicial process for cases that result to court for adjudication. Table 7.1 below show the implementation plan for the GRM.

**Table 7.1: Implementation Plan for Grievance Mechanism**

<b>Steps</b>	<b>Process</b>	<b>Description</b>	<b>Completion Time frame</b>	<b>Responsible Agency/Person</b>
1	Receipt of complaint	Document date of receipt, name of complainant, village, nature of complaint, inform the SPCU	1 day	Secretary to GRC at project level
2	Acknowledgement of grievance	By letter, email, phone	1-5 days	Social safeguard officer at SPCU
3	Screen and Establish the Merit of the Grievance	Visit the site; listen to the complainant /community; and assess the merit	7-14 days	GRC including the social safeguard officer & the aggrieved PAP or his/her representative
4	Implement and monitor a redress action	Where complaint is justified, carry out resettlement redress in line with the entitlement matrix/ESS5	21 days or at a time specified in writing to the aggrieved PAP	PC-PCU and Social Safeguard Officer
5	Extra intervention for a dissatisfied scenario	Review the redress steps and conclusions, provide intervention solution	2-3 weeks of receiving status report	PC-PCU
6	Judicial adjudication	Take complaint to court of law	No fixed time	Complainant
7	Funding of grievance process	GRC logistics and training, redress compensation, court process	No fixed time	The proponent (government or investor)

## **7.7 World Bank Grievance Redress Service (GRS)**

Communities and individuals who believe that they are adversely affected by Sub-project interventions may submit complaints to existing project-level GRM or the WB Grievance Redress Service (GRS). Project affected communities and individuals may also submit their complaint to the World Bank's independent Inspection Panel, which determines whether harm occurred, or could occur, because of non-compliance with WB safeguards policies and procedures. Details of the procedures to submit complaints to the WB's corporate GRS, is available in the GRS website: <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the WB Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org). Any disclosure instrument on GRM will provide addresses of the GRS and the Inspection Panel.

## CHAPTER EIGHT

### CONSULTATIONS, STAKEHOLDER PARTICIPATION AND DISCLOSURE

#### 8.1 Purpose of Stakeholders' Engagement

Stakeholder and Community consultations are key to the success of the project as well this RPF. Consultation is important both as a tool for information gathering and for carrying the stakeholders along in order to achieve sustainability. Consultations which began at this stage of the RPF will continue during the RAP/ARAP preparation stage up to the project implementation stage.

The thrust of the consultations carried out in preparing this RPF are to:

1. notify project affected persons and community about the project set up and development objectives;
2. establishing and maintain a two-way process of dialogue and understanding between the project and its stakeholders,
3. create ownership and
4. elicit broader inputs and suggestions that will ensure project sustainability and success.

#### 8.2 How Project Stakeholders were identified

The RPF team worked in conjunction with the FMoWA in identifying the stakeholders. Stakeholders include groups, institutions and MDAs who will be affected by the project and/or those that have responsibilities in project implementation. In addition to the list stated below for identified stakeholders, it is expected that more stakeholders at the rural and community levels will be identified at the RAP/ARAP development stage. Among the identified stakeholders at this stage include:

1. Ministry of Women Affairs
2. Ministry of Rural Development
3. Ministry of Agriculture
4. Ministry of Lands & Survey
5. Ministry of Environment
6. Ministry of Trade and Investment
7. Women Farmers Association
8. Rural Women Groups
9. NGOs and Cooperatives

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- notify project affected persons and community about the project set up and development objectives;
- establish and maintain a two-way process of dialogue and understanding between the project and its stakeholders,
- create ownership and
- elicit broader inputs and suggestions that will ensure project sustainability and success.

### 8.3 Summary of the Stakeholder Consultations

Table 8.1 gives a summary of consultation meeting held with stakeholders

Table 8.1: summary of consultation meeting held with stakeholders

Date and time of meeting of meeting	23 <sup>rd</sup> November 2022 (2pm to 5pm WAT)
Platform/location	Virtual meeting
Attendees	Management staff of Federal Project Coordinating Unit (FPCU), Commissioners, Permanent Secretaries, Special Advisers and Project Coordinators from the relevant MDAs (Ministries of Finance, Women Affairs, Environment, Lands & Survey, Physical Planning & Urban Development and Agriculture) from across the 24 participating states in Nigeria
Introduction	<p>FPCU introduced the aim of the meeting, which was to inform the stakeholders about the imperative of the preparation of various instruments of the Environmental and Social Framework (ESF) that need to be satisfied, cleared and disclosed prior to project appraisal. The applicable instruments are:</p> <ul style="list-style-type: none"> <li>● Environmental and Social Standard 1: Assessment and Management of Environmental and Social Risks and Impacts;</li> <li>● Environmental and Social Standard 2: Labor and Working Conditions;</li> <li>● Environmental and Social Standard 3: Resource Efficiency and Pollution Prevention and Management;</li> <li>● Environmental and Social Standard 4: Community Health and Safety;</li> <li>● Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement;</li> <li>● Environmental and Social Standard 10: Stakeholder Engagement and Information Disclosure.</li> </ul> <p>Stakeholders were informed that 4 ESS instruments were relevant for addressing the applicable standards, at the framework level; and they are the Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF), Pest Management Plan (PMP) and Stakeholders Engagement Plan (SEP). Therefore, the consultants engaged by FPCU for the assignments want to interact, consult and engage the stakeholders in meaningful and robust conversations with the stakeholders, with a</p>

	<p>view to informing and gathering concerns and inputs that will be helpful in the preparation of the ESS instruments.</p> <p>Major issues discussed included land acquisition and compensation laws, processes and agricultural crop and economic tree rates applicable in the various states, women land right and ownership, social issues that inhibit women participation in livelihood and community decision making, gender base violence and sexual exploitation (GBV/SEA) risks and assault, grievance redress mechanism, livelihood value chain in the states and the lessons from NFWP safeguards implementation in the pioneer states.</p>
Responses and lessons	<p>All the stakeholders were appreciative of the Nigerian government and World Bank for the initiative to implement the NFW-SU.</p> <p>Concerning land acquisition procedure, it was obvious that the entire participating states align with the provisions of the Nigerian Land Use Act 1978. Most of the states have domesticated the Violence Against Persons (VAP) prohibition Act 2015, which protects the rights of women against abuses and sexual exploitation; Women Right to Land Ownership and Inheritance has been passed into law in Abia state, while the states in the northern Nigeria have no constraints with women ownership of land. Coastal states like Bayelsa, Delta and Lagos are focused on Fish farming livelihood value chain, while those in the north will leverage on crop production and processing, diary, tile and dye amongst others.</p> <p>A key lesson from the NFWP implementation is that some of the cultural limitations to women involvement in livelihood are significantly phasing-out through legislation and sensitization. Example is the Right to Women land Ownership passed into law in Abia state in 2022; VAP law domesticated in many states of Nigeria and the access to use of telephony by women, which many male household heads in the North opposed, have now been eased through sensitization efforts of the NFWP.</p>
Concerns raised	<p>Many speakers including the Permanent secretary from Lagos, Bayelsa, Delta, Zamfara and commissioners from Abia, Nassarawa, Ogun raised concern about access to capital for women;</p> <p>How is the rate of compensation determined?</p> <p>There was also a question on specific time that the project implementation will kick off;</p>
How concerns were resolved	<p>NWP-SU will finance mobilization of women into WAGs and support the strengthening of new and existing WAGs, which will create strong platform for eligibility to access to finance;</p> <p>The rate used for compensation for economic crops and trees are as gazetted by the Ministry of Agriculture and differ slightly by sub-regions of Nigeria. During RAP implementation, NfWP-SU will use current market rate price for payment of compensation except if the country rate is more pro-poor.</p>
Conclusion	<p>The meeting ended with the following outcomes or resolutions:</p>

	<ul style="list-style-type: none"> <li>• That stakeholders to assist the consultants for any further information that may be required, and for physical visit for data collection (if required);</li> <li>• In determining and designing of the sub-projects as envisaged under NFWP-SU an inclusion of the relevant stakeholders' and beneficiaries' opinions of the project is essential.</li> <li>• For Sustainability, NFWP-SU should run without interference from State Governments in the day –to-day running of the affairs. and The sustainability of the project may not be guaranteed if successive government does not favour the project.</li> <li>• Objective criteria shall be used in selecting priority sites</li> <li>● Land is very important to the people as such will support the project in gaining back land that is useable which had been taken over by desertification and degradation earlier.</li> <li>● In the course of civil works members of the host community should be given priority to assist main contractors and communities themselves should be allowed to monitor the adequacy (quality) of works in the NFWP-SU project in their domain</li> <li>● Ensure use of competent and qualified contractors, especially in the construction works at the various sites.</li> <li>● Though resettlement and compensation issues are noted in the development work of our various governments, it is not as comprehensive like the resettlement policy framework of the World Bank and as such the Government shall be made to adhere to that of the World Bank, otherwise compensation may not get to PAPs.</li> <li>● Any irregularity in the compensation system such as disfranchisement or denial of rights and elite capture will likely cause conflict.</li> <li>● PAPs should be compensated before work starts at the various sites</li> <li>● Inform project affected communities about GBV risks through a dedicated communications campaign.</li> <li>● Define and reinforce GBV requirements in procurement processes and contracts.</li> <li>● Training throughout the life cycle of the project, thus a Stakeholder Engagement Plan of the project should be drawn up</li> <li>● Create an effective GRM with multiple channels to initiate receive complaint. This should have specific procedures for GBV cases reported confidentially with safe and ethical documenting. A parallel GRM for substantial and High-risk projects can also be created for lodging complaints.</li> </ul>
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#### **8.4 Mechanism for Future Engagement/Consultation of PAPs**

PAPs shall be consulted via the use of the existing recognized traditional structures in which consultation is conducted through the village/community leadership. This means of engagement is

widely acceptable and an effortless way to reach all the groups in the community based on the existing traditional governance structure. The use of social gatherings such as Women Associations, Village Meeting Structure, Cooperative Groups, Churches and Mosques will be important for dissemination of information to PAPs, and finally, there is the need to segment consultations into smaller targeted groups. This is premised at giving a voice to less advantaged groups, minority settlers and groups in the resettlement planning. To do this effectively, the attendance records of the various groups having phone numbers and contacts will be used to call or reach out to PAPs, including coordinating them for group meetings as and when necessary.

### 8.5 Tools for Consultation of Stakeholders

Depending on the target stakeholder and objective of consultation at any point, one or a combination of the following tools should be used.

Stakeholder	Consultation Tools
Project affected persons and groups <ul style="list-style-type: none"> <li>• Livestock Farmer groups</li> <li>• Traders</li> <li>• Land owners, tenants, squatters</li> <li>• Herdsmen</li> <li>• Vulnerable group/women</li> <li>• Crop Farmers</li> </ul>	Focus group discussions, questionnaire, worship centres, community town hall meetings, Print materials, texting by phone
Government Agencies/Ministries, Contractors	Phone calls, e-mails, visit, meetings, electronic media

### 8.6 Disclosure Requirements

As a standard practice, the Project safeguard documents including RPF and RAP/s released for disclosure are accompanied by making available the registers of comments and suggestions from the public that are subsequently documented by the SPCU in a formal manner. SPCU will continue applying the similar approach to disclosure for any additional safeguard appraisal materials that will be prepared as part of the project development.

The RPF and RAP will be disclosed in compliance with relevant Nigerian regulations and the World Bank operational policy. It will be disclosed in-country at designated centres such as Ministry of Agriculture and Rural Development, Federal Ministry of Environment, State Ministry of Land and Survey, State Ministry of Environment, other stakeholders in the nineteen states of northern Nigeria and at strategic locations in the affected communities. It will also be disclosed in 2 daily newspapers for 21 days as required by the Nigerian extant laws. Electronic copies of the safeguard documents will



be placed on the project website and also, the World Bank will disclose the document on its website. This will allow stakeholders with access to Internet to view information about the planned development and to initiate their involvement in the public consultation process. The website will be equipped with an on-line feedback feature that will enable readers to leave their comments in relation to the disclosed materials.

The mechanisms which will be used for facilitating input from stakeholders will include press releases and announcements in the media, notifications of the aforementioned disclosed materials to local, regional and national NGOs as well as other interested parties.

## CHAPTER NINE

### RAP FUNDING, COORDINATION AND IMPLEMENTATION ARRANGEMENT

#### 9.1 Funding Arrangement

In line with the legal framework of the RPF, compensation and resettlement assistance will be paid by the various SPCU from their counter-part fund to all categories of eligible PAPs. At this preparatory stage, sub-project specific locations are currently unknown. In view of the above, reliable estimates of the number of potential project-affected persons and budget are not possible to be determined. However, final Resettlement cost estimates and budget will consider items covered in the following matrix:

**Table 9.1: Resettlement Cost Estimation**

Resettlement and Compensation cost	<ul style="list-style-type: none"> <li>● Cost of census and survey of PAPs and inventory of assets</li> <li>● Cost of information and consultation</li> <li>● Compensation for lost assets (land, structures etc.)</li> <li>● Cost of replacement land</li> <li>● Cost of preparation of replacement farmland</li> </ul>
Relocation and transfer	<ul style="list-style-type: none"> <li>● Cost of moving and transporting movable items</li> <li>● Cost of replacement housing</li> <li>● Cost of site and infrastructure development services</li> <li>● Subsistence allowance during transition</li> <li>● Cost of replacement businesses and downtime</li> </ul>
Income restoration plan	<ul style="list-style-type: none"> <li>● Cost estimates for income restoration plans (e.g. training, small business, community enterprise, etc.)</li> <li>● Cost of incremental services (extension, health, education)</li> <li>● Environmental enhancement package (forestry, soil conservation, grazing land etc.)</li> </ul>
Administration costs	<ul style="list-style-type: none"> <li>● Physical facilities (office space, staff housing, etc.)</li> <li>● Transport/vehicles, materials</li> <li>● Disclosures</li> <li>● Operational staff (managerial, technical) and support staff</li> <li>● Training and monitoring</li> <li>● Technical assistance</li> <li>● Evaluation by independent agency</li> </ul>

	<ul style="list-style-type: none"> <li>• Grievance Redress Mechanism</li> <li>• Implementation costs</li> </ul>
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Since the specific sites and sub-projects are not yet determined, this RPF refers only to an estimated number of PAPs. Because costs of resettlement and compensation are based on technical designs and results of scoping, it is not possible at this stage to produce a detailed budget for RAP implementation. An indicative RAP budget outline is presented below.

Table 9.2: Indicative Outline of a RAP Budget

Asset acquisition	Amount or number	Total estimated cost	Agency responsible
Land			
Structure			
Crops and economic tress			
Community infrastructure			
<b>Land Acquisition and Preparation</b>			
Land			
Structures			
Crops areas and others			
Community infrastructure			
<b>Relocations</b>			
Transfer of possessions			
Installation costs			
<b>Economic Rehabilitation</b>			
Training			
Capital Investments			
Technical Assistance			
Monitoring			
Contingency			

Table 9.3: Cost Assumptions

#	Item	Costs	Assumptions
1	Compensation for loss of Land	/hectare	For land acquisition purposes, based on Ghanaian average market cost, or from similar projects
2	Compensation for loss of Crops	/hectare of farm lost	Includes costs of labor invested and average of highest price of staple food crops and Ghanaian market Prices
3	Compensation for loss of access to pastoralists	If applicable	Those affected would be provided with shared access, or alternate routes (decision agreed through consultation and participation of all)
4	Compensation for loss of access to fishing resources.	If applicable	Data provided from the revised socio-economic study will determine market values of catch, fish products etc.
5	Compensation for Buildings and Structures	If applicable	This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage.
6	Compensation for Trees	/year/tree	Includes costs of labor invested and average of highest price of trees (and tree products) and Ghanaian market prices
7	Cost of Relocation Assistance/Expenses	/household	This cost reflects the moving and transportation Allowance
8	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita in Nigeria
9	Cost of Restoration of Household Income		These costs reflect the livelihood restoration program of the RAP
10	Cost of Training Farmers, pastoralists and other PAPs		This is a mitigation measure involving capacity building and involves PAPs and affected communities

## 9.2. Coordination and Implementation of RPF and other Resettlement Matters

The implementation of this RPF would require a multi sector operation with lead coordination role resting upon the FMoWA. The FPCU in the FMWA will be responsible for the overall coordination of the Project and will also implement selected Project activities at the federal level. The FPCU will coordinate Project implementation and performance monitoring using the PIM and will be responsible for communication with the World Bank and other partners. Project activities in participating states will be supervised and coordinated by the SPCU and implemented by the WFs. There shall be a project

coordination desk at the selected LGAs. This LGA coordination shall ensure supervision and monitoring of safeguards and report to the Social Safeguard Officer at the SPCU.

Specific roles of the various institutions and MDAs in the implementation of the RPF and the subsequent RAPs are as specified in the table below:

**Table 9.4: Institutions and their Social Safeguard Responsibilities**

<b>Category</b>	<b>Roles &amp; Responsibilities</b>
Federal Project Coordinating Unit (FPCU)	<ul style="list-style-type: none"> <li>• Preparation of RPF that meets the requirement of the World Bank</li> <li>• Responsible for setting up a Social Safeguard Unit with well trained Social Safeguard Specialist who will have the overall responsibility of providing technical assistance to the SPCUs such as review of TOR and RAP reports and implementation of this RPF.</li> <li>• Ensuring that State agencies adhere to the ESS5 guideline of the Bank</li> </ul>
Federal Government MDAs (Federal Ministry of Environment)	<ul style="list-style-type: none"> <li>• Provide Policy Guidance, Ministerial Coordination and Institutional Changes regarding Environmental &amp; Social issues of the project through the steering committee</li> <li>• Ensure that the disclosure policy of the government of Nigeria is adhered to by the project.</li> </ul>
State Ministry of Lands, Survey and Urban Development,	<ul style="list-style-type: none"> <li>• Provide project related policy decisions and guidance regarding land acquisition and compensation</li> <li>• Ensuring compliance at State Level, on matters of Land Acquisition and compensation and other resettlement issues</li> <li>• Set up a functional Safeguards Unit in the SPCU</li> </ul>
SPCU Safeguards Unit	<ul style="list-style-type: none"> <li>• Responsible for preparation of ToR for RAP</li> <li>• Review all RAPs documents prepared by consultants and ensure adequacy under the World Bank Environmental and Social Standards.</li> <li>• Ensures that the beneficiaries comply with social safeguard guidelines given in this RPF</li> <li>• Prepare compliance reports with statutory requirements;</li> <li>• Ensure that PAPs are compensated and carried along in line with this RPF</li> <li>• Review and approve the Contractor's Implementation Plan for the environment</li> <li>• Liaise with various Central and State Government agencies on environmental, resettlement and other regulatory matters;</li> </ul>
World Bank	<ul style="list-style-type: none"> <li>• Assess and monitor implementation process of the RPF/RAP</li> <li>• Review and clearance of ToR for RAP</li> <li>• Responsible for disclosure of RPF/ARAP on the Bank's external website</li> <li>• Responsible for final review and clearance of RPF/RAP</li> </ul>
Local government	<ul style="list-style-type: none"> <li>• Liaising with the SPCU to set up LGA Implementation Units and Ward Facilitation Teams, which shall be responsible for ensuring participation of community and PAPs in resettlement implementation process</li> </ul>

Category	Roles & Responsibilities
	<ul style="list-style-type: none"> <li>The LG will also be responsible for verifying adequacy of resettlement location and provide approval for such sites, providing additional resettlement area if the designated locations are not adequate, provide necessary infrastructures in relocated areas, engage and encourage carrying out comprehensive and practical awareness campaign for the proposed sub-projects, amongst the various relevant grass roots interest groups.</li> <li>The Local Government Council must be fully briefed and enlightened in the process and steps to be taken in the RPF/ARAP and the overall project execution.</li> </ul>
NGOs/CSOs	<ul style="list-style-type: none"> <li>Assisting in their respective ways to ensure effective response actions, conducting scientific researches alongside government groups to evolve and devise sustainable environmental strategies and livelihood restoration measures.</li> <li>Organizing, coordinating and ensuring safe use of volunteers in a response action, and actually identifying where these volunteers can best render services effectively</li> <li>Providing wide support assistance helpful in management planning, institutional/governance issues and other livelihood related matter, Project impacts and mitigation measure, Awareness campaigns.</li> </ul>
Grievance Redress Committee	Responsible for receiving, registration, verification and processing of grievances and complaints related to the project, including giving feedback to aggrieved persons and the project management.

### 9.3 Resettlement Activities and Implementation

A detailed, time-bound implementation schedule will be included in each RAP, which will include the specification of the sequence and time frame of the necessary activities for land acquisition, release of funds to the acquiring agency, payment of compensation for various categories of loss and relocation, demolition of structures and transfer of land, grievance redress, and monitoring and evaluation. Table 9.5 presents the resettlement activities and responsible party details.

**Table 9.5: Resettlement Activities and Responsible Party**

NO	ACTIVITY	RESPONSIBLE PARTY
1	Liaising with World Bank/Project Supporters	PCU
2	Coordination of Activities	PCU
3	Preparation and Disclosure of RPF	PCU/World Bank
4	Selection of Sub-Projects	PCU, communities, NGOs/CBOs, World Bank
5	Selection of sub-project sites	PCU/Relevant MDAs/World Bank
6	Vetting of request for compulsory acquisition of land, Oversight of land expropriation and land issuance of titles to resettled PAPs.	Ministry of Lands, Ministry of Physical Planning and Urban Development and Ministry of Environment

7	Social Impact studies (conduct social impact assessment and property impact studies)	PCU through Resettlement Consultant
8	Identify vulnerable people when developing RAPs and ARPs	PCU through Resettlement Consultant
9	1. Marking of affected properties, Inventory of affected properties, Notifications, Request for proof of eligibility, - Consultations	PCU and Local Government Authority
10	Valuation of Affected Properties	Ministry of Physical Planning and Urban Development, PCU
11	Organize and implement census of affected people and census and valuation of affected assets in the framework of the development of ARAP or ARAP	PCU through Resettlement Consultant
12	Consultations, planning and Preparation of RAP	PCU/Consultants
13	Review of RAPs and ARAPs	PCU and World Bank
14	Disclosure of RAP	PCU/World Bank
15	Internal Monitoring	PCU
16	External Monitoring and Approval	FMEEnv, SMOE, NGOs/CBOs, Communities, World Bank
17	Preparation of Monitoring and Evaluation Report of RAP and Disclosure	PCU
18	Establishing of Resettlement & Rehabilitation Committees - Utilities Committee to conduct an inventory of properties with utility services - Grievance Committee establish procedures for dispute resolutions - Payment Committee establish payment modalities	PCU, Ministries of Lands and Survey, Physical Planning and Urban Development/Land and Allocation Committees, Ministry of Women Affairs and Poverty Alleviation, Ministry of Agriculture
19	Disclosure of values. Making of offers Processing for payments	PCU/ Resettlement & Rehabilitation Committees /Ministry of Finance
20	Release of funds for payment	Ministry of Finance, PCU
21	Compensation Payments	Payment Committee (PCU/Resettlement Committees, Ministry of Women Affairs and Poverty Alleviation)
22	Grievance and dispute resolutions	Grievance Committee (PCU/Ministry of Justice/Ministry of Lands/Resettlement & Rehabilitation Committee)
23	Taking possession of site	PCU
24	Representing government for any law court redress cases	PCU, State Attorney General's Office

## 9.4 Capacity Need and Training

RPF and RAP preparation process and implementation are a high skilled area that requires trained and experienced experts. The capacity screening exercise carried out for this RPF shows that SPCU has some level of experience in Safeguard implementation from previous NFWP but that is limited to the six pioneer states. The new states joining the project may not have benefitted from capacity building in World Bank funded projects. More importantly, since the World Bank has transformed from the Operational Policies to the Environmental and Social Standards, there is the need to educate the safeguard officers about the applications of the standards.

The environmental and social safeguards training will help ensure that the requirements of the ESSs and subsequent social safeguard are clearly understood and followed by all project personnel throughout the project period. The SPCU will ensure, in collaboration with the FPCU that these training are provided to all Project personnel. The social training program will be finalized before the commencement of the project. The scope of the training will cover general environmental and social awareness and the requirements of the 6 applicable ESS5. A training program is proposed below which can be realigned based on the needs.

Table 9.6: Training /Capacity Building Target

Contents	Participants	Responsibility	Schedule
Introduction to World Bank ESF	FPCU, SPCU, implementing agency and contractors	World Bank and NFWP-SU	Prior to the start of the Project activities
ESF guidelines and RPF	FPCU, SPCU implementing agency and contractors	NFWP-SU with support of WB Safeguard Team	Prior to the start of the Project activities
Screening method, social survey procedure and RAP preparation	Selected NFWP-SU staff, Consulting firm/NGO	FPCU/SPCU/ safeguard specialist	Prior to the start of the Project activities
Training on ESS2, ESS10 and ESS5	FPCU, SPCU, selected contractors' crew	FPCU	Prior to the start of the field activities
Preparation and review of RPF and RAP	PMU, SPCU, Design, Monitoring and supervision consultant	FPCU	Prior to the start of the field activities
Grievance Mechanism and handling procedure	Contractors, SPCU consulting firms/NGO, Construction crew	FPCU	Prior to the start of the construction activities
Internal and External Monitoring procedures and reporting	SPCU, Consulting firms, Contractors	FPCU	Before and during the construction activities



Nigerian extant laws on land acquisition, resettlement and compensation	SPCU, Consulting firms, Contractors	FPCU	Prior and during the construction activities
Training on RAP implementation for the PMU	SPCU, Livelihood Specialist, Consulting firms, NGOs	FPCU	Prior to the start of civil construction activities

## CHAPTER TEN

### MONITORING AND EVALUATION

#### 10.1 Introduction

Monitoring and evaluation are intended to help ensure that the resettlement action plan is prepared and implemented according to the resettlement policy framework. This will be a continuous process in the implementation of this RPF and the subsequent ARAPs/RAPs and will include internal and external monitoring. The objective of M&E is to assess the performance of the RAP and to identify early gaps and issues that the mitigation measures described in the plan are not able to address with a view to providing remedial measures to forestall a setback to project success.

The safeguards officer in the SPCUs shall play a key role in reporting compliance and the progress of implementation to the SPCU, FPCU and the World Bank. The RPF underscores the importance of monitoring and evaluation of the sub projects under the Project. It also highlights mechanisms for internal and external monitoring which are described below.

#### 10.2 Internal Monitoring

During project preparation, and as part of the RAP, NFWP-SU will develop a monitoring and reporting framework for resettlement activities. Central to this framework are the census of PAPs and the inventory of assets that constituted the basis for the agreed RAP. For those areas with minor resettlement, the SPCU Safeguard section will report at least quarterly on the implementation schedule, delivery and usage of any resettlement compensation, relocation of marketers and transporters, and their pre- and post-move sales, extent of community involvement and efficiency of resettlement agencies in fulfilling their obligations.

In the areas where a RAP or ARAP is required because of land acquisition or significant numbers of displaced persons, the Social Safeguards Officer will provide a quarterly progress report on the various resettlement activities. The report will provide detailed explanation of resettlement progress, fund allocation, and issues and problems arising, as well as solutions devised, during implementation. In addition, the report which shall be in a tabular format will have comparisons on the following:

- a. Estimated and actual extent of compensation delivered
- b. The number of structures demolished
- c. The number of new homes, shops, market stalls and other required structures built and all other matters deemed pertinent for facilitating resettlement and project progress.
- d. Number. of sub-projects requiring preparation of a RAP;
- e. Number of households, and number of individuals (women, men and children) and number of identified vulnerable PAPs, physically or economically displaced by each sub-project;
- f. Length of time from sub-project identification to payment of compensation to PAPs;
- g. Timing of compensation in relation to commencement of physical works;
- h. Amounts of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);
- i. Number of people raising grievances in relation to each sub-project;
- j. Number of unresolved grievances
- k. Improvements in livelihoods and well-being of PAPs.

### **10.3 External/Independent Monitoring**

External monitoring will entail the engagement of an independent firm/consultant in the audit of the adherence and effectiveness of safeguards implementation by the SPCU. The purpose of independent monitoring of RAP/ARAP is to provide verification of key concerns in resettlement, such as compliance with resettlement policies, implementation progress, the extent of effective consultation and participation of local populations, and the direction and extent of changes of income and livelihood among displaced persons.

The SPCUs will engage an independent firm or consultant to conduct this periodic external assessment of resettlement progress. The SPCU will develop a detailed monitoring work plan for the terms of reference, based on the resettlement plan submitted to and approved by the World Bank. The SPCU will review and approve the questionnaire and inventory forms developed by the consultant, as well as the research methods, analytic techniques, and reporting formats proposed by the consultant or firm.

The following activities are the standard functions of the external monitors:

- a. Verification of internal reports, by field check
- b. Interview a random sample of PAPs in open-ended discussions to assess their knowledge and concerns regarding the resettlement process, their entitlements and rehabilitation measures.
- c. Observe the functioning of the resettlement operation at all levels to assess effectiveness and compliance with the RAP.
- d. Check the type of grievance issues and the functioning of grievance redress mechanisms by reviewing processing of appeals at all levels and interviewing aggrieved PAPs.
- e. Survey the standards of living of the PAPs (and that of an unaffected control group where feasible) before and after implementation of resettlement to assess whether the standards of living of the PAPs have improved or been maintained.
- f. Advise project management unit regarding possible improvements in the implementation of the RAP.

#### **10.4 Monitoring and Evaluation Indicators**

Several objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social well-being. The establishment of appropriate indicators in the RAPs/ARAPs is essential since what is measured is what will be considered important. Indicators will be created for affected people, for key stakeholder groups, and for special categories of affected groups such as women headed households, disable persons, marginalized persons etc.

The following key indicators will be monitored periodically by SPCUs.

1. **Input** indicators include the resources in terms of people, equipment and materials that go into the RP. Examples of input indicators in the RAP include: the sources and amounts of funding for various RP activities; and the establishment of the Land Acquisition Team.
2. **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 RP include: the creation of grievance mechanisms; the establishment of stakeholder channels so that they can participate in RAP implementation; and, information dissemination activities.
3. **Output** indicators concern the activities and services, which are produced with the inputs. Examples of output indicators in the RP include a database for tracking individual plot compensation; and the payment of compensation for loss of land or assets.

The monitoring indicators to be used for different RAPs are developed to respond to specific site conditions, however, Table 10.1 shows the different monitoring aspects and their potential indicators.

Table 10.1: Process of monitoring of projects

S/NO	Monitoring Aspects	Potential Indicators
1.	Delivery of Entitlements	<ul style="list-style-type: none"> <li>• Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.</li> <li>• Disbursements against timelines.</li> <li>• Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps, been included.</li> <li>• Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule.</li> <li>• Documented evidence of land donation</li> <li>• Documented evidence of land acquisition completed with transfer of title</li> <li>• Documented evidence of land requisition/rented</li> <li>• Percentage of compensation paid for land acquisition/requisition or rented</li> <li>• Restoration of social infrastructure and services.</li> <li>• Affected businesses receiving entitlements, including transfer and payments for net losses resulting from lost business.</li> </ul>
2.	<b>Consultation</b>	<ul style="list-style-type: none"> <li>• Strategy for consultation and information disclosure is prepared</li> <li>• Consultations organized as scheduled</li> <li>• Project information's are disclosed</li> <li>• Affected, interested, disadvantage and vulnerable groups are identified</li> <li>• views of disadvantage and vulnerable groups are considered during designing the entitlement and special measures are taken</li> <li>• Schedules are planned for the various stakeholder engagement activities</li> <li>• Knowledge of entitlements by the relevant stakeholders including project affected people</li> <li>• If tribal people are affected, separate consultation has to be conducted with them</li> </ul>
3.	<b>Grievances</b>	<ul style="list-style-type: none"> <li>• Operationalization of the grievance redress mechanism proposed with RPF.</li> <li>• Operationalization of the GRM for labor and GBV</li> <li>• Information on the resolution of the grievances</li> <li>• Process by which people affected by the project can voice their grievances and concerns</li> <li>• Process to document complaints and concerns</li> <li>• Grievance recording (e.g. MIS, grievance log book</li> <li>• Stipulated timeframes for acknowledgement and resolution of complaints</li> <li>• Awareness raising, or communications efforts to inform stakeholders about the GM</li> <li>• Appeals process</li> <li>• Provisions to analyze complains and share feedback with management</li> <li>• GM reports published and frequency</li> </ul>

	<b>Communication and Participation</b>	<ul style="list-style-type: none"> <li>• Number of general meetings (for both men and women).</li> <li>• Percentage of women out of total participants.</li> <li>• Number of meetings exclusively with vulnerable groups.</li> <li>• Number of meetings at new sites.</li> <li>• Level of participation in meetings (of women, men, and vulnerable groups).</li> <li>• Number of meetings between hosts and the displaced persons.</li> <li>• Level of participation in meetings (of women, men, and vulnerable groups).</li> <li>• Level of information communicated—adequate or inadequate.</li> <li>• Translation of information disclosure in the local languages.</li> <li>• Information disclosure.</li> </ul>
	<b>Budget and Time Frames</b>	<ul style="list-style-type: none"> <li>• Social Safeguard Specialist/expert appointed and mobilized on schedule for the field and office work.</li> <li>• Capacity building and training activities completed on schedule.</li> <li>• Achieving resettlement implementation activities against the agreed implementation plan.</li> <li>• Funds allocation for resettlement to implementing agencies on time.</li> <li>• Receipt of scheduled funds by resettlement offices.</li> <li>• Funds disbursement according to the resettlement action plan.</li> <li>• Social preparation phase as per schedule.</li> </ul>
	<b>Livelihood Income and Restoration</b>	<ul style="list-style-type: none"> <li>• Types of training and number of participants in each.</li> <li>• Number of displaced persons who have restored their income and livelihood patterns (women, men, and vulnerable groups).</li> <li>• Number of new employment activities.</li> <li>• Extent of participation in rehabilitation programs.</li> <li>• Degree of satisfaction with support received for livelihood programs/activities.</li> <li>• Percentage of displaced persons who improved their income (women, men, and vulnerable groups)</li> <li>• Percentage of displaced persons who improved their standard of living (women, men, and vulnerable groups)</li> <li>• Number of displaced persons with replacement agriculture land (women, men, and vulnerable groups)</li> <li>• Quantity of land owned/contracted by displaced persons (women, men and vulnerable groups)</li> </ul>
	<b>Voluntary Donation</b>	<ul style="list-style-type: none"> <li>• Progress on the process of providing official documentation to those who donated land of their landholding post-donation. In cases where the subproject is classified as B and involves voluntary donation, the voluntary donation report will be attached to the resettlement action plan.</li> </ul>

Table 10.2 outlines indicators to monitor and evaluate the implementation of resettlement and compensation plans.



Table 10.2: Indicators to monitor and evaluate the implementation of resettlement and compensation plans.

Monitoring Indicators	Evaluation Indicators
1. Outstanding Compensation or Resettlement Contracts not completed before next agricultural season	1. Outstanding individual compensation or resettlement contracts
2. Communities unable to set village-level compensation after two years	2. Outstanding village compensation contracts
3. Grievances recognized as legitimate out of all complaints lodged.	3. All legitimate grievances rectified
4. Pre- project production and income (year before land used) versus present production and income of resettlers, off- farm-income trainees, and users of improved mining or agricultural techniques.	4. Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
5. Pre-project production versus present production (crop for crop, land for land)	5. Equal or improved production household
6. Pre-project income of vulnerable individuals identified versus present income of vulnerable groups.	6. Higher income of vulnerable individuals indicates efficient project performance.

### 10.5 Annual Audit

The annual audit of RPF implementation will include:

- A summary of the performance of each sub-project vis-à-vis its RAP;
- A summary of compliance and progress in implementation of the process frameworks;
- A presentation of compliance and progress in the implementation of the RPF.
- Assess whether resettlement objectives have been met; specifically, whether livelihood and living standards have been restored or enhanced;
- Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lesson for future resettlement activities and recommending correction in the implementation;
- Ascertain whether the resettlement entitlement were appropriate to meeting the objectives and whether the objectives were suited to PAPs conditions
- Annual audit reports will be submitted for scrutiny to World Bank

### 10.6 Completion Audit

An audit will be carried out to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed according to the timetable in the RAP. This completion audit will verify that all physical inputs earmarked in the RAP have been delivered and



all services provided. The audit will also evaluate if the mitigation actions prescribed in the RAP have had the desired effect. The baseline conditions of the affected parties before the relocation will be used as a measure against their socio-economic status after the resettlement. The audit will verify results of internal monitoring and assess whether resettlement objectives have been met irrespective of whether livelihood and living standards have been restored or enhanced.

The audit will also assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement activities and recommending corrections in the implementation. Finally, the audit will ascertain whether the resettlement entitlements were appropriate to meeting the objectives and whether the objectives were suited to PAPs conditions.

To be effective, the completion audit will take place after all RAP activities have been completed including development initiatives, but before the completion of financial commitments to the programme. This will allow for flexibility to undertake any corrective action that the auditors may recommend before the project is completed. Completion audits typically take place three to five years after resettlement impacts and might need to be repeated three years after to inform whether the suggested corrective actions were successful.

Reference documents for the Completion Audit are the following:

- Resettlement Policy Framework.
- The socio-economic baseline relevant to the component-specific RAP.
- Resettlement Action Plans.

The Completion Audit has the following specific objectives:

- General assessment of the implementation of the RAP against the objectives and methods set forth in the RAP.
- Assessment of compliance of implementation with applicable international policies.
- Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented.
- Evaluation of the impact of the compensation and resettlement program on livelihood restoration, measured through income, employment, assets (e.g. land, houses, businesses, livestock), productivity of land and crop yields, health, education and access to services, social and cultural factors, with an emphasis on the requirement that PAPs be left no worse off, and ideally better off, as a result of displacement.

- Identification of potential corrective actions necessary to mitigate the negative impacts of the program, if any, and to enhance its positive impacts.

#### **10.7: General Recommendations for NFWP-SU**

- 1) Integrate Gender Based Violence (GBV) risk management in project's ESMP and Contractors' ESMP (c-ESMP).
- 2) Inform project affected communities about GBV risks through a dedicated communications campaign
- 3) Conduct GBV service mapping in the project area for effective referral and response. This coordination will be aimed at minimizing duplication of efforts since these data already exist and fostering greater coherence of approaches and programmes
- 4) Strengthen NEWMAP capacity to prevent and respond to GBV in the project
- 5) Hire a GBV specialist on the NFWP-SU project
- 6) Define and reinforce GBV requirements in procurement processes and contracts
- 7) Separate toilet and shower facilities for men and women and add GBV-free signage at the project site
- 8) GBV risks must be evaluated and updated throughout the project life cycle
- 9) Training throughout the life cycle of the project, thus a Stakeholder Engagement Plan of the project should be drawn up
- 10) Create an effective GRM with multiple channels to initiate complaint. This should have specific procedures for GBV cases confidentiality reporting with safe and ethical documenting. A parallel GRM for substantial and High-risk projects can also be created for lodging complaints

## APPENDICES

### Appendix 1: Terms of Reference

#### FEDERAL REPUBLIC OF NIGERIA

#### NIGERIA FOR WOMEN SCALEUP PROJECT

#### TERMS OF REFERENCE FOR THE PREPARATION OF A RESETTLEMENT POLICY FRAMEWORK

##### 1.0 BACKGROUND

The World Bank is supporting the Federal Government of Nigeria (FGN) to implement the Nigeria for Women Scale-Up Project aimed at addressing inequalities in women's access to jobs and control over productive assets through the platform of Women Affinity Groups (WAGs). The proposed project will build on the FGN's policies and programs that support women's economic empowerment, leveraging partnerships, particularly with the private sector and creating an enabling environment for women to overcome institutional failures (including market) and barriers to enhancing productive livelihoods and socioeconomic advancement in personal, technical, financial and entrepreneurial skills.

The first phase of the project is currently implemented in Abia, Akwa Ibom, Kebbi, Niger, Ogun, Taraba states and is to be scaled-up covering more states in the country

##### 2.0 PROJECT COMPONENTS

As currently designed, the project has four primary components:

###### **Component 1: Building Social Capital**

This component aims to build critical social capital to improve livelihoods and enhance economic productivity and of project beneficiaries through supporting the mobilization and establishment of Women Affinity Groups (WAGs) at the grassroots level. To this end, beneficiaries will be mobilized to organize into WAGs, which will operate as self-managed primary institutions, putting in place the necessary institutional platforms at the community level and their aggregation at higher levels. WAGs are intended to support the establishment of producer/livelihood collectives to achieve economies of scale, create larger business networks, facilitate forward and backward linkages along prioritized commodity value chains, and lower and/or reduce women's market entry barriers.

The component will support (i) community mobilization for behavioral change of social norms, including state and local authorities, traditional and religious leaders, and other informal institutions; (ii) formation and strengthening of WAGs, bringing together women with similar socio-economic characteristics interested in improving their engagement in economic activities; (iii) skills formation on group management to practice regular meetings, and up-to-date books of accounts; financial literacy; and advocacy, life and negotiation skills.

## **Component 2: Livelihoods Programme**

This component aims to provide the technical and financial capital necessary to enable members of WAGs to develop and expand productive livelihood activities in traditional and non-traditional sectors. For this, gender-sensitive value chain analyses of priority commodities will be conducted in project States for identifying (i) specific economic sectors in which women are already engaged or could easily engage like in agriculture, animal husbandry, trade and enterprise development, and agro-processing; (ii) potential entry-points for women along the value chain in prioritized sectors; and (iii) the requirement of inputs in terms of skills and capacity, information technology and tools, and capital to improve their participation and productivity. The component will provide support to community institution members under the two following subcomponents:

### ***Subcomponent 2.1: Support to Individual Livelihoods***

Based on gender-value chain and market assessments, the subcomponent will support two key livelihood categories:

- i For existing livelihoods, the subcomponent will support (a) mobilization and selection of livelihood beneficiaries, formation of Women Affinity Groups wherever appropriate, and strengthening capacities of existing and new livelihood activities for accessing input and output markets; (b) deepening livelihoods and business management skills; (c) improved production through access to input and output markets, technology and equipment, access to storage and processing infrastructure; and (d) facilitation of backward and forward linkages for small producers, processors and retailers within the value chain. Support will be tailored according to the specific opportunities for women's livelihoods in project states.
- ii For areas with high potential for new livelihood opportunities, the subcomponent will support enhanced skills for increased employability, enterprise development, promotion of other income-generating activities in non-agricultural sectors based on market skills and gaps assessments which will determine the skill-enhancement training, employment, and/or entrepreneurship development that will allow women to take advantage of these opportunities.

This subcomponent will build upon successful and innovative approaches to livelihoods, business, entrepreneurship, and life skills formation, including the adoption of applied, hands-on methodologies.

### ***Subcomponent 2.2: Support to Livelihood Collectives***

In line with the phased approach of the project, the WAGs that attain the defined level of institutional maturity will have access to grants to meet both consumption and production needs of members. This subcomponent will build upon the support provided under component 1 on group and money management, ensuring that WAGs and their members are prepared to absorb these funds in the most efficient manner. Activities under this component aim to support existing or new livelihood collectives 1 by supporting the aggregation and creation of scaled-up livelihood enterprises among members of WAGs, including those who have been supported with livelihood grants under Subcomponent 2.1. In doing so, the project will include the provision of grants to support business plans of livelihood collectives, either start-up activities such as training and exposure visits, incorporation, office setup; some initial operational costs; and/or business promotion to support collective livelihoods directly. This includes support in the form of storage facilities, drying yards, higher-volume weighing scales, an automated system for management and standardization of production, packaging, inventory or accounting, and likewise.

## **Component 3: Innovations and Partnerships**

This component will support innovations in social and economic spheres to further women's livelihood outcomes. The identification of these innovations will be through a development marketplace approach which will invite proposals from individuals, CSOs, and private sector to propose interventions that would address particular binding constraints women face in their socio-economic empowerment and in particular access to livelihoods, which can then be scaled up. While this component, as well as the overall project, is focused on addressing demand-side barriers to economic empowerment, this

component will support innovative approaches aimed at addressing supply-side barriers, including those for access to financial services as well as to improve effective project implementation.

#### **Component 4: Project Management, Monitoring and Evaluation and Learning**

This component aims to support the socio-economic empowerment of women by supporting the advancement of policy dialogue, strengthening the capacity of implementing partners to provide adequate technical assistance to project beneficiaries, support gender mainstreaming, and ensuring adequate overall project co-ordination and implementation arrangements at the Federal, State and Community levels. Oversight in the areas of financial management, procurement, social and environmental safeguards management, and Monitoring and Evaluation will be supported.

### **RATIONALE AND OBJECTIVE OF THE ASSIGNMENT**

Undoubtedly, Nigeria for Women Scale-Up Project activities will lead to positive and negative impacts. By virtue of its design, the project will contribute to positive social outcomes relating, for example, to increase voice and agency, income generation, improved standard of living and provision of livelihood security for the overall populations in targeted areas. Project activities that may cause involuntary resettlement (acquisition of land, loss of access to and properties) are primarily under Component 2, not Components 1 and 4. As such, a Resettlement Policy Framework (RPF) will need to be prepared.

The objective of an RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of anticipated land acquisition and economic and physical involuntary resettlement. These arrangements are also to ensure that there is a systematic process for the various stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons.

The consultant is to develop the RPF taking into consideration the outlined objective and principles. This RPF will serve as the framework within which resettlement action plans will be developed when the project is certain of the locations and specific impacts of the project.

### **SPECIFIC REQUIREMENTS OF THE RPF**

Prior to project appraisal, there is need for the assessment of possible resettlement/displacement issues of the project at a broader level since specific location for implementation are not known at this stage. The RPF will provide technical guidance during project preparation.

The RPF will be prepared in line with the requirement of the ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement; and ESS10: Stakeholder Engagement and Information Disclosure. The RPF shall also refer to Government of Nigeria's legal and institutional requirements. Any identified gaps between these two requirements are to be clearly captured, explained how these gaps will be filled, which should take precedence over what and why.

### **SCOPE OF ASSIGNMENT**

The assignment by the consultant shall cover the following key areas as described in this TOR. Other areas considered relevant may be considered by the consultant so far as they add value to the outlined areas below.

#### **(i) Project Description**

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

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

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

(iii) ***Gap Analysis***

The Consultant shall spell out the World Bank's ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement and assess how this applies in the specific case of the Project. Attention should be paid and documented on the difference(s) between the Standard and Nigeria's laws and regulations on land acquisition if applicable; noting that where the differences are significant whichever policy is of a comparatively higher standard will apply.

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

The RPF shall conduct an initial social and economic survey on some selected states for the project activities required under the different components and subcomponents that are relevant to ESS 5. The survey shall cover issues on the social structure, economic activities, social characterization of potential affected persons, and the numbers likely to be involved, the different social institutions, social capital and mechanism for social cohesion. The RPF shall also explore and describe existing conflict resolution mechanism and potential for conflict situations that might arise in course of implementing the project. This information will serve as critical baseline data for a future RAP (to be reviewed as needed).

(v) ***Estimated Population, Displacement and Categories of Affected People***

This requires a record of the number of estimated people likely to be affected or displaced by the project activities as noted in the project component description above. The distinct categories may include those who may be losing temporary access to land or shift in livelihood due to the project. The RPF shall identify the right categories as per the impacts noted or expected.

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

The consultant shall determine the compensation type for the distinct categories, losses and affected persons. These may include persons affected by land take, rights of access to resources or properties like housing, and water sources, loss of livelihood, and loss of cultural properties (where it applies). The RPF shall take note of the multidimensional impact of the project and factor that into the analysis especially about different sites and different forms of social impacts. The consultant should determine the method for setting a cut-off date for eligibility for compensation and as a means for making this information (on cut-off date) reach the wider public. The RPF shall pay attention to the different forms of impacts because of the nature of the project and explore the relevant issues appropriately. The criteria for compensation should be as per national legal requirements and provisions, World Bank ESS 5, social sustainability and poverty reduction factors and fairness to avoid conflict and dissatisfaction. The section should also identify and document the unit of compensation that is whether individuals,

families or groups and indicate the scenarios or cases for the application of each unit of analysis or a combination of units where appropriate.

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

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

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

This section shall describe in detail the methods used in valuing those assets that will be eligible for compensation. This method shall be consistent with both national policy requirements and regulations and ESS5. This process should capture the methodology for taking of inventory of assets, values assigned and agreement reached with each identified PAP and consider inflationary realities in the final determination of values. It should also be clearly stated in the RPF a statement alluding to the possibility revised values should there be major discrepancies between dates for value determination and actual date for payments. The PAPs should have an opportunity to do their own valuation if they have doubts or misgivings through the facilitation of the project for further negotiations between the PAP(s) and the client. Valuing of assets should be a process of engagement with PAPs and not an imposition. The RPF shall demonstrate that the methods used for the exercise in its entirety were engaging and acceptable to all stakeholders. Issues of Voluntary Land Donation (VLD), and its procedure shall be described in details including the principles for VLD.

(ix) ***Organizational Arrangements and Procedures for Delivery of Entitlements***

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

(x) ***Methods for Consultation with and participation of Affected People***

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

(xi) ***Grievance Redress Mechanisms***

Under the grievance redress mechanism, the consultant shall describe the options available to PAPs for grievance redress they may have about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process. The RPF shall indicate how these would be disseminated and accessible to them clearly and comprehensible to the PAPs. The grievance redress mechanism should also have an in-built

monitoring mechanism to check on responsiveness to complaints or grievances lodged. The different forms of receiving the complaints should be clearly described together with the various stages of going through the process. In addition, the redress mechanism shall indicate alternatives, in case the proposed mechanism, for any reason, does not respond to all grievances and complaints.

*(xii) Budget and Funding Arrangements*

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

*(xiii) Monitoring Arrangements*

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

*(xiv) Implementation Schedule*

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

*(xv) Outline of Resettlement Policy Framework*

The Resettlement Policy Framework to be developed under this project will accord with Nigeria legislation and regulations and with ESS5.

The content should be presented in the following format:

- Executive Summary;
- A brief description of the project and components for which ESS5 is required;
- Principles and objectives governing resettlement policy framework;
- Assessment of estimated population displaced and likely categories of displaced persons, to the extent feasible;
- Eligibility criteria for defining various categories of displaced persons;
- Assessment and presentation of the legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- Methods of valuing affected assets;
- Organizational procedures for delivery of entitlements;
- Description of grievance redress mechanisms including mechanism for Voluntary Land Donation;



- Arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds and contingency arrangements;
- Mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- Arrangements for monitoring by the implementing agency and, if required, by independent monitors.

*(xvi) Template for the Design of Resettlement Action Plan*

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

**QUALIFICATIONS AND EXPERIENCE**

The consultant required for the preparation of the RPF will have at least 7 years of experience in the preparation of Social impact assessments and resettlement documents such as the RPFs and/or RAP instruments for World Bank assisted projects.

**REPORTING**

The Consultant will work closely with the project management unit within the FPCU

**DURATION OF THE ASSIGNMENT AND ESTIMATED STAFF INPUT**

The duration for preparing the RPF shall not exceed 4 Weeks. The Consultant shall prepare a detailed workplan for conducting the assignment after contract signing.

**DELIVERABLES**

The key output of the services is an RPF prepared based on the scope of work under this consultancy. The following report shall be submitted to the Federal Ministry of Women Affairs for the review and approval of the Ministry and the World Bank as detailed below:

Inception Report - Not later than one (1) week from contract award, an Inception Report shall be submitted that presents the Consultant’s Work Plan, defining the Implementation Schedule by task, and methodology should be submitted. This will include the table of content of the final report. Five (5) hard copies and one electronic copy shall be submitted

Draft Report - Not later than one (2) weeks from contract award, a draft report shall be submitted. This shall be circulated to the Ministry and the World Bank for review and comments. Issues and comments raised shall be incorporated in the draft final report. Five (5) hard copies and one electronic copy shall be submitted.

Draft Final Report – Not later than three (3) weeks after contract signing, a draft final report that addresses all comments raised at the draft stage shall be submitted. Five (5) hard copies and one electronic copy of this report shall be submitted. This version shall be consulted upon with relevant stakeholders prior to submission. The final version must contain an executive summary

Final RPF– Not later than four (4) weeks from contract signing, a final report which addresses all comments raised shall be submitted in ten (10) hard copies and one electronic copy.

## CONDUCT OF THE CONSULTANT

- The Consultant will, at all times, be expected to carry out the assignment with the highest degree of professionalism and integrity. The Consultant will be expected to conduct his/her duties in an open and transparent manner;
- The Consultant will not, under any circumstance, take any actions or be seen to be taking any actions, which may hinder or prevent the Nigeria for Women Scale up Project from executing this assignment;
- The Consultant will study all Nigeria for Women Scale up Project guidelines and policies and will be expected to ensure that the assignment is concluded with the strictest adherence to all such policies and regulations;
- The Consultant will not, under any circumstances, take any material decision pertinent to this assignment without the express permission and written consent of an authorized representative of Nigeria for Women Scale up Project; and
- The Consultant will not, under any circumstances, discuss, divulge or use any information regarding this assignment or any other transaction conducted as part of the FGN's Program, without the express written permission of an authorized representative of Nigeria for Women Scale up Project

## FEES AND REIMBURSABLE

Consultant fees and reimbursable (travel costs, organization of consultation meetings with key stakeholders) shall be included in the proposal/ Workplan.

The following milestone payment will be adopted:

Contract signing – 15%

Inception Report – 25%

Draft Report – 40%

Final Report – 20%

## Appendix 2: Elements Of Preparing a Resettlement Action Plan

### Reference: ESS5

6. Description of the project. General description of the project and identification of the project area.
7. Potential impacts. Identification of:(a)the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;(b)the zone of impact of such components or activities;(c)the scope and scale of land acquisition and impacts on structures and other fixed assets;(d)any project-imposed restrictions on use of, or access to, land or natural resources;(e)alternatives considered to avoid or minimize displacement and why those were rejected; and(f)the mechanisms established to minimize displacement, to the extent possible, during project implementation
8. Objectives .The main objectives of the resettlement program.
9. Census survey and baseline socioeconomic studies. The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be

affected by the project .The census survey also serves other essential functions: (a)identifying characteristics of displaced house-holds, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;(b)information on vulnerable groups or persons for whom special provisions may have to be made; (c)identifying public or community infrastructure, property or services that may be affected; (d)providing a basis for the design of, and budgeting for, the resettlement program;(e)in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and (f )establishing baseline conditions for monitoring and evaluation purposes

10. As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:(g)land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;(h)the patterns of social interaction in the affected communities, including social net-works and social support systems, and how they will be affected by the project; and(i)social and cultural characteristics of displaced communities, including a description of for-mal and informal institutions (e .g ., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities
11. Legal framework. The findings of an analysis of the legal framework, covering:(a)the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;(b)the applicable legal and administrative procedures, including a description of the rem-edies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;(c)laws and regulations relating to the agencies responsible for implementing resettlement activities; and(d)gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps .
6. Institutional framework. The findings of an analysis of the institutional framework covering:(a)the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;(b)an assessment of the institutional capacity of such agencies and NGOs/CSOs; and(c)any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation
7. Eligibility. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.
8. Valuation of and compensation for losses. The methodology to be used in valuing losses to deter-mine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. Community participation. Involvement of dis-placed persons (including host communities, where relevant):(a)a description of the strategy for consultation with, and participation of, displaced persons in he design and implementation of the resettlement activities;(b)a summary of the views expressed and how these views were taken into account in

preparing the resettlement plan;(c)a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and(d)institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented .

10. Implementation schedule. An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities .The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. Costs and budget. Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies .
12. Grievance redress mechanism. The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
13. Monitoring and evaluation. Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation .
14. Arrangements for adaptive management. The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes

### **Appendix 3: Screening Framework For Census Of Affected Assets And Affected Persons**

#### ***Annex 3.1: Affected Plot Sheet***

Reference:

Reference: .....

Location: - County: .....District: .....Town: .....

GPS Coordinates: .....Surface: ..... m<sup>2</sup>

Description of soil: .....

.....

.....

Perennial Crops:           1           Owner: .....

                                  2           Owner: .....

Annual Crops:            1           Owner: .....

                                  2           Owner: .....

Trees:                    1           Owner: .....

                                  2           Owner: .....

Structures:           Movable structures: .....           Owner: .....

                                  Immovable structures: .....           Owner: .....

                                  Buildings: .....           Owner: .....

Users:                User 1: ..... Surface used: .....           Regime of tenure: .....

                                  User 2: ..... Surface used: .....           Regime of tenure: .....

                                  User 3: ..... Surface used: .....           Regime of tenure: .....

                                  User 4: ..... Surface used: .....           Regime of tenure: .....

Valuation proposal (details of calculation on attached sheet):

Crops: .....

.....

Structures: .....

.....

Proposed distribution of compensation:

User 1: .....

User 2: .....

User 3: .....

User 4: .....

Prepared By: .....Date: .....

**Annex 3.2: Affected Building Sheet**

Reference: .....  
Location: - County: .....District: .....Town: .....  
GPS Coordinates: ..... Photograph number: .....

Owner:-

Full Name: .....  
Address : .....  
.....

Description:-

Permanent:.....Non permanent: .....  
Surface: ..... m<sup>2</sup> Number of rooms: .....  
Walls: Material: ..... Condition: .....  
Roof: Material: ..... Condition: .....  
Floor: Material: ..... Condition: .....  
Annexes outside:  
Latrine: Material: ..... Condition: ..... Bathroom: Material:  
..... Condition: ..... Kitchen: Material: ..... Condition:  
..... Others: .....Material: .....Condition: .....  
Additional features: .....  
.....

Permanently Inhabited: ....By: .....Regime of occupation: .....  
Periodically Inhabited: By: ..... Regime of occupation: .....

Vulnerable group:

- a) Women-headed Household.....
- b) Family with physically and mentally.....
- c) Family with aged members.....
- d) Family with income below poverty line.....
- e) Family losing more than the economic threshold of their land through acquisition/negotiation.....

Valuation proposal (details of calculation on attached sheet): .....

.....

.....

Proposed distribution of compensation:

User 1: .....

User 2: .....

User 3: .....

User 4: .....

Prepared By: .....Date: .....

**Annex 3.3: Affected Household Sheet**

Household Reference: .....

Location: - County: .....District: .....Town:.....

Reference of Affected Asset:-

Type: - Structure: ..... Plot: .....Crop: ..... (*Tick one*)

Reference of Affected Asset Sheet: .....

Household Information:-

Head of Household: - Name: .....Age: .....Sex .....

Identity Document: - Type: .....Number: .....

Composition of Household:-

Number	Name	Relationship with Household Head	Sex	Age
1				
2				
3				

Socio-Economic Information:-

Head of Household: .....

Occupations: - Primary: ..... Secondary: .....

Other members of Household:-

Number: ..... Occupation: ..... Highest education level attained: .....

Number: ..... Occupation: ..... Highest education level attained: .....

Total Estimated Household Cash Income: .....

Education level of Household Members:-

Number: ..... Level: .....

Number: ..... Level: .....

Number: ..... Level: .....

Number: ..... Level: .....

Project Impact:-

Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:

.....

Amount of land owned; .....

Details of income loss due to loss of land; .....

Proposed Compensation or Resettlement Package:-

Household's Wishes: .....

.....

Proposed Package: .....

Proposed Livelihood Restoration Package:-

Household's Wishes: .....

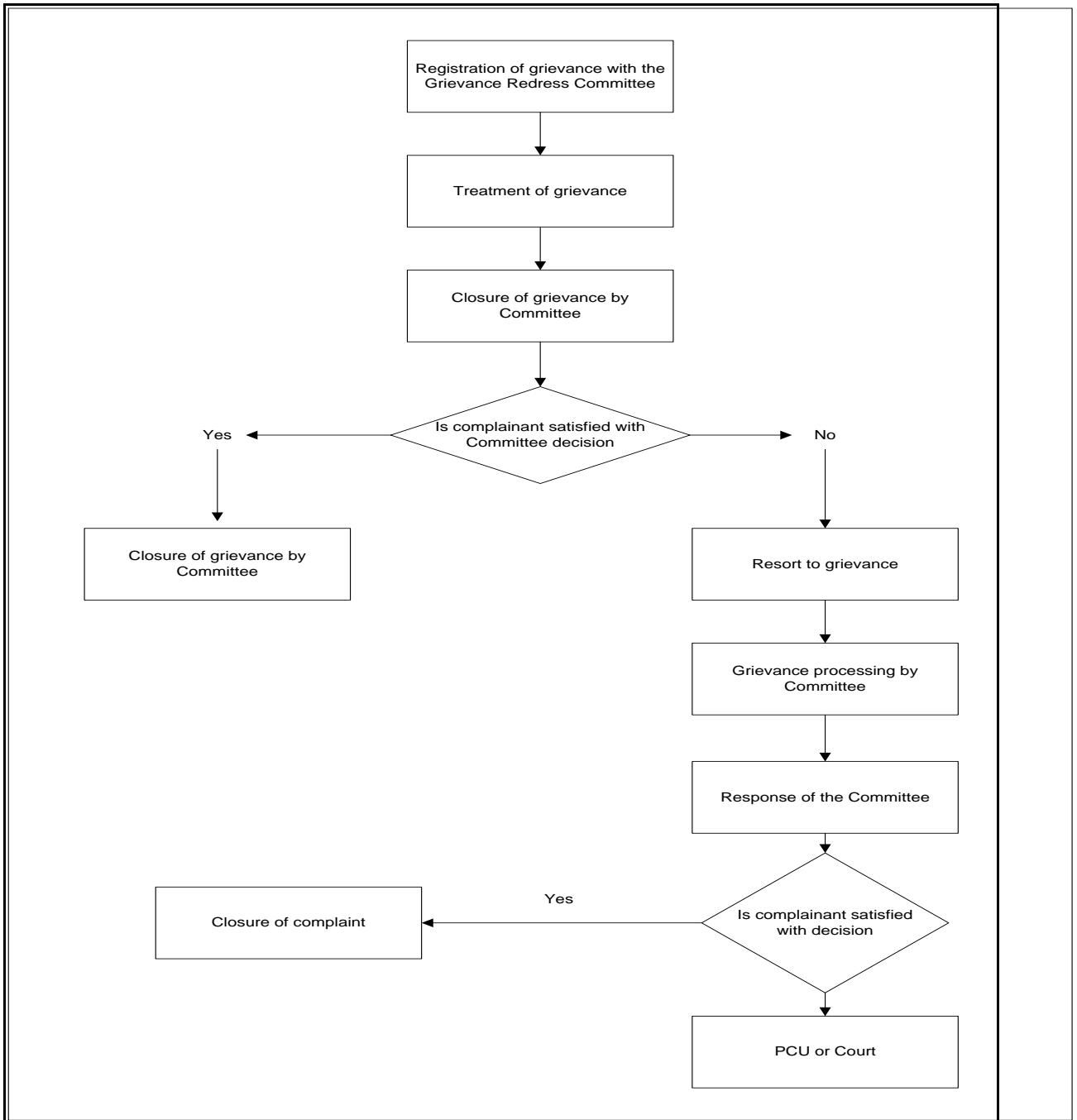
.....

Proposed Package: .....

.....



**Appendix 4A: A Sample Grievance Log**  
**Appendix 4a: A SAMPLE GRIEVANCE LOG**





**Appendix 4b. Sample Grievance Redress Form and Agreed Resolution Format**

<b>Grievance Form</b>				
<i>Grievance Number:</i>		<i>Copies to forward to:</i>		
<i>Name of the Recorder;</i>		<i>(Original)-Receiver Party:</i>		
<i>LG &amp; Community:</i>		<i>(Copy)- Responsible Party:</i>		
<i>Date:</i>				
<b>Information About Grievance</b>				
<i>Define the Grievance .....</i>				
<b>Information about the Complainant</b>		Forms of Receipt:		
Name		<input type="checkbox"/> community Information Meetings		
Phone Line		<input type="checkbox"/> Mail		
Village/ Local Govt. Area		<input type="checkbox"/> Informal		
Signature of Complainant and Date		<input type="checkbox"/> Other		
<b>DETAILS OF GRIEVANCE (addition to list could be made as appropriate)</b>				
<b>1. Access to Land and Resources</b>	<b>2. Damage to</b>	<b>3. Damage to Infrastructure or Community Assets</b>	<b>4. Decrease or Loss of Livelihood</b>	<b>5. Traffic Accident</b>
a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Others	a) House b) Land c) Livestock d) Means of livelihood e) Other	a) Road b) Bridge/Passageways c)Power/Telephone Lines d) Water sources, canals and water infrastructure for irrigation and animals e) Drinking water f) Sewerage System g) Others	a) Agriculture b) husbandry c) Beekeeping d) Small scale trade e) Other	a) Injury b) Damage to property c) Damage to livestock e) others
<b>6. Incidents Regarding Expropriation</b>	<b>7. Resettlement Process(Specify)</b>	<b>8. Employment and Recruitment(Specify)</b>	<b>9. Construction Camp and</b>	<b>10. Other (Specify)</b>

<i>and Compensation (Specify)</i>			<b>Community Relations</b> <i>a) Nuisance from dust</i>	
			<i>b) Nuisance from noise c) Vibrations due to explosions d) Misconduct of the project personnel /worker d) Complaint follow up f) Other</i>	

**Appendix 4c: Template of a Claim Registration and Follow-up Form**

Prepared by: Date:

Aggrieved person:

Full name:

Residence:

Project registration number:

Reason for the claim (detailed description of the aggrieved person’s version):

Composition of the mediation committee:

Chair (name, position):

LG Chairman/Community Leader/representative (name, position):

Project (name, position):

Other elders (name, position):

Report of mediation efforts:

Agreed solution:

Implementation of the agreed solution:

Close-out:

In case no settlement is reached:

Reason why no settlement could be reached:

Follow-up by claimant:

**Appendix 4d: Quarterly Grievance Report**

<b>Case No.</b>	<b>Complainant's Name, gender and location</b>	<b>Nature of complain and expectation of</b>	<b>Date of petition submitted</b>	<b>Method of resolution with</b>	<b>Decisions and date of communication to the</b>	<b>Agreement with and commitment to</b>	<b>Progress (solved/</b>	<b>Reason if pending</b>



**Appendix 5: Harmonized Compensation Rates For Economic Trees And Crops In North – West Geo-Political Zone**

**NORTH-WEST GEO-POLITICAL ZONE**

**HARMONISED COMPENSATION RATES FOR ECONOMIC TREES AND CROPS IN NORTH-WEST GEO-POLITICAL ZONE**

S/NO	ECONOMIC TREES	A Mature	B Immature	C Seedling
1.	Mango	10,000	5000	2,500
2.	Dorowa	10,000	5,000	2,500
3.	Dabino	10,000	5,000	2,500
4.	Gamji	10,000	5,000	2,500
5.	Kadauya	10,000	5,000	2,500
6.	Rimi	5000	2,500	1,250
7.	Tsamiya	8000	4,000	2,000
8.	Madaci	5000	2,500	1,250
9.	Kanya	4000	2000	1000
10.	Marke	5000	2,500	1,250
11.	Gawo	5000	2,500	1,250
12.	Aduwa	3,500	1,750	875
13.	Goruba	6000	3,000	1,500
14.	Giginya	10,000	5,000	2,500
15.	Kuka	10,000	5000	2,500
16.	Madobiya	4,000	2000	1000
17.	Goba	4,000	2000	1000
18.	Gwanda	2000	1000	500
19.	Lemu Zaki	8,000	4000	2000
20.	Lemun Tsami	8000	4000	2000
21.	Lemun Tangerine	8000	4000	2000
22.	Albijuja	2000	1000	500
23.	Neem	5000	2,500	1,250
24.	Bauran Rafi	2000	1000	500
25.	Kashiya	2500	1250	625
26.	Dalbejiya	3000	1,500	750
27.	Dusha	2000	1000	500
28.	Gurijiya	1000	500	250
29.	Gawasa	1,500	750	375
30.	Katsari	2000	1000	500
31.	Kurna	4000	2000	1000
32.	Kirya	2000	1000	500
33.	Maje	4000	2000	500
34.	Franshana	1500	750	375
35.	Sansami	1500	750	375
36.	Baushe	3000	1500	750
37.	Danya	3500	1750	875
38.	Fasadabur	3000	1500	750
39.	Ruman	1000	500	250
40.	Magarya	2000	1000	500
41.	Taura	3000	1500	750
42.	Kalgo tree	3000	1500	750
43.	Kalgo shub	100	50	25

44.	Ayaba	3000	1500	750
45.	Chediya	3000	1500	750
46.	Durumi	3000	1500	750
47.	Kawari	2000	1000	500
48.	Lalle	3000/bunch	1500	750
49.	Morianga Alicafera	1000	500	250
50.	Giyaya	1000	500	250
51.	Dinya	4000	2000	1000
52.	Grapes (Inabi)	8000	4000	2000
53.	Kantakara	500	250	125
54.	Matsagi	500	250	125
55.	Geza	500/bunch	250/bunch	125/bunch
56.	Doka	3000	1500	750
57.	Turare	3000	1500	750
58.	Gmshina	1000	500	250
59.	Gakwara (Domesticated)	5000	2,500	1,250
60.	Dakwara(Wild)	2000	1000	500
61	Zuwo	500	250	125
62	Aliliba	1,500	750	375
	Goro	3000	1,500	750
	Cashew	3000	1,500	750
	Bauren Lamba	2000	1000	500
	Gwanda Dawa	2000	1000	500
	Faru	3000	1,500	750
	Zogale	1,000	500	250
	Palm Tree	5000	2500	1250
	Kawo	3000	1500	750
	Atili	3000	1500	750
	Passion fruit	5000	2500	1250
	Kuhu Tree	3000	1500	750
	Sabara (tree)	1500	750	375
	Sabara(shrub)	100	50	25
	Shuwaka	500	250	125
	Nunu	2000	1000	500
	Coconut	5000	2500	1250
	Tsada	3000	1500	750
	Bagaruwa	4000	2000	1000

#### **ECONOMIC CROPS**

	Millet	60,000	30,000	15,000
	Guineacorn	60,000	30,000	15,000
	Maize	80,000	40,000	20,000
	Rice	100,000	50,000	25,000
	Beans	80,000	40,000	20,000
	Groundnut	100,000	50,000	25,000
	Yam	80,000	40,000	20,000
	Cotton	150,000	75,000	87,500
	Cocoyam	80,000	40,000	20,000
	Cassava (improved)	200,000	100,000	50,000



Soya bean	100,000	50,000	25,000
Sugarcane	150,000	75,000	37,500
Tomatoes	80,000	40,000	20,000
Sweet Potatoes	50,000	25,000	12,500
Irish Potatoes	100,000	50,000	25,000
Pepper (i) Tattasai	80,000	40,000	20,000
(ii) Borkano	120,000	80,000	30,000
(iii) Altarugu	80,000	40,000	20,000
Beniseed, (Ridi)	60,000	30,000	15,000
Ginger	150,000	75,000	37,500
Tigernuts (Aya)	60,000	30,000	15,000
Digatana (Acha)	100,000	50,000	25,000
Ceral grass (Iburo)	100,000	50,000	25,000
Cocoyam (Gwaza)	80,000	40,000	20,000
Tobacco (Taba)	15,000	7,500	3,750
Other Vegetables:			
Onions lettuce carrot etc	40,000	20,000	10,000
Rizga (Tube)	100,000	50,000	25,000
Wheat	120,000	60,000	30,000
Kwarya (gound)	30,000	15,000	7,500
Kabewa	35,000	17,500	8,750
Soborodo	50,000	25,000	12,250
Water Melon	35,000	17,500	8,750
Govt/grazing Recours	300,000	150,000	75,000
Neem Plantation	550,000	275,000	137,500
REPLECEMENT VALUE FOR FARM LAND PER HECTARE			
State capital			
Minimum	120,000	60,000	30,000
Fadama Minimun	200,000	100,000	50,000
OTHER LG HEADQUARTERS	80,000	40,000	20,000
RURAL AREAS	60,000	30,000	15,000

NOTE: Seedlings 25%, Immature 50%, Matured 100%. CROPS PER HECTIRE.

## **Appendix 6: Objectives of the Consultancy**

The main objective of the consultancy is to prepare a Resettlement Policy Framework (RPF) applicable to the project over its time frame. The preparation of this RPF is in line with the requirement of the ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement; and ESS10: Stakeholder Engagement and Information Disclosure. The RPF also makes reference to the Federal Government of Nigeria's legal and institutional requirements.

### **Scope of Work**

The assignment by the Consultant covers the following key areas:

- i. Resettlement principles, organizational arrangements and design criteria to be applied to sub-projects to be prepared during project implementation.
- ii. A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a Resettlement Policy Framework is prepared;
- iii. Principles and objectives governing resettlement preparation and implementation, including the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies.
- iv. Describing the legally mandated institutions associated with these legal instruments and their respective roles, including the institutional arrangement for implementation and monitoring mechanisms that ensures inclusiveness and participation of all affected people, groups and communities;
- v. Spelling out the World Bank's ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement and assess how this applies in the specific case of the Project.
- vi. Conducting an initial social and economic survey at the proposed states for the project activities required under the different components and sub-components for which ESS 5 is relevant.
- vii. Develop a matrix that detail the type of compensation that each identified PAP will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement as will be proposed in the Matrix;
- viii. Describe in detail the methods used in valuing those assets that will be eligible for compensation.

- ix. Describe the process for organizational arrangements, responsibilities and roles.
- x. Describe in clear terms the methodology for consultation and participation by the PAPs in the process until they have received their entitlements.
- xi. Develop a program for the disclosure of the RPF to facilitate the work of the client on this matter. The responsibility for both the disclosure and dissemination however lies with the client;
- xii. The Resettlement Policy Framework to be developed under this project will be in accord with Nigeria legislation and regulations and with ESS5.